

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107

FAX (978) 264-0148

Commissioners Meeting  
Water Supply District of Acton  
Meeting Minutes  
July 19, 2010

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The regular bi-monthly meeting was called to order at 7:34 p.m. on Monday, July 19, 2010 at the Acton Water District Office by Mr. Stephen Stuntz.

Present: Commissioners Stephen Stuntz and Ronald Parenti. District Manager Chris Allen, Treasurer/Collector Mary Jo Bates, District Counsel Mary Bassett, Environmental Manager Matthew Mostoller, Commissioners Secretary Lynn Protasowicki. Finance Committee member(s) David Butler. Also in attendance: John Cipar representing WLMAC, and Barry Rosen representing WRAC and WLMAC.

## A. Comments from Citizens

Terra Friedrichs who is the liaison between Board of Selectmen and Acton Water Supply District, expressed concerns to the Commissioners regarding water capacity, water rates, planning and coordination. She stated that we don't have enough permitted capacity to build-out and that we need to accommodate build-out. She stated that she wrote Board of Selectman to ask question regarding build-out. She wanted to know what it costs to pump and how it relates to fees and average costs. She asked if there was a connection between water quality and capacity; do we have some sources that have organic issues vs. others. In addition, she wanted to know what the Board of Selectman can/should do with issues/challenges regarding water in Phase II of Master Plan. She would like the Water District and Board of Selectman to work together on all these issues expressed above. She stated that she will write a memo listing all of her questions so that the Board can review.

Ivan Dobrianov of 9 Carriage Drive expressed his concern regarding the water quality at his home. He has had a problem with poor water quality since 2002. Everyday he notices his water having discoloration, a smell, and sometimes it having a sludge-like consistency. He stated that in the winter months his water seems to be fine but then spring, summer and fall is when he starts to see the problem recur. Mr. Allen stated that the District will flush Carriage Drive to alleviate the problem. Mr. Allen asked Mr. Dobrianov if he would be the point person for Carriage Drive and talk to neighbors and see if they are also having issues with their water. Mr. Dobrianov agreed to do this but stated that he will be on vacation for three weeks during the flush so Mr. Allen will need to contact Mr. Alan Dailey, neighbor at 11 Carriage Drive, to see how the flush went. Due to the current Mandatory outdoor ban, the neighborhood will be flushed when lifted. This is anticipated to be August 1st.

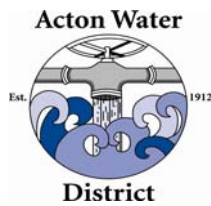
## B. Approval of Minutes from June 21, 2010

Mr. Stuntz moved to accept minutes of the meeting held on June 21, 2010 and Mr. Parenti seconded the motion. The Commissioners were in favor of approving the minutes.

## C. Old Business

### Update on Nitrate Testing at School Street

Submitted for review in this evening's Commissioners packet is the Certificate of Analysis from Nashoba Analytical, LLC to the Acton Water Supply District. Mr. Allen informed the Commissioners that the data collected from the nitrate testing at School Street has been validated and that they received the recommendations



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from the engineer to do frequent sampling. It was noted that GP6 is a multiple contributor and has the highest concentration of nitrates.

### Update on Arlington Street Water Main Improvement

Mr. Allen provided the Commissioners with an update on the Arlington Street Water Main improvement project. There is a high boulder population so the contractor needed to widen the trench. In addition, more ledge was found during blasting. To-date, 1,500 feet of water main has been laid in the ground.

### Executive Easement Agreement with Town of Acton

Submitted for signature from the Commissioners is the Grant of Sidewalk Easement between the Town of Acton and the Acton Water Supply District. District Counsel Mary Bassett informed the Commissioners that the Agreement between the District and the Town has been finalized and that the Agreement requires a meeting each year to discuss the use of de-icing materials. The Commissioners signed the Agreement.

### Discussion of Town of Boxborough Home Rule Petition

Presented in this evening's packet to the Commissioners is a summary prepared by Mr. Mostoller to Mr. Allen regarding the Massachusetts Department of Environmental Protection's new source approval process. Mr. Mostoller mentioned that they are sending comments to Senator Eldridge for his comments and will not move forward until they receive those comments. Mr. Allen will follow-up with Senator Eldridge's office, since he was not able to attend tonight's meeting in person.

### Discussion of Special Legislation for Investment Management

District Counsel Mary Bassett stated that she sent Sally Schnitzer, Aide to Senator Eldridge, the enabling Acts. Ms. Bassett is still working on the language and will send to Ms. Schnitzer and Mr. Dave Butler what she drafted.

### Update on Survey Results at Assabet Site off High Street

Mr. Allen presented to the Commissioners a map which shows and quantifies the encroachment by Assabet Sand & Gravel onto Acton Water's Zone I Land at Assabet IA & IIA off High Street. The encroachment is within 400 feet of wells. Mr. Allen mentioned that he has not spoken to the owner of Assabet Sand & Gravel yet. District Counsel Bassett stated that she will prepare a cease and desist letter and send to Assabet Sand & Gravel.

### Other Old Business

Presented in this evening's packet to the Commissioners is a copy of the final judgment regarding the case of the Middlesex County Retirement Board (MCRB) versus Contributory Retirement Appeal Board and Jim Deming. Counselor Bassett stated that MCRB's decision to exclude the "Flexible Benefit Allowance" and the 2% reimbursement from James Deming's retirement calculation have been affirmed.

## **D. New Business**

### Discussion of New Open Meeting Law

Enclosed in this evening's Commissioner's packet is a copy of the Open Meeting Law Guide. District Counsel Bassett wanted to make sure that everyone understood the new laws and asked if anyone had any questions.

### Vote on Implementation of Outdoor Watering Ban

Mr. Allen informed the Commissioners that according to Town By-Law any outdoor watering ban needs to be imposed by Commissioners. The ban went into effect because the District was pumping 2.4-5 million gallons of



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water per day on a sustained basis over the July 4th weekend, which is close to the peak demand safe yield. As of today, the District is pumping approximately 2 million gallons per day, and water storage has returned to a safe level for effective fire protection. Customers were notified of the ban via voice message from the Connect CTY program on home telephones, posting on web site, local cable access channel, and signage around town and lighted signs in certain key locations. Mr. Allen stated that the ban could stay in effect through September if necessary. A notice will go onto web site thanking the District for adhering to the ban.

Mr. Stuntz moved to implement the approval of the outdoor watering ban. Mr. Parenti seconded the motion. All were in favor of the new outdoor watering ban.

## **E. Executive Session**

The Commissioners entered into executive session to discuss pending litigation of Knox Trail eminent domain taking, by a roll call vote, at 8: 45 p.m. and ended the session at 9:15 p.m. They resumed the regular meeting to adjourn at 9: 30 p.m. The motion to adjourn was made by Mr. Stuntz, seconded by Mr. Parenti and was unanimously approved.

All documents mentioned in minutes are listed for inspection at the office of Acton Water District, 693 Massachusetts Avenue, Acton, MA 01720 (978) 263-9107.