



TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
NOVEMBER 8, 2022

4:30 PM – CALL TO ORDER

Chairman Loring called the meeting to order at 4:31pm.

In attendance were Vice Chairman Robert Erlandsen, Mike Ohl of Comprehensive Environmental Inc, Kristen Berger of Resilient CE, Town Planner Valerie Massard, Water Superintendent Chris Veracka, resident Mark Guidoboni and Stacey Smith, Clerk.

Chairman Loring asked for a moment of silence in observance of the death of former Water Commissioner George Cravenho. Mr. Cravenho was first elected in 1981 to the Board of Water Commissioners and spent many years serving the Town of Kingston in that capacity. He passed away last week.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

Moved to later in the meeting

APPOINTMENTS:

VALERIE MASSARD, TOWN PLANNER RE: DISCUSSION ON POSSIBLE WATER MORATORIUM OPTIONS

Chairman Loring recognized that Town Planner Valerie Massard was in attendance for today's meeting. He stated she was invited to the meeting to speak to the Board regarding the current water supply and how that may affect future development needs in the town. Chairman Loring said there appears to be very low water pressure and inadequate water volume and storage in some parts of town where new developments are proposed. He added, this Board has explained this situation to developers such as Trammel & Crow (M. Baranski). The Board is not against development; however, they feel it should be "controlled" development.

Ms. Massard said she is not only the Town Planner but she is a resident as well. From the towns perspective, as we are an MBTA community, we are subject to the new MBTA Zoning and it's intensity of development around the rail station. We are in a situation that we must be zoned for 800+ units "by right" and include this into our zoning bylaws. She stated she and Superintendent Veracka have been talking about these developments. We have about a year to figure out how to comply so that we may still be able to obtain grant funding. She said, the town needs to consider how they want to do this.

Ms. Massard added, perhaps the town needs a "time out" or moratorium to figure out what to do. She referenced the Town of Weymouth has done just that. Her question is, does the water department need time to figure out where to get this water and whether we even have the capacity to provide for such development. Additionally, she said there are also the 40B projects that are out there in addition to the MBTA Zoning.

She stated by Fall 2024, this zoning needs to be passed or we will be out of compliance with the State. This is why she has initiated the discussion with water, sewer and other departments about the constraints the State is placing on us and working together on a plan moving forward. She said the Town is going to ask for technical assistance from the State. She said 40% of housing has to be within one half mile of the train station and it's a very tight area. The Town is very constrained in that one area. She added, when you do "by right" you have to have the water, sewer, traffic and

density the State wants. These factors all have to be considered and the developer and/or the Town and/or the State can look for eligible grants to support the development. She said there still remain lots of questions.

Vice Chairman Erlandsen asked to confirm that by Fall 2024 we need to be zoned for at least 800+ units?

Ms. Massard, yes that's correct. Vice Chairman Erlandsen asked, and 40% need to be within a half mile of the MBTA itself? Ms Massard responded, yes and the remaining 60% need to be elsewhere.

Chairman Loring asked where the number of units originated. Ms. Massard said they were generated by the State. She added, the State won't penalize the Town if the development is not built or if it falls under the numbers but the developments still need to be supported by water, sewer and traffic improvements.

Vice Chairman Erlandsen asked, who determines if the developments can be backed up by these services? Ms. Massard said that would be up to engineering-based figures, with solid numbers, to provide to the State. Discussion continued regarding capacity. Vice Chairman Erlandsen asked, these zoning changes would be voted on at town meeting and would the zoning change require a 2/3 vote? Ms. Massard said she believed if pre-approved by DHCD we can use the 51% majority vote. She added, there are a lot of details involved in the process.

Chairman Loring stated he feels the deadline placed upon us by the State seems unreasonable and unrealistic for communities, affected by this zoning, to come up with realistic predicted numbers to make our case. Ms. Massard said they went to the State and basically told them that and the State's response was " We're all set". Chairman Loring said he's concerned about realistic expectations. There is not much undeveloped land that is not already in protected, designated areas especially around our well areas.

Mark Guidoboni asked if existing apartments count towards the totals? Ms. Massard said, no they do not count. The current ones are not within a half mile of the train station and the MBTA zoning requires other factors such as recreation space. Areas that need to be excluded are conservation and open space that cannot be developed. Ms. Massard stated the key will be the new administration coming in after today's election. Discussion continued regarding Plymouth and their train station.

