TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
SEPTEMBER 27, 2022

4:30 PM – CALL TO ORDER

Chairman Richard W. Loring Jr. called the meeting to order at 4:30pm.
Present in the meeting were Vice Chairman Robert Erlandsen, Commissioner Robert Kostka, Superintendent Chris Veracka, Mike Carmasine of CEI, Inc, Kristen Berger of Resilient CE and Stacey Smith, Clerk. Boy Scout Richard McNeill and his mother were also present.
Mike Ohl of CEI Inc attended via ZOOM.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

Bills were presented and signed.

MEETING MINUTES:

VOTE TO APPROVE THE MINUTES OF SEPTEMBER 13, 2022

Chairman Loring asked for a motion to approve the minutes of August 18, 2022 and September 13, 2022. Commissioner Kostka made the motion to approve the minutes of August 18, 2022 and September 13, 2022. Ms. Smith interrupted to say the only minutes for approval before the Board are from September 13, 2022.
Chairman Loring noted he made an error. Commissioner Kostka amended the original motion to approve the minutes of September 13, 2022. Vice Chairman Erlandsen seconded that and it was voted unanimously (3-0-0).

APPOINTMENTS:

RICHARD MCNEIL, BOY SCOUT TROOP 49 RE: LIFE SCOUT PROJECT, FIRE HYDRANT PAINTING

Boy Scout Richard McNeil of Troop 49 Kingston, said he was before the Board to seek approval to paint hydrants in a local neighborhood to go towards his life scout award. Chairman Loring asked him how many scouts would be involved in this project. Scout McNeill said he hopes to have approximately 10-15 scouts. Vice Chairman Erlandsen asked if they would be painting the hydrants the traditional red and yellow or would they be different. Commissioner Kostka stated there's a reason there all red and yellow. Chairman Loring asked Superintendent Veracka if he had any thoughts to share . Superintendent Veracka said this would be a big help. He said the areas of MacFarlane Farms and Newcombs Mill are well suited for this project as they are developed neighborhoods with minimal street traffic. Chairman Loring asked if there would be adult supervision during the project. Scout McNeill responded that Yes, there would be adult supervision throughout the project. Commissioner Kostka made the motion to allow Scout McNeill of Troop 49 to organize the painting of hydrants within the neighborhoods of Newcombs Mill and MacFarlane Farms. The superintendent asked about supplies, what will be needed.
Scout McNeill stated he could supply brushes and refreshments for the troops. Superintendent Veracka stated the water department would provide the paint. Chairman Loring suggested a water department employee show Scout McNeill how to correctly paint a hydrant. Chairman Loring seconded the motion made by Commissioner Kostka and it was voted on unanimously (3-0-0).

Boy Scout McNeill and his mother left the meeting at approximately 4:35pm.

LLOYD GEISINGER AND DAVID EASTRIDGE, THORNDIKE DEVELOPMENT RE: SACRED HEART DEVELOPMENT PROPOSAL

David Eastridge of Thorndike Development stated to the Board he was here on a information gathering mission. He stated Thorndike Development would like to go public with this project in the next 3-4 weeks. In the meantime, Lloyd Geisinger had questions regarding water and sewer capabilities. Mr. Eastridge stated he looked at the GIS map and he wanted to know where the mains are located and where the stresses are on the system in the southern portion of Kingston.

Chairman Loring stated he thought the Board had spent some time explaining to Lloyd that there was no town water in the area and that we had concerns about the ability to supply water to the project. The main concern is the new complex at the mall and the consumption estimates. He added, we are very reluctant to say what can be supplied to a project given that we have no specifics. Chairman Loring says he is of the opinion that at least a 16-18" water main would need to be installed down the length of Rt 80 from the proposed project to the Trackle Pond Treatment Plant. He said, without that, we are at a loss as to what we can supply you.

Mr. Eastridge stated the map online appears not to match the map on the wall. He asked which map is accurate. Discussion continued over the map he presented on the meeting room table. Mr. Eastridge was asking about the mains in the Von Rohr Estates area. It was discussed the mains on the online map were too old to use. They are connected to old cisterns and the idea was to fill the mains with water in the event of a fire emergency. However, the water sat for too long and the mains are unable to be cleaned. Clarifications were made on the map.

Chairman Loring stated the other concern is the limited storage and limited pumping ability with the one well at Trackle Pond. Mr. Eastridge asked about the water quality in the area and questioned the gallons pumped daily at Trackle Pond. Ms. Berger spoke up and said, the MA DEP permit allows for up to 1.4 million/gals per day. Superintendent Veracka said during the summer months we are very close to that threshold.

