

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
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Commissioners Meeting  
Water Supply District of Acton  
Meeting Minutes  
September 17, 2012

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- Agenda:**
- A. Comments from Citizens
  - B. Approve Minutes of August 27<sup>th</sup> Meeting
  - C. NEW BUSINESS:  
Meeting with Town of Acton Board of Health (BOH)
  - D. OLD BUSINESS:  
Update on Passage of House Bill 3820 – “An Act Restricting the Ability of the Water Supply District of Acton to Acquire Ground Water Sources in the Town of Boxborough”

The regular bi-monthly meeting was called to order at 7:35 p.m. on Monday, September 17, 2012 at the Acton Water District Office by Mr. Ronald 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): William Guthlein

**A. Comments from Citizens**

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

**B. Approval of Minutes from August 27th Meetings**

Mr. Parenti moved to accept minutes of the meeting held on August 27, 2012 and Mr. Phillips seconded the motion. The Commissioners voted in favor of approving the minutes as modified.

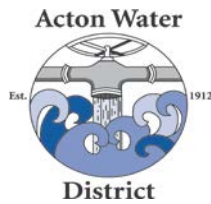
**C. NEW BUSINESS**

Meeting with Town of Acton Board of Health (BOH)

Present at tonight’s meeting from the Board of Health included: Doug Halley, Health Director; Bill McGuinness; Mark Conoby; and Michael Cruz

Some topics of discussion included:

1. The District’s current and long-term plans to maintain water quality and increase supply.
2. The potential need for the Town to place limits on future growth based on water availability.
3. The possible impact of the Town’s aging septic systems on water quality.
4. Potential for retro-fitting municipal buildings with water saver fixtures.
5. Update on the legal proceedings involving AWD vs. Assabet Sand & Gravel, LLC.



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Mr. Conoby opened the discussion by thanking the Water Commissioners for inviting the Board of Health to their meeting. He noted that this is the first time that the two Boards have ever met.

## #1 Water supply-

Mr. Allen informed the BOH that the Christofferson Well was determined to be groundwater under the influence and as a result the Mass DEP put out a consent order requiring treatment. In response, pilot studies were performed at the Christofferson Well and Assabet Wells.

The BOH asked what percentage of the water that is being pumped into system is treated. Mr. Allen responded by stating that all water is treated by chemical injection; water from the North Acton Water Treatment Plant is filtered as well. He also stated that on an average day, 1.5 million gallons of water is pumped into system and that at peak demand 2.6 million gallons of water is pumped. Water from Assabet Wells 1 and 2 is aerated prior to chemical treatment.

Mr. Stuntz talked about brown water problem being new issue since 2002 and mainly due to more chlorine being used in system.

The discussion came up about an increase in sodium in the water. Mr. Mostoller mentioned the study that WLMAC worked on a couple of years ago. BOH mentioned that the Town is using more salt than sand during winter months.

## #2 Future growth-

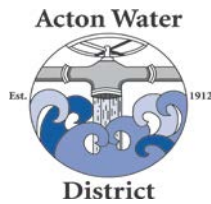
BOH inquired about future well sources that haven't been put through zoning by-law that BOH could look into. Mr. Allen mentioned the Flannery-O' Toole property on Mass Ave (by the Municipal playground) and Icehouse/Holland. There was also discussion regarding looking at deep bedrock well sources, such as Quail Ridge, which is part of the AWD 5-10 year master plan. Mr. Conoby requested a list of the sites that are possibilities for new sources.

BOH mentioned that there are nine private wells in service area (totaling 200 units-mainly condominiums and apartments) that they would like AWD to take over. Mr. Halley stated that currently there is no advantage to the District to take over these wells but could speak with MassDEP to give withdrawal credit to AWD. The BOH could work on a financial strategy to transfer these wells over to AWD. The group talked about needing to come up with hook-up fees (what it would cost to hook-up to the District). They discussed making it a requirement to hook-up private wells to AWD and mentioned they would need to come up a plan for customer to be able to pay for that hook-up in a payment plan if they couldn't afford to pay in one lump sum.

## #3 Septic systems-

Mr. Stuntz asked the BOH about the town's wastewater treatment plan and how they treat and test. The BOH responded by mentioning the Johns Hopkins Study that was done three years ago. The study took samples of the medicine waste and retested the discharge. They don't know what everything is that needs to be treated.

