

Commissioners Meeting  
Water Supply District of Acton  
693 Massachusetts Avenue  
Acton, MA 01720

May 12, 2008

Agenda:           Comments from Citizens  
                  Approve Minutes of April 28, 2008

**OLD BUSINESS**

Update on Sub-Metering of Nagog Woods  
Update on Lawsuit Settlement

**NEW BUSINESS**

Sign Temporary Bonds for Short-Term funding of Approved Capital Projects  
Waterline Industries Proposal for Steel Rebar Overage for Kennedy-Marshall  
Treatment Plant

Minutes of May 12, 2008 Commissioners Meeting

Regular bi-monthly meeting. Present were Commissioners Parenti, Phillips, and Stuntz. Also in attendance were District Manager Chris Allen, Treasurer/Collector Mary J. Bates, District Counsel Mary Bassett, and Finance Committee Member Bill Kingman. George Johnston was representing ACES.

The meeting was called to order at 7:32 P.M.

**Comments from Citizens**

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

**Approve Minutes of April 28, 2008**

Mr. Stuntz moved to accept the minutes of the meeting held on April 28, 2008 and Mr. Phillips seconded the motion. The Commissioners were all in favor of approving the minutes.

## **OLD BUSINESS**

### **Update on Sub-Metering of Nagog Woods**

Mr. Allen supplied the Commissioners with a copy of a letter the Acton Water District received from James Shope, Jr., Village Manager of the Nagog Woods Community Corporation, regarding the \$500.00 charge per billing cycle. Mr. Allen gave an overview of the project and stated that the \$500.00 would be a continuous charge to cover the charges for billing, materials for mailing, and postage. Mr. Shope requested the \$500.00 fee be waived and felt that this cost should be built into the AWD's budget and that they should be treated the same as other single family residences.

Ms. Bates stated that the pit meters will still be in place and currently the AWD is generating 8 bills for Nagog Woods and they will be generating 277 bills once the project is completed.

Mr. Shope stated that Village is paying the cost of the meters and installation and that they would be responsible for the repair and replacement. He stated that there are 7 buildings left for conversion out of the 38 (216 units out of 277 are completed).

Mr. Phillips said that he doesn't see the justification of the \$500.00 charge and he felt that it should be treated the same as a single family home.

The Commissioners all agreed that there is no need for the quarterly fee. The Commissioners voted no to the reoccurring fee of \$500.00. Mr. Phillips moved to accept the motion and Mr. Parenti seconded the motion. All the Commissioners were in favor.

### **Update on Lawsuit Settlement**

Ms. Bassett discussed the MTBE Litigation with the Commissioners and stated that it no longer needs to be in Executive Session as it is now public information. She stated that this is in regards to the original fee agreement. The fee would be the costs for future treatment on each well that was a "no treatment well". The Acton Water District would receive 70% which one third of that would go to the lawyers.

Mr. Parenti questioned "what is the risk of these other wells needing treatment", and Mr. Allen responded that it was a higher risk in prior years, but the potential is much less of contamination occurring. Mr. Phillips asked if the AWD is absolutely sure that MTBE is still used in gasoline and Mr. Allen responded with no. Mr. Phillips stated that he felt the risk was nil.

The Commissioners signed the MTBE Litigation Addendum from Baron & Budd, P.C.

## **OTHER OLD BUSINESS**

Ms. Bassett informed the Commissioners that Brown Brothers acknowledged receiving the letter from the Acton Water District with no indication of any action. The letter was in reference to the fees that the Acton Water District has paid in 2007 and January 2008 in the amount of \$26,404.44 for services requested by not rendered.

## **NEW BUSINESS**

### **Sign Temporary Bonds for Short-Term Funding of Approved Capital Projects**

The Commissioners signed the agreement with UniBank for the short-term funding of capital projects which is for 181 days.

Mr. Stuntz moved to award UniBank the short term funding in the amount of \$2,290,000 at 2.29% and Mr. Phillips seconded the motion. The Commissioners were all in agreement.

### **Waterline Industries Proposal for Steel Rebar Overage for Kennedy-Marshall Treatment Plant**

Mr. Allen informed the Commissioners that Waterline Industries Corporation has asked the Acton Water District for an additional \$20,257.75 for the Kennedy-Marshall Treatment Plant due to the increase in price of steel rebar. Mr. Parenti asked if the contract was a fixed price and Mr. Allen responded with yes, but Waterline Industries is asking the AWD to take on this extra cost. Mr. Stuntz felt that to continue the relationship, the AWD could make some accommodations. The Commissioners suggested that Mr. Allen negotiate the cost of the \$20,257.75 with Rich Protasowicki and Mr. Allen suggested that the AWD pay 50%. The Commissioners asked Mr. Allen to keep them informed.

Ms. Bassett stated that the AWD has no legal obligation to do this. She will help Mr. Allen with creating a letter to Waterline Industries Corporation with their request for an overdraft.

## **OTHER NEW BUSINESS**

Mr. Allen supplied the Commissioners with the Leak Survey Report on the Acton Water System. This report listed a summary of what was lost and revenue saved from unaccounted for water leakage. He said that the unaccounted for was less than 10% and the total annual revenue savings was \$80,776.50. Mr. Allen said that homeowners have 14 days to fix a leak.

Mr. Kingman asked how the process was proceeding with the appointment of the third member for the Finance Committee. Mr. Allen said that May 16, 2008 was the cutoff date and that Mr. O'Brien will appoint the new member.

Mr. Phillips moved to adjourn the meeting and Mr. Parenti seconded the motion. The meeting adjourned at 8:38 pm.