Vice Chairman Erlandsen asked which state department is overseeing this? Ms. Massard stated the DHCD (Department of Housing and Community Development). Vice Chairman Erlandsen asked about our State Reps. Ms. Massard stated they voted for this. Nationwide, housing is a problem. Massachusetts is the second highest, most expensive housing area in the country. The idea is to create more housing. She added, California has deemed single family homes can now be two family homes regardless of where it is and how it is zoned anywhere in the state. In another west coast state, either Washington or Oregon, it is illegal to zone for single family homes. On the east coast, this MBTA zoning is the latest attempt by our policy makers to help with the housing crisis.

David Gilmore logged on to the meeting.

Ms. Massard stated regional grants for this area may be a much more reasonable approach to this in our area.

Chairman Loring asked what is the Planning Board's approach and how are they advising town officials. Ms. Massard stated the Planning Board wrote a letter against this proposal. She has been attending weeks and weeks of webinars and is only now in a position to present this material, with a clearer understanding, to other people. She added, no independent decisions can or will be made regarding this issue. She believes a task force within the town needs to be organized where joint discussions occur. We need to collaborate. There isn't enough money available for water, sewer and traffic improvements and there is no guarantee we will receive grant money to cover these expenses.

Chairman Loring stated he is concerned about a "one group" focus. He feels the Board of Selectmen need to give the task force the latitude to move forward and put together a long-term plan. Ms. Massard believes the Board of Selectmen supports this idea.

Ms. Massard recommended the water department may want to contact Mass DEP and ask questions regarding our

capacity, the aquifer and how we map this out. She added, we are not the only community affected by this so Mass DEP has surely received the same calls from other communities. She said engineering research will be needed. Vice Chairman Erlandsen asked if the developments could have wells? She said they could but she's unsure with the density if that's possible. Ms. Massard said they're talking about 15 units per acre. They could have private septic as well but that would be difficult as well..

Chairman Loring thanked Ms. Massard and stated this information is overwhelming. He said the board needs to look at this long term from the water department's standpoint. He said, we will work together on this to come up with realistic quantities and capacities to submit.

Valerie Massard thanked the Board and left the meeting at 5:07pm.

MARK BARANSKI, TRAMMEL CROW RE: MONK'S HILL PROPOSED DEVELOPMENT

Appointment was cancelled. Mr. Baranski will reschedule at a later date.

MIKE OHL, COMPREHENSIVE ENVIRONMENTAL INC RE: GRASSY HOLE/I-86 UPDATE

Mr. Ohl stated the treatment plant project is closing in to the end. The updated punch list, from mid-October, is attached to the Certificate of Substantial Completion. The gray-shaded items are items that have been completed. He said other things, i.e the lagoon liner will be kept an eye on. Mr. Ohl stated the solar display unit for the solar panels was installed last week. The items left on the punch list in black font are still left to be completed. These items consist of the spare parts which were delayed by the supply chain issues. The chemical transfer piping issues will be addressed tomorrow. The items added by change orders such as the heater for the corrosion facility is expected in the spring and the condensation collection drain will be addressed next week ahead of the holiday. Mr. Ohl stated there had been no further request for payment.

Superintendent Veracka referenced the painting at Trackle Pond. He said there is still one valve left to complete. Mr. Ohl stated, as a separate issue, the painting subcontractor claimed the work was outside his contract. There was back and forth over the last month and the work is documented in the contract. The painting contractor painted "under protest" and submitted a bill for 8K. Mr. Ohl stated he has drafted a letter stating they still stand firm and the work is in the contract.

Commissioner Kostka arrived at the meeting at 5:13pm.

Ms. Berger of Resilient, CE, stated as a filed sub bid this is covered under Division 9. For the painting sub contractor to quote stipulation under Division 15 - it's a reach. She stated it's a weak case on the painter's part and it's not warranted. Mr. Ohl stated it may be a good idea to notify Town Counsel and give them a heads up, but wait until the letter goes out. Chairman Loring asked Ms. Smith to share this with Town Counsel that this may potentially be coming up in the future, as an FYI.

Mr. Ohl stated the approval for operating the treatment plant as a remote facility has been approved by Mass DEP.

