

Board of Water Commissioners
Meeting Minutes
639 Massachusetts Avenue, Acton MA
Monday, March 25, 2019

AGENDA

A. Comments from Citizens

B. Approve Minutes of March 11, 2019 Meeting

C. OLD BUSINESS:

1. Update on Senior Discount
2. Annual Meeting Wrap-Up
 - Any follow-up from the Annual Meeting that was held on March 20th

D. NEW BUSINESS:

1. Discussion of the District's Water Efficiency Rebate Program
 - Currently the District provides rebates on water efficient toilets and washers
2. Spring Water Main Flushing
 - Flushing will begin on Monday, 4/8/19, for the month of April in the North Acton quadrant

E. EXECUTIVE SESSION: To discuss strategy with respect to 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' 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:

District Moderator: Dick O'Brien

Citizen: Kim Kastens

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

A. Comments from Citizens:

Kim Kastens spoke. She is not representing Green Acton tonight; she is speaking as a citizen and on behalf of the League of Women Voters.

1. Ms. Kastens was interested in learning about why manganese levels are rising. Mr. Mostoller stated that it's a regional issue. Folks are seeing it go up. He's heard different theories including changes in surface water features, changes in ground water levels, impacts from de-icing, these would be the main ones that are relevant at this location. The wells are aging. Mr. Allen stated that its been gradual over years. Quality can change - formation can have different in water quality. Mr. Mostoller stated that the wells may have been sampled every 3 years so it may have

been the way samples were collected. The more you pump a well, the system flushes and water quality can change. How you are measuring the manganese you can further oxidize the manganese. And increase in adding chlorine to water has an impact.

2. Ms. Kastens was interested in understanding what the WR Grace Fund and stabilization fund were. Mr. Allen stated that there are severe limitations in using the WR Grace Fund; Boston Financial manages the fund. The District has been trying to get legislation passed to allow it to be managed under prudent man rule which would allow a more diversified portfolio vs. limited by the Legal List of investments. Ms. Bates stated that the District has been unsuccessful in having it converted as such, thus if we change the WR Grace Fund to a stabilization fund it would open up our investment opportunities. The Grace fund is specific to what it can be used for and if it were invested differently, it could not change the way we use it.
3. Mr. Mostoller was curious as to what the League of Women Voters wanted to know. Ms. Kastens read off a checklist of what they were inquiring about .

B. Approve Minutes of March 11th Meeting:

Mr. Stuntz motioned to approve the minutes of March 11, 2019. Ms. Amir-Lin seconded the motion and it was unanimously approved.

C. OLD BUSINESS:

1. Update on Senior Discount

Mr. Allen stated that, as this is Mr. Parenti's last meeting and as one of the main supporters of the senior discount program, he wanted to provide an update. Ms. Bates gave the update. The District has had 5-6 customers who have inquired about the senior discount. Only one application was filed and it was approved for a \$216 discount per year. Ms. Bates will abate on a quarterly basis for this person – they will receive a \$54 discount per quarter. Once they provide the paperwork it is very efficient. Discount will be put on the next water bill. The customer will need to reapply for the discount again next year. The program is only good for one year. The customer was very happy.

2. Annual Meeting Wrap-up

- Any follow-up from the Annual Meeting that was held on March 20th

Mr. Allen thought the meeting went well, there was good interaction with public, they asked good questions, and it was well attended. The location is better, the parking is better, and the Public Safety facility has a very good AV system. Mr. Parenti mentioned that there were questions of finding the District Annual Report on the District website. He suggests it should be right on the home page. Ms. Bates stated that she made note to make sure that it is there for next year.

Mr. O'Brien gave his feedback. He stated it felt like the community was truly involved, they were engaged, and asked good questions. He likes the setup of the Public Safety facility. He mentioned that he will a better job at introducing the team.

Counselor Bassett stated that folks need to identify themselves before they speak.

Ms. Amir-Lin was wondering if a microphone should be available for next year's meeting. Mr. Stuntz feels that a microphone is impersonal and that our annual meetings should remain as more of a dialogue type meeting.

Ms. Kastens mentioned that she noticed that the Wright-Pierce engineer was present but that he did not speak about the new treatment plant. She also asked if there is an opportunity to give folks time to ask any additional questions that aren't part of the annual meeting. Counselor Bassett stated that open questions can't be asked in a public forum because it's not been posted as an open meeting. What can be done is let the public know that the Commissioners are available to chat afterwards.

D. NEW BUSINESS:

1. Discussion of the District's Water Efficiency Rebate Program

➤Currently the District provides rebates on water efficient toilets and washers

In tonight's packets to the Commissioners is a copy of Mr. Mostoller's presentation on the District's conservation and efficiency programs. Mr. Mostoller spoke. Under this program the District has the conservation side including: outdoor water use bylaw, audits, rain barrels, giveaways, outreach & education and the mitigation program. And there is the efficiency side of things which includes leak detection surveys, meter replacement, meter calibration, demand fees, fire protection fees, and M36 audits. The M36 audits track how much water is being sold and being used (we've been doing since 2013) - by tracking its good for accounting and infrastructure.

Outcomes: The chart shows the outcomes of all initiatives coming together. From early 1990s (average day demand) 2 million gallons per day - approaching limit; top line is our peak day demand - sustaining 3.5million gallons per day was quite a challenge. Impacts from weather and impact on population - the spikes and dips is weather related. We have invested time and resources to manage our demand and this chart helps show that we shaved our peak and we've stretched our water supply as the town continued to grow. Average day demand has stayed at 1.56 million gallons per day.

