TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
FEBRUARY 27, 2024

4:00 PM – CALL TO ORDER

Chairman Loring called the meeting to order at 4:00pm.
In attendance were Commissioner Robert Kostka, Kristen Berger of Resilient CE, Halim Choubah representing the owners of Prestige Car Wash, Nir Drory and Ronen Drory, Kingston Building Inspector Jason Silva and Clerk Stacey Smith.

Commissioner Robert Erlandsen was not in attendance as he had a doctor's appointment but was expected to attend later in the meeting.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

<u>VOTE TO TABLE THE MEETING MINUTES OF JANUARY 23, 2024 AS THEY HAVE NOT BEEN FINISHED</u>

Commissioner Kostka moved to table the meeting minutes of January 23, 2024 until they are completed. Chairman Loring seconded that motion and it was voted on (2-0-0) to table the minutes.

APPOINTMENTS:

<u>HALIM CHOUBAH OF CHOUBAH ENGINEERING RE PRESTIGE CAR WASH PROJECT PROPOSED TO BE LOCATED AT 32 MAIN ST.</u>

Halim Choubah approached the table and presented some plans. His client, Prestige Car Wash, owns and operates 25 car washes within the Commonwealth of Massachusetts. His clients are looking to upgrade the water service at 32 Main St. from a 3/4 inch service to a 1-inch service. He explained he had met with the Sewer Commissioners, and they explained the allocation of flow allowable to the sewer system.
This property is in a commercial zone, and they would like to propose upgrading the 3/4 inch service previously on the property to a 1-inch service to accommodate a car wash.

Prior to this meeting, Mr. Choubah stated he had several informal meetings with the Kingston Building Inspector, Jason Silva to explore this opportunity. He also spoke with the Sewer Commissioners.

The car wash needs approximately 2000 gals a day to run the car wash. Most of the water is recycled (80%). He stated they typically have a 2-inch water line. He did receive a memo from the water department stating this would exceed the allowable capacity. They are now exploring a 1-inch line and a holding tank that they could draw the difference from to run the car wash.

He was presenting an updated plan with the 1-inch line proposal. Chairman Loring stated the issue he sees is the previous 3/4 inch service was disconnected more than 10 years ago as the building was demolished. As such, there was no re-use of it. He said, as far as he understands, there is no existing service at the property. Chairman Loring added, the town is under a moratorium allowing no new services, and he feels this qualifies as a new service. He said, until such time, that we have acquired a new well, he sees this proposed service as a new service, and it would fall under the moratorium.

****AMENDMENT voted April 8, 2024 - Chairman Loring stated the 3/4 inch service was disconnected. After researching water department records, it was discovered on January 2, 2013 the service was turned off at the street and the meter was removed.**
Marty's GMC, the owner of the property, had indicated they would eventually use the service again

Mr. Choubah referenced a memo from the water department saying the service was existing. He then asked if a well is an option.
Building Inspector Jason Silva stated water is a major feature to a car wash. He stated as he understands it, it sounds like there is no way the service can be updated and there's no moving forward on this proposal. He stated he felt the purpose of the meeting tonight was to find out if the Board of Water Commissioners had interest in working with the applicant to bring this project to Kingston. He would like to know how we could potentially work together. He stated the empty abandoned lot hasn't been paying taxes in over a decade. There's very little public resources that would be called to a business like this and there aren't any incurred school expenses. Mr. Silva stated it's not his favorite business idea but it will generate tax revenue for the town.

Commissioner Kostka stated the issue, as he sees it, is if we were to approve this, we open the door to other property owners and business developers to say "you made an exception once" and it could open us up to litigation. Mr. Silva stated the Board is well within their right to feel that way, he is not here to debate the issue. He simply wanted to open the lines of communication to see if we could determine the best way, if any, to move forward. Chairman Loring stated, hopefully the Board will have some news soon about moving forward with a new well in the near future. He agreed that the car wash is a great tax revenue opportunity. However, with the rules and policies the Board of Water Commissioners develops, we have always tried to be consistent with everyone. He stated he does not believe it is the Board of Water Commissioners responsibility to prevent growth in town and the thought of it makes him shudder that some people may believe that's what we are doing. He added, the Board's responsibility is to provide clean, potable water to residents and businesses. Unfortunately due to circumstances beyond the Board of Water Commissioners, the town's growth has happened much quicker than we all expected and our need for another water source has become very apparent. He said, we are in a position that this moratorium stops all growth in town. Commissioner Kostka stated, basically until such time that we can acquire the land for a well and get it designed, constructed and online this situation will remain. He voiced his concern about having a dry summer and that the water regulations will become more apparent to everyone as they become even more strict.

