



TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
JULY 11, 2023

7:00 PM – CALL TO ORDER

Chairman Richard W. Loring Jr called the meeting to order at 7:00pm.

In attendance were Commissioner Robert Kostka, Superintendent Chris Veracka and Clerk Stacey Smith. Attending remotely via ZOOM was Kristen Berger of Resilient CE.

Vice Chairman Erlandsen was not present as he was attending the Board of Selectmen meeting held at 6:00pm.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

VOTE TO APPROVE THE MINUTES OF JUNE 6 AND JUNE 20, 2023

The meeting minutes of June 6th and June 20th were held as Vice Chairman Erlandsen is not present to vote and he was at both meetings.

APPOINTMENTS:

KRISTEN BERGER, RESILIENT CE RE: ENGINEERING UPDATES

I-86 WELL CLEANING/VFD UPGRADE

Ms. Berger presented the quote she received from Maher regarding the replacement of the VFD (Variable Frequency Drive). The quote from the contractor was 29K, she believes this may be due to the fact the contractor's electrician is not as familiar with the pump station as the electrician the water department typically uses. She stated Superintendent Veracka received a much lower quote. Superintendent Veracka stated Northstar Electrical provided a quote for \$7,300. This includes the removal of the existing drive, supply and installing the replacement VFD. Ms. Berger suggested Maher do the contracted work, which included cleaning the well, replacing the pump and motor and having Northstar Electrical do the VFD work. Commissioner Kostka made the motion to award Northstar Electrical the work to replace the VFD as quoted at \$7,300. Chairman Loring seconded the motion and it was voted on unanimously (2-0-0).

GRASSY HOLE/I-86 TREATMENT PLANT UPDATES

Ms. Berger stated they are still working through some items. The unit heater arrived and was installed. Superintendent Veracka noted the previous heater was propane and the new one is electric. The vent pipe was cut and left open and exposed. Winston has been notified and Ms. Berger is waiting to hear back from them.

Ms. Berger stated she spoke with Winston about the stormwater pond washing out. Winston claims it was a 'design issue' and they repaired it once. Superintendent Veracka remembers Winston Builders saying a year ago, that they would wait until the vegetation was established. Unfortunately, due to the timing of the seeding that was done, there wasn't much vegetation that took. Chairman Loring stated he believes this falls under the warranty and just because they fixed it once doesn't mean they're not responsible for correcting the issue. Ms. Berger stated, according to the contract, she believes Winston is on the hook until the vegetation is established. Commissioner Kostka asked how much was left in retainage. Ms. Berger stated all that remains is the performance bond. Chairman Loring stated, this is the

contractor's responsibility. They need to be aware that we are holding them responsible. Commissioner Kostka stated he asked only about the retainage in case there was money we could use to repair it ourselves. Chairman Loring stated, it doesn't matter, the minute we step in and absolve them of any responsibility, we own it. This is clearly Winston Builder's responsibility while it's still under warranty.

Ms. Berger stated she is trying to go through the design and she hasn't had much luck reaching out to CEI for clarification on this matter. She needs to address this sooner than later as we are getting close to that substantial completion date. Chairman Loring suggested perhaps CEI should be on the hook as they are the ones that should be going after the contractor. She stated CEI hasn't submitted any invoices and it could be their money that could be held back. She told the Board they are still holding about 40K of CEI's contract. She is researching the language in the contract and reviewing the design. Ms. Berger suggested she could draft a formal letter and have it signed by the Board. Chairman Loring agreed with that suggestion asked Ms. Berger to forward it over to Chris and Stacey to fine tune.

Ms. Berger referenced the grates on the overflow pipes in the lagoons. Winston Builders said they were under the impression that the operators (Kingston Water Department) would do the work. She stated she explained to them that it was a misunderstanding. Without having anything in writing, the contractor is in a corner so she believes they will be correcting that issue. Chairman Loring thanked her for that one.

Regarding the valve failure at Trackle Pond, the issue hasn't re-occurred. She said Superintendent Veracka supplied the Treatment Operator, Dave Sapir, with the information for the Roberts Filter contact, Andre, in case it happens again.

