

Commissioners Meeting  
Water Supply District of Acton  
Meeting Minutes  
July 16, 2012

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- Agenda:**
- A. Comments from Citizens
  - B. Approve Minutes of June 25 Meeting
  - C. NEW BUSINESS:  
Letter from Acton Board of Health
  - D. OLD BUSINESS:  
Discussion of Projected Financial Future and Update from Finance Committee

The regular bi-monthly meeting was called to order at 7:32 p.m. on Monday, July 16, 2012 at the Acton Water District Office by Mr. Ronald Parenti.

**Present at Tonight's Meeting:**

Commissioners: Ronald Parenti (Chairman) and Leonard Phillips  
District Manager: Chris Allen  
District Treasurer/Collector: Mary Jo Bates  
District Counselor: Mary Bassett  
Environmental Manager: Matthew Mostoller  
Finance Committee Member(s): David Butler and Bill Kingman  
Acton Board of Selectmen member: Janet Adachi  
WLMAC: Barry Rosen

**A. Comments from Citizens**

There were no comments from citizens tonight.

**B. Approval of Minutes from June 4th Meetings**

Mr. Parenti moved to accept minutes of the meeting held on June 4, 2012 with one amendment and Mr. Phillips seconded the motion. The Commissioners voted in favor of approving the amended minutes.

**C. NEW BUSINESS**

Letter from Acton Board of Health

Mr. Allen presented a letter from the Acton Board of Health requesting to meet with the Commissioners. The letter stated that the Board of Health supports the District's continued efforts to provide safe and satisfactory water and support the construction of a treatment facility in South Acton. They would like to hear from the Commissioners on their thoughts regarding continued water quality improvements, future water quantity goals or concerns and how best the Board of Health can help in protecting water quality and sustaining water quantity. The Commissioners said that this would be an appropriate topic for a September Commissioners meeting. Mr. Parenti asked about having a discussion with them about growth control and development. Mr. Phillips would like to update them on the South Acton sand and gravel operation lawsuit. He inquired if this meeting should be held in Executive Session. Counselor Bassett responded that is not necessary. Mr. Mostoller said this would be an appropriate forum to discuss long term water resource management including storm water and waste water. The Board asked Mr. Allen to invite the Board of Health to the September meeting.

#### **D. OLD BUSINESS**

##### *Discussion of projected financial future and update from Finance Committee Meeting*

Mr. Allen updated the Commissioners on the Finance Committee Meeting held on July 13. The Finance Committee is recommending the implementation of a bond debt fee to be added to the water bills starting with the January 2013 billing. The Finance Committee is not recommending the elimination of the seasonal rate. Mr. Allen explained that it was originally implemented as a conservation measure, so that water used in the summer would be billed at the highest rate. The conservation rate was implemented in concert with other conservation programs and does not have a noticeable impact on water use. Cost does not appear to be a factor for most customers. Elimination of the seasonal rate would generate approximately \$187K per year. Mr. Allen indicated that the next rate increase could be pushed off a year if the winter rate is eliminated this year. Mr. Allen would like the bond debt fee and/or rate change approved at the August Commissioners meeting so that customers can be notified in the October bills. Additional information could be provided on the rate changes in the Fall WaterWords and a follow up column in the Acton Beacon. Barry Rosen indicated that in his research he sees many towns with seasonal rates. He also expressed concern that with the increased cost of water, customers would be drilling private wells. Mr. Mostoller indicated that private wells are regulated by the Board of Health and they traditionally push for connections to the public water supply.

Mr. Allen indicated that the South Acton Pilot Study was completed July 12. DEP was on site Thursday and final data, including preliminary design, is due on October 13.

Mr. Butler updated the Board on the progress of the Special Legislation. It is still stuck in committee and if it is not out of committee by July 31 it will need to be filed again.

Mr. Parenti moved to go into Executive Session to discuss threatened or 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 9:15 pm Mr. Phillips made a motion to adjourn the meeting at 9:15 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  
July 16, 2012

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 9:00 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 and Ron Parenti, District Manager Chris Allen, Environmental Manager Matthew Mostoller and District Counsel Mary Bassett.

Minutes of Executive Session meetings dated 6/4/12 were reviewed and approved with edits.

Attorney Bassett updated the Commissioners on the status of the Assabet Sand trespass case. All reviewed the proposed and edits to the "Site Access Agreement" and Statement of Work. Counsel made changes, in consultation with the Mssrs. Allen and Mostoller to protect the District's interests. Counsel also discussed the need for a title exam on the recorded land premises and the Commissioners. Lastly, Counsel notified the Commissioners that she had filed a Motion for Partial Summary Judgment to gain control of the smaller parcel that being encroached upon. This was done as that land is registered and a matter of law, cannot be adversely possessed.

Mr. Phillips moved to adjourn the executive session and moved to reconvene in open session at 9:20 pm. The motion was seconded by Mr. Parenti and on a roll call vote was unanimously approved.