Mr. Eastridge stated, it sounds like the Board is looking for some type of loop and understanding there's nothing else in the area outside of Sacred Heart. Referring to the 16-18 inch water main, that is very big, I've never built one that big. Chairman Loring stated that it could be a 12-inch main but without knowing what the project proposal is, we need to be sure we can accommodate the volume and distance. Mr. Eastridge went on to explain his background and objective with Thorndike. Chairman Loring explained his concern about an additional well and the water department's desire to acquire a land site through an estate. He said, however, nothing yet has come through on that. Vice Chairman Erlandsen acknowledged there are three large proposals for similar projects in town and our concern is whether we can supply water to any of them.

Mr. Eastridge stated the plan is to raze the current Sacred Heart high school building, build a residential complex, connect to town water and abandon the current well site on the property.
Commissioner Kostka said their biggest concern is completing that loop and he suggested to Mr. Eastridge that they count on that being done in the plans.

Superintendent Veracka stated his other concern is there's only one water tank off that well that services that area. Discussion continued regarding pressure relief valves (PRVs), tank location and elevation issues. Mr. Eastridge thanked the Board for their time and left the meeting at 4:53 pm.

MICHAEL OHL, MIKE CARMASINE OF CEI, INC RE: ENGINEERING UPDATES
*GRASSY HOLE/I-86 MANGANESE TREATMENT PLANT - PUNCHLIST UPDATE AND CERTIFICATE OF SUBSTANTIAL COMPLETION STATUS

Mike Ohl of CEI, stated Mike Carmasine would provide an update on the punchlist for the treatment plant. Mr. Carmasine said approximately 50% of the items on the punchlist have been addressed and removed. He stated the painting has started on the pipe work and valves at Grassy Hole and will continue at Trackle Pond next week. The lagoon liner has been repaired and filled. It is just waiting to be tested during the next backwash. The spare parts have been ordered but are on back order and expected in late November. The solar display unit is "in hand" but has not been installed yet. The welder for the butterfly valve will be coming out tomorrow. The VFD's still need to be verified that the manual rest has been removed.

Ms. Berger of Resilient CE, referenced Item #9 on the punchlist, has no dollar amount. Mr. Carmasine said the KOH feed is still recirculating, they need to install back pressure valves.This will be an extra expense outside the contract. They've asked Winston Builders to include this on the change order for the trench drain.

Chairman Loring referenced the trench drain, we still have no dollar figure for that correction. Mr. Carmasine said that is correct; he's been waiting for several weeks for a cost estimate. Chairman Loring confirmed this was indeed a design flaw. Mr. Carmasine said yes. Chairman Loring asked approximately how much of this will be covered by CEI. He said we need a figure.Ms. Berger stated the original estimate was 47K. Chairman Loring said as this has nothing to do with construction and it was a design flaw; what is CEI's recommendation for payment to Winston Builders. Mr. Carmasine said CEI is recommending payment.

Ms. Berger asked if CEI recommends paying them to date and reducing the retainage to .5%. Mr. Ohl stated he was waiting to see. Winston has been working diligently to complete the punchlist. Chairman Loring asked Superintendent Veracka if he felt the punchlist would be completed. Superintendent Veracka stated, yes. Supplies, such as the extra parts, have been held up by the supply chain. We still have to monitor the maintenance and trench drain issue. That's a big concern. Chairman Loring stated that seemed fair and made the motion to pay Winston Builders to date and reduce the retainage to .5%. Commissioner Kostka stated in light of the reduction of items on the punchlist, he thinks it makes sense to pay Winston and reduce the retainage as recommended. Vice Chairman Erlandsen seconded the motion and it was voted unanimously (3-0-0).

Chairman Loring noted that we have received a letter from Winston Builder's attorney, Hinkley & Allen; however, we are not responding to the letter with this vote. Rather, we are responding to the work Winston Builders has completed.

Mr. Ohl stated regarding the Certificate of Substantial Completion, we received correspondence from Winston Builders ahead of our last meeting. Mr. Ohl said he composed a letter that went out with suggestions and edits from the OPM, Kristen Berger of Resilient CE. Subsequent to that letter, we have received the letter from Winston Builders attorney regarding the retainage issue and the substantial completion date. Mr. Ohl stated the contractor, through the attorney, is arguing the date the facility went online is the date for the Certificate of Substantial Completion. Mr. Ohl referenced a timeline in the meeting packet which makes a good case, along with the building permit, for August 8th to be the date of substantial completion. Prior to that, the dehumidifier and the generator had both failed. These were major operational issues that took some time to get resolved. They were resolved between the end of June and August 8, 2022.

