

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
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ACTON, MASSACHUSETTS 01720

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Commissioners Meeting  
Water Supply District of Acton  
Meeting Minutes  
January 10, 2011

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The regular bi-monthly meeting was called to order at 7:35 p.m. on Monday, January 10, 2011 at the Acton Water District Office by Mr. Stephen Stuntz.

Present: Commissioners Stephen Stuntz, Ronald Parenti, and Leonard Phillips. District Manager Chris Allen, Treasurer/Collector Mary Jo Bates, District Counselor Mary Bassett, Environmental Manager Matthew Mostoller, Commissioners Secretary Lynn Protasowicki. Finance Committee member(s) David Butler and Chuck Bradley. Barry Rosen representing WRAC and WLMAC.

Also in attendance: State Representative Jennifer Benson

## A. Comments from Citizens

Mr. Randy Couric of Andrew Drive came to discuss the lack of communication on the District's part regarding the water main break which took place on Arlington Street New Year's Eve Day. He mentioned that due to the water main break his water was discolored so it was undrinkable and unusable for a party that they were hosting that evening. Mr. Couric stated that he had dirty drinking water for approximately 18 hours. He was hoping that in the future the District would alert the citizens of water main breaks either on-line, via phone chain, or utilizing the Connect-CTY program.

The Commissioners commented that Operations should be getting information about water main breaks to Bob Murch so that he can then post information onto web site.

State Representative Jen Benson commented stating that many of the towns in Massachusetts are using Twitter, FaceBook and sending notices to people's home page web sites.

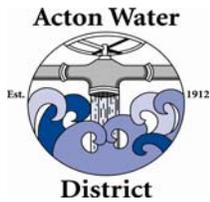
Mr. Mostoller stated that using the phone messaging system to alert customers of frequent water main breaks may desensitize them to really important notices such as a boil water or water curtailment notice. Mr. Allen stated that they have a "Standard emergency phone message" that can be used however it is customarily only used when outages are widespread and there are a number of customers affected by the break. This particular instance, only one customer was out of service. Since the office was closed that day in observance of New Year's Day, it would have required the operations staff to make the call. It is preferred, in most cases that they focus on repairing the water main break.

### Action Item:

1. Operations need to notify Bob Murch so that he can post a message on web site.
2. Gauge the number of people that would be affected by breaks and then act accordingly (i.e. phone message or phone chain).

## B. Approval of Minutes from December 6, 2010

Mr. Stuntz moved to accept minutes of the meeting held on December 6, 2010 and Mr. Parenti seconded the motion. The Commissioners were in favor of approving the minutes.



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## **C. New Business**

### *Discussion of Proposed Special Legislation by the Town of Boxborough.*

Mr. Allen informed the Commissioners that he, Mr. Mostoller, Counselor Bassett and Chairman Stuntz met with Mr. Frank Powers, Chairman of the Boxborough Board of Selectmen, and Ms. Selina Shaw, Boxborough Town Administrator to discuss the proposed special legislation by the Town of Boxborough. It was determined that the Town of Boxborough will propose a vote at their Selectman's meeting on 1/10 to postpone filing of the legislation and, based on the outcome of the vote, will work with the Acton Water District and the Town of Acton to craft legislation that more suits their needs and sovereignty issues. Mr. Allen noted that the Chairman will contact him to let him know the outcome.

Included in this evening's packet is a memo from Counselor Bassett to the Commissioners of the Water Supply District of Acton summarizing the meeting, critiquing the special legislation and making recommendations.

Mr. Allen wanted to "state for the record" that the following statement is not the opinion of the Water Supply District of Acton. The statement was made by Francie Nolde and reads, "The Boxborough Selectmen and Energy Committee asking that Senator James Eldridge write and re-file the bill that gives Acton water rights in Boxborough. Apparently the Acton Water Authority agrees this agreement should end. Other towns have a similar problem, but Boxborough needs this agreement changed to protect its future water supply."

### *Update on Written Testimony to Water Infrastructure Finance Committee.*

Included in this evening's packet to the Commissioners is a letter from Mr. Allen and Mr. Mostoller to Senator James Eldridge providing written testimony to the Water Infrastructure Finance Committee whereby Senator Eldridge chairs the Committee. The letter provides feedback and challenges facing the Water Supply District of Acton and public water suppliers in general. In addition there is written testimony from the Lauren Rosenzweig Morton, Chairman, Town of Acton Board of Selectmen, and Mr. Barry Rosen, Chairman of the Water Land Management Advisory Committee (WLMAC) and member of the Water Resources Advisory Committee (WRAC).

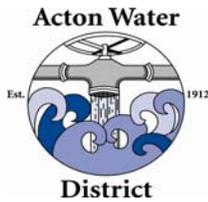
Mr. Parenti brought up the discussion that had been mentioned in the past regarding the dangers of septic systems and the impact on drinking water. He wanted to know what the status was of the testing that had been going on over at School Street. Mr. Allen stated that the testing is on-going. The results are still inconclusive. Mr. Mostoller mentioned that more sampling was conducted in the fall and another round will take place in late winter/early spring. The highest concentration of nitrate was identified in the same well as the initial round of monitoring with a similar concentration. Mr. Parenti stated that he sees the issue of septic systems being dangerous to drinking water as being continually discussed amongst the Town and citizens, largely in relationship to the installation of public sewers in the Spencer-Tuttle-Flynt neighborhood.

