



TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
MARCH 28, 2023

4:00 PM – CALL TO ORDER

Chairman Richard W. Loring Jr called the meeting to order at 4:00pm.

In attendance were Vice Chairman Robert Erlandsen, Kristen Berger of Resilient CE, Mark Baranski of Trammel & Crow, Nicholas Dellacava of Allen & Major Associates, Town Planner Valerie Massard, Superintendent Christopher Veracka and Stacey Smith, Clerk. Attending via Zoom was "Nathan".

Commissioner Robert Kostka was unable to attend the meeting.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

VOTE TO APPROVE THE MINUTES OF MARCH 14, 2023

Vice Chairman Erlandsen made the motion to approve the minutes of March 14, 2023. Chairman Loring seconded the motion and it was voted on unanimously (2-0-0).

APPOINTMENTS:

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

Mr. Baranski said he was here before the Board last August inquiring about water availability for the proposed project situated a mile south of the new Alexan Kingston apartments. The property is south of the mall and access to the site would be through an easement with the mall and on to the property owned by TL Edwards. At the time, the Board indicated uncertainty about water availability and how we would get it to the site. Since, the capital markets became unstable and that forced a slow down on the project. Mr. Baranski added, there is still interest in developing the project. Originally, the plan was for a 300 unit apartment complex. However, he has received information the Town would prefer a smaller development of 250 apartments. He said they are currently working with Pyramid Group to develop an easement from the road to the land, which is approximately 100-150 yards off the road. This would allow for transportation and utility installation.

Vice Chairman Erlandsen asked if this would be set back? Mr. Baranski said the road is already owned by the mall and the entry to the land is approx 100-150 yards off the road.

Chairman Loring said, as the Board said in August, we are more firm now in our position regarding our inability to supply water to this site and maintain a potable water system to the residents of Kingston. Chairman Loring went on to say, he understands growth and development is going to occur somewhere within town; however, until we have an adequate supply and water storage facility, we cannot commit to providing water to your project. We do not currently own a new well site and our best guess is it will be at least five years to acquire a site, receive Mass DEP approval, construct a well and place it online with the system. Additionally, an additional water storage tank may also need to be constructed. Chairman Loring stated this places this Board in a very awkward position with developers; but it is our responsibility to serve our existing residents first.

Mr. Baranski stated this appears to be about capacity, not getting the water to the site. Chairman Loring said, that

would be your responsibility; however, you could install all the pipes you want, we won't turn on the valve. Vice Chairman Erlandsen stated we are actively trying to obtain a well site. Mr. Dellacava stated if it were about distribution he could present some ideas. Mr. Baranski thanked the Board and said he would stay in touch. Mr. Baranski and Mr. Dellacava left the meeting.

Town Planner Valerie Massard stated she attended to listen to the conversation to be sure everyone was on the same page. Chairman Loring stated he would like to have Chris speak to her about the possibility of putting a formal moratorium in place so that we don't have to continue to go through this. Ms. Massard stated there are many people who seem to be knocking on the door for water availability.

Aside from this issue, she wanted to make the Board aware that the MBTA Task Force has not met yet. She said the State has come around and threatened fines and penalties for those communities who do not vote in the MBTA zoning. She has been without office staff for a few months and is hoping once she gets her new hire acclimated, a task force meeting can be scheduled. Discussion continued regarding this zoning requirement.

Ms. Massard also made the Board aware that the Sewer Commission has presented to the Board of Selectmen, since they do not have the fourth tank online that they are currently out of sewer capacity. Ms. Massard left the meeting.

KRISTEN BERGER, RESILIENT CE RE: ENGINEERING UPDATES

*WATER TREATMENT FACILITY

*I-86 WELL CLEANING PROJECT

*WATER SYSTEM MAP UPDATE, IF ANY

*REVIEW AND DISCUSSION OF PRESENTATION MATERIALS FOR TOWN MEETING, IF ANY

Review and discussion of presentation materials for Town Meeting

Ms. Berger went over the updated graph on water capacity. She included some bullet points at the bottom for the voters and an explanation of how they can help. She added, it could be placed on the town website to educate voters prior to the Town Meeting and then also be handed out as a one-page handout at Town Meeting. Regarding the bullet points she referenced the article for eminent domain. Chairman Loring stated this will be helpful to explain the need for eminent domain. Ms. Smith interrupted and told the Board there was no article for eminent domain on the warrant. She added, since a conversation had started with the estate, why would an article be placed on the warrant? Ms. Berger asked for the purpose on the handout if not for eminent domain.

Vice Chairman Erlandsen asked what is our risk with the State regarding our exceeding capacity? Ms. Berger stated it would come up in a sanitary survey the next time around. They are every three years and the last one was done this past year before the previous superintendent, Matt Darsch retired. Vice Chairman Erlandsen asked what is the worst thing MassDEP could do if we are still exceeding this three years from now? Ms. Berger said they would place an action item in the survey to submit to MassDEP for corrective action. She stated that's typically what they would do.

Ms. Berger stated she will restructure the handout and eliminate the mention of eminent domain. Ms. Smith explained it was her understanding that originally, with no communication from the estate, that may have been the intent if the Board had to go that route. However, we have opened up communication with a representative of the estate. Ms. Berger suggests perhaps a handout explaining the need for a potential water moratorium would be more appropriate. Ms. Berger will continue to edit and work on the water capacity analysis handout.

