



TOWN OF LINCOLN
WATER DEPARTMENT

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Water Commissioners Zoom Meeting
February 02, 2021 8:00 AM

Virtual Meeting Pursuant to Governor Baker's March 12, 2020
Order Suspending Certain Provisions of the Open Meeting Law

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Lincoln Board of Water Commissioners was conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the www.lincolntown.org.

Topic: Board of Water Commissioners Zoom Meeting

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Dial by your location: 646- 876- 9923.

Attendees:

Jim Hutchinson, Chairman	
Ruth Ann Hendrickson, Commissioner	
Michelle Barnes, Commissioner	
Tom Sander, Finance Committee Liaison	Left the meeting at 8:30 AM
Peter Von Mertens, Lincoln resident	Left the meeting at 8:30 AM
Greg Goldman, Lincoln resident	Left the meeting at 8:26 AM
Buzz Constable, Lincoln Land Conservation Trust	Left the meeting at 9:19 AM
Abigail Butt, Director Counsel on Aging	Joined at 8:27 AM: left at 9:02 AM
Alison Boland, Administrative Assistant	

Chairman Hutchinson called the meeting to order at 8:02 AM

- 1. Appointment: 8:00am Review abatement request for 43 Old Concord Rd – vote expected**
Passed over.
- 2. Appointment: 8:10am Discuss access to Esker Trail via Tower Road Well driveway**

Mr. Von Mertens gave the Commission a summary of an incident that occurred a few weeks ago where a resident was walking along the Esker Trail near the Tower Road well. The resident was informed by a Water Department employee that access to the trail was not permitted. Mr. Von Mertens stated the trail was on town trail maps and would like to clarify if this trail can be used by the residents as an access point. Mr. Von Mertens went on to say if this is not an acceptable access point for the trails, a notice should be posted to inform the residents. Chairman Hutchinson questioned where the next closest access point to the trails was in relation to the Tower Road Well. Mr. Von Mertens responded that there was an access not very far away, near the Payne property at 83 Tower Road; he also noted that the Conservation Commission had considered the possibility of having trail access via Andrysiak Field.

Chair Hutchinson asked Commissioner Barnes if she would like to summarize her conversation with Mr. Constable regarding this issue. Commissioner Barnes said she would let Mr. Constable give an overview of their conversation and she would give her input on the rules and regulations.

Mr. Constable said that since 1974 he has been involved with creating and managing various trails in Lincoln. Mr. Constable feels that the Esker Trail is one of the most important trails in Town. The trail connection is from Rte. 117 to Tower Road and over Lincoln Road, and has been used by many generations.

Mr. Von Mertens noted the Esker Trail was previously located in front of the pump house, but it was moved approximately 150 feet which Mr. Constable acknowledged. Mr. Constable went on to say the trail connection is important and it is helpful to use the driveway and it would be helpful if this location could be used to accommodate a pedestrian entrance. Mr. Constable urged the Commission to do everything they could to make sure the Esker trail stays effective and used.

Commissioner Barnes stated there is a broader question: What kind of use should be permitted in the well's Zone 1. Ms. Barnes said she felt there were two Zone 1 issues. The first issue was the Source Water Assessment and Protection (SWAP) Program; the second, and more important, was MA DEP Policy 94-03 which provides guidance on the implementation of the Zone 1 requirements established under MA Drinking Water Regulation, 310 CMR 22.2. Ms. Barnes explained that she had reviewed the regulations and found that Zone 1 regulations recommend "No Activity;" they do, however, allow passive recreation if there is no significant adverse impact on the drinking water. Passive recreation is defined as walking, hiking, biking, and cross-country skiing. Ms. Barnes recommended there should be no dogs off leashes, no horses, and no changing bike parts. Ms. Barnes further noted that she did not feel there was a problem with using the driveway as access to the trail, but proper signage is required, and the Conservation Commission should consider the fact there may be times when the Water Department is having chemical deliveries or transfer of chemicals and may want to restrict access during those times.

Ms. Barnes also reported that the 2018 Source Water Assessment and Protection (SWAP) report considered Flint Pond to be a moderate risk for contamination and Zone 1 at the well as high risk for contamination. Commissioner Barnes noted that because we are in the process of installing a new well, DEP may require proof no harm has been done in Zone 1. Ms. Barnes felt proper education, signage, and a clear policy in place should satisfy any question the DEP might have.

Chair Hutchinson stated as part of the Tower Road Well Replacement Project, currently slated to go in front of the Town at the next Town Meeting, the plan recommends a fence to go around the Tower Well area. Mr. Hutchinson suggested that the Water Commission specify to the Contractor that the fence should protect the wellhead but not cut off access to the Esker Trail.

