



Water Supply District of Acton

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Board of Water Commissioners

Meeting Agenda

Monday, March 11, 2019 @ 7:30 PM

- **Comments from Citizens**
- **Approve minutes of February 25th meeting**

OLD BUSINESS:

- Annual meeting preparation
 - Review Warrant articles and sequence of motions by Commissioners for the Annual District meeting scheduled for Wednesday, 3/20 @ 7 pm at the Acton Public Safety Facility

NEW BUSINESS:

Any agenda item(s) which did not come to the attention of the Board of Water Commissioners 48 hours prior to this meeting and were not reasonably anticipated

Executive Session: To consider the purchase, exchange, lease or value of real property

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Board of Water Commissioners
Meeting Minutes
693 Massachusetts Avenue, Acton MA
Monday, February 25, 2019

AGENDA

A. Comments from Citizens

B. Approve Minutes of January 28, 2019 Meetings

C. OLD BUSINESS:

1. Progress Update on Proposed Solar Installations at Lawsbrook Road & Knox Trail.
2. Progress Update on Solar Micro-Grid Feasibility Study.

D. NEW BUSINESS:

1. Review Proposed Water Rate Increase.

Executive Session: To discuss strategy with respect to potential litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have detrimental effect on the litigating position of the District.

Present at Tonight's Meeting:

Commissioners: Ronald Parenti (Chair), Stephen Stuntz, Erika Amir-Lin
District Manager: Chris Allen
District Treasurer: Mary Jo Bates
District Counsel: Mary Bassett
Environmental Manager: Matthew Mostoller
Commissioner's Secretary: Lynn Protasowicki
Finance Committee: Chuck Bradley via phone
District Moderator: Dick O'Brien
WLMAC: Barry Rosen
Green Acton: Lucy Kirshner

The Board of Water Commissioners meeting was called to order at 7:30 PM on Monday, February 25, 2019 at the Acton Water District office by Mr. Parenti.

A. Comments from Citizens

Lucy Kirshner of Green Acton spoke. She stated that she has a question to ask and suggestion to make. She mentioned that at the last Green Acton meeting the group was reviewing the Articles for the Special District meeting and they wanted to understand what mitigation is and have further understanding of the \$9M for water treatment plant. She suggests to the Commissioners that at the Special District meeting that there will be further explanations on these for citizens to make an informed vote on the articles. Mr. Allen assured Ms. Kirshner that there will be more information at the Special District meeting as the engineer will be present to discuss the water treatment plant.

Ms. Kirshner asked if citizen petitions could be presented for inclusion in the warrants. Mr. Allen answered on the process- same as the town. Mr. Stuntz stated that the Commissioners were open to

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citizen petitions and if they were brought to a meeting before the warrants were closed (usually late December) we would probably include them without having to go out and get signatures.

B. Approve Minutes of January 28, 2019 Meeting:

Mr. Stuntz motioned to approve the minutes of January 28, 2019. Ms. Amir-Lin seconded the motion and it was unanimously approved.

C. OLD BUSINESS:

1. Progress Update on Proposed Solar Installations at Lawsbrook Road & Knox Trail.

Mr. Allen reminded the Commissioners that solar arrays project started over a year and half ago (2017) whereby they hired a third party developer EDF Renewable, to construct, operate, and maintain the solar arrays. Enclosed in tonight's packets to the Commissioners is an email that Mr. Allen sent to Senator Jamie Eldridge and Representative Jen Benson regarding the solar arrays project and the solar micro-grid feasibility study. The email outlines the two projects, mentions the reasons for the delays, and asks for any advocacy on the District's behalf to get "these two projects moving again". The unexplained delays have been extremely frustrating.

2. Progress Update on Solar Micro-Grid Feasibility Study.

Mr. Allen provided an update to the Commissioners on the solar micro-grid feasibility study. He stated that the project is progressing very slowly; Stop & Shop has been unresponsive, so they have been disqualified from the study. Involved will include the District, the Town of Acton's Sewer system, and *de maximis*' 1,4-Dioxane remediation system at 16 Knox Trail. The grantor, MA Clean Energy Center (MA CEC) had gone through several transitions in the project management team. Got update from consultant, McLeod Energy Group, the technical specifications are being formulated with the new study participants.

