

Water Supply District of Acton

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

TELEPHONE (978) 263-9107

FAX (978) 264-0148

Commissioners Meeting
Water Supply District of Acton
Meeting Minutes
February 11, 2013

- Agenda:**
- A. Comments from Citizens
 - B. Approve Minutes of January 14th and January 28th Meeting
 - C. OLD BUSINESS:
 - Update on Rescheduling of Joint Meeting with the Town of Acton Board of Health (BOH) for Monday, March 11, 2013.
 - Discussion of Master Plan Update.
 - D. NEW BUSINESS:
 - Review of Warrant Articles, Assignments and Order for Presentation at the Annual Meeting.
 - E. EXECUTIVE SESSION: For Discussion of Pending Litigation

The regular bi-monthly meeting was called to order at 7:35 p.m. on Monday, February 11, 2013 at the Acton Water District Office by Mr. Ronald Parenti.

Present at Tonight's Meeting:

Commissioners: Ronald Parenti (Chairman), Leonard Phillips, and Stephen Stuntz.

District Manager: Chris Allen

Treasurer/Collector: Mary Jo Bates

District Counselor: Mary Bassett

Commissioners Secretary: Lynn Protasowicki

Finance Committee Member(s): William Guthlein

WLMAC: Chuck Olmstead and John Cipar

A. Comments from Citizens

There were no comments from citizens at tonight's meeting.

B. Approval of Minutes from January 14th and January 28th Meetings

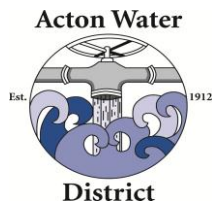
Mr. Parenti moved to accept minutes of the meeting held on January 14, 2013 and Mr. Phillips seconded the motion. The Commissioners voted in favor of approving the minutes.

Mr. Parenti moved to accept minutes of the meeting held on January 28, 2013 and Mr. Phillips seconded the motion. The Commissioners voted in favor of approving the minutes.

C. OLD BUSINESS

Update on Rescheduling of Joint Meeting with the Town of Acton Board of Health (BOH) for Monday, March 11, 2013.

Mr. Allen confirmed with the Commissioners that the rescheduling of the joint meeting with the BOH will be on Monday, March 11th at the Town Hall. One of the main topics of discussion will be the connecting private wells to public source and also the connection fees that are involved (whether to waive the fee or put in place a payment plan). Mr. Stuntz asked Mr. Allen if he could please speak with Mass Department of Environmental



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Protection (MA DEP) to get more information regarding capacity relief so that the Commissioners will be prepared for the meeting when this topic comes up.

Discussion of Master Plan Update.

Mr. Phillips inquired as to whether the MWRA should be included as a new supply source on the summary table of the Capital Improvement Plan. He asked as to what the implications are in the AWD's enabling legislation and if AWD has the legal authority to purchase water from MWRA. Counselor Bassett stated that the AWD's legislation does not allow the District to purchase water from sources outside of Acton, other than Boxborough, and the legislation would then need to be changed if AWD decided to purchase water. Counselor Bassett also commented that she recalled that the Commissioners previously investigated and debated and ultimately decided against connecting to the MWRA and to remain with the current water resources. Mr. Allen reminded the Commissioners that in 2011 he attended a presentation by the MWRA regarding connecting to the MWRA and it would cost \$10.2 million just as a connection fee, which would not include the infrastructure required to connect to the nearest MWRA source. He will provide that presentation to the Commissioners for them to review.

Mr. Parenti asked Mr. Allen if he has all his comments ready to send to Wright-Pierce. Mr. Allen stated that he has some and would like to have them compiled by the end of February. He has been funneling some comments over to Wright-Pierce as they are available.

Mr. Parenti mentioned that he recently spoke with Mr. Paul Malchodi of WLMAC, who is running for the open Commissioners seat. Mr. Parenti stated that Mr. Malchodi will be writing an article to the Beacon making the argument to stop building future water treatment plants and connect to MWRA. Mr. Parenti believes that this could become a discussion and debate at the upcoming Annual Meeting and that the Commissioners and Mr. Allen should be well prepared to justify their prior decision not to proceed with further investigation of an Acton connection to the MWRA.

Mr. Phillips asked Mr. Allen if he would send him the 1912 Legislation establishing the Water Supply District of Acton so that he can review it again.

D. NEW BUSINESS

Review of Warrant Articles, Assignments and Order of Presentation at the Annual Meeting.

The Commissioners were assigned to individual Warrant Articles (1-20) in rotation as follows:

1. Ronald R. Parenti
2. Stephen C. Stuntz
3. Leonard A. Phillips

However there are a few exceptions for related articles:

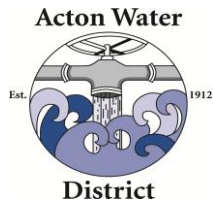
Mr. Stuntz was assigned Warrant Articles 5 & 6 and 16 & 17.

Mr. Phillips was assigned Warrant Articles 13 & 14.

Mr. Parenti was assigned Warrant Articles 19 & 20.

E. EXECUTIVE SESSION

Mr. Parenti moved to go into Executive Session at 8:30 p.m. to discuss threatened and 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 seconded and Mr. Stuntz voted by roll call vote to enter closed session.



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The Commissioners resumed regular session at 9:30 p.m. Mr. Parenti made a motion to adjourn at 9:30 p.m. Mr. Stuntz seconded the motion and it was unanimously approved.

Executive Session Minutes
Commissioners Meeting
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693 Massachusetts Avenue
Acton, MA 01720

Executive Session Minutes
February 11, 2013

The Commissioners voted unanimously by a roll call vote to enter into Executive Session at 8:50 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 Steve Stuntz, Len Phillips and Ron Parenti, District Manager Chris Allen, Environmental Manager Matthew Mostoller (telephonically) and District Counsel Mary Bassett.

Minutes of Executive Session meetings dated 11/19/12, 1/14/13 and 1/28/13 were reviewed and approved with edits.

Attorney Bassett updated the Commissioners on the status of the Assabet Sand trespass case and the impending foreclosure of the property. The offer to settle in exchange for giving AS&G some of the District's property was rejected. The discussion centered around the foreclosure purchase price for the Assabet Sand property (approx. \$1,100,000.) and whether the District could partner with an entity or the Town of Acton to purchase the Assabet property for open space, recreational use of the like. Matt Mostoller related that he had some informal talks with some town officials who stated that the Town would not consider a purchase without a phase two 21E. As the foreclosure is imminent, a 21E is not an option.

Chris Allen and Matt Mostoller advised the Commissioners of the steps being taken to secure the District's property pursuant to the Court injunction. The erection of orange snow fencing will delineate the actual property line, keep the public informed (especially at the public auction) of the property line delineation.

Mr. Phillips moved to adjourn the executive session and moved to reconvene in open session at 9:15 pm. The motion was seconded by Mr. Parenti and on a roll call vote was unanimously approved.