

Foxboro Board of Water and Sewer Commissioners

Open Meeting Minutes

November 11, 2022

Members in Attendance: Mike Stanton, Chairman; and Robert Garber, Secretary

Others in Attendance: Chris Gallagher, DPW Director, Robert Worthely, Water Superintendent

Discuss PFAS Litigation

Chris Gallagher explained that the Town has been approached by the legal team of Stag Luizza LLC, Glaser Legal, PC and Law Offices of Nicholas J. Riccio for the purpose of providing legal services related to the filing and litigation of a civil action for damages due to PFAS.

Mike Stanton - Primary firm is not local, does not have enough information about Stag Luizza, local firms don't appear to have any environmental law experience.

Chris Gallagher states that there does appear to be potential behind this type of claim, Town of Sharon is moving forward and will be filing, State of Massachusetts has also filed claim. Mansfield and Easton are already involved in other legal action.

Bob Garber asked if this team is not right, then who is?

Mike Stanton would like to see the state take the lead for all water suppliers. He asked for Chris to do some research, ask Stephen Madaus to find out who the right legal team would be for PFAS litigation.

Bob Garber said he may have a contact that would have some insight on where to begin. He feels it is important to move it forward with someone so that Foxborough isn't left dealing with this at the expense of the rate payers if settlements begin to be made.

Mike Stanton would like to continue the conversation with additional information on who the right legal team would be.

Discuss FY24 Rate Study

Water and Sewer will be placed HDR under contract to look at the rates and offer options for FY24 structure. The office has had several requests to maintain the base rate if possible.

Project Updates

Fall flushing is complete. It went well with no issues. Staff did find some valves and hydrants that need to be repaired or replaced. This work will be scheduled before winter hits.



Unaccounted for Water should improve drastically for 2022. Since the large leak was found in March, approximately 126,000,000 gallons less have been pumped, and that is through a drought when water use typically increases.

Lead & Copper Rebate

Bob Worthley - Foxborough is required to sample and test 60 households twice per year. We have a primary and backup list both approved by Mass DEP. Over the last few years it has become more difficult to get residents on the lists to participate. Proposal to offer a \$50 rebate for the participating residents. Before the board is a draft "Lead and Copper Sampling Rebate Policy" dated 11/8/22.

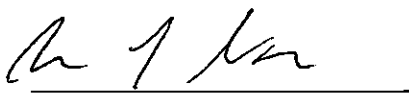
Mike Stanton asked what the cost to the town is.

Bob Worthley responded that if all 60 participants filed the rebate form it would amount to \$6,000 annually.

Bob Garber made a motion to approve the "Lead and Copper Sampling Rebate Policy" dated 11/8/22. Mike Stanton made seconded the motion. The motion was voted and passed by a vote of 2-0.

Upon motion duly made by Robert Garber and seconded by Michael Stanton, it was voted to adjourn at 7:25 p.m.

These minutes of November 8, 2022 were approved on January 24, 2023



Robert T. Garber, Clerk