Commissioner Hendrickson acknowledged and appreciated the Conservation Commission's willingness to move the trail to make this situation better.

Chair Hutchinson moved to continue to allow access on the driveway subject to new fencing installed and signage that will allow compliance with DEP Regulations.

Roll Call Vote: Hutchinson – aye. Hendrickson – aye. Barnes – aye.

3. Appointment: 8:20am Discuss COA proposal for a water discount for seniors

Ms. Butt introduced and discussed the Council on Aging (COA) proposal for a discount on water bills for seniors and others who meet income- and asset-related tests of financial need and hardship. The COA noticed a trend over the past several years that overall costs have increased for homeowners in Lincoln, "property values are higher and property taxes are higher". Ms. Butt went on to say the best way to maintain diversity in the community is to assist people who are not economically advantaged to stay in town. Usually only one or two years of extra support is needed. The COA has been trying to combine different benefits that will accumulate into something that makes a difference. Ms. Butt stated that many surrounding communities have water discounts and that these discounts, however small, do make an impact.

Chairman Hutchinson asked Ms. Butt to elaborate on means-testing in her proposal.

Ms. Butt explained a means-based program covers people of all ages, economic status, and disabilities, not just seniors. The COA found families who need temporary support and receive that support, are more likely to stay in the community long term; those who do not receive any support, leave town, and do not return. Ms. Butt feels for these reasons it is a huge benefit to include people who are disabled or who meet means cut-off guidelines. Ms. Butt suggested the committee use a common means-based testing such as that used by the Fuel Assistance program or the guidelines used by the Lincoln Housing Authority. Ms. Butt said Oriole landing uses area medium income, and that is probably the means test that would have the broadest impact.

Chair Hutchinson went on to ask for clarification on residents' qualification for housing application. Mr. Hutchinson said residents do not submit their financial information unless they are interested in affordable housing, so that would not catch

people who meet the income requirement but haven't pursued affordable housing. Ms. Butt agreed but explained that a great number of people who meet that criteria reach out to the COA for assistance because it is so hard to live in Town.

Chair Hutchinson and Ms. Butt both agreed that the Commission should use one of the tests that are currently being used by other departments or agencies in Town to make the person eligible for the water district discount in order to minimize the administrative burden. Mr. Hutchinson stated that the Water Department has only a small administrative staff and billing is already a challenge.

Chair Hutchinson then moved on to the topic of the Circuit Breaker Tax Credit (CBTC). Ms. Butt stated the Circuit Breaker Tax Credit (CBTC) is a wonderful way to give seniors a reduction in property taxes. Ms. Butt explained The Circuit Breaker tax credit is based on the actual real estate taxes paid on the Massachusetts residential property you own and occupy as your principal residence. However, the Town of Lincoln would have to go through the state to a special ruling to get their own CBTC; almost no other town does this. Mr. Hutchinson asked if the town was still pursuing this? Ms. Butt stated she believed because of COVID the project has stalled. Chair Hutchinson noted to the Committee that everyone realizes property taxes are much greater than the water bills and the Circuit Breaker Tax Credit would make a greater impact on residents than the water discount.

Commissioner Barnes questioned how rental property or condos could be eligible for the water discount. Ms. Butt responded that most water discounts do not include renters and condos because most do not pay their own water bill; it is paid by the landlords or the condo association. Ms. Butt did say that most Fuel Assistance Programs will allow discounts for renters.

Commissioner Barnes stated that although including all renters and condo owners would be administratively more burdensome, it would be more equitable. Chair Hutchinson said he is skeptical about giving discounts to owner of rental units and hoping they pass the saving onto the renters. In his experience that doesn't always work.

Commissioner Hendrickson noted that since renters and condo owners do not directly receive a water bill, we cannot give them a deduction on their water bill; we would need to figure out how to give them a rebate check.

Chairman Hutchinson explained that he was not inclined to create our own means testing but would rather adopt a form of means testing already being used by the town.

Commissioner Barnes Stated she had experience with people coming to her with stories of hardships (terminal sickness and death etc.) and they are unable to pay their bills for one reason or another and then get hit with late fees. She wondered if there was some way to prevent this from happening that preserves people's dignity and privacy. Ms. Butt replied that she did not have experience with that situation exactly but has a number of people come to the COA for help with mortgage, property tax, and excise tax. The COA assists them through the Emergency Assistance fund.