MAIN ST WATER MAIN PROJECT, PHASE 1 (UPDATES, IF ANY)

Ms. Berger stated she started looking at the auto-cad drawings. She is in need of additional information from the surveyor. The surveyor didn't place the DOT station on the road. It's not something that is readily available online through Mass DOT. This information is required by MassDOT for any permit. It's been 4 years since the survey work was completed. Ms. Berger will reach out to the surveyor for that information. Chairman Loring suggested we need to fast track this project.

REVIEW OF THORNDIKE DEVELOPMENT'S STATEMENTS ON IRRIGATION AND WATER RESOURCE DISTRICT AS IT APPLIES TO SACRED HEART PROPERTY IN ZONE II, EMAIL DATED 6/30/23 WITH REPLY DATED 7/5/23 FROM TOWN PLANNER VALERIE MASSARD

Ms. Berger stated she reviewed the Town Planner, Val Massard's email concerning the developer's plans which exceed the 15% impervious coverage requirement. The most recent plans actually involve 40% impervious coverage. The Town Planner stated she would not support exploring a zoning change without peer review. Ms. Berger stated there is no advantage to the Kingston Water Department in having a design with anything exceeding the 15% within the Water Resource District and so close to the Trackle Pond Well. Ms. Berger stated she saw an email referencing the 'Best Efforts Clause' set by the State and she was unsure who was referencing this clause in relation to the impervious area. Unfortunately, this clause doesn't apply to the issue of impervious coverage. This clause applies to situations involving community to community. For example, Kingston and Plymouth have overlapping Zone II's and the Best Efforts Clause encourages the ability to communicate between communities regarding the area and plans within.

Chairman Loring stated he read the email from Lloyd Geisinger to the Town Planner and he feels there is incomplete information as to how he plans to supply water to the project for residents, fire protection, etc.. Chairman Loring stated he doesn't believe the town should enter into any zoning regulations for a project that appears to have such dubious potential impacts on the town.

Superintendent Veracka asked how it works if Thorndike establishes its own private well to provide a drinking water supply.

Ms. Berger stated the developer still has to abide by the 15% impervious within their own water system. They still have to go by Mass DEP regulations. Superintendent Veracka was unsure how that would work within our Zone II. Ms Berger responded that, essentially, the project would have their own Zone 1 within your Zone II. Chairman Loring stated, regarding them having their own water supply, they would have their own staff and employees to run and maintain

their system, their own back up and emergency supply should something go wrong with what they develop. The Kingston Water Department would not be able to be responsible for their system. Ms. Berger stated there are cases of small water systems being established initially and then, years down the road, pressure is placed on municipalities to take over the system. Chairman Loring stated he is glad our Vice Chairman is attending the presentation right now with the developer and the Board of Selectmen.

WATER DISTRIBUTION MAP UPDATES (IF ANY)

No updates.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

ADMIN ASSISTANT POSITION UPDATE

Superintendent Veracka told the Board the department has received numerous (43) applicants for the administrative assistant position.

Commissioner Kostka stated we ask you to narrow it down to three candidates. Superintendent Veracka responded, we can do that. He stated he and Stacey would go through the applications.

Chairman Loring said, this will be between you and Stacey and we basically will listen to your recommendation very strongly in the end. Commissioner Kostka agreed and said this will be someone that you both have to work closely with every day.

KELLEHER PROPERTY UPDATE (IF ANY)

Superintendent Veracka left a message for the Kelleher estate but has not had a response yet. He will place another call. Commissioner Kostka asked how the new appraisal compared to the last appraisal. Superintendent Veracka stated they were similar with only a minimal increase but within the approved amount. Chairman Loring asked Superintendent Veracka to compare the two appraisals and note anything different, so if anyone asked, they would be able to respond.

SHUT OFF PROGRAM FOR FY23 BROUGHT IN \$26,038.50. THIS REPRESENTS APPROXIMATELY 25% OF THE AMOUNT OUTSTANDING. THIS PROGRAM WILL CONTINUE THROUGH AUGUST.