I-86 Well Cleaning project

Ms. Berger stated the well cleaning bid will be posted and advertised tomorrow. Bids are due Thursday, April 13, 2022. Ms. Berger will attend the bid opening. She stated it's a small group of contractors for this work so it should be relatively easy for them to submit their bids.

Water System Map Update

Ms. Berger said she has been talking to Chris about getting him a zoomed in tile book that he can mark up by hand for

the update.

Water Treatment Facility

Ms. Berger said there were no updates. She stated the SCADA update is almost done. Superintendent Veracka said Mike Leary was just waiting on the dial in harness but once that part is received he will return to complete the job. Discussion took place regarding the invoicing for the SCADA update and the unit heater in the chemical pump room.

Ms. Berger said she spoke with Mike Ohl of Comprehensive Environmental Inc and he is finishing up the two O & M Manuals and working on the file(s) transfer. Chairman Loring asked Ms. Berger to please stay on top of them.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

UPDATE ON KELLEHER PROPERTY

Superintendent Veracka stated he met with Greg McDowell, the son of Theresa Kelleher. They had a good conversation. Mr. McDowell would like to see the Town end up with the property for a well site. There are some things to finalize on the estate in order for him to gain control of the land. Superintendent Veracka said Mr. McDowell asked for an updated appraisal on the land. The last appraisal done by the Town was in 2019. Superintendent Veracka stated, Mr. McDowell understood that a conservation group had purchased land surrounding the estate piece, making this land more significantly land locked. Additionally, Mr. McDowell said he understood and appreciated the research the Town has done on the property.

Vice Chairman Erlansen made a motion to hire an appraiser to complete a new land appraisal on the Kelleher property. Chairman Loring seconded the motion and it was voted on unanimously (2-0-0).

Superintendent Veracka stated he took the time to explain to Mr. McDowell the system map and how optimal this location would be. Mr. McDowell seemed very hopeful that this could be resolved within a couple of months and he wants to work with us. Superintendent Veracka stated, Mr. McDowell had a folder full of projects and ventures that his mother had looked at and he realizes the well site was the most reasonable option.

UPDATE ON FINANCE COM MEETING HELD MARCH 15, 2023

Superintendent Veracka stated he met with the Finance Committee. Everything went well and they voted favorable action on the budget.

He told the Board the new VFD (variable frequency drive) and the surge protector have been installed at the South Street well site.

Superintendent Veracka said we are making progress with the dehumidifier repair.

The Osterman fuel conversion process has started for the water department's fuel provider. Ms. Smith asked Superintendent Veracka if he had heard back from them. She wanted to confirm they received our paperwork. Superintendent Veracka said he would follow up on that tomorrow.

Vice Chairman Erlandsen asked if there were any water department articles on the Town Meeting warrant. Ms. Smith replied only the spending articles that have previously been presented. Ms. Smith said if you really felt the need to place an eminent domain article on the warrant, she could look into it, but she feels that would just muddy the waters at this point. Superintendent Veracka agreed and felt that we need to let this take its course after having a good conversation with Mr. McDowell. The previous mention of eminent domain did not go over well with the family. Vice Chairman Erlandsen said whatever we have to do to repair that relationship, we should do. Chairman Loring said his only concern is if things went south and we could not come to an agreement, we have no other recourse. Superintendent Veracka stated he felt his conversation with Mr. McDowell was very promising and has a good feeling this would work itself out for both the Town and the family. Chairman Loring said that was good enough for him in the meantime.

Ms. Smith asked Vice Chairman Erlandsen if he could make the Board of Selectman meeting next Tuesday, April 11th at 6:00pm. The Board of Water Commissioners were invited back to speak about the request for ARPA funding for the

Main St Water Main Project through Plymouth County. Discussion continued regarding the meeting time and who could attend in person or virtually.

NEW BUSINESS:

NONE AT THE TIME OF THIS MEETING NOTICE POSTING

UNFINISHED BUSINESS:

NONE

WATER CORRESPONDENCE FROM LAST MEETING:

NONE

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NONE

NEXT REGULAR MEETING:

APRIL 11, 2023 AT 4PM

ADJOURNMENT OF OPEN SESSION:

Vice Chairman Erlandsen made the motion to adjourn the meeting. Chairman Loring seconded the motion and it was voted on unanimously (2-0-0).

The meeting adjourned at 4:35pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS

TIME: MAR 23, 2023 04:00 PM EASTERN TIME (US AND CANADA)

JOIN ZOOM MEETING

[HTTPS://US02WEB.ZOOM.US/J/87067462215?PWD=CVPQZU1DLZJXEMH2NE9PSUZWQNVRZZ09](https://us02web.zoom.us/j/87067462215?pwd=CVPQZU1DLZJXEMH2NE9PSUZWQNVRZZ09)

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FIND YOUR LOCAL NUMBER: [HTTPS://US02WEB.ZOOM.US/U/K0UR3UFT4](https://us02web.zoom.us/j/k0ur3uft4)

Respectfully submitted,



Stacey L. Smith
Clerk