



Water Supply District of Acton

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ACTON, MASSACHUSETTS 01720

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Board of Water Commissioners

Meeting Agenda

Monday, January 28, 2019 @ 7:30 PM

- **Comments from Citizens**
- **Approve minutes of January 14th meeting**

OLD BUSINESS:

- Review and approve FY '20 Budget and Annual Meeting Warrant
- Update from second public session on "Right to Farm Community" held on 1/23/19 and discussion of proposed Town Meeting Warrant articles and DRAFT Bylaw
- Review and approve the Commissioners Annual Report for 2018

NEW BUSINESS:

- Discussion of proposed public Sewer system expansion in West Acton

Executive Session: To discuss strategy with respect to litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have a detrimental effect on the litigating position of the District.

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Board of Water Commissioners
Meeting Minutes
693 Massachusetts Avenue, Acton MA
Monday, January 14, 2019

AGENDA

A. Comments from Citizens

B. Approve Minutes of December 12, 2018 Meetings

C. OLD BUSINESS:

1. Review DRAFT Fiscal Year '20 Budget and Proposed Annual Meeting Warrant.
2. Update on Pilot Study for the Conant I & II Wells Treatment Technology.

D. NEW BUSINESS:

1. Re-appointment of Matt Mostoller as the District's Representative to the Water Resources Advisory Committee.
2. Actuarial Valuation of Other Post-Employment Benefits (OPEB).
3. Commissioners Annual Report for 2018.

Executive Session: To discuss strategy with respect to potential litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have detrimental effect on the litigating position of the District.

Present at Tonight's Meeting:

Commissioners: Ronald Parenti (Chair), Stephen Stuntz, Erika Amir-Lin

District Manager: Chris Allen

District Treasurer: Mary Jo Bates

District Counsel: Mary Bassett

Commissioner's Secretary: Lynn Protasowicki

Finance Committee: Chuck Bradley

District Moderator: Dick O'Brien

Green Acton: Kim Kastens

WRAC: Barry Rosen

The Board of Water Commissioners meeting was called to order at 7:30 PM on Monday, January 14, 2019 at the Acton Water District office by Mr. Parenti.

A. Comments from Citizens

Kim Kastens stated that moving forward Green Acton will have a representative attend the Water District open meetings. She noted that it will either be herself, Carolyn Kiely, or Lucy Kirshner.

Ms. Kastens stated that the Acton/Boxborough Regional School District (ABRSD) is looking to build a new elementary school at the current site of Gates School. There have been some discussions of conservation and sustainability. She would like to see more discussion about energy efficiency and water efficiency.

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Mr. Stuntz asked if the new building would be a Leadership in Energy and Environmental Design (LEED) building. She stated that the School District may be trying for an energy efficient building but may not apply for an energy efficient certification. She did not hear about LEED certification in any of the discussions.

She stated that it would be a great time for the District to get involved in this project. Mr. Allen stated that he'd have Matt Mostoller, Environmental Manager, contact the School District to begin the dialogue.

She mentioned that Lucy Kirshner will be the Green Acton liaison with the ABRSD on this project.

B. Approve Minutes of December 10, 2018 Meetings.

Ms. Amir-Lin motioned to approve the minutes of December 10, 2018. Mr. Stuntz seconded the motion and it was unanimously approved.

C. Old Business

1. Review DRAFT FY'20 Budget and Proposed Annual Meeting Warrant.

Enclosed in tonight's packets to the Commissioners is a copy of the draft budget for fiscal year (FY) '20 budget and the proposed Annual Meeting Warrant. Mr. Allen stated that the draft budget has not been altered since last time it was presented to the Commissioners which was in December. The revised budget now includes six month actual numbers.

The District Finance Committee reviewed draft budget for fiscal year (FY) '20 budget and recommended approval of this budget. The District Finance Committee also voted to wait to approve the Warrant Articles until Friday, 1/18/19 so that they can review them further, and raise any questions. There may be a need for the Finance Committee to meet again prior to approval.

