

PUBLIC WORKS COMMISSION MEETING MINUTES

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Public Works Commission in accordance with the Commonwealth of Massachusetts Executive Order of March 12, 2020 suspending certain provisions of the Open Meeting Law was held at 4:00 p.m. on Wednesday, May 12, 2021. This meeting has been properly noticed with the Town Clerk and has been recorded.

PRESENT:

Commissioners:

James Terry
Andrew Boardman
David DeLong
Jef Fasser
K.C. Winslow

Staff:

Alan H. Cathcart, Director
Aaron I. Miklosko, MSFM, Highway and Grounds Superintendent
Steve Dookran, Town Engineer
John Rogers, Water & Sewer Superintendent
Nelson Mui, Management Analyst
Bob Hill, Management Analyst
Paul Reinhardt, Management Analyst
Melissa Simoncini, Environmental Services Program Administrator
Anna R. Trout, Administrative & Special Projects Coordinator

Other:

Marcia Rasmussen (Director of Planning and Land Management)
Terri Ackerman (Select Board Observer)
Robert Hilsinger (League of Women Voters Observer)
Nancy Nelson
Rod Riedel, 324 Main Street (Council on Aging Observer)
Karlen Reed, 83 Whit's End Road

A: ACTION ITEMS

A-1 through A-3 - The meeting was convened at 4:00 PM. by Commissioner Terry. Attendance roll call of commissioners was made as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye and Jef Fasser, Aye.

K.C. Winslow joined the meeting after roll call.

The meeting minutes from April 14, 2021 were approved by roll call: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye and Jef Fasser, Aye.

A review of the calendar including future proposed meeting dates occurred. The next meeting will be held on June 9 at which time town meeting preparation will occur.

D: DISCUSSION/ACTION ITEMS

4:05 PM

D-1: Water/Sewer Rate Public Hearing

Commissioner Fasser **MOVED** to open the Public Hearing for the FY22 Water/Sewer rates, Commissioner DeLong **SECONDED**, and it was **UNANIMOUSLY VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye, Jef Fasser, Aye and KC Winslow, Aye.

Director Cathcart explained how important it is to provide steady and reliable water and sewer services. To maintain such service, a number of staff are involved in developing detailed budgets which include various assumptions, including rate changes required to support short-term and long-term spending plans. While a number of people participate in putting together the Water/Sewer rate budgets, special acknowledgement was given to Paul Reinhardt, Management Analyst, who has recently retired after 24 years of service to the Town. Paul was instrumental in developing a 10-year financial proforma program which has been used to manage and project the health and fiduciary soundness of Water and Sewer budgets for over 20 years.

Background materials were provided to the Commissioners including proposed rate schedules and special service fees for adoption by the Public Works Commission, serving as the Water/Sewer Commission, prior to this annual rate hearing. Proposed rate adjustments included in these background materials have also been disseminated via the Town Manager's Enterprise Fund Budget Book, the Finance Committee Enterprise Fund virtual hearing on May 11, 2021, and postings in the Concord Journal and on the Town's website.

The services provided by the Water and Sewer Divisions are primarily driven by regulations and statutory requirements, especially with regard to quantity and quality. Excellent customer services are also a major driver for the programs and services offered. As the Water and Sewer Division's operate as enterprise funds, financial planning, especially with regard to full-cost accounting budgeting, is also key.

The most significant regulatory driver facing future service with respect to the water system is the Water Management Act. This particular regulation controls the volume of water available to our customers. Director Cathcart reminded the Commission that the Town's 10-year registration and associated permit are up for review in this coming year. Depending on what new condition and controls may be attached with the new permit, it is likely the Town will require guidance

and support from a third party consultant as well as legal support. Emerging contaminants, cyber security issues and revised lead and copper rule along with other regulatory issues will also likely impact spending needs.

With regard to customer interests and satisfaction, measured by past Town surveys performed through the Town Managers office, the majority of residents have indicated they are very satisfied with their water service. With respect to water demand, while we do see increased use during the summer period, we have learned that customers do respond affirmatively to requests for water conservation, when seasonally needed to off-set limited supply. Concord customers are served by a number of local sources of supply which include Nagog Pond and six groundwater supplies. There are 134 miles of distribution mains which require maintenance and repair.

With respect to operating expenses we budget for day-to-day services and supplies required to maintain service while also accounting for the depreciation of assets. The day-to-day services include a significant allowance for general fund administrative services with the remainder of expenses allocated for pumping, treatment and distribution services. The budget identifies these operating expenditures while projecting water and sewer rates required to ensure sufficient revenue is generated to off-set these expenses. That revenue is made up primarily from user fees. While net revenue can drop below annual expenses in any given year, the general trend should be positive.

In addition to collecting revenue to off-set year to year operating expenses, depreciation allows for the collection of funds that will be used to replace assets. Just over six million dollars of capital expenditures are proposed for FY22.