## **D. Old Business**

### *Update on Proposed Special Legislation Involving the District's Investment Protocol.*

Mr. Dave Butler informed the Commissioners that he spoke with Senator James Eldridge who would like the Commissioners to make a formal vote on the Special Legislation which Mr. Butler will then submit to Senator Eldridge's office.

Mr. Stuntz made a motion to petition the state legislature to adopt the legislation in the forms attached hereto which would allow the District OR which would allow any town or district in the Commonwealth to invest



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pollution abatement or remediation funds in accordance with the prudent investor rules established by Massachusetts law.

Mr. Stuntz moved to accept the motion and Mr. Parenti seconded the motion. All the Commissioners were in favor of accepting the petition as presented.

Counselor Bassett will provide the vote to Mr. Charles Orcutt, III, Clerk, for certification. Mr. Phillips made a comment that has never experienced nor seen two separate legislations for the same issue. Mr. Butler stated that Senator Eldridge recommended that it be done this way. State Rep. Benson noted that these are two autonomous legislations that should be treated as such.

### Discussion of FY 2012 DRAFT Budget & Warrant.

The Commissioners reviewed for a second time a draft of the FY 2012 Budget. Mr. Stuntz inquired as to why there was only \$100 in the accounting line item. Ms. Bates explained that is merely a place holder if money is needed, there would need to be a transfer from the Reserve Fund. Mr. Parenti inquired as to why the Chemicals line item increased from \$35,000 to \$65,000. Mr. Allen explained that the increase is due to the absorption of costs from the elimination of the Treatment Plant M&O line item. Additionally, there was a coincidental increase in Lights, Power & Fuel for the subsequent absorption of these costs for the North Acton Water Treatment Plant due to the elimination of the Treatment Plant M&O line item.

The Commissioners reviewed the first draft of the Warrant articles which will be presented at the Annual Meeting on Wednesday, March 16, 2011 at the Acton Public Library.

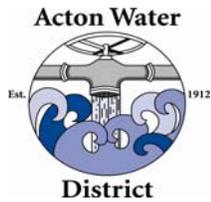
Counselor Bassett reviewed Article 15 regarding a potential cell tower lease at The Wampus Hill Tank site off Wyndcliff Drive with the Commissioners. She asked whether the warrant article should seek approval of the "best and highest" rental amount or include a "not less than" specific monthly rent, and what amount that rent should be. Ms. Bates will research what the current annual rental charges the District has with the other telecommunications companies and then the Commissioners will determine how to proceed prior to finalizing the warrant.

Mr. Phillips inquired about Article 14. Mr. Allen stated that the District has a GMC van which is infrequently used. He stated that the vehicle is sedentary and should be put out to bid. Additionally, there is an older service truck that may be combined with the GMC van, traded in for an economical, more efficient vehicle. Counselor Bates stated that she will be meeting with the Finance Committee to review the initial funding for the Warrants.

Counselor Bassett stated that the Warrant will be closed at the next open meeting on January 24<sup>th</sup>.

### Update & Discussion of Conservation Rebate Program

Mr. Mostoller provided to the Commissioners some statistics on the conservation rebate program. He stated that of those that received the rebate for washing machines in 2009 are seeing an 11% savings on their water usage (year 2 it increased to 15%) and those that received a rebate for toilets in 2009 are saving 9% (year 2 it increased to 13%) on water usage. Mr. Mostoller proposes that they provide a rebate on toilets year round and rebates on washing machines intermittently. Rebates for EPA water sense toilets will remain at \$75 and Consortium for Energy Efficiency Tier 3 washing machines at \$100. Multiple toilet rebates for a single account in good standing will be considered to encourage replacement of older toilets instead of repairs that may not really conserve water when a leak is identified.



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## Update on Assabet Sand & Gravel Encroachment on District Land off High Street.

Enclosed in this evening's packet to the Commissioners is a letter from Mr. Allen to Mr. Douglas Maccone, owner of Assabet Sand & Gravel. Mr. Allen informed the Commissioners that this letter was sent to Mr. Maccone along with the Stantec letter dated November 10, 2010, and Scott Mutch, Town of Acton Zoning Enforcement Officer, was courtesy copied. In summary the letter states that Mr. Allen has been in contact with the Massachusetts Department of Environmental Protection (DEP) and that the encroachment into the Districts Zone I, the 400-foot radius, surrounding two operating groundwater sources, Assabet 1A and 2A must be removed. Mr. Allen stated to the Commissioners that he then had a conversation with Mr. Maccone who was upset to learn that he will have to remove the existing encroachment from the District's property and restore the premises to its natural state. During conversation Mr. Maccone mentioned that he will speak with and document his conversation with Mr. Bob Greenough, who was the previous owner of Assabet Sand & Gravel, and find out what his understanding was and if he had any agreement with the District regarding the real estate.

Mr. Allen and Mr. Mostoller will have a meeting on January 21<sup>st</sup> with Marielle Stone, Drinking Water Chief, MA DEP Central Regional Office to discuss further action.

Mr. Parenti moved to adjourn the meeting and Mr. Stuntz seconded the motion. The meeting adjourned at 9:15 p.m.