Ms. Butts explained the application process for The Emergency Assistance Fund. Ms. Butt said an individual application is brought up in front of the committee anonymously, after the application has been approved for a certain dollar amount the COA can then advocate on behalf of the application with other organizations and ask for fees to be waved. Most times the organization will do that.

Chair Hutchinson said he felt this is type of situation would be covered under the abatement process. Commissioner Barnes stated she had known some people who were reluctant to go through the abatement process for one reason or another.

Commissioner Hendrickson said in the past the Commission had tried to establish a payment plan for residents needing financial relief but the board was informed by the Treasurer's Office a payment plan is not allowed. It is a state law that a bill must be paid; the committee has constraints here.

Ms. Butt reminded the committee that the Emergency Assistance Fund is for all people in any income bracket and COA aids anyone who needs helps. Chair Hutchinson thanked Ms. Butt for that information and said the committee would keep that in mind and refer people to the COA if need be.

Commissioner Hendrickson stated she would be hesitant to extend the discount to customers who fall into the Tier 2 category. Mr. Hutchinson agreed. Mr. Hutchinson went on to explain if a family follows the DEP recommended 65 gallons per day per person, they will always stay within Tier 1 category, and the higher Tier is specifically to encourage conservation and discourage water use.

Ms. Butt then moved on to the subject of time limits on certification and recertification.

Commissioner Barnes questioned how many households are affected. Ms. Butt said if the medium income base scale was used it would be approximately fifty households.

Chair Hutchinson asked Ms. Butt to generate a table showing the different types of programs she is proposing for eligibility, along with how many people will be affected and the cost. Ms. Butt said she would be happy to provide that information to the board after she has completed the vaccine clinic.

Chair Hutchinson explained that time would not be an issue as we are in the middle of revising our billing. Last year on February 25, 2020, we adopted the policy that it is every household, and not just every meter, that has to pay the fixed base charge. We decided on an equity basis that every household should be helping to bear the fixed costs of infrastructure maintenance.

Ms. Butt said she had heard of this charge but was unaware of the specifics. Ms. Butt expressed concern of how this would affect condo owners, specifically single women over the age 55 who are on a limited income.

Chairman Hutchinson stated the fees are \$200.00 per year and suggested that Ms. Butt might want to amend her proposal towards getting a discount for the fixed fee rather than a discount on the water use rate.

Ms. Butt said if the commission were to adopt a discount or waiver for people who have been just given this fixed base charge that would be a great help.

Commissioner Barnes suggested Ms. Butt include this request in her chart/proposal she will be submitting to the committee.

- Tier 1 with base charge
- Tier 1 without base charge

Chair Hutchinson stated after we receive additional information from Ms. Butt, we will reconsider this proposal at a future meeting.

Chairman Hutchinson expressed his appreciation to Ms. Butt for pursuing this idea. Mr. Hutchinson stated the Commission understands some of these costs are a significant challenge for our customers.

Ms. Butt thanked Commissioner Hendrickson for bringing the issues up at the Diversity, Equity, Inclusion, Anti-Racism forum and allowing her to come and speak to the committee.

4. Appointment: 9:00am Discuss supporting LLCT selling rain barrels as part of their spring plant sale

Commissioner Barnes introduced and discussed a request from the Lincoln Land Conservation Trust (LLCT) to collaborate with the Water Department to provide promotional information about the benefits of rain barrels and water conservation. Ms. Barnes went on to say that there is no monetary impact for the Water Department. This would just be an opportunity to cross-promote information about the rain barrel sales and information about water conservation in Lincoln. Ms. Barnes asked if this were something that could be put on our department website to generate community interest. Commissioner Hendrickson said she would be happy to assist in getting the word out to the community of this opportunity. Ms. Barnes also recommended an insert placed in the next water bill cycle to help inform people.

Commissioner Hendrickson noted that the Lincoln Water Department website could be improved and volunteered to be trained and to update the website. Chairman Hutchinson expressed support for Ms. Hendrickson and asked Ms. Boland if she could direct Ms. Hendrickson to the support staff who would train her. Ms. Boland will send the information to Ms. Hendrickson to schedule training.

Commissioner Barnes stated she thought it would also be a good idea to coordinate with the LLC to encourage residents to reduce the size of their lawns by planting or replacing lawn with native ground cover that would reduce watering.

Commissioner Barnes then moved on the general topic of water conservation, Ms. Barnes stated while reviewing the 2018 Sanitary Survey Zone 1, she realized one requirement of the 2010 Water Management Act Permit was that we are to work towards adopting local regulations to require moisture sensors or other related weather sensing technology on automatic irrigation systems. Commissioner Hendrickson stated there are rebates available on our website that include water sensing devices. Chairman Hutchinson and Commissioner Hendrickson both suggested that more detailed information on the website would be helpful.