Concord's customer base is made up of 56% residential, 24% are commercial, institutional and mixed use, 13% are hospital and correctional facilities 3% include municipal buildings and public schools, with the remaining 4% being other entities. The State of Massachusetts has established an allowance of 65 gallons per person per day (RGPCD). In recent years, Concord has stayed close to that allowance, however in 2020 Concord's residential use increased to 75 RGPCD. Director Cathcart cautioned that this excursion will likely trigger increased water supply restrictions in the upcoming WMA permit – notably in the area of mandatory lawn watering restrictions during the summer.

It was noted that because we are currently renovating the Nagog intake structure, available supply will be limited and depending on system demands, will require significant outreach to educate customers of their need to comply with the 1-day per week outdoor water use allowance, at least until the work at Nagog is complete. Should response be an issue, the Division may be required to elevate this messaging through enforcement activities.

The Commission was reminded that the residential water rate structure includes a seasonal conservation based increasing block rate structure, essentially creating an economic disincentive for higher volumes of water used during the summer. There is a discount rate for needs based customers. Survey results of a majority of customers expressed the water service price is reasonable. An increase of 10% for our water rate is being proposed as a result of treatment costs and distribution replacement.

With regard to the municipal wastewater system, 30% of the Town is connected to Town sewer. 95% of the Town is on municipal water. The largest single asset is the Wastewater Treatment Plant. 30% of operating expenses is attributed to the contract for our third party who manages the Wastewater Treatment Plant. We generally have more revenue as opposed to expense in our ten year plan. The amount of proposed expenditures for FY22 is \$1,364,000. The increased rate proposal for sewer is at two percent.

When asked about measuring use of water in cubic feet, on the water meter, it was explained that this was a traditional unit of measure and it would be no small task to convert to gallons. Invoices do, however, convert the use to gallons.

Commissioner Terry inquired as to why the municipal rate structure was slightly lower than the base residential and commercial rate. Director Cathcart informed the Commission that this reduced rate was originally established when it was realized that municipal uses can be more easily curtailed/interrupted (almost immediately) should system conditions warrant, such as during high demand periods. It was also noted that the public schools have very little demand during summer, when seasonal demands are otherwise greatest.

Mr. Riedel inquired as to whether the State might not consider the unusually high residential use reported over the past year as an anomaly due to COVID-19. Director Cathcart acknowledged that he was aware that conversations relating to this unusual occurrence is being raised by communities across the State and indicated Concord would certainly be seeking such relief, if the possibility exists.

Commissioner Boardman **MOVED** to close the Public Hearing for the FY22 Water/Sewer rates, Commissioner DeLong **SECONDED**, and it was **UNANIMOUSLY VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye, Jef Fasser, Aye and KC Winslow, Aye.

Commissioner Winslow **MOVED** to approve Water Rate Schedules, and also Sewer Rate Schedules as presented and as described in the Fiscal Year 2022 – Water and Sewer Rate Schedules memo dated May 5, 2021, prepared by the Water/Sewer Management Analyst and issued by the Public Works Director

Commissioner Boardman **SECONDED**, and it was **UNANIMOUSLY VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye, Jef Fasser, Aye and KC Winslow, Aye.

D-2: Planning Update: Two Family and Additional Dwelling Units

Marcia Rasmussen, Director of Planning and Land Management, provided information on Warrant Article 38 that talks about amending and increasing housing density in Residence C Districts. This has the potential of impacting both water and sewer because the Residence C District is the most densely developed. It is the area served by Town sewer and Town water. She also wanted to inform the Commission about a conversation that is going on regarding adding a residential component to the Thoreau Business District.

In 2018, with the adoption of the “Envision Concord Plan”, one of the goals was to encourage the renovation of existing housing and increasing the diversity of housing stock available for people. One of the recommendations was to amend the Two Family and Additional Dwelling Unit Bylaw which is what Article 38 is all about.

One of the first steps the Planning Board took was to review what the impact of this article would be. In 2019 there were only 179 out of the over 7,000 housing units in the Town of Concord that are additional dwellings that people are renting or have been created for members of their household. A survey of those 179 people was performed with a 20% response that showed that only 50% of those units were one person, or members of a household. They felt there would not be a significant increase or a major jump in the number of housing units if they were to propose the language that is in Article 38. A special permit would be required to use this space as an Air B&B.

Director Cathcart explained that infill (increased development) within sewer areas must be accounted for when planning for future wastewater demands. It is recognized that the proposed change in residential density would change some of the original planning assumptions. Given the community is well aware of wastewater capacity constraints, it should be recognized that remaining capacity allowance under our existing NDPES permit will likely be redirected to serve these infill areas, as opposed to areas previously identified for potential sewer service extensions. At this time, the Town has no imminent plans for expanding our sewer areas. Over the past decade or so, the Commission has been allowing capacity to be allocated on infill, especially if it is in the Town’s best interest. With regard to infrastructure issues, water and sewer in some instances, property owners interested in benefiting from redevelopment of their existing property may find the cost to replace or reconfigure their water and or sewer service may be significant.

A separate accessory building does not apply to this article. A question was raised with respect to how two family units are managed with respect to service

accounts/metering. It was explained that the owner of a two family can request two meters but such a request would require the utilities be separated at the street. Generally this has been deemed to be cost prohibitive.