Peripheral to the permitting of the solar arrays, Mr. Allen mentioned that the District has asked the Town to rezone 16 Knox Trail (currently Powdermill District) and 585 Main Street (currently Residential 8/10) for Agriculture/Recreation/Conservation (ARC). Mr. Allen will attend tomorrow's public hearing of the Town of Acton Planning Board to support the board's petition to the Selectmen for an article on the Town Meeting Warrant to complete the re-zoning of the two parcels.

Mr. Stuntz questioned whether this is considered as "Spot zoning". Mr. Mostoller mentioned that this is not considered spot zoning, but will establish consistency with the rest of our land holdings.

Other Old Business:

Update on West Acton Sewer Group: Mr. Parenti mentioned that he attended their last meeting. He shared the map that Mr. Allen gave to him, which displayed the potential well site at the Flannery/O'Toole property off Massachusetts Avenue. He expressed his concerns to the group about the inaccurate comments being made about how septic systems are impacting our drinking water supply. They are debating about adjusting the area to make it larger. Mr. Parenti stated that it will be difficult to convince the neighborhoods with functioning septic systems to connect to sewer.

Mr. Rosen mentioned that they are having a public forum on March 14th. He had a discussion with Paul Campbell, Town of Acton Engineer, about a brochure being sent out to the neighborhoods in West Acton. He told Mr. Campbell that the information in this brochure is misleading and inaccurate. He mentioned that Mr. Campbell is aware of the inaccuracies and was going to bring it up with the group. Mr. Parenti stated that he will try to attend this next forum. Mr. Parenti asked Mr. Rosen to send him this brochure if he has a copy of it.

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D. NEW BUSINESS:

I. Review Proposed Water Rate Increase.

Enclosed in tonight's packets to the Commissioners is a copy of the proposed water rate increase. Mr. Allen stated that after four months of work on this, the Finance Committee did recommend approval of the water rate increase as proposed.

The proposed rate increases include:

Residential - up 6%

Commercial - up 16%

Municipal – up to 6%, Municipal rate is a flat rate, and all metered sales are at the base rate.

The last rate increase was in 2015, and prior to that it was in 2010. The District has typically been on a 3-year increment for rate increases. Recent strategies, i.e., the implementation of the Bond Debt Fee, have allowed longer time periods to elapse between increases.

Ms. Amir-Lin inquired as to what percentage of our residents fall into the "up to 1500". Ms. Bates stated that it is somewhere between 4500 and 5000 units fall into that block.

Mr. Allen stated that this is the easiest model to insure we meet our debt payments, with a fixed Debt Fee. The per-unit rate of metered sales ensures that we accumulate enough cash to sustain our annual operating budget, and commission the necessary capital improvements to maintain a viable, sustainable water supply system.

Mr. Stuntz motioned to approve the proposed water rate increase. Mr. Parenti seconded and it was unanimously approved.

The new water rate increase will go into effect in July 2019 water bills.

Mr. Parenti moved to adjourn the open meeting at 8:10 PM and motioned to enter into Executive Session at 8:41 PM to discuss strategy with respect to potential litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have detrimental effect on the litigating position of the District and to reconvene in open session. Mr. Stuntz seconded the motion and it was unanimously approved by roll call vote.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.



To the Clerk of the Water Supply District of Acton, GREETINGS:

You are directed to notify the inhabitants of the Town of Acton who are qualified to vote in elections and town affairs, to assemble at their precinct:

Precinct 1, 2 & 6 - Conant School, 80 Taylor Rd.
Precinct 3, 4 & 5 - Blanchard Auditorium, Junior High School, 16 Charter Rd.
Acton, Massachusetts

On Tuesday, March 26, 2019
Between 7:00 A.M. and 8:00 P.M.

Then and there to bring their votes on one ballot for the following officers:

Commissioner for three years

You are further directed to notify the legal voters of the Town of Acton, as aforesaid, to assemble at:

Acton Public Safety Facility
371 Main Street
Acton, Massachusetts

**On Wednesday, March 20, 2019
7:00 P.M.**

Then and there to Act on the following Articles:

Article 1. To fix salaries of the elected officials.

Article 2. To act on the reports of the Commissioners, the Treasurer and other officers and committees of the District.

Article 3. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue of the fiscal year beginning July 1, 2019 in accordance with the provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of the General Laws, Chapter 44, Section 17, or to take any other action relative thereto.