VOTE TO APPROVE THE MINUTES OF OCTOBER 25, 2022

Vice Chairman Erlandsen made the motion to approve the minutes of October 25, 2022. Commissioner Kostka seconded the motion and it was voted unanimously (3-0-0).

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

Ms. Berger referenced the signed change order and the Certificate of Substantial Completion. This extends the completion date by change order to August 8, 2022. She requested this be signed by the Board this evening and be brought to town hall for signatures. She stated she was in receipt of the Certificate of Useful Life from CEI, Inc and all parties have agreed that no close out paperwork will be done until everything is done. Ms. Berger did notify the State, both the SRF program and the Region, about the dedication, in case they may be interested in attending.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

NEW EMPLOYEE, MIKE SOUZA, FIRST DAY OF EMPLOYMENT 11/7/22

Superintendent Veracka stated Mike Souza has started and settled in very well. He's excited, ambitious, willing and able to work. His first day on the job, he worked on the installation of a new water service. Mr. Souza appears to be a good fit for the department.

QUARTERLY READS FOR DECEMBER BILLING STARTED 10/31

Superintendent Veracka stated his office is working on the December water and sewer bills now that the reads have been obtained.

LEAD & COPPER TESTING WILL BEGIN SOON. WE ARE REQUESTING THE FULL COOPERATION OF RESIDENTS OF TEST SITE LOCATIONS TO PARTICIPATE IN THIS MANDATORY ANNUAL TESTING REQUIRED BY MASSDEP. THIS TESTING NEEDS TO BE COMPLETED BY DECEMBER 31, 2022. LETTERS OF EXPLANATION WILL BE GOING OUT SOON FOLLOWED BY TEST BOTTLES AND INSTRUCTIONS TO THOSE SITES.

Lead and copper testing must be submitted in the fourth quarter of the year to the state.

Regarding the Grassy Hole/I-86 Treatment plant, the dedication plaque has been hung in preparation for Saturday's dedication. Additionally, the dehumidifier at Trackle Pond had a catastrophic failure. The good news is the fire alarms work well! Commissioner Kostka asked if it was the same type as at Grassy Hole. Superintendent Veracka stated it's the same brand, different model. Commissioner Kostka asked how long he thought it might be down. Superintendent Veracka said, at this point, he has no idea until he contacts a service provider to research. The good news is we are going into the winter season and we typically have it shut off until the spring and summer.

Ms. Smith asked Superintendent Veracka to address the lead and copper testing and explain the process a bit more. Superintendent Veracka stated resident participation is important. We have to test 60 sites across town, twice a year, now that we have the new treatment plant online. These are state-approved sites. If we do not collect all 60 samples, we will be found in non-compliance. Discussion continued regarding the requirement by the state and the participation process by resident sites. Commissioner Erlandsen asked if the homeowner takes the sample or are our employees allowed in the house to take the sample? Superintendent Veracka stated it's homeowner taken. Ms. Smith says that letters are sent out in advance to give resident sites notice and what to expect. Commissioner Kostka asked if residents can refuse? Superintendent Veracka stated, yes, that's why we have alternate approved sites. This is a tough time of year to accomplish this with the upcoming holiday season. Discussion continued regarding possible participation incentives.

Superintendent Veracka said he was thinking back to our earlier conversation about the high zone and all the development being proposed. While working on a water service this summer on High Pines, this issue came to light. After shutting down the gates to isolate the repair, the phones in the office started lighting up with calls from residents all over Indian Pond Estates with no water. After some research, it was discovered another gate had been shut, probably from the last time the hydrants were flushed. Apparently, after the flushing it had never been re-opened. He stated there is a lot of water service connections and fire protection that come down Indian Pond Road into two mains going to High Pines and Pine Cone Drive. All the water comes through those streets and feeds the entire Indian Pond area, the mall and the new apartments. There is no loop currently and if there was ever a catastrophic failure to that main it would put that entire area without water during that time.

Commissioner Kostka asked how big are those mains? Superintendent Veracka said he believes one is 12" and the other is an 8-10" main. Chairman Loring stated we should look at how to make those connections redundant. Commissioner Kostka requested Superintendent Veracka work on creating a solution to that line.

FY24 DRAFT BUDGET WAS SUBMITTED TO THE TOWN ADMINISTRATOR ON 10/28/22.