Mr. Silva stated he was not here to debate the issue as the information the Board has to determine their decisions is beyond his knowledge. In speaking to the topic of redevelopment along the Route 3 corridor, most of the established businesses are served by sewer and septic systems. It can become very difficult for a business to locate a well site in such a tight area. He said his job is to work with the Board to determine what the town could do to to help the water department and in turn help everyone long term. Chairman Loring clarified, had the property in question not had the service cut and disconnected and they kept the 3/4 inch service in use we may have a clearer path to resolution . However, given the property was demolished and turned into an empty lot this ended the use of the water service. Mr. Silva stated he understood and appreciated the Board's time. Commissioner Kostka said the moratorium was not an anti-growth measure, it was out of necessity. He added, expanding the tax base is everyones' goal.

Mr. Silva would like to have a discussion again. Mr. Choubah and his clients left the meeting at 4:18pm. Mr. Silva stated he would stay in touch with Ms.Smith to discuss meeting again.

Chairman Loring asked about the memo Mr. Choubah referenced. Ms. Smith stated we sent them a memo explaining what had been at the property prior, explained the water moratorium and that a request to upgrade to a 2-inch device would not be allowed. Commissioner Kostka asked if they would more than likely need a new tap? Superintendent Veracka stated, not necessarily as the corporation is still there from the 3/4 inch service.

KRISTEN BERGER OF RESILIENT CE RE: ENGINEERING UPDATES

MAIN STREET WATER MAIN PROJECT UPDATES

Ms. Berger stated the permit fee was processed by the town and submitted to Mass DOT. They had given the potential date for comments as March 4th. Based on that, we will know what kind of edits to plans and specs will need to be made. She said, we can put the package out to bid and tweak some changes prior to the permit being issued. Commissioner Kostka is concerned about the timeline and the schools being out for the summer session to alleviate some of the traffic. He said taking a small risk to keep things moving is well worth it. Ms. Berger agreed and said she had to do something similar in North Sagamore. She said the only thing that changed with the DOT was their requirement for a 3-year performance bond. Commissioner Kostka stated that based on their comments you'll be able to tell if it's something that will not be worth the risk of going out to bid. She agreed and said in North Sagamore, had they waited, they would've lost 6-8 weeks on the project. Commissioner Kostka said we definitely cannot lose that much time. Ms. Berger said we will have the substantial review comments in early March and then work on the road management plan. Chairman Loring asked if she'd been in contact with the Kingston Police Department. Ms Berger stated not yet, she will get the DOT comments back first and then move on to contacting KPD to discuss a plan. Chairman Loring stated he worries about the number of officers needed. He said sufficient police are needed to control traffic but overabundance is a concern. Discussion continued regarding the potential traffic plans and detours. Ms. Berger stated she did receive initial comments back from town counsel regarding the specs, so the only piece we are waiting for are the DOT review and comments.

WMA GRANT UPDATE RE: WATER RATE STUDY & STORAGE CAPACITY AND LOCATION

Ms. Berger stated she met with Chris and Stacey prior to this meeting. She stated Ms. Smith is working on gathering a bunch of data needed for the project. Discussion continued regarding the need for the data and the amount of data required to have the water rate program developed. Ms. Berger explained the reasoning for the data to develop the rate model. Ms. Smith said she just needs to determine the correct report on Munis to obtain the data and then she can export it to Kristen. Ms. Berger stated once the model is built, she can train Stacey how to use it, and she can change parameters to play around with it and see how rates can change and look in the future,

Commissioner Kostka asked about the timing of having the temporary pole removed from the Elm Street Tank. Superintendent Veracka stated he could get an estimated time frame for the removal. Ms. Berger stated she had nothing to do with the Elm Street Tank Painting project but added, it does look very nice.

Ms Berger said regarding the study, another portion of this project is location of a new water storage tank and finding a location based on elevations in the high zone and access to any town-owned property. She said they have identified at least three sites but will be digging deeper into those sites to see which may be the best options.

