

# Water Supply District of Acton

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

TELEPHONE (978) 263-9107

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Commissioners Meeting  
Water Supply District of Acton  
Meeting Minutes  
July 25, 2011

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The regular bi-monthly meeting was called to order at 7:30 p.m. on Monday, July 25, 2011 at the Acton Water District Office by Mr. Leonard Phillips.

Present: Commissioners Leonard Phillips, Stephen Stuntz, and Ronald Parenti. District Manager Chris Allen, District Treasurer/Collector Mary Jo Bates, District Counselor Mary Bassett, and Commissioners Secretary Lynn Protasowicki. Finance Committee member(s) Charles Bradley and Bill Kingman.

## A. Comments from Citizens

Residents of Fernwood Road, Arborwood Road and Carriage Drive discussed the water quality that they are receiving and brought in a few samples to show the Commissioners. Attendees:

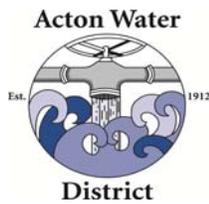
Sheira Rosenfield, 8 Fernwood Road, 978-266-1751  
Marian Richardson, 8 Arborwood Road, 978-263-3341  
Karen Parrott, 9 Arborwood Road, 978-263-6267  
Carol Watson, 7 Arborwood Road, 978-635-9463  
Alan R. Dailey, 11 Carriage Drive, 617-590-3254

Sheira Rosenfield, 8 Fernwood Road informed the Commissioners of the reoccurring problems they have been experiencing their area. She said that this problem has been going on for 18 days. She also stated that they have had water quality issues for the past ten years and that her neighbors have called the AWD many times to complain.

Alan Dailey would like to know if it is worth writing to the local reps complaining about the poor water quality. Mr. Allen informed the group that AWD works closely with State Senator James Eldridge and that he is aware of the water issues in South Acton. He stated that they currently have a plan in place to build a new water treatment facility in South Acton. Mr. Allen stated that he is waiting on approval of the written corrective action plan from MassDEP and once they receive the approval they will do the pilot study in the Fall and hope to break ground for a new treatment facility in South Acton by Spring 2012.

Ms. Rosenfield would like to know what the Commissioners will do about the brown water. She is asking for some kind of rebate and coupon to get water at local grocery store. Ms. Bates stated that a couple years ago the residences of Silver Hill had same water quality issue so the Board agreed to let the residences install a new water filter and then they would received an abatement on their water bill for \$125. Mr. Allen asked the residences if they have seen any improvement in their water quality over the past few days. They all agreed that they have seen some. Mr. Allen stated that on Friday they shut a valve which slowed the flow of water down.

Mr. Phillips stated that that the Board of Commissioners has heard their complaints and the Board wants to help. They will discuss further and come up with a workable suggestion. Mr. Phillips informed the residents that Mr. Allen will be in contact with them within 48 hours. (For resolution, see below under "New Business: Item #3")



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Alan Dailey, 11 Carriage Drive showed the sample of brown water that he brought which he stated came through his tap. Mr. Allen stated that the District is aware of the poor water quality at 9, 11 & 12 Carriage Road. He stated that modeling has already been done. He would like to use the “jelly bean” method to scour the service at Mr. Dailey’s home. Mr. Allen will schedule the appointment with Mr. Dailey.

## **B. Approval of Minutes from June 20, 2011**

Mr. Phillips moved to accept minutes of the meeting held on June 20, 2011 and Mr. Stuntz seconded the motion. The Commissioners were in favor of approving the minutes as amended.

## **C. New Business**

### District Moderator for Presentation on Centennial Celebration.

Mr. Richard O’Brien presented to the Commissioners a status of the planning process for the Acton Water District’s Centennial Celebration. He stated that the Committee consists of Mr. Chris Allen, Ms. MaryJo Bates, Mr. Matt Mostoller, Mr. Bob Murch, Mr. Don Gilbert, Jr., and himself. The Committee will meet every other week to monitor status, assignments, and direction. The next meeting will be held on August 2<sup>nd</sup>. Mr. O’Brien informed the Commissioners that he recently hired someone to pull together the history of the District which contains over four pages of very interesting facts about the District. However, the overview does not site people, incidences, and milestones of the District. The Committee plans to call upon a few notable water takers of the District and District friends to come together for a couple hours to discuss and reminisce about key milestones of the District over the 100 year history. This discussion will take place on Friday, September 16<sup>th</sup> from 2-4 p.m. Mr. O’Brien that the goal is to try and come up with a list of possible milestones with details of each.