Mr. Allen informed the Commissioners that there are two new Articles on the Warrant. These include:

Article 14: To see if the District will vote to appropriate \$9,242,000 for the construction and all related costs of a water treatment facility at the Acton Center site off Post Office Square in Acton.

Mr. Allen stated that this project was approved for full funding by the Drinking Water State Revolving Fund (DWSRF). Acceptance of this funding entitles the District to a 2% loan on a 20-year Promissory note. Current market rates are above 3%.

Article 15: To see if the District will vote to appropriate the sum of \$650,000 for engineering work on the Acton Center Water Treatment Facility.

The Commissioners went through some of the Warrant Articles and asked for clarification where needed.

The assignment of Articles is as follows: Mr. Parenti, Mr. Stuntz and Ms. Amir-Lin however Ms. Amir-Lin will end with Article 16.

At the next open meeting on January 28, 2019 the Commissioners will vote on the Budget and Warrant Articles.

2. Update on Pilot Study for the Conant I & II Wells Treatment Technology.

Enclosed in tonight's packets to the Commissioners is a summary report from Mr. Allen to the Commissioners outlining the Acton Center Water Treatment Plan project. In his briefing to the

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Commissioners tonight he informed them that the treatment technology pilot study for the Conant I & II Wells has been completed and that the pilot report will be available in mid-January. He noted that the engineer, Wright-Pierce, has recommended Green Sand Plus media filtration for the removal of iron and manganese from these water sources. When he receives the DRAFT pilot study report he will share with the Commissioners.

Additional Old Business

Mr. Allen informed the Commissioners that he spoke with Peter Bay of EDF Renewables, the solar array developer today. He mentioned that the developer is still having issues with EverSource. The project in Maynard with the utility interconnection agreement had been signed by the deadline. EDF is pushing forward with more civil engineering at Lawsbrook. Thereafter, a grid interconnection study will ensue, and the timing may result in qualification for a higher block of the SMART program...the higher the block the more financial benefit to the District. The developer stated that they are planning for a fall 2019 construction startup at Knox Trail, and possibly spring of 2019 for Lawsbrook.

D. New Business

1. Re-appointment of Matt Mostoller as the District's Representative to the WRAC.

Mr. Parenti motioned to re-appoint Matthew Mostoller as the District's Representative to the Water Resources Advisory Committee (WRAC). Mr. Stuntz seconded the motion and it was unanimously approved.

2. Actuarial Valuation of Other Post-Employment Benefits.

Enclosed in tonight's packets to the Commissioners are the key highlights of the Other Post-Employment Benefits report. Ms. Bates stated that the District is 83% funded; compared to Middlesex Retirement account which is 49.27% funded.

Ms. Bates stated that \$195,841 is the unfunded liability. The District will need to decide when to begin funding the retiree health insurance payments from the fund and how to best maintain the fully funded status once we reach that point. -

3. Commissioners Annual Report for 2018.

Mr. Allen reminded the Commissioners that the Commissioners Annual Report is due January 28, 2019.

Mr. Parenti moved to adjourn the open meeting at 8:12 PM and motioned to enter into Executive Session at 8:15 PM to discuss strategy with respect to potential litigation in the case of Town of Concord vs. Town of Littleton, as an open meeting may have detrimental effect on the litigating position of the District and to reconvene in open session. Mr. Stuntz seconded the motion and it was unanimously approved by roll call vote.

