

Water Supply District of Acton

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

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Commissioners Meeting
Water Supply District of Acton
Meeting Minutes
February 28, 2011

The regular bi-monthly meeting was called to order at 7:35 p.m. on Monday, February 28, 2011 at the Acton Water District Office by Mr. Stephen Stuntz.

Present: Commissioners Stephen Stuntz, Ronald Parenti, and Leonard Phillips. District Manager Chris Allen, Treasurer/Collector Mary Jo Bates, District Counselor Mary Bassett, Commissioners Secretary Lynn Protasowicki. Finance Committee member(s) David Butler and Charles Bradley. And, Barry Rosen representing both WRAC and WLMAC.

A. Comments from Citizens

Mr. Joseph Kay and Ms. Jitka Marek of 385 Central Street, Acton attended this evening's meeting to request an abatement for the high water usage and subsequently the high water bill that they received for September 2010.

Mr. Allen provided the Commissioners with a history of the situation. He stated that in September 2010 after Mr. Kay received his water bill he called The District and claimed that for that one quarterly reading the water meter must be reading high, and questioned the accuracy of measuring his water usage. Mr. Allen sent technicians to Mr. Kay's home to check the water meter and to make sure there were no leaks. In November 2010, Mr. Allen hired Regan Testing to test the meter which tested accurately. Mr. Kay said that there is absolutely no way that they could have used that much water in such a small period of time.

Mr. Kay stated that he and his partner, Jitka Marek, are extreme conservationists and who never water lawn in during the summer months. Mr. Kay has tried to contact Badger Meter, which is the company where the meter is made to try and get more information on the meter however he has been unsuccessful in his attempts (i.e. has left several messages whereby nobody returns his calls). Mr. Kay stated that they are watching and reading the meter every day now.

Mr. Phillips stated that The District should delay any decision until they receive a more information on the meter.

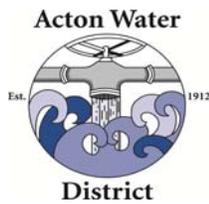
Mr. Stuntz stated that The District has seen many anomalous cases and invariably have not given abatements on bills.

Mr. Parenti stated they The District should do some more research on the meter (i.e. any complaints).

Mr. Allen stated that he will contact Scott Fitzgerald of Stiles Co., the local Badger Meter distributor, and to get more information on failure rates, class of meter, etc. to better the type of meter in question. Once he has all the information, he will present it to the Commissioners who can then determine if abatement is due.

B. Approval of Minutes from January 24, 2010

Mr. Stuntz moved to accept minutes of the meeting held on January 24, 2010 and Mr. Parenti seconded the motion. The Commissioners were in favor of approving the minutes.



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C. New Business

Discussion of Letters from The Christian Science Church, 267 Central Street, Regarding Modification of Service Charges.

In this evening's packet there is a letter from The Christian Science Church (CSC) to The District regarding the issue of the \$15 service charge applicable to quarterly water bills for all customers. The CSC is requesting that they pay one annual bill with a reduced service charge. Mr. Allen stated that in October 2010 the CSC sent this letter but then he had forgotten to add it onto one of the bi-monthly meetings until now.

Mr. Stuntz stated that The District may want to consider reducing the service charge when the water usage is below a certain level.

Ms. Bates stated that in addition to the administrative costs of billing, that all customers are receiving Fire Protection 365 days a year which is one reason behind the service charge.

Mr. Phillips stated that if the CSC is a registered non-profit they may need to be addressed differently. He stated that it seems reasonable to address the question of establishing a different rate class for non-profits.

The Commissioners agreed that at the next rate increase meeting to be held by the Finance Committee they can also look at non-profits and senior citizens and determine whether they would recommend a different service charge scale for low water users or non-profits.

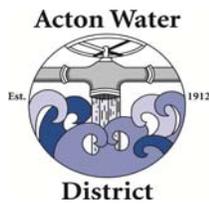
Mr. Allen will respond to the CSC to let them know what they are proposing/suggesting and will provide a timeline for them.

Update on Meeting with Massachusetts Department of Environmental Protection.

