TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
NOVEMBER 1, 2023

4:00 PM – CALL TO ORDER

Chairman Richard W. Loring Jr called the meeting to order at 4pm.
In attendance were Commissioner Robert R. Kostka, Superintendent Christopher Veracka, Clerk Stacey Smith, Lloyd Geisinger & David Eastridge of Thorndike Development and Joslyn Gamboni of VHB Consulting.
Attending via ZOOM was Kristen Berger of Resilient CE.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

VOTE TO APPROVE MINUTES OF OCTOBER 16, 2023 AS PRESENTED

The minutes of October 16, 2023 were tabled until November 13, 2023 at the request of the office administrator.

APPOINTMENTS:

LLOYD GEISINGER, THORNDIKE DEVELOPMENT RE: SACRED HEART PROPERTY

Mr. Geisinger introduced his associate, David Eastridge and the VHB staff, Jocelyn Gamboni and Ken Staffier. He provided the Board with an update on the proposed project. He stated he would like to seek permission from the Board to work with the water department engineer directly. He said he is willing to fund an account for peer review. His hope is this will allow more open communication and would help in working more cooperatively. Mr. Geisinger stated his organization has negotiated with the Sisters over the proposed land. He presented a plan to the Board and a map of the area. He stated the dark green outline surrounding the rectangle is the proposed location of the leeching fields, which are located outside the town's Zone 2 for the town wells but within the aquifer.
Ken Staffier of VHB Consulting arrived for the meeting.

Vice Chairman Erlandsen arrived for the meeting.

Mr. Geisinger stated it became very clear in discussions with the town administrator and the town planner that if we cannot design a plan that does no harm to the aquifer and is satisfactory to the Board, then the plan is dead. He added, he is aware of the town's zoning bylaw which references the 15% impervious coverage restriction. However, he added, Mass DEP provides the same language except it adds an exception that states unless there is adequate recharge provided. Mr. Geisinger said he hoped the Board would allow Thorndike to develop a plan under the Mass DEP regulation. He proposed a zoning change specific and unique to this property. If a plan is provided that does no harm and the Board approves, then Thorndike would be allowed to move forward. Mr. Geisinger stated if the Board only recognizes the 15% impervious as stated in the town's bylaws, then this deal is dead. Mr. Geisinger stated he is hoping this is not being used as a growth management tool.

Commissioner Kostka stated this Board was not elected to be a growth management tool. We were elected to provide potable water for the town. He continued, our rules and regulations are designed to protect and provide a sufficient quantity and quality of water for our residents. He added, we will absolutely depend on our engineer to provide guidance and recommendations throughout this process. Vice Chairman Erlandsen added, not all recharge is the same and he was not inclined to go over the 15% impervious restriction, personally. Chairman Loring stated this issue was more than just about recharge; any development is built for the long term benefit of every resident. He asked if they knew if the wells on site could meet DEP requirements and if they were sufficient to provide the necessary water for the development. He asked how the well would be operated and treated. He added, whatever Thorndike is providing provides for their own development will be Thorndikes "forever" in perpetuity. It may not be designed to the same specifications as our facilities. Not only will the facilities be funded differently and the observations may be very different. He continued, in his opinion, our consultant should not be a subconsultant to VHB Consulting.

Mr. Geisinger clarified, we are just looking to allow Thorndike Development to have direct communication with the department engineer. Chairman Loring stated we would have to discuss that as a possibility.
Mr. Geisinger responded, fair enough. He stated the 15% impervious coverage in the town's bylaws is similar to the Mass DEP. However, the town's bylaws intentionally or unintentionally left out the exception allowing recharge. He stated our project is significantly higher than 15% impervious coverage. Mr. Geisinger said he is looking for the Board to be flexible. He understands that Thorndike Development has to prove that any plan they create must prove to the Board, the engineer and the DEP that it will protect the groundwater.

Chairman Loring, referring to the map on the table, the discharge area in pink appears to be on land owned by the Sisters, the State Forestry and the Wildlands Trust. Mr. Geisinger stated there would be no discharges in that area. Superintendent Veracka asked if Thorndike owns that land. Mr. Geisinger responded we will have permanent rights to it but we could own it if need be. Superintendent Veracka stated he was just looking for clarity.

Chairman Loring stated, Thorndike has proposed the two wells on site but it isn't clear if they will be able to provide enough potable water, fire protection and backup fire protection. Currently, the Kingston Water Department has none of those in that area. Mr. Geisinger said he is hyper-focused on the 15% impervious coverage requirement and he can't address those issues right now. Commissioner Kostka stated he was more concerned about the quality of water versus any specific percentage.