FY 2020 Budget and Estimated Revenue

	Actual FY 2018	Budget FY 2019	6 month actual	Budget FY 2020
EXPENSES				
Accounting	0	2,000	1,800	2,000
Audit	15,000	16,000	16,000	16,000
Auto Maint & Fuel	46,957	50,000	28,862	50,000
Backflow/Cross Conn	0	1,000	-	1,000
Short Term Debt		100,000	-	350,000
Long Term Debt	1,527,860	1,514,128	938,053	1,512,816
Chemicals	60,200	75,000	37,542	75,000
Computer Maintenance	13,080	16,000	4,544	16,000
DEP Withdrawal	598	6,500	5,066	6,500
Employee Education	13,683	17,500	5,196	17,500
Engineering	30,562	55,000	914	55,000
Health/Life Insurance	335,482	385,000	173,418	397,000
Hydrants	10,000	10,000	400	10,000
Information Reports	44,632	45,000	26,616	45,000
Insurance	77,221	82,000	82,000	86,000
Laboratory Analysis	40,907	50,000	17,870	50,000
Legal	37,483	40,000	19,148	40,000
Lights/Power/Fuel	350,000	375,000	193,987	375,000
Maintenance & Operations	456,381	325,500	149,438	325,500
Middlesex Retirement	203,213	222,170	218,063	247,600
Meters	39,912	60,000	48,934	75,000
Office Supplies	16,438	20,000	7,037	20,000
OPEB Expense	100,000	100,000	-	100,000
Paving	37,844	50,000	40,966	50,000
Petty Cash	600	1,000	300	1,000
Postage	16,948	20,000	6,854	20,000
Reserve Fund	0	100,000	60,000	100,000
Salaries & Wages	1,262,056	1,404,000	667,341	1,460,000
Telephone	16,000	20,000	7,776	20,000
Total	4,753,057	5,162,798	2,758,125	5,523,916
REVENUE				
Water Revenue	2,778,178	2,707,074	1,569,259	2,747,932
Service Fee	517,500	516,540	259,410	518,820
Debt Fee	1,552,500	1,515,184	760,936	1,833,164
Total Water Revenue	4,848,178	4,738,798	2,589,605	5,099,916
Fire Protection Sprinklers	40,140	40,000	39,276	40,000
Rent/Lease	121,449	102,000	54,045	112,000
Repairs/Installation	55,155	60,000	26,383	50,000
Cross Connection	23,560	22,000	13,076	22,000
Demand Fees	281,200	200,000	92,900	200,000
Total Other Revenue	521,504	424,000	225,680	424,000
Total	5,369,682	5,162,798	2,815,285	5,523,916

Plan B

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FY 2020 Budget Total	5,523,916			
Warrant Articles	Free Cash	Mitigation	Grace	
Carbon Replacement	0			
Residuals Management	100,000			
Clean Rehab Wells	90,000			
Replace Old Mains	30,000			
Emergency Main Breaks	35,000			
Treatment M&O	100,000			
New Mains/Debt	500,000			
Filter Cartridge Replacement	85,000			
Leak Detection		15,000		
Tank Rehab	45,000			
Acton Center Treatment Plant				9,242
Engineering-Acton Center TP			200,000	450
Returns to Free Cash	-14,057		-80,000	
Total	970,943	15,000	120,000	9,692
			Total all appropriations	6,629,859
	Free Cash	Mitigation	Grace	
Current Balance	1,319,943	198,055	2,111,166	MKT
Balance after appropriations	349,000	183,055	1,991,166	
Funding needed from Revenue			5,523,916	
REVENUE:	FY 2018 Actual	FY 2019 Projected	FY 2020 Projected	FY 2020 Rate Incr
Water Rates	2,778,178	2,664,346	2,747,932	3,090
Service Fee	517,500	518,820	518,820	518
Debt Service Fee	1,552,500	1,677,518	1,833,164	1,833
Total Water Revenue	4,848,178	4,860,684	5,099,916	5,442
Fire Protection Sprinklers	40,140	40,000	40,000	40
Rent/Lease	121,449	112,000	112,000	112
Repairs/Installation	55,155	50,000	50,000	50
Cross Connection	23,560	24,000	22,000	22
Demand Fees	281,200	409,900	447,300	447
Total Revenue	5,369,682	5,496,584	5,771,216	6,113
Potential Surplus to add to Free Cash FY 19		333,786		
	Potential Surplus to add to Free Cash FY 20		247,300	589

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.

To the Clerk of the Water Supply District of Acton, GREETINGS:

You are directed to notify the inhabitants of the Town of Acton who are qualified to vote in elections and town affairs, to assemble at their precinct:

Precinct 1, 2 & 6 - Conant School, 80 Taylor Rd.
Precinct 3, 4 & 5 - Blanchard Auditorium, Junior High School, 16 Charter Rd.
Acton, Massachusetts

On Tuesday, March 26, 2019
Between 7:00 A.M. and 8:00 P.M.

