TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
FEBRUARY 25, 2025

4:00 PM – CALL TO ORDER
Chairman Richard W. Loring, Jr called the meeting to order at 4:00pm.

In attendance were Vice Chairman Erlandsen, Superintendent Chris Veracka and Clerk Stacey Smith.
Attending via ZOOM was Kristen Berger of Resilient CE.

Commissioner Robert R. Kostka was not in attendance.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

VOTE TO APPROVE THE MINUTES OF FEBRUARY 11, 2025
Vice Chairman Erlandsen made the motion to approve the minutes of February 11, 2025. Chairman Loring seconded the motion, and it was voted on unanimously (2-0-0).

APPOINTMENTS:

KRISTEN BERGER, RESILIENT CE RE: ENGINEERING UPDATES

MAIN STREET WATER MAIN PROJECT UPDATE
Ms. Berger stated Mass DOT appears to be open to the idea of a short-term closing of the route 3 Exit 18 ramp during the final paving for the Main Street project. She put together a traffic management plan and Mass DOT recommended letters of support as well from the town administrator and public safety officials. She received a letter from the town administrator. The fire chief emailed his letter, and she is awaiting the letter from the police chief. Once received, she will submit everything to Mass DOT. She stated that will give them approximately a month to review. The letters of support regarding the work being done over April vacation during daytime hours have already been forwarded to Mass DOT as well. Ms. Berger plans on having an early April meeting onsite with all parties to get on the same page.

Commissioner Erlandsen asked if for some reason, the work cannot be done over April vacation. Is Mass DOT ok with night work? Ms. Berger replied, Yes, that is the understanding.
Chairman Loring asked if perhaps late March would be a better time for an onsite meeting. Ms. Berger stated she didn't want to have it too early, but we could have a pre-meeting via ZOOM in March with an onsite meeting in April.
Vice Chairman Erlandsen asked how long the work would take. Ms. Berger responded, it was estimated two days of work. Vice Chairman Erlandsen stated it's good the entire week is reserved, and it's school vacation week.
Superintendent Veracka stated he will be out of town on vacation that entire week, but he will have the foreman, Mitch, on hand and involved in the pre-meetings and onsite meetings, so he's aware of everything.

WELL DESIGN/ENGINEERING UPDATE
Ms. Smith presented the Board with the comments and revisions from Town Counsel regarding the scope and fee agreement with Kleinfelder. The board had no comment or questions and agreed with Town Counsel's recommendations.
Chairman Loring asked if Ms. Berger saw anything within the contract and revisions that would be a major glitch that Kleinfelder may object to. Ms. Berger stated it's hard to say, we will have to wait to see what they say after review.
Ms. Smith stated she would send the document over to Kleinfelder for their review.

ROUNTREE HYUNDAI - REVIEW OF MONITORING WELL TESTING REQUIREMENTS

Ms. Berger reviewed the old files from CEI regarding the Rountree dealership. Most of the files focused around the impervious area regarding the water quality certificate for the mall. There was no mention of monitoring wells. She said she's unsure where the groundwater montioring requirements came from. Her assumption is they came from Plymouth. Superintendent Veracka stated he spoke with Town Planner, Valerie Massard today. She stated, the terms set forth were to protect Rountree from the gas station across the street and the Board of Water Commissioners recommended a montioring well downstream of our well site to protect the Kingston overlay district. Ms. Massard stated Rountree accepted the terms and conditions as set forth by the Town of Plymouth.

Chairman Loring agrees the monitoring test wells are to protect Kingston's well system. Superintendent Veracka stated that since the terms were agreed to by Rountree, there should be no modification to the testing requirements. Ms. Berger agreed, since this is an active site there is no good reason to modify the quarterly testing requirements.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

UPDATE ON FCC LICENSE CONFLICT WITH EVERSOURCE ELECTRICITY

Superintendent Veracka stated he reached out to town counsel regarding the FCC license situation with Eversource. Superintendent Veracka reached out to TCS, our radio communication representative, for a quote to convert to a new license and radio signal. Town counsel feels we don't have the grounds to appeal.

