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# CFD2 | Regular Meeting

04.03.2023 via Zoom 5:30-6:55pm

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## Attendees

Jonathan Ashley (D&K)  
Ian Baldwin (Board Member)  
Gina Campoli (President)  
Nicole Civita (Board Member)  
Christina Finkelstein (Secretary)  
Amy Galford (DEC)

Norm Hanson (Board Member)  
Terry Martin  
Dana Nagy (DEC)  
Renee Rossi (Board Member)  
Steve Smith (Systems Operator)  
Jake Tracy (D&K)

## ABSENT:

Paula Davidson (Treasurer)  
George Hall (Board Member)

## Acronym Guide

DEC	Department of Environmental Conservation
D&K	Dubois & King, consultant engineers for CFD2
RCAP	The Rural Community Assistance Partnership
WL-01	Well polluted with PFAS
WL-04	Well with no detectable levels of PFAS
WL-05	Reference to potential primary source well or its location
WL-06	Reference to potential primary source well or its location
WL-07	Reference to potential primary source well or its location

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## Agenda

1. Changes/Additions to agenda
2. Approve minutes from last meeting
3. Status of state's loan amendment review
4. Report from D&K - Well 7
5. Generator project amendment
6. Treasurer/Finance Committee Report
7. Bottled Water Distribution update
8. Update on review of CFD2 By-laws and Ordinance
9. Other business

### 1. Changes/Additions to agenda

None

### 2. Approve Minutes

Norm noted an error in the March 6, 2023, minutes. On page 6, the discussion about landowners and compensation needs to be corrected regarding why there is no fee waiver for Stark Biddle's property. It was his decision not to ask for a waiver as he felt it was his responsibility to pay for the water.

**MOTION: Ian made a motion to amend the March 6, 2023 Regular Meeting Minutes as described by Norm. Norm seconded. The motion passed unanimously.**

### 3. Status of State's Loan Amendment Review (Amy Galford)

*Amy Galford is part of DEC's Water Investment Division and the Drinking Water State Revolving Fund (DWSRF).*

- Jon Ashley reported that the state reviewed the Engineering Services Agreement Amendment. He got comments from Willie Nickerson [of DEC], which D&K

addressed. This revised version was approved. Gina has signed the agreement. Jon needs to get the agreement signed by D&K and return to DEC.

- Amy confirmed that the executed Services Agreement is the last piece of documentation she needs to process the loan. She then needs to add her cover letter and send the document up the DEC chain for signatures. Once that is completed, she will send the document to the bond bank. She will notify CFD2 via email.
- The total loan amount is approximately \$718,000. With federal funding for the new Emerging Contaminants Fund, the whole loan will be forgivable.
- The bond bank will need a few weeks to process. DEC has already given them a heads up that it's a big amendment. Amy noted that we will not have to get another bond vote. She will include a letter to the bank that the higher amount is moot since the entire loan will be forgiven. Once the underwriters have completed their review, they'll send the document for final signature.
- After Amy gets notification that the amendment has been completely executed, she will be able to update the loan database and CFD2 can start submitting reimbursements against the amendment.
- Amy noted that there were a few items in the loan amendment that are ineligible (e.g., the bottled water).
- Amy reported that she spoke with Denise Egan, who processes payments, and she will be working on CFD2's tomorrow for its most recent (March) payment requests.
- Amy noted that we will want to start a new Step III Loan Application and that CFD2 is on DEC's priority list for this funding cycle, which goes through June. She recommended CFD2/D&K get the application in by the end of June even if we are unsure what the exact cost will be.

## Discussion

- Amy asked Jon if he had a rough estimate of construction costs. He does not have a number because the quantity and quality of the water are unknown.
- Amy added that if new water treatment needs arise, they will still be eligible under the Emerging Contaminants Fund because our issue all started with an eligible contaminant (PFAS).
- Amy inquired about the status of the easements. Jon explained that we are waiting until we are certain there is water before proceeding with drafting an easement. Amy reminded everyone that the legal fees are eligible under the loan. Further, if a

purchase agreement is required for the easement, sometimes those can be funded as well but there are extra steps involved.

- Gina added that she's reached out to CFD2's lawyer.
- Jon expressed appreciation for Amy's responsiveness and feedback on the application process. The Board also thanked Amy for her help and quick turnaround.

### 3. Well-07 Status (Jon Ashley)

- Jon recapped that Manosh asked for \$75,000 to cover the pollution liability per the Access Agreement with Sterling College. He noted that their estimate was already very high and the additional \$75,000 put them over any comfortable margin. When he tried to work the numbers with them, they stopped returning calls for an extended period. At this time, D&K started to pursue other drillers knowing that the road work would have to be done by a different vendor.
- Jon shared a summary on screen of the various quotes and any additional cost required to meet the insurance requirements that are part of the Access Agreement with Sterling College.
- Jon flagged his concern re the pollution liability needed for drillers and asked Nicole if she could go back to Sterling's leadership and legal team to see if they would consider relaxing the requirement a bit. Nicole reported that she's already discussed this request with leadership, but she will bring it back to them again and highlighting the likely lower risk of pollution by drillers vs. the company performing the road construction.
- Jon emphasized the narrowing window as the potential companies are filling up their schedules and the ground gets softer, making the road work more difficult. Nicole agreed and reported she is drafting an email and hopes to have a decision within a day.
- Jon confirmed that we have a permit to drill and he's verified that we do not need a wetlands permit for any of the work to complete the drilling or the access road.
- Jon is confident that if the drilling is completed soon, D&K will be on track to submit a construction permit in September. He noted that DEC had them build in 30%, 60%, and 90% submittals and reviews into the engineering services agreement and though it may take more time to process the documents, in the end he thinks that will lead to the construction permit being processed more quickly.