Then and there to bring their votes on one ballot for the following officers:

Commissioner for three years

You are further directed to notify the legal voters of the Town of Acton, as aforesaid, to assemble at:

Acton Public Safety Facility
371 Main Street
Acton, Massachusetts

**On Wednesday, March 20, 2019
7:00 P.M.**

Then and there to Act on the following Articles:

Article 1. To fix salaries of the elected officials.

Article 2. To act on the reports of the Commissioners, the Treasurer and other officers and committees of the District.

Article 3. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue of the fiscal year beginning July 1, 2019 in accordance with the provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of the General Laws, Chapter 44, Section 17, or to take any other action relative thereto.

Article 4. To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

Article 5. To see if the District will vote, pursuant to Massachusetts General Laws c.44, §53E½ as most recently amended by §86 of Chapter 218 of the Acts of 2016, to establish a \$100,000 limitation on expenditures from the revolving fund, captioned, "District Revolving Fund for Mitigation," or to take any other action relative thereto.

Article 6. To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 for the maintenance and repair of the various treatment facilities including, but not limited to, media replacement in the filtration tanks, aeration tower repair, and replacement of packing material, or to take any other action relative thereto.

Article 7. To see if the District will vote to transfer from Surplus Revenue the sum of \$90,000 to clean and rehabilitate existing wells throughout the District or to take any other action relative thereto.

Article 8. To see if the District will vote to transfer from Surplus Revenue the sum of \$30,000 for the purpose of replacing old water mains, renewing old water services, replacing old fire hydrants or to take any other action relative thereto.

Article 9. To see if the District will vote to transfer from Surplus Revenue the sum of \$45,000 for the storage tank improvements or to take any other action relative thereto.

Article 10. To see if the District will vote to transfer from Surplus Revenue the sum of \$500,000 to pay down short-term debt related to the Indian Village and Littlefield Road water main improvement project or to take any other action relative thereto.

Article 11. To see if the District will vote to transfer from Surplus Revenue the sum of \$35,000 for the purpose of repairing emergency water main breaks or to take any other action relative thereto.

Article 12. To see if the District will vote to transfer from Surplus Revenue the sum of \$85,000 for the replacement of filter cartridges at the North Acton Water Treatment Plant to take any other action relative thereto.

Article 13. To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000 for the removal of filtration residuals at the North Acton Water Treatment Plant or to take any other action relative thereto.

Article 14. To see if the District will vote to appropriate \$9,242,000 for the construction and all related costs of a water treatment facility at the Acton Center site off Post Office Square in Acton, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Board of Water Commissioners be authorized to borrow \$9,242,000 and to issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; and that such bonds or notes shall be general obligations of the District unless the Treasurer with the approval of the Board of Water Commissioners determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; and that the Treasurer with the approval of the Board of Water Commissioners be authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78 and in connection therewith to enter into a loan agreement and/or security agreement with the Massachusetts Clean Water Trust and otherwise to contract with the Massachusetts Clean Water Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof and that the Board of Water Commissioners be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project or to take any other action relative thereto.

Article 15. To see if the District will vote to appropriate the sum of \$200,000 from the WR Grace Receipt Reserved for Appropriation Account (WR Grace Fund) for engineering work on the Acton Center Water Treatment Plant or take any other action relative thereto.

Article 16. To see if the District will vote to appropriate the sum of \$450,000 for engineering work on the Acton Center water treatment facility and that to meet this appropriation, the Treasurer, with the approval of the Water Commissioners, is authorized to borrow the sum of \$450,000 under General Laws, Chapter 44, Sec. 8, or other enabling authority and the Board of Water Commissioners is authorized to take any other action necessary to carry out this project or to take any other action relative thereto.

Article 17. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to Surplus Revenue the following unexpended balances remaining after the completion of projects authorized by vote of the District or to take any other action relative thereto:

A. Unissued balance in the sum of \$160.22, Article 12 of the Annual Meeting of March 16, 2016, for new vehicles purchase.

