

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton MA
Monday, November 18, 2019

AGENDA

- A. Comments from Citizens
- B. Approve Minutes of November 4th Meeting

C. OLD BUSINESS:

- 1. Variance for 8 Post Office Square Site for New Central Acton Water Treatment Plant
 - Public hearing with the Zoning Board of Appeals scheduled for Monday, 12/9 at 7 PM
- 2. Update for Article 97 Legislation Related to Solar Arrays at Lawsbrook Road & Knox Trail
 - Email from project manager related to legislation submittal timing
 - Confirmation of proposed Lawsbrook Road array enrollment in the state's SMART program

D. NEW BUSINESS:

- 1. Approve Proprietary Specifications for Equipment for the Central Acton Water Treatment Plant
- 2. Discuss Manager's Contract and Performance Review

Present at Tonight's Meeting:

Commissioners: Stephen Stuntz (Chair), Erika Amir-Lin, Barry Rosen
District Manager: Chris Allen
District Treasurer: Mary Jo Bates
District Counsel: Mary Bassett
Finance Committee: Chuck Bradley (via phone)
District Moderator: Dick O'Brien

The Board of Water Commissioner's meeting was called to order at 7:32 PM on Monday, November 18, 2019 at the Acton Water District by Mr. Stephen Stuntz.

A. Comments from Citizens:

No comments tonight.

B. Approve Minutes of November 4th Meeting:

Mr. Rosen motioned to approve the minutes of November 4, 2019. Ms. Amir-Lin seconded the motion and it was unanimously approved.

C. OLD BUSINESS:

1. Variance for 8 Post Office Square Site for New Central Acton Water Treatment Plant.

Mr. Allen provided an update to the Commissioners regarding the variance for 8 Post Office Square for the new Central Acton Water Treatment Plant. He informed the Commissioners that the public hearing will be held on Monday, December 9th at 7 PM with the Zoning Board of Appeals. He reminded them that this variance request is due to not having adequate frontage of 20-feet per the Zoning Bylaw. Mr.

Allen will attend the hearing as well as Ms. Amir-Lin. Mr. Rosen asked if the \$250 application fee was waived. Mr. Allen stated that it was waived by the Acton Selectboard.

The design for the Central Acton Water Treatment Plant is scheduled to be complete in December. The Mass DEP has provided their comments. The engineer recommended an expansion of the existing 20-foot utility easement to a 30-foot easement. An official survey will need to be done for the easement expansion, and the property owner will need to approve it. Counselor Bassett stated that the property owner could then either gift the land to the District, we will have to pay for it or take it by eminent domain; either way there will need to be an article on the Warrant at District Meeting in March for a vote. Ms. Bassett explained that if not gifted, we will need an appraisal to determine the value.

2. Update on Article 97 Legislation Related to Solar Arrays at Lawsbrook Road & Knox Trail.

Enclosed in tonight's packets to the Commissioners are copies of an email between Mr. Allen and Peter Bay of EDF Renewables. In the email, Peter informed Mr. Allen that the state legislature breaks from formal session for the holidays on November 20th and will not be back in session until later January which means that Article 97 legislation may not be looked at for passage until April/May 2020.

The application was submitted into the MA SMART Solar Incentive Program on November 5, 2019 for 28 Lawsbrook Road, Acton. It is expected to be in Block 3 of that program, as predicted by the developer during the selection process.

Mr. Allen mentioned that Peter Bay is speaking with Gail Mann regarding the proposal for the appraisal on the Lawsbrook parcels and 16 Knox Trail.

D. NEW BUSINESS:

1. Approve Proprietary Specifications for Equipment for the Central Acton Water Treatment Plant.

Mr. Allen provided an update to the Commissioners regarding the reasoning behind approving proprietary specifications for equipment for the Central Acton Water Treatment Plant. He stated that after a decade of operation of two filtration plants, the operators are familiar with this equipment, and are able to repair and maintain it. This reduces the need to hire contractors for maintenance; and equipment is more durable and acceptable for our needs. Enclosed in tonight's packets to the Commissioners is a copy of the determination of proprietary specifications reasoning statement, which will be included in the bid specifications. Per state procurement law, an "Or equal" clause will still be in the bid specification.

Mr. Stuntz moved to accept the use of proprietary specifications as presented and attached. Ms. Amir-Lin seconded the motion and it was unanimously approved.

2. Discuss Manager's Contract and Performance Review.

Mr. Stuntz mentioned to the Commissioners that Mr. Allen typically has a review every three years; The Commissioners have not done a written review every year, but this year we can do the written review. Mr. Stuntz will write up review and share with other Commissioners.

Ms. Amir-Lin suggested organizing the written review into sections to make it more easily readable and gives it more of a formal structure.

Mr. Allen's contract expires June 30, 2020

Other New Business:

Mr. Allen mentioned that the District received a check of \$365,000 from Avalon Bay to cover Impact fees, Mitigation funds and fire inception fees for the soon-to-be built 86-unit expansion of the existing Avalon Bay complex in North Acton off Nagog Park Drive.

Mr. Rosen motioned to adjourn the open meeting at 8:15 PM. Ms. Amir-Lin seconded, and it was unanimously approved.