

Water Supply District of Acton

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Commissioners Meeting
Water Supply District of Acton
Meeting Minutes
November 14, 2011

The regular bi-monthly meeting was called to order at 7:30 p.m. on Monday, November 14, 2011 at the Acton Water District Office by Mr. Leonard Phillips.

Present: Commissioners Leonard Phillips (Chairman), Stephen Stuntz, and Ronald Parenti. Chris Allen, District Manager; Mary Jo Bates, District Treasurer/Collector; Mary Bassett, District Counselor; Lynn Protasowicki, Commissioners Secretary; David Butler, Finance Committee Member; And Barry Rosen representing both WLMAC & WRAC.

A. Comments from Citizens

There were no comments from citizens this evening.

B. Approval of Minutes from October 31st Meeting

Mr. Phillips moved to accept minutes of the meeting held on October 31, 2011 and Mr. Stuntz seconded the motion. The Commissioners were in favor of approving the minutes.

C. New Business

Update from Meeting of The Finance Committee.

Mr. Allen informed the Commissioners that he and Mary Jo Bates met on Thursday with the finance committee and Karen Botare from Boston Financial.

In tonight's packet to the Commissioners are three spreadsheets with 2012 projections and impacts which outline different debt service scenarios for building the South Acton treatment plant and connecting to the MWRA.

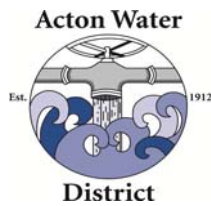
Mr. Allen stated that, up front, the MWRA proposal would be the most expensive option. The cost is shared over a wider town base; and they would deal with any new regulations that the state mandates. The MWRA does not currently serve a community neighboring Acton, therefore, a transmission pipeline across Concord, and/or, Carlisle would have to be installed. AWD would still have the responsibility of dealing with the current infrastructure, and necessary improvement thereto.

Mr. Parenti asked Mr. Allen if the District does not take action with MDC to connect to the MWRA, will the District be able to connect at in the future. Mr. Allen stated that yes that is possible but that the District would need to re-examine the financials.

Other New Business:

1. Mr. Phillips asked Mr. Allen if he was familiar with off-the-shelf hybrid solar PV and solar thermal technology as an alternative form of energy system. Mr. Allen stated that he had already met Renewable Energy Development Partners about siting a solar farm on District property. This alternative energy information had been included in the SRF application for the new South Acton treatment plant. Mr. Allen proposed the possibility of the consultant to making a presentation to the Commissioners. Mr. Allen stated that there are grants available to subsidize funding alternative energy. Townsend and

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



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Chelmsford are two towns that recently constructed solar farms to offset their electrical costs. These were built using American Recovery & Reinvestment Act (ARRA) funds. Grafton Water District (GWD) is currently constructing a solar farm on shared property, GWD and Town of Grafton. This model, one of the consultant bearing all construction and management costs, is the most likely scenario for future implementation.

2. Mr. Allen informed the Commissioners that the Board of Water Commissioners meeting schedule for January 1 2012-July 31, 2012 was emailed to them for their review in case of any date conflicts. He will wait to hear back from the Commissioners so that it can be approved at the next open meeting in December 5th.

D. Old Business

Update and Discussion of Pending Litigation for Encroachment of Assabet Sand & Gravel on District Land off High Street in South Acton.

Mr. Allen informed the Commissioners that he, Matthew Mostoller, and Counselor Bassett met with Mr. Macone and his legal team in Burlington today. Mr. Kevin Doherty, third party expert for Mr. Macone, was present (he provided affidavit). The legal team proposed a 10 year time frame to remove the encroachment and proposed a strategy for more stringent monitoring of any potential contamination using the existing, and possibly additional, monitoring wells. Counselor Bassett stated that the legal team believes that the MassDEP is OK with this new proposal. Mr. Allen stated that after the meeting he spoke with Marielle Stone, MassDEP Central Regional Office Drinking Water Chief, and she'd alluded to the fact that a 10 year time frame is too long. Her sense of it was more in the realm of one year. And, during this period, mechanisms for more stringent monitoring would be implemented.

Mr. Stuntz said that rules state that you can not have anything on Zone I land so they need to vacate the property as originally outlined by the District.

Counselor Bassett stated that the legal team is sending their new proposal to her by Wednesday. She informed the Commissioners that Mr. Macone's legal team needs to respond to MassDEP's letter to the court by November 27, 2011.

Mr. Parenti asked Counselor Bassett, if a preliminary injunction is granted, how the court order actually enforced. Counselor Bassett stated that the District would have to file a "rule to show cause" asking the court to hold the defendants in contempt and for appropriate relief.

The Commissioners were in agreement that they are not interested in any long-term agreement for monitoring and maintenance of Assabet Sand & Gravel. They agreed to just say "no" to the proposed 10 year agreement.

Other Old Business:

1. Mr. Dave Butler informed the Commissioners that he spoke with Representative Atkins regarding the special legislation. He stated that the DOR raised no objections however there is a log jam and the District will need to continue to wait for approval.

Mr. Phillips moved to adjourn the meeting and Mr. Parenti seconded the motion. The meeting adjourned at 8:30 p.m.