Ms. Rasmussen went on to discuss the Thoreau Depot Business District Zoning Initiative, which is another potential zoning issue that is gaining community interest and one which she felt the Commission may find of interest. The concept under discussion is rezoning of an area in the immediate vicinity of the Depot/Crosby's Market site which might be able to include mixed use development with the potential of an additional 63 units of housing. Such a development would require the accommodation of municipal water and sewer service. While this is only in concept phase, Ms. Rasmussen understood the potential challenges and implications of such an ask.

D-3: PWC Reorganization

Commissioner Winslow **MOVED** to elect Jef Fasser as Chair of the Public Works Commission effective immediately following this meeting
Commissioner DeLong **SECONDED**, and it was **UNANIMOUSLY VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye, Jef Fasser, Aye and KC Winslow, Aye

Commissioner Winslow **MOVED** to elect David DeLong as Vice-Chair of the Public Works Commission effective immediately following this meeting
Commissioner Jef Fasser **SECONDED**, and it was **UNANIMOUSLY VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, David DeLong, Aye, Jef Fasser, Aye and KC Winslow, Aye

D-4: Director's Report

Director Cathcart announced that Concord Public Works will be celebrating "National Public Works Week" the week of May 16-22.

- **Solid Waste and Recycling Program (Presented by Melissa Simoncini, Environmental Services Program Administrator) –**
 - **Bulbs and Batteries** – CPW collected bulbs, batteries, Styrofoam and mercury containing items from 85 households on Tuesday evenings in April at 133 Keyes Road.
 - **Household Hazardous Waste** – These collection events began in April with about 80 Concord participants.
 - **Compost Site** – Residents have been bringing invasive species for special collection in a rolloff container for proper disposal.
 - **Curbside Subscription Outreach** – Curbside customers who have not yet paid their current subscription fee have been sent reminders.
 - **DropOff Event** – Planning for the spring DropOff event on Saturday, May 15 is well underway.

- **Paper Recycling** – Residents will be urged to keep their paper recycling dry to assure recycling can occur.
- **Engineering (Presented by Steve Dookran, Town Engineer) –**
 - **Sudbury Road Crosswalk** – Bids have been received for this project. Partial funding has been received through the Complete Streets Grant.
 - **Hubbard Street** – This is another Complete Streets project that will encompass a number of improvements including reclaiming and repaving the street. The Stow Street Parking lot will be included in this bid, which should be coming in a few weeks.
 - **Transportation Advisory Committee** – This group is looking at what is involved in speed reduction for all areas of Town. Junction Park improvements relative to bicycle traffic is being looked into.
 - **Cambridge Turnpike** – All paving has been completed. Undergrounding of Verizon utility poles still need to be completed. A possible crosswalk at Hawthorne Lane will continue to be investigated.
 - **MS4- Outreach** – A great poster for public outreach has been created to provide stormwater pollution prevention.
- **Highway, Grounds and Cemetery (Presented by Aaron Miklosko, Highway and Grounds Superintendent) –**
 - **Sawmill Brook Culvert Failure– Monument Street** – A beaver dam created flooding which necessitated an extensive emergency response that was coordinated by the Highway Division along with Water/Sewer, Engineering, CMLP, Fire and Police. The situation has been stabilized but further permanent repairs will be necessary.
 - **Athletic Field Seasonal Maintenance** – Work was completed at the Alcott baseball field, which will be more heavily utilized while the Emerson Field renovation is underway this season.
 - **High Wind Events** – Crews were busy responding to downed trees after recent high wind events.
 - **Public Shade Tree Maintenance** – Over 40 public shade trees were planted as part of the Municipal Vulnerability Preparedness (MVP) grant program.
 - **Fleet Maintenance** – Our skilled mechanics have done a lot of work to maintain our equipment to the greatest extent possible.
- **Water/Sewer (Presented by John Rogers, Water/Sewer Superintendent)-**
 - **Lowell Road Pump Station** – Functional testing has begun today.
 - **Assabet Pump Station** – This project has reached substantial completion.

- **Nagog Pond Intake** – Permission has been provided to rectify a beaver issue. The intake structure and pipe is being installed. The pieces of intake pipe still in place are being cleaned.

D-5: Commissioner’s Comments

None.

D-6: Public Comments

Terri Ackerman expressed appreciation to CPW staff that provided an excellent presentation of the enterprise funds to the Finance Committee the evening before.

Rod Riedel asked about providing a PFAS update. Director Cathcart explained that CPW is almost done with its first required sampling. Preliminary findings look favorable. With the exception of one site, quarterly sampling will be required. As expected, PFAS has been identified in some of the groundwater wells – all detections have been below the drinking water standard. Once samples have been accepted, information will be provided on our website.

Commissioner Boardman **MOVED** to adjourn the meeting at 6:25 PM, Commissioner Winslow **SECONDED**, and it was **VOTED** by roll call vote as follows: James Terry, Aye, Andrew Boardman, Aye, Jef Fasser, Aye, and KC Winslow, Aye.

ADJOURNED: 6:25 PM

Respectfully submitted,

Approved,

Anna R. Trout
Administrative & Special Projects Coordinator
Concord Public Works

James Terry
Public Works Commission