Incentives: The chart shows the following: the number of rain barrels sold and distributed into system. The District sells 50-60 barrels per year. There is a small incentive for folks to purchase. Rain barrel subsidy by \$19 (customers can get for \$50 for first barrel). There have been inquiries into larger scale rain capture opportunities. The number of toilets and washing machines replaced. Toilets are more popular to replace. 2009 and 2010 were pilot years. After 2011, people were replacing 2-3 toilets per year. Washing machine rebate is in addition to Mass Save rebate.

Rebates: the current program is \$75 rebate on toilets and \$100 rebate on washing machines. The District focuses on single family residential (abatment to the water bill is how the rebate works). Do we want to further incentivize? Do we want to giveaway shower heads and aerators or add these to the rebate program instead? Just some things to think about.

Mr. Mostoller stated that he considering increasing toilet and washing machine rebates.

Mr. Mostoller stated that he is thinking about how can we meaningfully go beyond the single family residential home and start looking at different types of housing. Ms. Amir-Lin asked Mr. Mostoller if he has considered with partnering with Acton Housing. Mr. Mostoller stated that there have been some discussions.

He is considering expanding the rebate program to other fixtures to include faucets, shower heads, irrigation systems, and future talk about HVAC.

Outreach & Education: There are a number of different things that the District does for outreach and education including audits, workshops, publications, events, speakers, web resources, enforcement and WaterSmart. Mr. Mostoller commented that what is the commitment to educate and understand whatever the topic may be because it is resource intensive and monetary intensive. This is something to think about as the District moves forward.

Irrigation: There is the outdoor water resource bylaw which looks at outdoor watering holistically. As for mitigation, the District is not telling you that you can't have an irrigation system but if you aren't taking steps to scale back that irrigation system there are mitigation fees associated as such. Mr. Parenti was interested to know how many irrigation systems there are in town. Mr. Mostoller stated that irrigation

systems need to be registered but not everyone does. He can get some rough numbers together and share with the Commissioners.

Takeaways:

1. Are we amenable to increasing the rebate amounts? Commissioners all agree to increase the rebate amounts.
2. Are we amenable to expanding to other customer classes (multi family residential, commercial) - Commissioners all agree to expand to other customer classes.
3. How do we want to handle irrigation going forward? This will need to be discussed further down the road.

The District is subsidizing the rebate program with mitigation funds.

2. Spring Water Main Flushing

➤ Flushing will begin on Monday, 4/8, for the month of April in the North Acton quadrant. Enclosed in tonight's packets to the Commissioners is the public notice regarding the spring water main flushing in the North Acton quadrant which will begin on Monday, April 8. Mr. Allen mentioned that signs will be placed in the areas of where the flushing will be taking place prior to any flushing occurring. The District has advertised the flushing in the Acton Beacon as well as post on Twitter, the Town of Acton has placed a link on its homepage and email blast via Water Smart.

E. EXECUTIVE SESSION-- To discuss strategy with respect to litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have a detrimental effect on the litigating position of the District.

Mr. Parenti moved to adjourn the open meeting at 9:20 PM and motioned to enter into Executive Session at 9:21 PM to discuss strategy with respect to litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have a 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.

Board of Water Commissioners
693 Massachusetts Avenue
Acton, MA 01720
EXECUTIVE SESSION MINUTES
March 25, 2019

Mr. Parenti moved that the Commissioners enter into executive session at 9:23 pm, pursuant to MGL, Ch. 30A, sec. 21A (3) 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. It was seconded by Ms. Amir-Lin.

Roll call vote: Mr. Stuntz, aye, Mr. Parenti, aye, Ms. Amir-Lin, aye.

Mr. Stuntz also moved that after the executive session that the Board reconvene in open session.

Roll call vote: Mr. Stuntz, aye, Mr. Parenti, aye, Ms. Amir-Lin, aye.

Present:

Commissioners: Stephen Stuntz, Ronald Parenti, Erika Amir-Lin

District Manager: Chris Allen

District Counsel: Mary Bassett

Environmental Manager: Matthew Mostoller

District Treasurer: Mary Jo Bates

Mr. Stuntz made a motion to approve the minutes of the Executive Session held on December 11, 2017. It was seconded by Mr. Parenti and approved by a vote of 2 in favor and 1 abstention. Mr. Stuntz made a motion to approve the minutes of the Executive Sessions of August 13, 2018, December 10, 2018, January 14, 2019, January 28, 2019, February 25, 2019 and March 11, 2019. It was seconded by Ms. Amir-Lin and unanimously approved.

Attorney Bassett updated the Board on the recent court decisions. The District's motion to intervene was denied by the Land Court. The judge believes that the District's interests and those of the Town of Acton are functionally identical. Concord has sixty days to file their next motion and a hearing has been scheduled for August. Attorney Bassett has had discussions with Attorney Roeloffs, who represents the Town of Acton, and the Town would like the District to continue to be involved in the case. On a motion made by Mr. Stuntz and seconded by Ms. Amir-Lin, they voted to allow the District, Attorney Bassett, Mr. Allen and Mr. Mostoller, to continue to consult with Acton on the case. A second motion, by the Town of Littleton, requested the dismissal of the Land Court proceeding. That motion was also denied.

Mr. Stuntz made a motion to adjourn the Executive Session and enter into open session at 10:00 pm. It was seconded by Ms. Amir-Lin and unanimously approved.

Roll call vote: Mr. Stuntz, aye, Mr. Parenti, aye, Ms. Amir-Lin, aye.

Mr. Stuntz made a motion to adjourn the meeting at 10:01 pm. It was seconded by Mr. Parenti and unanimously approved.