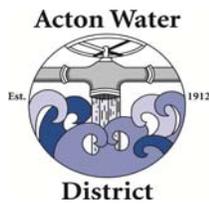
Mr. O’Brien also reviewed for the Commissioners a calendar of events and draft budget for the Centennial Celebration. In January 2012, the AWD staff will include an announcement of the celebration in the planned mailing to the water takers. At that time a “History of the First 100 Years Brochure” will be available on the AWD web site for the water takers to review and print. In March 2012, there will be an event marking the Celebration which will include a Keynote Speaker and an Award Presentation. In the months of January, February, March and April 2012, the Committee will visit several local organizations and Town Boards and present the AWD Anniversary. Mr. Matthew Mostoller is overseeing programs through the Acton Schools. There is also discussion for a potential water community clean-up event partnering with Conservation Commission, Scouting Leadership, etc. In addition, there are three courses that will be offered to via the Acton Boxborough Community Education: Local Floral/Lawn Retailer for homeowners; Private Wells, Antibiotics, Pesticides, and Play areas for young families; and Water Sport Safety for children.

Mr. O’Brien also informed the Commissioners that there will be an Open House of the North Acton Water Treatment Facility organized by Mr. Allen and his staff. The event will be held on Saturday May 5, 2012.

Mr. O’Brien estimated that the budget for the 100<sup>th</sup> Anniversary Celebration will be roughly \$15,000.

### Discussion of Expansion of The District’s Finance Committee.

Mr. Richard O’Brien introduced to the Commissioners, Mr. William J. Guthlein, who has been selected to join the Acton Water District’s Finance Committee as a non-voting member. Mr. O’Brien stated that formal recognition and appointment to the position will await approval by the voters to the Bylaw change at a subsequent AWD Annual Meeting.



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## Update & Discussion of Seasonal Water Quality Issues.

Mr. Phillips led the discussion by stating that now that we've had input from citizens living in the "Woods" area regarding their water quality issues we need to come up with a resolution. He asked Ms. Bates to explain what the procedure was for the Silver Hill residences. Ms. Bates explained that when the residences installed a new water filter their water bill was abated for \$125 and they needed proof that the new filter was purchased and installed. Ms. Bates stated that the abatement was one-time only and would not be offered to any of those residences again. Mr. Stuntz asked Mr. Allen to explain what was done recently that helped the water quality get better in the "Woods" neighborhood. Mr. Allen stated that they shut a valve which slowed the flow of water down. Counselor Bassett read from the "Rules and Regulations" that the AWD does not reimburse for power outages, or damages caused by power outages, etc.

Mr. Phillips stated that for immediate triage the folks in the "Woods" area will be able to come to the Acton Water District office and fill containers that they supply with drinkable water from the office's tap at no charge. Mr. Phillips suggested that Mr. Allen get a list of all affected customers and write a letter acknowledging their complaints of poor water quality; stating that they can come to the office for clean water, and that they are waiting on approval of the written corrective action plan from MassDEP and once they receive the approval they will do the pilot study in the Fall and hope to break ground for a new treatment facility in South Acton by Spring 2012 to be online by 2013.

## **D. Old Business**

### Update and Discussion of Revision of District's "Rules & Regulations"

Counselor Bassett provided to the Commissioners a revised copy of the District's Rules & Regulations. Mr. Allen had a few comments which Counselor Bassett noted. Once Counselor Bassett incorporates these comments into document, she will send to Mr. Phillips who will review and provide any additional edits to Counselor Bassett. Then at the next open meeting on August 15<sup>th</sup> the "Rules & Regulations" document can be approved and voted on.

### Other Old Business:

Mr. Allen stated to the Commissioners that in this evening's packet, they will find the fully signed and executed Massachusetts Inter-municipal Agreement between the Towns of Acton and Boxborough.

## **E. Executive Session**

The Commissioners entered into Executive Session, by a roll call vote, at 10:26 p.m. and ended the Session at 10:50 p.m. They resumed the regular meeting to adjourn at 10:51 p.m. The motion to adjourn was made by Mr. Parenti, seconded by Mr. Stuntz and was unanimously approved.

**Executive Session Minutes**

Commissioners Meeting

Water Supply District of Acton

693 Massachusetts Avenue

Acton, MA 01720

Executive Session Minutes

July 25, 2011

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 10:30 pm 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, Ron Parenti, and Stephen Stuntz, District Manager Chris Allen, and District Counsel Mary Bassett. Commissioners approved executive session minutes of June 20, 2011.

Attorney Bassett reviewed the facts in the Sudbury Water District case with the similarities and differences discussed. Counsel for Macone in the Sudbury case are the same attorneys who contacted Bassett recently on behalf of Macone. Those attorneys used adverse possession as a defense in the Sudbury case and already stated that they will use the same defense in any claim by the AWD.

District Counsel briefed the Commissioners on most recent developments in the trespass case that the District is being compelled to file against the Assabet Sand & Gravel Co. (AS&G). District counsel discussed the legal complexities of the case and the possible use of co-counsel. Atty. Erin Boisvert in Bassett's office has had several adverse possession cases.

The Commissioners authorized the use of co-counsel in the case.

Mr. Phillips moved to adjourn the executive session and moved to reconvene in open session at 10:45 pm. The motion was seconded by Mr. Stuntz and on a roll call vote was unanimously approved.