Superintendent Veracka stated the shut-off program is going well. Currently, this program brought in approx 26K by the end of FY23.

LEAD AND COPPER RESULTS UPDATE

The lead and copper results have been received and are within Mass DEP limits. Letters will be sent out to all residents who participated in the program.

Chairman Loring suggested a memo be sent to the Town Administrator and the Board of Selectmen regarding the findings. Superintendent Veracka stated we are lucky that our levels are low. Chairman Loring agreed and spoke about a recent article he read about within a community on the Cape and lead shavings getting into the water system.

Commissioner Kostka stated that for those who do not read the Consumer Confidence Report it's important to share this news.

Superintendent Veracka announced that he received a letter of resignation from water department employee, Wade Sinclair. He will be leaving at the end of July to take a job closer to home. Superintendent Veracka stated he will contact the human resource director tomorrow and make her aware of the letter of resignation and we need to start the hiring process. Discussion continued about whether there would be any internal candidates within the town and the licensing requirements needed for the position.

Chairman Loring stated he would like a memo sent to both the Conservation Commission and the Town Administrator regarding the drainage project. There are two structures now that a small child could crawl into and lose their life. There is a concrete structure in the drainage pond with a large opening and a 24-inch pipe going up the hill with no protective covering. This super system has failed miserably after the most recent storm. He went on, there is a liability with the elevations between the mound out there and the railing at the river. He feels this project was inappropriately supervised. He added, as a result, KWD will not be liable. He understands this may be harsh, but the Board is protecting itself and the residents. Commissioner Kostka stated he does not disagree at all with this sentiment. Ms. Smith asked if

the Board would like her and Superintendent Veracka to compose a letter for their signature. Chairman Loring said yes and asked that photographs be taken and attached with the memo. He feels the project was designed in the cheapest way possible. Superintendent Veracka said the plans show a 2 ft area of walkable area along the fence and railing. Chairman Loring stated the elevations are all wrong. Superintendent Veracka stated the project foreman said the elevations were correct; however, they only took one set of elevations from the high end of the wall and didn't take into consideration how the wall slopes down along the river. Additionally, he added, the plans showed the memorial stone would be protected and maintained in its place. The contractor placed a strap around it, moved it for their convenience and didn't place it back in its original spot.

Commissioner Kostka suggested, in light of the fact that Vice Chairman Erlandsen is still at the Board of Selectmen's meeting, that they vote to approve the minutes of June 6, 2023. Chairman Loring seconded the motion and it was voted unanimously (2-0-0)

Chairman Loring read through the minutes of June 20, 2023, as he had been away, and voiced his concern regarding the moratorium and the building permit for the house being converted into a two-family building. He said it should be noted to the Zoning Board of Appeals that the property should never be turned into condos as it has only one water service. Ms. Smith advised Chairman Loring that a memo was sent to the Zoning Board of Appeals, after that meeting, with that concern.

Chairman Loring asked about the property on Schofield Road and if the large balance was paid. Ms. Smith said that the property has been sold and the balance has not been received yet through the attorney's office. Chairman Loring asked about Wingate and if they had paid any of their balance. Ms. Smith stated they have not and she has been trying to reach a contact over there to inquire about payment.

The meeting minutes of June 20, 2023 will be tabled until the next meeting.

NEW BUSINESS:

NOTICE FROM ZONING BOARD OF APPEALS, RE: ABUTTER NOTIFICATION FOR [AMAZON.COM](https://www.amazon.com) SERVICES LLC.

No action needed

UNFINISHED BUSINESS:

WATER CORRESPONDENCE FROM LAST MEETING:

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NEXT REGULAR MEETING:

ADJOURNMENT OF OPEN SESSION:

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

The meeting adjourned at 7:47pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS

TIME: JUL 11, 2023 07:00 PM EASTERN TIME (US AND CANADA)

JOIN ZOOM MEETING

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Respectfully submitted,

Stacey L. Smith

Stacey L. Smith
Clerk