Article 4. To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

Article 5. To see if the District will vote, pursuant to Massachusetts General Laws c.44, §53E½ as most recently amended by §86 of Chapter 218 of the Acts of 2016, to establish a \$100,000 limitation on expenditures from the revolving fund, captioned, "District Revolving Fund for Mitigation," or to take any other action relative thereto.

Article 6. To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 for the maintenance and repair of the various treatment facilities including, but not limited to, media replacement in the filtration tanks, aeration tower repair, and replacement of packing material, or to take any other action relative thereto.

Article 7. To see if the District will vote to transfer from Surplus Revenue the sum of \$90,000 to clean and rehabilitate existing wells throughout the District or to take any other action relative thereto.

Article 8. To see if the District will vote to transfer from Surplus Revenue the sum of \$30,000 for the purpose of replacing old water mains, renewing old water services, replacing old fire hydrants or to take any other action relative thereto.

Article 9. To see if the District will vote to transfer from Surplus Revenue the sum of \$45,000 for the storage tank improvements or to take any other action relative thereto.

Article 10. To see if the District will vote to transfer from Surplus Revenue the sum of \$500,000 to pay down short-term debt related to the Indian Village and Littlefield Road water main improvement project or to take any other action relative thereto.

Article 11. To see if the District will vote to transfer from Surplus Revenue the sum of \$35,000 for the purpose of repairing emergency water main breaks or to take any other action relative thereto.

Article 12. To see if the District will vote to transfer from Surplus Revenue the sum of \$85,000 for the replacement of filter cartridges at the North Acton Water Treatment Plant to take any other action relative thereto.

Article 13. To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 for the removal of filtration residuals at the North Acton Water Treatment Plant or to take any other action relative thereto.

Article 14. To see if the District will vote to appropriate \$9,242,000 for the construction and all related costs of a water treatment facility at the Acton Center site off Post Office Square in Acton, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Board of Water Commissioners be authorized to borrow \$9,242,000 and to issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; and that such bonds or notes shall be general obligations of the District unless the Treasurer with the approval of the Board of Water Commissioners determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; and that the Treasurer with the approval of the Board of Water Commissioners be authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78 and in connection therewith to enter into a loan agreement and/or security agreement with the Massachusetts Clean Water Trust and otherwise to contract with the Massachusetts Clean Water Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof and that the Board of Water Commissioners be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project or to take any other action relative thereto.

Article 15. To see if the District will vote to appropriate the sum of \$200,000 from the WR Grace Receipt Reserved for Appropriation Account (WR Grace Fund) for engineering work on the Acton Center Water Treatment Plant or take any other action relative thereto.

Article 16. To see if the District will vote to appropriate the sum of \$450,000 for engineering work on the Acton Center water treatment facility and that to meet this appropriation, the Treasurer, with the approval of the Water Commissioners, is authorized to borrow the sum of \$450,000 under General Laws, Chapter 44, Sec. 8, or other enabling authority and the Board of Water Commissioners is authorized to take any other action necessary to carry out this project or to take any other action relative thereto.

Article 17. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to Surplus Revenue the following unexpended balances remaining after the completion of projects authorized by vote of the District or to take any other action relative thereto

- A. Unissued balance in the sum of \$160.22, Article 12 of the Annual Meeting of March 16, 2016, for new vehicles purchase.
- B. Unissued balance in the sum of \$1,476.15, Article 12 of the Annual Meeting of March 15, 2017, for new vehicles purchase.
- C. Unissued balance in the sum of \$10,106.00, Article 13 of the Annual Meeting of March 27, 2018, for new vehicles purchase.
- D. Unissued balance in the sum of \$505.09, Article 14 of the Annual Meeting of March 15, 2017, for Master Plan update.
- E. Unissued balance in the sum of \$1,810.00, Article 8 of the Annual Meeting of March 15, 2017, for leak detection survey.

Article 18. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to the WR Grace Receipt Reserved for Appropriation Account (WR Grace Fund) the unexpended balance of \$80,000, Article 8 of the Annual Meeting of March 27, 2018 for the piloting of treatment technologies for the Conant I & II wells after the completion of project authorized by vote of the District or to take any other action relative thereto.

Hereof fail not and make due returns of this Warrant with your doings thereon to the Water Commissioners on or before the time of holding of said meeting.

Given under our hand this 28th day of January in the year two thousand and nineteen.

Ronald R. Parenti
Stephen C. Stuntz
Erika Amir-Lin, Water Commissioners

A true copy. ATTEST:

William T. Stanford
District Clerk