Ms. Berger stated this was all she had for updates. She asked if the Board had any further questions. Chairman Loring stated, regarding the Main Street Water Main Project, that he hopes all goes well with the DOT comments and the project can carry on quickly and hopefully start at the beginning of the summer with adequate supervisory controls over the project. Ms. Berger stated that's the goal. Superintendent Veracka stated he would like a department representative on site to oversee the project. He said he already has that ball rolling, Commissioner Kostka said it's a very visible project and needs to be as well managed as possible.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

UPDATE ON SMITH'S LANE WATER MAIN BREAK ON 2/21/24

Superintendent Veracka stated the department is still without a foreman although the treatment plant operator, Dave Sapir has stepped up and has been doing a great job. The crew as a whole has been working well together. He went on to say they handled a significant water break this past week, while he was away on vacation, and they did a great job working with other departments. He said the highway stepped in and helped Dave quite a bit. The road was paved by the highway department's contracted company, and it looks great. Commissioner Kostka said he doesn't want too many of those breaks. Chairman Loring stated in speaking with John Mathias of Mathias Excavating that he was called upon by Highway Superintendent Paul Basler. He said there was a significant amount of water present when he showed up at 5:30pm that day. The problem was trying to de-water the area to repair the break. Superintendent Veracka said there was a large amount of groundwater due to a nearby brook that runs right through the road they were working on. Discussion continued regarding the difficulties faced during this break. Superintendent Veracka stated he'd like to give a big thank you to Paul Basler and his crew for their assistance. Commissioner Kostka asked if we should send a formal "Thank You". Superintendent Veracka stated he thanked many of them in person. Commissioner Kostka said he would prefer a formal letter of appreciation, and it should be signed by all of us. Chairman Loring stated he witnessed their continued help and support from early on and throughout the day, not just at the end of the day. Commissioner Kostka stated it's always been his belief and that of the Board that we have always maintained good relationships with the highway department. They are both two well-run departments and they do support one another. Chairman Loring also asked that a copy of the letter be forwarded to the Board of Selectmen's Office as well.

NO APPLICANTS FOR THE FOREMAN POSITION. THE POSITION IS CURRENTLY POSTED ON THE MASSACHUSETTS MUNICIPAL ASSOCIATION WEBSITE.

Superintendent Veracka stated we have not received any qualified applicants for the Foreman position. We received one applicant, but they possess no water licenses. The position is still posted.

WORKING WITH MASS DOT TO COMPLETE THE CLEANUP FOLLOWING THE MAIN STREET LEAK (PRO LIMO ENTRANCE) EARLIER THIS YEAR. WEATHER HAS PREVENTED THE DETAILED CLEANUP.

Superintendent Veracka stated he's been in contact with Mass DOT to complete the work from a repair done earlier this year on Main Street. Unfortunately, weather and groundwater have prevented us from doing so. It acts as a natural catch basin for the water. He would like to wait for the ground to dry up before using hot patch. Currently, there's cold patch in the repair and road plates covering it. Discussion continued regarding when the proper materials can be obtained and issues with an asphalt plant closure. Chairman Loring asked if the highway department could assist with a solution. Superintendent Veracka stated he has spoken with the highway department. Mass DOT was concerned with the metal road plates obstructing the ability to plow. Superintendent Veracka stated this issue is not obstructing the travel lane on Main St, rather it is closer to the entrance of Pro Limo. He has spoken with the business owner, and he is not concerned as it does not impede his vehicles entering and exiting the business. He is willing to wait until asphalt can be obtained in the spring.

FINANCE COMM MTG IS 2/14/24. SPOKE WITH DAVID FULLER, FIN COM MEMBER, AND ANSWERED HIS QUESTIONS REGARDING THE FY25 BUDGET.

Superintendent Veracka met with the Finance Committee on February 14th. They did have a few questions, and they were answered to their satisfaction.

CHEMICAL BUDGET LINE AND INCORRECT BILLING WITH UNIVAR

Superintendent Veracka stated he and office staff have been working on an ongoing issue with Univar. They provide Sodium Hypochlorite. They have been billing us incorrectly since July 1.
He said, Ms. Smith noticed the chemical line item in the budget had substantially been spent. After closer look, Univar has been charging us by the pound not the gallon, as stated in the chemical cooperative contract.
Superintendent Veracka contacted Univar and made them aware. They asked that we provide our records, and he said, "No, please provide us with your records and then we can compare".

Commissioner Kostka asked if they were in agreement an error was made. Superintendent Veracka said yes they are, and they were willing to offer a credit; however, we need a refund to supply that line item in the budget for the remainder of the fiscal year. Chairman Loring asked why we wouldn't take the credit. Superintendent Veracka stated we would never use that much through the end of the year.