BOH asked AWD if there were any plans to expand services outside the boundaries of Acton. Mr. Allen stated no plans currently except for emergency situations. He also updated the BOH regarding the Massachusetts Intermunicipal Agreement between AWD and Town of Boxborough; supporting the recently approved legislation that dictates management of water rights.



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## #4 Addressing the retrofitting municipal buildings with water saver fixtures-

Mr. Mostoller stated that the new school buildings meet the new codes but could go beyond that. AWD would like to see dual flush toilets, waterless urinals, and motion-sensing faucets. Historically there has been grant money to pay for these replacements but there is no more money. He stated that students on the "Green Team" at the high school recently completed a water audit and identified places where water could be saved. He informed the BOH that AWD does have an appliance rebate program in place for homeowners. Mr. Halley requested that information be sent to him so that it can be shared with homeowners looking to remodel bathrooms and replace septic systems. Mr. Mostoller stated that with the help of the BOH we could start changing the people's mindsets about water and the value it holds.

Mr. Stuntz asked about reuse of gray water and the thoughts that BOH had on it. Mr. Conoby stated that it's not prohibited in Massachusetts but it is very difficult to get permit from the State Planning Board and Mass DEP. He stated that single family homeowners can not use gray water because of so many requirements and restrictions.

## #5 Update on the legal proceedings involving AWD versus Assabet Sand & Gravel, LLC-

Mr. Allen updated the BOH on the legal proceedings between AWD and Assabet Sand & Gravel, LLC. Stating that there is a three acre encroachment on Assabet 1A & 2A Wells which they became aware of when the land was being appraised in 2010. He stated that AWD placed certain timelines for the owner to remove the encroachment to however the owner has not followed. AWD is stating it is a trespass case and Assabet Sand & Gravel is stating its adverse possession. The case is currently active in Land Court.

The BOH suggested that the AWD put into place a mosquito spraying plan.

The two Boards will meet again in either January or February for updates.

## **D. OLD BUSINESS**

### Update on Passage of House Bill 3820 – "An Act Restricting the Ability of the Water Supply District of Acton to Acquire Ground Water Sources in the Town of Boxborough"

Mr. Allen informed the Commissioners that the act restricting the ability of the Acton Water District to acquire ground water sources in the Town of Boxborough was passed and approved on August 22, 2012 by Governor Deval Patrick.

Mr. Parenti moved to go into Executive Session to discuss threatened and 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. Mr. Phillips and Mr. Parenti approved.

The Commissioners resumed regular session at 9:30 pm. Mr. Phillips made a motion to adjourn at 9:31 pm. Mr. Parenti seconded the motion and it was unanimously approved.

**Executive Session Minutes**

Commissioners Meeting  
Water Supply District of Acton  
693 Massachusetts Avenue  
Acton, MA 01720

Executive Session Minutes  
September 17, 2012

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 8:45 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, Stephen Stuntz and Ron Parenti, District Manager Chris Allen, Environmental Manager Matthew Mostoller and District Counsel Mary Bassett.

Minutes of Executive Session meetings dated 8/27/12 were reviewed and approved with edits.

Attorney Bassett updated the Commissioners on the status of the Assabet Sand trespass case. She discussed the issues raised in the Greenough deposition and how she intended to proceed with the second day of the deposition.

Attorney Bassett also reported that she had contacted the appraiser, Gail Mann and discussed the Assabet Sand property. Mann will submit a fully developed appraisal, suitable for use with an eminent domain taking for about \$6,000. Matthew Mostoller noted that there may be grant monies available to purchase the property and he would look into those requirements. The Commissioners discussed how to approach the purchase, i.e., as settlement of the lawsuit, a friendly purchase or by eminent domain. No decision was made pending receipt of the appraisal and investigation of the grant. Commissioner Stuntz noted that we may need additional appraisal services and the Commissioners unanimously voted to authorize \$7,500 for the appraisal.

Mr. Stuntz moved to adjourn the executive session and moved to reconvene in open session at 9:30 pm. The motion was seconded by Mr. Parenti and on a roll call vote was unanimously approved.