



Water Supply District of Acton

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

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Commissioners Meeting
Water Supply District of Acton
Meeting Minutes
December 1, 2014

Agenda:

- A. Comments from Citizens
- B. Approve Minutes from the November 17th Meetings
- C. OLD BUSINESS:
 - 1. Preliminary Review and Discussion of DRAFT Budget & Warrant Articles for Fiscal Year 2016.
 - 2. Update on the South Acton Water Treatment Plant Project.
- D. NEW BUSINESS: Any agenda items(s) which did not come to the attention of the Board of Water Commissioners 48 hours prior to this meeting were not reasonably anticipated.
- E. Executive Session: For pending litigation.

The Board of Water Commissioners meeting was called to order at 7:35 p.m. on Monday, December 1, 2014 at the Acton Water District Office by Mr. Leonard Phillips.

Present at Tonight's Meeting:

Commissioners: Ronald Parenti, Leonard Phillips (Chair) and Stephen Stuntz
District Manager: Chris Allen
District Treasurer: Mary Jo Bates
District Counselor: Mary Bassett
Commissioners Secretary: Lynn Protasowicki

A. Comments from Citizens

No comments this evening.

B. Approve Minutes from the November 16th Meeting.

Mr. Parenti moved to accept minutes of the meeting held on November 16, 2014 and Mr. Stuntz seconded the motion and it was unanimously approved.

C. OLD BUSINESS:

1. Preliminary Review and Discussion of DRAFT Budget & Warrant Articles for Fiscal Year 2016.

Enclosed in tonight's packet to the Commissioners is the second pass of the draft budget and warrant articles for fiscal year 2016.

Mr. Allen mentioned that the Finance Committee is considering the idea of using the WR Grace Fund to appropriate the annual amount of \$150,000 for Maintenance & Operations (M&O). Mr. Allen stated that since the WR Grace Receipt Reserved for Appropriation Fund has been allowed to grow with no withdrawals for the last few years, it makes sense to appropriate this amount from the account for the forthcoming Fiscal Year. Mr. Allen informed the Commissioners that rate change strategies are being discussed with the Finance Committee.

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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There is a joint meeting with the Commissioner and Finance Committee scheduled for January 12, 2015.

As for the Warrant Articles, Mr. Allen pointed out to the Commissioners that Article 9 regarding the ground-mount solar photovoltaic systems will be reworded to include power purchase agreement by third party.

2. Update on the South Acton Water Treatment Plant Project.

Enclosed in tonight's packet to the Commissioners is documentation from Acton Water District to J.P. Cardillo regarding their notification to terminate the contract for the South Acton Water Treatment Plant water main improvement project. The official termination date is November 28, 2014.

There is a project planning meeting scheduled for December 2, 2014 in regards to the pipe jacking project that will commence on December 4th.

M&P Pipe Jacking will handle the pipe jacking of the 42" carrier sleeve under the MBTA rail on Parker Street.

The Commissioners and Mr. Allen discussed security options that are available and what is planned to be installed at the South Acton Water Treatment Plant, and at all other district facilities

D. NEW BUSINESS:

There was no New Business discussed at tonight's meeting.

E. EXECUTIVE SESSION:

Mr. Phillips moved to go into Executive Session at 8:45 p.m. 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. Stuntz 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. Stuntz 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
December 1, 2014

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 8:40 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, and District Counsel Mary Bassett.

Attorney Bassett advised the Commissioners that the District and J.P. Cardillo, the contractor on the water main extension for the treatment plant, were scheduled for mediation on 1/6/15. Cardillo's claims for change orders are in the area of \$286,000. The District believes Cardillo owes it approximately \$40,000 for a separate change order.

The District Manager and District Counsel do not believe that the Contractor's claims have merit based on the terms of the contract. Counsel needs authority to settle the case at mediation. After much discussion, the Commissioners unanimously stated their position that District counsel should offer up to \$40,000 to settle the case at mediation (or \$80,000 so long as Cardillo credits the \$40,00 due the District).

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