Mr. Geisinger stated there are 500 acres of open space in the area. He understands it is not part of the land that is owned by Thorndike, but it does provide a buffer. He added, we don't expect the existing wells to be substantial for the project and understand we will probably have to sink two new wells. Chairman Loring said there is a concern in the area regarding the Darby Pond Well owned by the Town of Plymouth. He said there was a previous issue with that well when we looked into putting a well on the property owned by the Boy Scouts. At the time, there was a concern that multiple wells in the same area could affect the existing Darby Pond Well that Plymouth owned. Commissioner Kostka remembered pump tests performed in that area indicated it would have impacted Darby Pond.

Mr. Geisinger stated they are five years out before they can pump any water. He would like to eventually connect whatever is built to the town system when capacity allows. He added, a water standpipe on the property is a potential benefit to the town but one that would need to be worked through. Discussion continued amongst the Board. Vice Chairman Erlandsen stated he would be willing to listen to any plan. However, the goal has to be a high quality of water. Mr. Geisinger asked Chairman Loring if he would be willing to listen. Chairman Loring stated he will listen to any plan provided communication is directed through the Kingston Water Department to remain transparent.

Mr. Geisinger stated he received strict marching orders from Keith Hickey regarding proceeding with a plan with the Kingston Water Department.
Chairman Loring asked about the location of the leeching fields. Mr. Geisinger stated the project will provide water to the schools in exchange for the leeching fields. The Providence House is set to close December 31, 2023. Commissioner Kostka asked if the buildings could be re-used. Mr. Geisinger stated there is approximately $1M worth of asbestos removal needed in the high school alone.

Superintendent Veracka asked about the recharging locations and materials used, ie. roofs, parking lots, etc... He mentioned his concerns about any development exceeding 15%.
Discussion continued regarding the difference between the town's bylaws and that of MassDEP. Chairman Loring stated it could be that the exception was not included because the Board felt it added further protection. Mr. Geisinger suggested, perhaps the reasons the 15% was created over 20 years ago in the town's bylaws may not be the case today.

Discussion ensued regarding affordable housing and the current broken system.

Superintendent Veracka stated his concerns regarding changing topography and how it affects wells, whether they be private or municipal.

Lloyd Geisinger thanked the Board for their time and left the meeting with his associate and VHB representatives at approximately 4:45pm.

<u>SULLIVAN & COMERFORD ON BEHALF OF AM LLC, OWNER OF 48 HOWLAND'S LANE RE: DEVELOPMENT OF PROPERTY</u>
Appointment rescheduled until the next meeting.

<u>KRISTEN BERGER, RESILIENT CE</u>

<u>GRASSY HOLE WATER TREATMENT PLANT</u>
Ms. Berger stated she agrees with the Board's decision to have information sent to her through the Board regarding Thorndike Development.

She updated the Board on the hypochloride feed system tank area in the old lime building and how support was needed for the tanks. The original fiberglass support cracked. Winston Builders added wood supports both from the back and underneath the tanks. Ms. Berger stated this was an item on the original punchlist that CEI had issued and she's unsure why it wasn't addressed. The original design had the grate running a short distance. In the approved shop drawings, the grating ran a long distance. There was a directive from CEI to Winston Builders to cut the grating. Apparently, Winston may have overshot when they made the cut and went into the support beam. It was pointed out to Winston that the grating had been cut and this may have contributed to the collapse. She stated to the contractor, at the very least, the Board would want to replace what was damaged and add a support beam. Winston Builders will respond with a plan for repair and/or replacement. Commissioner Kostka asked if there was any additional funding for the project to cover any costs should they arise. Ms. Berger stated, yes there is, so before we close out the SRF, she wants to obtain more information from Winston Builders.

Regarding the final SRF submittal, due to staff shortages due to vacations, Ms. Berger was advised that anything received after November 6th may not be processed until December .

<u>I-86 WELL CLEANING AND PUMP MAINTENANCE</u>
Ms. Berger stated the pump had been replaced. Maher will be out tomorrow to install the motor shaft. The electrician is scheduled to come by to connect the pump motor to the VFD tomorrow. The pump test could be done as early as tomorrow as well. Ms. Berger stated we will still need clean water quality sampling wrapped up in November before the well is put back on line.

<u>MAIN STREET WATER MAIN PROJECT</u>
Ms. Berger told the Board that they have added locations and services to the design. They are still working through some small items but plan to start the proposed layout the week of November 13, 2023.
Commissioner Kostka asked when we should anticipate going out to bid. Ms. Berger stated the plan goes to Mass DOT first. She added, she would like to go to bid in the winter before the construction season begins.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

<u>ELM STREET WATER TANK MAINTENANCE PROJECT UPDATE</u>
Superintendent Veracka stated the Elm Street Water Tank is progressing nicely. The contractors are slightly ahead of schedule. There will be some change orders forthcoming. The first one will be for the ladder that was extended down another 14-15 feet. The second change order will be for the control cabinet for the mixer. Chairman Loring asked if the extension of the ladder would encourage people to try and climb the ladder. Superintendent Veracka stated you would still need a 20ft extension ladder to reach the ladder on the tank. Discussion continued regarding a locked cover on the bottom of the ladder cage. Commissioner Kostka felt this could prevent someone from doing some damage to the tank and its equipment. Chairman Loring said he was more concerned about someone's personal safety.