Chairman Loring recommended forwarding the bill to Eversource and ask for reimbursement. Vice Chairman Erlandsen made the motion to pursue the quote by TCS in the amount of $2,495. Chairman Loring seconded the motion, and it was voted on unanimously (3-0-0).

THERE WAS A SERVICE LEAK ON OFF SECOND BROOK LAST WEEK THAT WAS ON THE HOMEOWNER. SERVICE WAS JUMPED TO A NEIGHBOR OVERNIGHT UNTIL REPAIR WAS MADE THE FOLLOWING DAY.

Superintendent Veracka updated the board on a leak located on Off Second Brook St. The leak was repaired by the homeowner within 24 hours.

OFFICE STAFF IS WORKING ON CLOSING OUT THE MARCH BILLS. REMINDER TO RESIDENTS, THE MARCH BILLS WILL REFLECT THE NEW WATER RATES AS PUBLISHED ON THE TOWN WEBSITE BOTH ON THE HOME PAGE OF THE WEBSITE AND THE WATER DEPARTMENT PAGE.

Information only. No discussion.

NEW BUSINESS:

ABATEMENT REQUEST MAR 25' BILL - 35 RIVER ST DUE TO PIPE BURST 12/24/24

Superintendent Veracka stated the resident has been in a care facility for several months. As the home was vacant, the pipes had frozen and burst. KWD was notified on Christmas Eve and the water was shut off to the home. The total gallons lost was 47K. Discussion continued. Superintendent Veracka stated the house is deemed uninhabitable due to the damage. Vice Chairman Erlandsen made the motion to abate the usage on the bill with only the service charges remaining. Chairman Loring seconded the motion, and it was voted on unanimously (2-0-0).

ABATEMENT REQUEST MAR 25' BILL - 41 SUMMER ST, EXCESSIVE USAGE DUE TO TENANT

Ms. Smith said the property owner had received a high usage letter from us. The property owner contacted us and was instructed to provide a written request for abatement. The property owner sent the request and stated excessive usage was believed to be the responsibility of an irate tenant who let the water run but also says she can't prove it. Vice Chairman Erlandsen asked how this account was read? Was it read manually or by remote? Ms. Smith responded it's read by remote and was an actual read. Vice Chairman Erlandsen then asked if the reading was correct. Superintendent Veracka stated the radio reads that come in are actual. If a read doesn't come in due to malfunction, then an estimate will be done. Chairman Loring asked if the property owner lived on the premises. Superintendent Veracka stated, no.

This property is both commercial and residential. Vice Chairman Erlandsen asked how many apartments are in the building? Superintendent Veracka stated he wasn't sure, but it's a multiple-occupancy building for commercial and residential use. Chairman Loring stated he's unsure how we justify abating this excessive use as there's no way to determine how the water was used and by whom. Vice Chairman Erlandsen stated there are too many unknowns. Chairman Loring added, he's not sure how we can adjust a bill without any proven leaks etc… Vice Chairman Erlandsen said without any proven documentation of a specific incident, an abatement is impossible.

Chairman Loring recommended a letter be sent to the property owner stating there was no way to justify an abatement. No motion was made on the request.

<u>ABATEMENT REQUEST DEC 24' BILL - 296 PEMBROKE ST DUE TO LEAKY TOILET</u>

Ms. Smith stated this request was for an abatement on the property owner's December bill. The property owner had been sent a high-usage letter in November. They did respond to the letter and stated they had discovered a leaky toilet and had it repaired; however, they did not send in a request for an abatement until February. Ms Smith stated KWD rules and regulations state any request for abatement must be received within 30 days of the bill issuance. The December bill issuance date is December 10th. A request for abatement would need to be received by January 10th. Based on this information, Vice Chairman Erlandsen recommended a letter be sent to the property owner explaining no motion was made on the request and explaining what the KWD rules and regulations state.

<u>EMAIL DATED 2/19/25 FROM OCPC RE: REGIONAL WATER PLAN NO LONGER ON HOLD</u>

Information only. No discussion took place.

