

Finance Committee Meeting
Acton Water District
693 Massachusetts Avenue
Acton, MA 01720

June 7, 2013 11:30 am

In attendance were Finance Committee Members Chuck Bradley, David Butler and Bill Guthlein. Chris Allen, District Manager, Mary Bassett, District Counsel, Matthew Mostoller, Environmental Manager and Mary J. Bates, District Treasurer were also present.

The meeting was called to order 11:30 am.

SPECIAL DISTRICT MEETING WARRANT

Mr. Allen presented the Finance Committee the Warrant for Special District Meeting to be held on June 24, 2013. Article 1 is to approve the purchase of the Assabet Sand & Gravel property located at 16 Knox Trail. The District has been involved in a lawsuit with the owners for several years. Avidia Bank has foreclosed on the property and the District would like to purchase the 4.1 acre parcel. The Commissioners have approved the purchase of the property and would like the Finance Committee's recommendation for funding the purchase.

Mr. Guthlein asked why this property is so valuable to the District. Attorney Bassett summarized the encroachment lawsuit, which has been ongoing since 2010. It involves the trespassing, by Assabet Sand and Gravel, on 3 +/- acres of District owned property. DEP issued the District a notice of noncompliance, so the District had to sue to get AS&G removed from District property. The court did not grant a preliminary injunction so the case has moved slowly through the court system, with not much happening. As of the fall of 2012, the mortgage had been defaulted. Avidia Bank foreclosed on the property. Mr. Allen indicated that he has spoken to a developer who is interested in siting a 40B development at this location.

Mr. Mostoller informed the Committee that it is in the best interest of the District to purchase the property, which is currently the missing piece of District holdings in this area. This is the first time in 40 years that this property is available. The wells were developed in the 1970's and 2/3 -3/4 of this property has direct impact on the AWD wells. This purchase would eliminate risk to those sources. Attorney Bassett indicated that this purchase would also include the removal of the processing tower on District property.

Ms. Bates informed the Committee that we are currently in the process of borrowing money for 10 years for the Engineering in South Acton and the Hayward Road/Stow Street water main project. An affirmative vote on this purchase will just add to a bond issue already in process.

Mr. Butler made a motion to recommend the warrant article authorizing the purchase of 16 Knox Trail. It was seconded by Mr. Guthlein and unanimously approved.

Mr. Butler made a motion to borrow the \$735K for a period of 10 years. Mr. Guthlein seconded the motion and it was unanimously approved.

Article 2 has no financial impact on the District, but the Finance Committee is happy to accept the expanded easement from Atlantic Acton Realty. This will enable the driveway to the new treatment plant to be expanded to accommodate truck traffic.

Mr. Bradley asked that the debt service fee be discussed at our next Finance Committee Meeting. He also asked that we remind the District Moderator that we are still in need of an associate Finance Committee Member.

Mr. Bradley made a motion to adjourn the meeting at 1:15pm. It was seconded by Mr. Guthlein and unanimously approved.

All documents referred to in the minutes are available for inspection at the Acton Water District Office, 693 Massachusetts Avenue 978 263.9107