## Discussion

- Christina asked Jon about the timeline and his best guess for when we would know whether WL-07 was a viable source and when we could our taps would be PFAS free. Jon thinks we will know about WL-07 by early May and the earliest we can turn on PFAS-free taps is November.
- Christina asked if there was any merit in planning for a Plan D between now and early May. Dana Nagy responded that if WL-07 is not found to be viable, then we need to shift gears and go to treatment using the Emerging Contaminants Fund. The cost will be 100% forgivable, but it will take time to get treatment up and running. Christina asked when the taps would be PFAS-free if we switched to treatment. Gina said that no one has the information to answer that right now.
- Nicole noted that she recalls earlier conversations dismissing treatment as an option because it's very costly and would require new infrastructure. Gina said it would completely change how CFD2 operates.
- Gina cautioned that a much larger conversation needs to happen if we are forced to pursue treatment, but not during this meeting. If WL-07 is not viable we will need to immediately start working on getting treatment in place. Nicole asked if there was something we should be thinking about or researching in the interim. Jon proposed that it's possible to do a pilot test off a trailer mounted carbon filter system and if it works then the system could have clean water while the permanent system was being designed and established.
- Gina cautioned again that we need to plan how we will approach next steps. Dana agreed that we should continue to focus on WL-07 and if it doesn't yield then it's time to start planning aggressively.
- Nicole asked if WL-07 will be the last well we drill. Gina said that was likely. Dana added that there would likely be a dual-track approach because even if treatment is the immediate solution, long-term we will not want to take on the ongoing replacement cost for GAC [granular activated carbon] over decades. It would still be more cost-effective to find a new source even if it means building a new treatment building elsewhere.
- Christina expressed concern that if we need to pursue treatment, we do not have the capacity as a volunteer committee to take on such an undertaking. Dana said we have a lot of capacity and yes it will take more time but we have no other alternative (other than to dissolve the fire district and each household drill their own well).
- Ian asked what the potential cost would be for treatment, but the group decided to pause further discussion about treatment for now.

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- Ian asked if we should postpone the May 1 meeting to the following week in the hopes that we will know the status of WL-07's viability by then. Gina suggested keeping the Regular Meeting on May 1st and calling a Special Meeting on May 15th if needed because D&K and the Board's Infrastructure Committee will need time to react. Nicole asked if John could give the Board a heads up on what the next might be because if WL-07 is not viable there are logistical considerations like moving all the equipment off of Sterling's campus on top of everything else that will need to happen to move to a Plan D. Gina will reach out to Jon.

## 5. Generator Project Amendment

- Jon confirmed that the generator project is complete. During the project there were two amendments to align with changes in the scope of work for the contractor. A third amendment was required because the contract period needed to be revised to match the final bill from the contractor. The total billed amount is consistent with what was approved in the second amendment.
- Gina explained that Paula was concerned when she got the final bill because she thought the loan had been closed out. Jon said that there were some administrative things that DEC needed to process the closure (e.g., certified payrolls and certifications for the rebar in the concrete pad) but that they should have everything now.
- Amy reviewed the costs and noted that the total billed is slightly less than what was approved so we wouldn't need another (4th) amendment.

## 5. Treasurer/Finance Committee Report

- Gina noted that Paula sent the Board a summary prior to the meeting and asked if anyone had questions or comments. None.

## 6. Bottled Water Distribution Update

- Nicole reported that one of the Sterling College students has almost completed the build of an outdoor rack where customers can leave the empty bottles. However, graduation is coming up and Sterling will want the bottles moved so rather than multiple communications, we will wait until after graduation to change the drop-off and pick-up location to Sterling College's dining hall.

## 7. Update on Review of CFD2 By-laws and Ordinance

- Christina reported that she and John Kiernan have been meeting irregularly for the last couple of months to review the by-laws and ordinance. A line by line review of the by-laws is complete and they have flagged questions and any inconsistencies that the full Board should review together. Christina is in the process of conducting a section by section review of the ordinance in comparison to two other similarly sized water districts. She will review with John.
- A special meeting (in the next couple of months) will be needed to provide ample time to review the two documents.

## 8. Other Business

### Meeting Length

- Christina asked that we stop meeting promptly at 7pm going forward and that any items not covered either get carried over to the next regular meeting or taken up at a special meeting. Others agreed.

**MOTION: Nicole made a motion to adjourn the meeting. Norm seconded. The motion passed unanimously.**

### Actions Items

- Jon needs to get the Engineering Services Agreement Amendment signed by D&K and returned to DEC.
- Jon/D&K will submit the Step III Loan Application before June 30th.
- Nicole will communicate to Sterling's leadership D&K's concerns about the pollution liability requirement.
- Gina will reach out to Jon about a timeline for preparing for next steps.
- George will hand-deliver these minutes and any announcements to customers without email.

## Upcoming Meetings

The next Regular Meeting will be on **Monday, May 1st at 5:30pm**. A special meeting will be called if there are developments or other issues that merit full Board deliberations.

A reminder announcement with the Zoom link (<https://us02web.zoom.us/j/87324152544>) will be posted on Front Porch Forum.

NOTE: The Zoom link (<https://us02web.zoom.us/j/87324152544>) and call-in details are the same for all remaining 2023 meetings.

### Call in Details:

Meeting ID: 873 2415 2544

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