NEW BUSINESS:

VOTE TO AWARD ENGINEERING CONTRACT

Chairman Loring stated he was glad the entire Board was present to vote on the engineering contract. Commissioner

Kostka stated he was happy they chose two smaller companies and stated both candidates have things that speak well for them. Vice Chairman Erlandsen stated he has been happy over the last few years, for as long he's been a member on the Board, with the services provided. He added, thinking about the future and what's best for the town, he is tending to lean towards a company that can offer a cost savings.

Chairman Loring stated, we started the meeting with a moment of silence for George Cravenho. He added, looking back George, Fred and I all started together on this Board on May 9, 1981. Throughout his time on the Board, we have had enthusiastic, involved members on the Board. He added, we've had the good fortune to work with engineering firms who have demonstrated that same pattern and with each firm came a new, enthusiastic understudy. With CEI, Mr. Ohl brought on Mike Carmasine and we lost the enthusiasm. In contrast, when Trackle Pond Treatment was built, Mr. Ohl had introduced us to a young woman, named Kristen Berger who was experienced, professional and enthusiastic. Chairman Loring stated we've seen an evolution of senior members taking their time and bringing in the next level of professionals. He stated, this is an awkward position to be in. Chairman Loring stated his recommendation to the Board, with all things equal, would be to award Kristen Berger with Resilient CE the engineering contract.

Commissioner Kostka stated the last engineering change that was made, the decision was to go with a younger, more aggressive engineer to replace the engineer who had been here a very long time. He agreed with Chairman Loring's assessment.

Vice Chairman Erlandsen added, we hold both engineers in the highest esteem.

Commissioner Kostka made the motion to award Resilient CE the engineering contract. Vice Chairman Erlandsen seconded the motion and it was voted on unanimously (3-0-0).

Chairman Loring thanked CEI, Inc for their work and Mike Ohl's years of service. He added, we hope that you will work in cooperation with Resilient CE to obtain any records necessary.

Chairman Loring challenged Ms. Berger to start working with the Town in moving forward with the MBTA Zoning.

FY24 BUDGET DISCUSSION ON DEPARTMENT PRIORITIES AND OBJECTIVES RE: SPECIAL ARTICLES

Ms. Smith asked the Board to take the time to have a discussion about the special articles that may be needed at the Annual Town Meeting. Commissioner Kostka requested this be discussed at length at the next meeting on November 22, 2022.

UNFINISHED BUSINESS:

WATER CORRESPONDENCE FROM LAST MEETING:

NOTICE TO BOS (11/1/22) AND PUBLISHED NOTICE ON WEBSITE (11/2/22) REGARDING OPEN HOUSE/DEDICATION OF GRASSY HOLE/I-86 TREATMENT PLANT ON NOVEMBER 12, 2022 AT 2PM

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NEXT REGULAR MEETING:

NOVEMBER 22, 2022 AT 4:30PM

ADJOURNMENT OF OPEN SESSION:

Commissioner Kostka made the motion to adjourn. Vice Chairman Erlandsen seconded the motion and it was voted on unanimously (3-0-0). Meeting adjourned at 5:45pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS

TIME: NOV 8, 2022 04:30 PM EASTERN TIME (US AND CANADA)

JOIN ZOOM MEETING

[HTTPS://US02WEB.ZOOM.US/J/83228763602?PWD=WKNTAETMC1Q1BMO1RJCYEVA0V2G4ZZ09](https://us02web.zoom.us/j/83228763602?pwd=WKNTAETMC1Q1BMO1RJCYEVA0V2G4ZZ09)

MEETING ID: 832 2876 3602

PASSCODE: 158124

ONE TAP MOBILE

+16465588656,,83228763602#,,,,*158124# US (NEW YORK)

DIAL BY YOUR LOCATION

+1 646 558 8656 US (NEW YORK)

MEETING ID: 832 2876 3602

PASSCODE: 158124

FIND YOUR LOCAL NUMBER: [HTTPS://US02WEB.ZOOM.US/U/KBL978OXH2](https://us02web.zoom.us/j/83228763602?pwd=WKNTAETMC1Q1BMO1RJCYEVA0V2G4ZZ09)

Respectfully submitted,

A handwritten signature in blue ink that reads "Stacey L. Smith". The signature is written in a cursive, flowing style.

Stacey L. Smith
Clerk