

Board of Water Commissioners
Meeting Minutes
Acton Water District
693 Massachusetts Avenue, Acton MA
Monday, January 13, 2020

AGENDA

- A. Comments from Citizens
- B. Approve Minutes of December 2nd Meeting

C. OLD BUSINESS:

- 1. Review of FY '21 DRAFT Budget & Proposed Warrant Articles
- 2. Commissioners' 2019 Annual Report

D. NEW BUSINESS:

- 1. Water Management Act Permit Renewal Order to Complete (OTC)
- 2. Request from Green Acton
 - Clarification and request to publicize web content related to the procedure for submitting an article for the Annual Meeting Warrant

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
Environmental Manager: Matthew Mostoller
Commissioners Secretary: Lynn Protasowicki
Finance Committee: Chuck Bradley (via phone)
District Moderator: Dick O'Brien
Green Acton: Kim Kastens

The Board of Water Commissioners' meeting was called to order at 7:30PM on Monday, January 13, 2020 at the Acton Water District office by Mr. Stephen Stuntz.

A. Comments from Citizens:

Kim Kastens of Green Acton had two comments:

- 1. Thanked the Commissioners for moving the Acton Water District meetings so that they do not coincide with the Town of Acton Board of Selectmen meeting nights.
- 2. Mentioned that Green Acton will be hosting a public talk on "How Healthy Are Our Local Rivers?" by guest speaker Alison Field-Juma on January 22nd at the Acton Senior Center.

B. Approve Minutes of December 2nd Meeting:

Ms. Amir-Lin motioned to approve the minutes of December 2, 2019. Mr. Stuntz seconded, and it was approved by a vote of 2 Ayes and 1 Abstention.

C. OLD BUSINESS:

- 1. Review of FY '21 DRAFT Budget & Proposed Warrant Articles.

-Review of the DRAFT FY '21 Budget:

Included in tonight's packets to the Commissioners is a copy of the FY '21 DRAFT budget that includes six-month actuals. Mr. Allen mentioned that nothing else has changed on this budget since the last review of it at the December 2nd open meeting.

-Review of the proposed Warrant Articles for 2020 Annual Meeting:

Mr. Allen stated that there were some additions to the Warrant Articles since the last time the Commissioners reviewed these articles.

Article #14 regarding the utility easement expansion from 20' to 30' for Central Acton Water Treatment Plant new utilities and Post Office Square (private way). Will have a survey done of 8 Post Office Square for formal plan to show property owner. The Article has an appropriation of \$50,000 to cover any costs associated with acquisition or assessment.

Article #8: the purchase of a new service truck for \$100,000.

Kim Kastens asked about Article #16 regarding the WR Grace Receipt Reserved for Appropriation account to a Stabilization Fund. Mr. Rosen stated that we are asking for voter approval to take the WR Grace Receipt Reserved for Appropriation account and move it into a Stabilization Fund. By changing the account to a stabilization fund it allows the District to invest it per Prudent Person law vs restrictions on the state Legal List of investments. This fund will still be restricted in what we can use the money for. It's literally just transferring the accounting purpose. Ms. Bates stated that the night of the Annual Meeting a dollar amount will be put in the warrant articles so that everyone will know the exact amount being transferred.

Mr. Rosen moved to close the Warrant for the 2020 Annual Water District meeting. Ms. Amir-Lin seconded, and it was unanimously approved.

2. Commissioners' 2019 Annual Report.

Mr. Stuntz asked the other Commissioners if they had any questions on the 2019 Annual Report that he wrote. Mr. Rosen stated that he sent some edits to Mr. Allen. Ms. Amir-Lin had an edit and handed to Mr. Stuntz. Otherwise no other comments.

Other Old Business:

1. Mr. Allen requested to change the meeting start time from 7:30 PM to 7:00 PM.

Ms. Amir-Lin motioned to move the meeting start time from 7:30 PM to 7:00 PM. Mr. Rosen seconded the motion, and it was unanimously approved.

D. NEW BUSINESS:

1. Water Management Act Permit Renewal Order to Complete (OTC).

Mr. Allen informed the Commissioners that the Water Management Act Permit Renewal Order to Completed was received on December 13, 2019. He stated also that enclosed in tonight's packets to the Commissioners is the final water needs forecast for the Acton Water District from the Massachusetts Department of Conservation and Recreation's Office of Water Resources (OWR) which was originally filed in 2015 and a summary of the permit renewal. The data in in this final water needs forecast has not changed since 2014. 23K gallons to mitigate. He mentioned that the District plans to file for an extension because we will want to add the potential new Bedrock source at 549 Main Street.

Mr. Rosen mentioned that he shared the population numbers that came from this final water needs forecast with the WRAC as they were requesting that information.

Mr. Mostoller mentioned that if we think the 2015 data is out of date, we can request new ones. We can petition the DCR to do the water needs forecast again. Ms. Amir-Lin inquired as to what other options for stream gauges to get new data. Mr. Mostoller stated there is one on the Concord River. Comparison looking back at Nashoba Brook gauge vs Concord River gauge using these parameters. Pay to have new gauge started and then we are on the hook to fund that but then we have no historical data for if there are issues.

Mr. Allen stated that they will continue to work on this and keep the Board apprised of progress and any changes.

2. Request from Green Acton.

Ms. Kastens stated that a brief conservation took place with a few citizens after last year's District Annual meeting regarding how citizens can add a Citizens Petition to the District Warrant. She brought this topic up during one of the previous District open meetings and is just doing a follow-up to that. She mentioned that Counselor Bassett did some research and found that there is an existing state law. Ms. Kastens is asking that the Commissioners please clarify some details and publicize related materials on the District website. At the end of information in packet there is a list of things to go into the document. Enclosed is a document from Green Acton asking for clarification on the process of submitting an article for the District's Annual Meeting Warrant by Citizens' Petition. She mentioned that at this month's Board of Selectmen meeting this same issue was raised and how can citizens bring forward a petition and have access to Town Counsel for advice to get text vetted and to make sure wording is legal. The Selectmen did not decide. Although it is not allowed to use Town Counsel, however if citizen ask and there is timing then town counsel can help. They just don't want costs spiraling out of control when requesting Town Counsel's advice. She is suggesting that whatever wording is used in Town's citizen petition information that the District use the same.

Ms. Kastens stated that Green Acton is not asking for a by-law just asking for information be put on the District website that explains how a citizen's petition works. The Town of Acton is preparing a similar document to have posted on their website.

Ms. Amir-Lin encourages water takers to bring to any open meeting their concerns/questions before a petition is created. Mr. Stuntz agrees with this. And stated that in his 30+ years of being a Commissioner he has never seen a petition for the Water District. He would hope that if water takers have issues that they would come directly to the Board with their questions/concerns.

Ms. Amir-Lin asked Ms. Kastens if Green Acton was looking to have this completed before the upcoming District Annual Meeting. Ms. Kastens said no rush but its good governance to have available and that she would ideally like to see this completed by 2021 Annual Meeting.

Other New Business:

1. Mr. Rosen would like to add to the February 10th Commissioners' meeting Mr. Ron Parenti's request to discuss the District's involvement in the Town of Acton's future wastewater treatment planning.

2. Mr. Allen informed the Board that he'd processed the paperwork to shift Primary Treatment Operator's duties and designation from himself to Andrew Peterson, General Foreman.

Ms. Amir-Lin motioned to adjourn the open meeting at 8:35 PM. Mr. Rosen seconded, and it was unanimously approved.