The committee expressed support for the LLCT selling of selling rain barrels as part of their spring plant sale, and thanked Commissioner Barnes for her hard work and effort on the task.

5. Discuss draft report on the Long-Term Water Supply Evaluation Project (including “should we switch to MWRA?”)

Draft report still not available. Re-Scheduled to another meeting.

6. Review and approve revised draft of the Annual Water Quality Report – vote expected

Chairman Hutchinson discussed the updated draft of the Consumer Confidence Report (CCR) which included the rearranging of the test results table to match the one used in the Concord CCR. Mr. Hutchinson said Ms. Wisner reviewed the changes suggested by Ms. Barnes and did not like the new table arrangement or the placement of “turbidity”. Mr. Hutchinson asked Ms. Barnes if she had any thought if the matter. Ms. Barnes agreed to go with Ms. Wisner’s suggestion on the placement of turbidity.

Commissioner Hendrickson suggested the word “inorganic” be removed from the contaminants chart. Chair Hutchinson agreed. Ms. Hendrickson also noted that the board does not include in the report contaminants whose levels are below detectable limits. Ms. Hendrickson suggested the board include both detectable and undetectable data in the report.

The board discussed where to place some of the smaller items currently placed in the secondary table. Ms. Wisner preferred them in an unregulated table and the committee agreed to follow that approach.

Commissioner Hendrickson also mentioned that we should be aware of the sodium content in the water. Ms. Hendrickson stated the more salt is used on the road, the more it affects the water. Although the sodium levels in the water are well under the regulation, Ms. Hendrickson stated that people who are monitoring their sodium intake should be aware of the levels in the water. Ms. Hendrickson will draft a statement for the committee to review.

Commissioner Barnes reminded the committee that no sodium should be used in Zone 1 or Zone A.

Chair Hutchinson said he would contact the Tower Road Well Plant Manager, Gary Tuck, and inquire if there are any other test results or data which can be included in the report. even if below detectable limits.

The Committee agreed to revisit the CCR at the next meeting.

7. Chairman Hutchinson to update the Board on Superintendent search

Commissioner Hutchinson gave the Board a brief update on the Superintendent search noting that the Search Committee had readvertised the position for the higher salary range and they have received nine applicants, one of which was a reapplication from the first pool. He anticipated coming back to the Board in the coming weeks with one or two candidates to interview.

8. Approve minutes from January 14, 2021 – vote expected

The latest draft of the January 14, 2021 minutes was approved as written.

Roll Call Vote: Hutchinson – aye. Hendrickson – aye. Barnes – aye.

9. Other Business

Commissioner Hendrickson would like change to the wording about public water supplies in the LLCT Newcomer Packet: “Please note that Flint’s Pond and the Tower Road Well are public drinking water sources; people, dogs, or horses in the water and fishing are prohibited. If your property is near either of these areas, activities are restricted; consult the Water Department/Water Sources and Protection page on [http://www.lincolntown.org/.](http://www.lincolntown.org/)” The committee all agreed to the word change.

Commissioner Barnes suggested the committee reread the Mass DEP Sanitary survey, specifically, regarding Bedford Road Storage Tank. Chair Hutchinson said he will follow up with Ms. Wisner and get any maintenance records and correspondence she may have received from the DEP regarding the Bedford Road Tank. Chair Hutchinson and Commissioner Hendrickson will reread the Mass DEP Sanitary Survey.

Commissioner Hendrickson noted the Planning Board is in the process of approving new regulations for accessory apartments. Ms. Hendrickson went on to say that currently accessory apartments are not required to have their own water meter and or a household base charge. Ms. Hendrickson asked if the committee felt they should be charged in the future.

Commissioner Hendrickson and Barnes both felt an accessory apartment unit should have a household base charge.

Chair Hutchinson suggested someone reach out to the Planning Board to inform them on the household charge (meter charge) and that, if need be, they could reach out to COA for assistance with applying for a waiver. Ms. Hendrickson agreed to contact the Planning Department.

Future Meeting dates:

- March 11, 2021 via zoom at 8:00am

There being no further business, the meeting adjourned at 10:01 am. Moved: Chairman Hutchinson. Seconded: Hendrickson.

Roll Call Vote: Hutchinson – aye. Hendrickson – aye. Barnes – aye.

Respectfully Submitted,

Alison Boland, Administrative Assistant