<u>REQUEST FOR A MEMBER OF THE BOARD OF WATER COMMISSIONERS TO APPEAR AT BOS MEETING FEBRUARY 27, 2024 AT 6PM, TO PROVIDE AN UPDATE ON THE WELL PROJECT AND ADDITIONAL WATER SOURCE</u>

Chairman Loring stated the Board of Selectmen is requesting a member of the Board of Water Commissioners to attend their meeting on March 6, 2025, to provide a brief update on the moratorium. He will be out of the country during that time. Vice Chairman Erlandsen stated he would be around and would attend. Superintendent Veracka stated clarification is needed that the moratorium's purpose is not to prevent building and development. It is due to pumping over our Mass DEP permit. There is redevelopment now at the Anderson junkyard site with private wells as well as private homes throughout town. Chairman Loring stated the Board of Selectmen need to understand we are exceeding our limits. Irrespective of whether the unaccounted-for water (UAW) is reduced, we are still over and above what those limits are. He added, had the request for eminent domain been approved years earlier, we would at least be in construction by now on a new well.

Vice Chairman Erlandsen asked for copies of town meeting minutes discussing eminent domain and a timeline of events regarding the eminent domain issue. Chairman Loring asked Ms. Smith to put together information that is important to stand by the moratorium and be consistent. Discussion continued.

Vice Chairman Erlandsen asked Ms. Berger for her recommendation going into the meeting. Ms. Berger stated firstly, KWD cannot meet the current maximum day demand. If there was an issue with Trackle Pond or Grassy Hole and one of them was down, KWD couldn't meet the demands and the tanks would drain. Secondly, the withdrawal limit on the DEP permit is exceeded. She stated there is a little leeway on time if Mass DEP knows we are working towards a solution, i.e leak detection and plan for well development. Chairman Loring stated, we can't ask for leeway when we aren't actively working towards constructing a well. We have lots of steps to take and many of those steps are dictated by Mass DEP. Ms. Berger added, developing a new source gets a lot of scrutiny. Discussion continued regarding the process.

Chairman Loring recommended any technical questions that are asked be brought back to the Board of Water Commissioners and engineer for response. Ms. Smith said she had spoken with the town administrator and the question was asked if the unaccounted-for water was lowered or resolved, could we then remove the moratorium for development? She stated she explained to the town administrator that those are two unrelated issues. Ms. Smith stated that needs to be clarified at the meeting if it's brought up.

UNFINISHED BUSINESS:

<u>NONE</u>

WATER CORRESPONDENCE FROM LAST MEETING:

MEMO DATED 2/14/25 TO VALERIE MASSARD, TOWN PLANNER RE: CHARLES DRIV, MAP 51, LOT 53-1 AND 53-24
Information only. No discussion took place.

EMAIL DATED 2/12/25 TO ATTY D'AMBRUOSO REGARDING THE WINGATE PROPOSAL AND RESEARCH FOUND ON THE 2007 ZBA DECISION
Ms. Smith stated this email was sent to Atty D'Ambruoso after our last meeting. He did respond and asked if the Board was aware of some language he had found in a previous decision. Ms. Smith told him the Board was aware and stated if Wingate could provide some more information, the Board would look into the matter, but as of right now there is nothing to indicate the Board approved any such plans.

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NONE

NEXT REGULAR MEETING:

DAY CHANGE: MONDAY MARCH 10, 2025 AT 4PM
MEETINGS IN MARCH 2025 WILL TAKE PLACE ON THE 2ND AND 4TH MONDAYS AT 4PM.
THIS IS ONLY FOR THE MONTH OF MARCH.

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 4:54pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS
TIME: THIS IS A RECURRING MEETING MEET ANYTIME
JOIN ZOOM MEETING
HTTPS://US02WEB.ZOOM.US/J/89052013207?PWD=AWNZOWIYK01WCGZJR2VEBFJNDVLSQT09
MEETING ID: 890 5201 3207
PASSCODE: 444915
ONE TAP MOBILE
+16469313860,,89052013207#,,,,*444915# US
+13017158592,,89052013207#,,,,*444915# US (WASHINGTON DC)
DIAL BY YOUR LOCATION
• +1 646 558 8656 US (NEW YORK)
MEETING ID: 890 5201 3207
PASSCODE: 444915
FIND YOUR LOCAL NUMBER: HTTPS://US02WEB.ZOOM.US/U/KDWSDDJYBD

Respectfully submitted,

Stacey L. Smith

Stacey L. Smith, Clerk