

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
June 4, 2012

- Agenda:**
- A. Comments from Citizens
 - B. Approve Minutes of May 7th Meeting
 - C. New Business:
 - Approve Warrant for Special District Meeting Scheduled for June 25, 2012
 - Designation of District Clerk as “Special Municipal Employee”
 - D. Old Business:
 - Update on Filtration Pilot Study for South Acton
 - E. Executive Session

The regular bi-monthly meeting was called to order at 7:35 p.m. on Monday, June 4, 2012 at the Acton Water District Office by Mr. Ronal Parenti.

Present at Tonight’s Meeting:

Commissioners: Ronald Parenti (Chairman), Leonard Phillips and Stephen Stuntz
District Manager: Chris Allen
District Treasurer/Collector: Mary Jo Bates
District Counselor: Mary Bassett
Environmental Manager: Matthew Mostoller
Commissioners Secretary: Lynn Protasowicki
Finance Committee Member(s): Bill Kingman
Moderator: Richard O’Brien
District Clerk: Chip E. Orcutt
Representing WRAC & WLMAC: Barry Rosen

A. Comments from Citizens

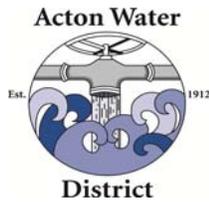
There were no comments from citizens at tonight’s meeting.

B. Approval of Minutes from May 7th Meetings

Mr. Parenti moved to accept minutes of the meeting held on May 7, 2012 and Mr. Phillips seconded the motion. The Commissioners were in favor of approving the minutes.

C. NEW BUSINESS

1. Mr. Chip Orcutt swore Mr. Leonard Phillips into office as Water Commissioner for three more years.
2. Mr. Allen presented to the Commissioners the proposed board meeting schedule for the second half of 2012. The Commissioners were all in favor of the new board meeting schedule for July through December 2012.



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3. Mr. Allen informed the Commissioners that on June 19, 2012 in the Acton Water District office there will be a “day of wellness” program for all District employees to take part in. He invited the Commissioners to the event.

Approve Warrant for Special District Meeting Scheduled for June 25, 2012

In tonight’s packets to the Commissioners is the warrant for a special district meeting scheduled for June 25, 2012. There are two articles on the warrant.

Mr. Allen informed the Commissioners that Article 1 regarding appropriating additional funding for the purchase of a backhoe loader was originally approved in Article 13 of the March 21, 2012 annual meeting. He stated that after contacting the dealer he found a much better machine that has additional options to allow the operators to work more efficiently, for example, a hydraulic hammer and forks that replace the rear and front bucket. The requested \$45,000 in the Article is because the backhoe is much newer than was anticipated would be available, a new/used 2011 model with 161 hours of operation. The backhoe is a John Deere and will have a one year manufacturer’s warranty, not typical for a used machine. He informed the Commissioners that the old JCB backhoe will be kept and used on District property.

Mr. Allen reviewed for the Commissioners Article 2 which is to appropriate \$12,000,000 for the construction and all related costs of a new water treatment facility at the School Street and Assabet well sites in South Acton. And, for local acceptance of funding of \$6-million through the State Revolving Fund (SRF), for which the project was approved earlier this year.

Mr. Phillips stated that this sum of money on a project is the more the District has ever seen before and he hopes that the District won’t incur any additional costs associated with this project. Mr. Allen stated that this \$12,000,000 is a projected cost.

Mr. Parenti would feel more comfortable if town was more involved. He would like the Commissioners to write an editorial for the Beacon newspaper indicating position on this project, implications, cost, etc. Mr. Stuntz would like to see the article on the front page of the Beacon. Mr. Chip Orcutt was also in agreement that the town should be more informed. Ms. Bates stated that there was an article in the most recent Water Words that addressed the new treatment facility project.

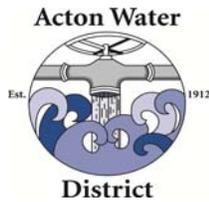
Action Items:

1. Mr. Mostoller will put together the article for the Beacon and try to get it put under “Guest Column”. The article will be approved by all Commissioners.
2. Press Release to go out after special meeting.
3. Warrant will be posted in June 14th issue of the Beacon.