*FY24 PROPOSED BUDGET TIMELINE - CAPITAL IMPROVEMENT REQUESTS DUE NOVEMBER 10, 2023
Superintendent Veracka reviewed the proposed FY25 Capital Plan. The FY25 Capital Plan is due to the Town Administrator by November 10, 2023.
Projects included the replacement of the Elm Street Office building roof, a new service truck, water tank maintenance and well cleaning.

Ms. Smith explained to the Board that surplus revenue from FY24 is obviously much lower than in years past and priorities will need to be discussed. In the past, water surplus revenues have been upwards of 500K; this year it is only 97K. Discussion ensued about adding the Smith's Lane Tank to the maintenance program we have on Pembroke St and Elm St Tank. There are several articles previously voted on at past town meetings that remain unspent. Discussion continued regarding some of these articles and whether they could be reallocated, such as the Millgate restabilization article. Ms. Berger stated Millgate, at one point, settled perhaps after construction. Foundation cracks were noticed upon review of the facility during a water system study. The concern was, since no one could really recognize if those were recent cracks or the result of initial settling, funds had been voted at a town meeting to be set aside for stabilization of the building. The building has since had no further cracking or settling as marks have been placed on the wall to track. Ms. Berger stated the well filter screen was the concern at the time but there seems to be no further concern. Superintendent Veracka stated he'd seen no further evidence of concern.

Ms. Smith said, going back to the budget, priorities need to be determined. Chairman Loring stated we may have to eliminate any stabilization. Ms. Smith added, the Board hasn't funded stabilization in two years due to other projects. She asked the Board if they would like to pursue a lean year and just use the surplus revenue for the roof replacement and the new truck, then Chris can make adjustments to the long-term capital plan and push items further out in the future. Chairman Loring stated he's in agreement. Commissioner Kostka stated he wishes it wasn't the case but it makes sense.
Ms Smith added, the other factor in this with the new rate increase is that next year may be an entirely different scenario.

NEW BUSINESS:

VOTE TO APPROVE RECOMMENDATIONS AND UPDATES IN RULES & REGULATIONS
Ms. Smith asked the Board if they had enough time to review the proposed changes to the Rules and Regulations that had been shared at the last meeting.
Commissioner Kostka stated yes he had read them and appreciated the time spent. He added, there was some redundant information that needed to be cleared up. Commissioner Kostka moved to accept the changes to the Rules and Regulations as presented. The motion was seconded by Vice Chairman Erlandsen and was voted on unanimously (3-0-0).

Additionally, a Charges and Fee Schedule was also presented and required a vote to accept. Ms. Smith explained many of the proposed fees fell in line with what other towns were already charging. Superintendent Veracka explained that water mains and sprinkler systems are installed in new developments, there is a lot of water flow required for pressure testing, fire flow test, chlorinating, flushing etc.. Kingston has never charged developers for this water usage, but when looking at other towns, it became evident this was a loss of revenue for the water department. Commissioner Kostka said it makes sense to have the developers pay for this usage rather than the town. Ms. Smith asked Ms. Berger if this was common in most towns and reasonable for the Board to adopt. Ms. Berger stated it was common practice in other towns and cities and agreed with the measure.

Commissioner Kostka moved to accept the Charges and Fee Schedule as presented and add it to the Rules and Regulations. Vice Chairman Erlandsen seconded the motion and it was voted on unanimously (3-0-0).

UNFINISHED BUSINESS:

KELLEHER PROPERTY UPDATE, IF ANY
No update provided.

WATER CORRESPONDENCE FROM LAST MEETING:

LETTER DATED OCTOBER 17, 2023 TO COMPREHENSIVE ENVIRONMENTAL INC. REQUESTING FINAL INVOICES FOR GRASSY HOLE WTP

No action necessary. All bills have been received.

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NO BUSINESS

NEXT REGULAR MEETING:

MONDAY NOVEMBER 13, 2023

ADJOURNMENT OF OPEN SESSION:

Commissioner Kostka called to adjourn the meeting. Vice Chairman Erlandsen seconded the motion and it was voted unanimously (3-0-0).
The meeting adjourned at 5:25pm.

ZOOM INFORMATION

JOIN ZOOM MEETING
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Respectfully submitted,

Stacey L. Smith

Stacey L. Smith
Clerk