Ms. Smith also said they aren't the only supplier we have for chemicals. Superintendent Veracka stated they are the only supplier for that particular chemical, but we also order KOH and Lime from other vendors.
Chairman Loring asked if this was an issue that would need to involve the Finance Committee. Are we comfortable with the budget to get through this year or are you confident this will be resolved sooner?
Superintendent Veracka stated he felt this would be resolved before the end of the fiscal year,
Discussion continued regarding the budget, discussions with Univar and the chemical cooperative contract.

<u>QUARTERLY METER READS HAVE BEEN COMPLETED, AND THE BILLS ARE IN PROCESS. REMINDER TO RATEPAYERS, THE MARCH BILL WILL INCLUDE THE NEW RATES THAT BECAME EFFECTIVE NOV 1, 2023.</u>
Superintendent Veracka updated the Board on the status of the quarterly reads. They have been processed.

<u>DISCUSSION ON BILLING TO THORNDIKE DEVELOPMENT AND PK REALTY FOR ENGINEERING REVIEW ON PROPOSED PROJECTS</u>
Superintendent Veracka stated Thorndike Development has pulled out of their proposed project. He said regarding PK Realty Trust, there were some engineering review expenses that took place and there was a question about whether there were any funds held by the town to cover such expenses. Superintendent Veracka spoke with the Town Administrator about this and was told it is the department's responsibility to request a bond to cover such expenses. It was not done in this case, so going forward it may be something we implement when asked to review these projects. Superintendent Veracka stated he was under the impression we billed directly to the developers. Chairman Loring stated he was under the impression PK Realty Trust submitted to the Town a bond to cover all engineering expenses.

Ms Smith stated that she received an email from the Town Planner, Valerie Massard stating there were adequate funds retained from PK Realty Trust to cover the water department's review and those funds are held by the Board of Selectmen's Office. She proceeded to read the email in its entirety. Ms Smith said we can coordinate with the Board of Selectman's Office to obtain reimbursement for the engineering review.

NEW BUSINESS:

<u>REFER TO APPOINTMENTS</u>

UNFINISHED BUSINESS:

<u>KELLEHER PROPERTY UPDATE, IF ANY</u>
Superintendent Veracka stated he had some good news to report regarding the Kelleher Property. Greg McDowell is finally in a position to discuss the sale of the property. He asked to meet him some time this week.
Commissioner Kostka said it should be a relatively easy discussion seeing as we have a recent appraisal. Discussion continued regarding the scheduling of meeting and the importance of making this happen regardless of the day and time of his choosing.

Chairman Loring stated he had mentioned to the town administrator recently in light of not having any news on this issue, he told Mr. Hickey it is very important that we take a look at conservation land or other town-owned lands to acquire a new well site. Commissioner Kostka asked how much we have set aside for well development in 2025. Ms. Smith responded that there's nothing in our budget for well development. We have a special article that was approved for the purchase of land for a well site totaling 150K.

Chairman Loring stated, once we can obtain a P&S for the land, we can start to move forward. Discussion continued regarding the annual town warrant and whether it had been closed or not. Commissioner Kostka asked Ms. Berger to put together some numbers for the well development including everything from engineering, design, construction etc...
Superintendent Veracka stated it's good news, it's been a long time in the making. Good to see some progress.

Chairman Loring asked Ms. Smith if she had anything else to add to the meeting. Ms. Smith stated she had hoped to get the bill file to the Collector's Office today; however, due to a computer glitch in Munis she's waiting for some technical support. She fully expects to have the bill file to the Collector's Office by the end of the week at the latest. She also wanted to state "Laurie did very well while I was out. There's no way I could've been out for three weeks without her". Ms. Whitley is very hardworking, eager to learn new things and always willing to help. Superintendent Veracka agreed and said she brings great energy to the office.

WATER CORRESPONDENCE FROM LAST MEETING:

NONE

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NONE

NEXT REGULAR MEETING:

MARCH 12, 2024 4PM

ADJOURNMENT OF OPEN SESSION:
Commissioner Kostka 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 5:00pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS
TIME: THIS IS A RECURRING MEETING
JOIN ZOOM MEETING
HTTPS://US02WEB.ZOOM.US/J/89052013207?PWD=AWNZOWIYK01WCGZJR2VEBFJNDVLSQT09
MEETING ID: 890 5201 3207
PASSCODE: 444915
DIAL BY YOUR LOCATION
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PASSCODE: 444915
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Respectfully submitted,

Stacey L. Smith

Stacey L. Smith
Clerk