Vice Chairman Erlandsen asked about insurance and if this was the main issue for the contractor. Mr. Ohl stated no, the builder's concern is regarding the warranty. The warranty begins on the date of the Certificate of Substantial Completion. Commissioner Kostka stated he's in agreement with Mr. Ohl regarding the August 8th date. Vice Chairman Erlandsen asked if there was a legal definition of substantial completion. Ms. Berger shared with the Board the definition per the contract. Chairman Loring read, *"substantial completion - the time in which the work or as specified part thereof has been processed to the point that in the opinion of the engineer, the work or the specific part thereof is sufficiently complete in accordance with the contract documents so that work or specified part thereof can be utilized for the purposes for which it was intended. The term substantially complete and substantially completed is applied to all or part of the work referred to be substantially complete thereof"* Discussion continued.

Ms. Berger asked Mr. Ohl to look back and see if there was a specific request for the Certificate of Substantial Completion made by the contractor, which is required. Mr. Ohl responded, he looked back and there was no specific request made by the builder. Ms. Berger stated the first time she saw any request was dated September 1st and received by her on September 10, 2022. Mr. Ohl stated there was reference to it back at the end of July when Winston commented " Certificate of Substantial Completion was inappropriately being withheld". Chairman Loring asked Mike to compose a letter with the timeline for the Board to sign to send to the Winston Builders.

Mr. Ohl referenced the process of obtaining an Occupancy Permit and how the builder waited until the last minute and then tried to push the process onto CEI. He added, CEI plays a part in that process and we turned those documents relatively quickly. Commissioner Kostka asked Ms. Berger for her thoughts. Ms. Berger stated by holding up payment request #17, that lit a fire under the builder to complete the work. The builder knew the Certificate of Substantial Completion needed to have a certificate of occupancy first. She stated she mentioned this to them as early as June. Commissioner Kostka stated he agreed with both the engineer and our OPM recommendations to hold to the August 8th date for the Certificate of Substantial Completion as that is the date on the certificate of occupancy. Vice Chairman Erlandsen agreed. Chairman Loring confirmed with Mr. Ohl that letter will go out to Winston stating what was discussed.

Mr. Ohl had a question regarding transfer of the insurance coverage to the town. Ms. Smith asked for a moment to check her email. Ms. Smith stated the building was added to the Town's policy on September 20, 2022. There is a form that needed to be signed and there was question as to who is the appropriate party to sign. Ms. Smith said she would email the town's insurance tomorrow for clarification.

KRISTEN BERGER, RESILIENT CE RE: OPM UPDATES ON GRASSY HOLE/I-86 MANGANESE TREATMENT PLANT

Ms. Berger stated the recent CEI invoice is over budget and more than the current contract. She recommended to Ms.Smith it be held until it is revised or an amendment is presented. Mr. Ohl stated that was totally fine. Chairman Loring stated we are still waiting for a definite commitment on the trench drain issue and how that will be handled. Mr. Ohl said, absolutely.

Ms. Berger said this most recent SRF drawdown request will include the Winston Builders invoice and the invoice for Resilient CE. She stated the handouts for the boards have been ordered and will be on the way shortly. Chairman Lorings' recommendation is that the poster boards be displayed at Town Hall for all those entering Room 200 to see what we have accomplished. Commissioner Kostka recommended the poster boards be the responsibility of Superintendent Veracka to have them displayed at Town Meeting as well.

Ms. Berger stated the Board had received a proposal for a price increase on the OPM contract back in May. She is asking for the Board's vote on that payment amendment at this time. Commissioner Kostka made the motion to approve the previously proposed price increase due to the extension of the project for the OPM, Resilient CE. Vice Chairman Erlandsen seconded and it was voted unanimously (3-0-0).

Superintendent Veracka stated one more thing regarding the punchlist, the concrete removal has yet to be done. Mike Carmasine said it would be done tomorrow.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

1. DISCUSS LOCATION OF DEDICATION PLAQUE - GRASSY HOLE/I-86 TREATMENT PLANT

Superintendent Veracka asked for the Board's recommendation of the placement of the dedication plaque on the new treatment plant. Mr. Veracka suggested a place on the red brick beside the entrance door so it was visible to all who enter. Chairman Loring asked Ms. Smith to check with the Svenson family as to their availability for a ceremony.