Mr. Parenti moved to accept warrant for Special District Meeting Scheduled for June 25, 2012 and Mr. Stuntz seconded the motion. The Commissioners were all in favor approving the warrant.

Designation of District Clerk as “Special Municipal Employee”

Counselor Bassett informed the Commissioners that Mr. Orcutt would like to be designated as “Special Municipal Employee” under the state’s “Conflict of Interest Law”. She stated that since he is an elected official working less than 800 hours per year, he is entitled to this designation. She informed the Commissioners that he is minimally paid for his services and has no actual conflict of interest, but is



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concerned about the appearance of impropriety. Mr. Orcutt stated that he serves on two boards, Acton Youth Soccer and Acton School Committee.

Mr. Stuntz moved to designate the office of the Clerk of the District, now held by Mr. Charles Orcutt, III as a "Special Municipal Employee" under the states "Conflict of Interest Law" and Mr. Phillips seconded the motion. The Commissioners were all in favor.

D. OLD BUSINESS

Update on Filtration Pilot Study for South Acton

Mr. Allen provided to the Commissioners an update on the filtration pilot study for South Acton. He stated that the pilot study at School Street was completed on May 18, 2012. He informed them that the Christofferson well pump failed, but the School St aspect of the pilot study is done. The pilot units have been relocated to the Assabet well site and that aspect of the study should begin this week and will continue for 30 days, per regulatory requirements. Mr. Allen stated that the pilot study is evaluating two membrane technologies, Pall Microfiltration and GE Ultrafiltration, to determine which membranes will perform the best. Mr. Allen stated that AWD will be assisting Purifics (Ontario, Canada) in piloting their equipment on the Christofferson source to gain approval from Massachusetts Dept of Environmental Protection (MA DEP) for "New Technology" in drinking water. At a minimum, AWD will be incorporating Purifics "PhotoCat" system, which is designed for Volatile Organic Compound (VOC) removal. Specifically, it is effective removing 1,4-Dioxane, a VOC that is present in the South Acton wells. The PhotoCat system is currently in operation at the WR Grace Superfund site for 1,4-Dioxane removal.

E. EXECUTIVE SESSION

Mr. Parenti moved to go into executive session at 8:40 p.m. to discuss threatened or pending litigation as an open meeting may have a detrimental effect on the negotiating position of the public body, and then to reconvene in open session. The motion was seconded by Mr. Stuntz and roll call vote was unanimously taken to go into executive session for the stated purpose.

The open meeting reconvened, and Mr. Parenti moved to adjourn the meeting and Mr. Phillips seconded the motion. The meeting adjourned at 9:05 p.m.

Executive Session Minutes
Commissioners Meeting
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Executive Session Minutes
June 4, 2012

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 9:00 p.m. to discuss pending or contemplated litigation as remaining in open session would prejudice the District position with respect to the matter. In attendance were Commissioners Len Phillips, Steve Stuntz and Ron Parenti, District Manager Chris Allen, District Environmental Manager Matthew Mostoller and District Counsel Mary Bassett.

Minutes of Executive Session meetings dated 5/7/12 were reviewed and approved with edits.

Attorney Bassett updated the Commissioners on the status of the Assabet Sand trespass case. District counsel discussed the Notice of Noncompliance that the District received from DEP that requires "water supply area" and "no trespassing" signs to be installed on the border of the Zone 1 and advised of the actual installation and location of the signs. Counsel spoke to the potential expert witness for the case who is still gathering and reviewing aerial photographs of the site and to see what the photos show. Atty. Bassett also advised the Commissioners that the monitoring wells have not been installed and that the defense counsel did send a "statement of work," that the District staff will review and may contact DEP regarding the same. Lastly, counsel advised that she and co-counsel are working on a motion for partial summary judgment to try to get the registered land back prior to a trial because as a matter of law, registered land cannot be adversely possessed.

Mr. Parenti moved to adjourn the executive session and moved to reconvene in open session at 9:05 pm. The motion was seconded by Mr. Phillips and on a roll call vote was unanimously approved.