Mr. Allen provided to the Commissioners an update on his and Mr. Matt Mostoller's meeting with the Massachusetts Department of Environmental Protection (MA DEP) Central Regional Office. He stated that it was a very good meeting overall. They discussed the current classification of the Christofferson Well as Ground Water Under The Direct Influence (GWUDI) of surface water. DEP would like a long-range plan developed, and implemented. They would like a copy of this timeline submitted to them by the end of March.

Mr. Allen, Mr. Mostoller and the MA DEP talked about the current proposed regulatory modifications for manganese becoming a primary regulation vs. its current classification as secondary. DEP requested that AWD carry language in the Consumer Confidence Report (CCR) for 2011 describing the health risks associated with manganese. Mr. Allen and Mr. Mostoller were hesitant to adopt this approach due to the preliminary nature of the considerations for escalating the classification of manganese concentrations without first educating the general public. Additionally, nothing has been formally adopted, as considerations are still at the federal level/Environmental Protection Agency (EPA)

Mr. Allen and the MA DEP also discussed the Assabet Sand & Gravel encroachment problem. Mr. Allen stated that Marielle Stone has had multiple conversations with Mr. Maccone and he has highlighted the same concerns to her (i.e. that he has health problems; he will go bankrupt, etc). Mr. Allen stated that the MA DEP voiced their support for The District with whatever action that needs to be taken against Assabet Sand & Gravel. Mr. Allen stated that he is considering implementing a phased approach with priorities met based on deadlines to completely remove the encroachment over time.



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Update on Flagg Hill Tank Status.

Mr. Allen provided to the Commissioners an update of the Flagg Hill Tank, a 2-million gallon storage tank located at the end of Ethan Allen Drive that was constructed in 1964. The tank is currently offline. An inspection conducted last year has revealed extensive internal damage to the tank walls. There is build-up of sediment that must be cleaned out; pitting and penetration; plus internal and external cracks that must be repaired.

Mr. Stuntz questions if the repairs are performed will they degrade in 10 years? Mr. Allen could not provide a definitive answer to that question. Does it make sense to build a new tank or invest into repairs?

The cost to repair the tank is approximately \$160,000 vs. building a new tank at a cost of approximately \$3 million.

Mr. Allen has been in close contact with Preload Tank, the manufacturer, and stated that he will have Natgun Tank visit the site to provide their recommendations.

D. Old Business

Update on Proposed Special Legislation Involving The District's Investment Protocol.

Counselor Bassett stated that Mr. Charles Orcutt will be coming into the office on Tuesday, March 1st to notarize the approved the minutes of the last meeting. Counselor Bassett will provide Natalie Kauffman with the clerk certificate of the vote.

Update & Discussion of Proposed Special Legislation by The Town of Boxborough.

Mr. Allen started out by thanking Counselor Bassett and Commissioner Stuntz for their assistance with the meetings for proposed special legislation with the Town of Boxborough. Counselor Bassett wrote the IMA with Boxborough's constituency drafting the revised legislation. All documents were reviewed by Counselor Bassett, Boxborough town counsel and Acton town counsel.

Counselor Bassett requested that the Commissioners approve the wording of the final proposed legislation.

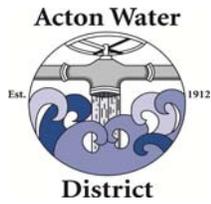
Mr. Stuntz moved to accept the Massachusetts Intermunicipal Agreement for the Water Resources use and Protection on Behalf of The Towns of Boxborough and Acton and The Water Supply District of Acton. Mr. Parenti seconded the motion. The Commissioners were all in favor of the motion.

Discussion of The District's Annual Meeting Scheduled for March 16, 2011.

Counselor Bassett stated that she provided copies of the motions to the Commissioners and the Finance Committee. She will put together the agenda for the evening. Mr. Allen stated that they kept the articles to the ordinary district operating business, based on the level of free cash.

The Commissioners were assigned to individual Warrant Articles (1-16) in rotation as follows:

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



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Other Old Business:

Mr. Allen informed the board that, after 30-yr's of service, Bob Koch's retirement was official on February 15th. Mr. Allen stated that he would like The District to have an offsite retirement party for Mr. Koch sometime in April.

Mr. Stuntz moved to adjourn the meeting and Mr. Parenti seconded the motion. The meeting adjourned at 9:05 p.m.