Superintendent Veracka stated he has received 7 resumes for the position of water repairman. The job posting is still open. The town had to advertise for a week in house before looking at outside applicants. Superintendent Veracka said he would wait until Friday to see if any more arrive. Commissioner Kostka suggested Superintendent Veracka and Ms. Smith present the top three candidates to the Board. Superintendent Veracka stated he would like to involve the foreman as well. Chairman Loring suggested checking with HR and see if she would like to be involved. Commissioner Kostka asked what the time line was for acquiring the necessary license. Superintendent Veracks said, typically it's a year but we are at the mercy of the class offerings. Classes are offered in the spring and the fall.

Superintendent Veracka updated the Board on the number of leaks and added we are getting caught up on these repairs. There still remains one active leak on the town. Commissioner Kostka asked about fall flushing. Superintendent Veracka told the Board, MA DEP has asked to hold off on fall flushing due to the ongoing drought.

The paving on Whistler Lane is complete. The work was done by Plymouth County Paving and the project was under budget.

Superintendent Veracka informed the Board of the recent positive hit on a sample tested by Morrell Labs. The lab emailed Ms. Smith who was on vacation. Typically, any hits are reported to the office by phone. The message wasn't retrieved until Ms. Smith got back from vacation, which was long past the 24 hr requirement of MA DEP to re-test. Commissioner Kostka asked if this was a recurring issue with the lab. Ms. Smith responded, not with this particular lab. This is the first time this situation has happened. Superintendent Veracka is working with MA DEP regarding corrective action.

Superintendent Veracka reviewed the withdrawal of plans from the Planning Board regarding 48 Howlands Lane and 79 Elm Street. He presented an Approval Not Required (ANR) Plan for Independence Center Newco LLC. Chairman Loring stated if the mall is selling this piece of land to Marty's GMC, this unpaved land may change the calculations to their impervious allowance. He recommended a letter to the Planning Board and a certified letter to the mall asking them for updated numbers. He added, this appears to be further indication that the mall group is selling off land to create a cash flow with no concern of any impact for the Zone 2.

BROWN BUILT CONSTRUCTION, 1 TREMONT ST/163 SUMMER ST RE: ISSUANCE OF WATER QUALITY CERTIFICATE

Chairman Loring stated, regarding the letter received from the Town Planner referencing 1 Tremont/163 Summer St and current issues regarding setbacks, fired department concerns, etc...
He is recommending holding off on the issuance of a water quality certificate until these issues are resolved.
Additionally, Chairman Loring asked Superintendent Veracka to research the distance required between gas and water utilities.

NEW BUSINESS:

LETTER DATED AUGUST 31 (RECEIVED SEPT 16) FROM JOHN HAJJAR, 114 MAIN ST, KINGSTON MA
RE: ABATEMENT REQUEST DUE TO BROKEN SPRINKLER HEAD.

Commissioner Kostka asked about the abatement request for 114 Main St. Ms. Smith said she included it in the packet for information only as the request is only asking for sewer relief. She has forwarded the letter to the Sewer Commission for their review. No motion made by the Board of Water Commissioners.

UNFINISHED BUSINESS:

ENGINEERING RFP UPDATE - REVIEW OF PROPOSALS RECEIVED. DEADLINE FOR SUBMITTAL WAS SEPTEMBER 7, 2022.

Chairman Loring stated the last order of business is the review of the four RFPs for Engineering. He recommended the packets be brought home for review in advance of setting up interviews for the firms. Discussion as to when to hold interviews took place. A suggestion to have an open meeting outside of a normal meeting was discussed.

WATER CORRESPONDENCE FROM LAST MEETING:

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

SEE UNFINISHED BUSINESS

NEXT REGULAR MEETING:

OCTOBER 11, 2022 AT 4:30 PM

ADJOURNMENT OF OPEN SESSION:

Commissioner Robert Kostka made the motion to adjourn. The motion was seconded by Vice Chairman Erlandsen and was voted on unanimously (3-0-0).
The meeting adjourned at 5:41pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS
TIME: SEP 27, 2022 04:30 PM EASTERN TIME (US AND CANADA)
JOIN ZOOM MEETING
HTTPS://US02WEB.ZOOM.US/J/89460681921?PWD=VLJJWJRET3VMDLF4YNB4BZC4WMPIDZ09

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PASSCODE: 996556
FIND YOUR LOCAL NUMBER: HTTPS://US02WEB.ZOOM.US/U/KMJDEGZGY

Respectfully submitted,

Stacey L. Smith

Stacey L. Smith
Clerk to the Board of Water Commissioners