B. Unissued balance in the sum of \$1,476.15, Article 12 of the Annual Meeting of March 15, 2017, for new vehicles purchase.

C. Unissued balance in the sum of \$10,106.00, Article 13 of the Annual Meeting of March 27, 2018, for new vehicles purchase.

D. Unissued balance in the sum of \$505.09, Article 14 of the Annual Meeting of March 15, 2017, for Master Plan update.

E. Unissued balance in the sum of \$1,810.00, Article 8 of the Annual Meeting of March 15, 2017, for leak detection survey.

Article 18. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to the WR Grace Receipt Reserved for Appropriation Account (WR Grace Fund) the unexpended balance of \$80,000, Article 8 of the Annual Meeting of March 27, 2018 for the piloting of treatment technologies for the Conant I & II wells after the completion of project authorized by vote of the District or to take any other action relative thereto:

Hereof fail not and make due returns of this Warrant with your doings thereon to the Water Commissioners on or before the time of holding of said meeting.

Given under our hand this 28th day of January in the year two thousand and nineteen.

Ronald R. Parenti
Stephen C. Stuntz
Erika Amir-Lin, Water Commissioners

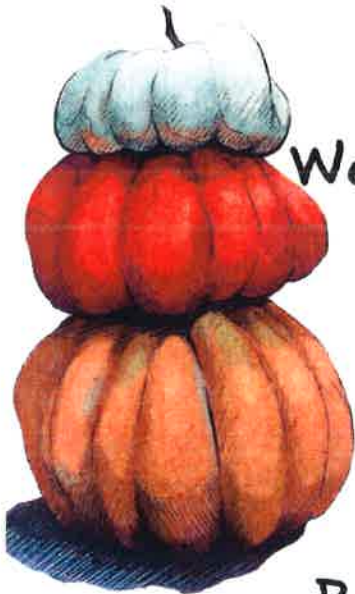
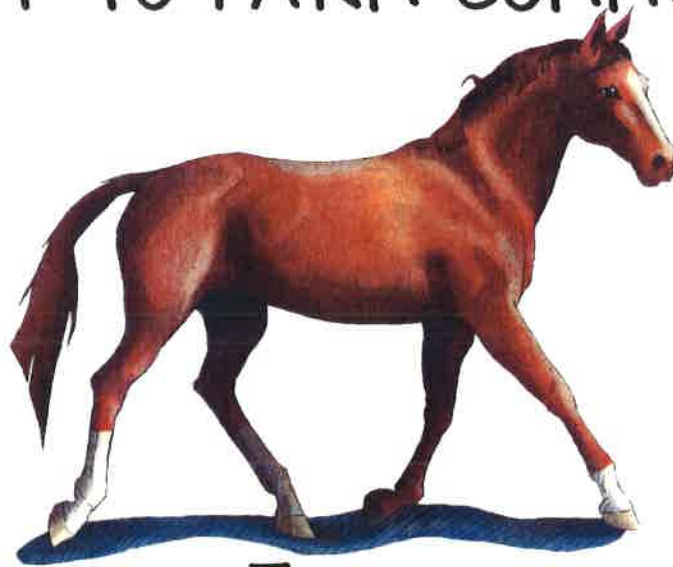
A true copy. ATTEST:

William T. Stanford
District Clerk

Please come to a **SECOND**
PUBLIC FORUM



To hear about
efforts to create an
ACTON AGRICULTURAL COMMISSION
and to become a
RIGHT TO FARM COMMUNITY



Wednesday, January 23, 2019
Acton Town Hall
Faulkner Room 204
7PM



- Review two draft warrant articles
for April 2019 Town Meeting
- Share your thoughts and comments



Questions? Please contact Natural Resources
NR@acton-ma.gov • 978-929-6634

Art © 2018
by Magdalen Abe

ACTON RIGHT TO FARM BY-LAW

Introduction to Warrant Article:

Farming and other agricultural uses of land benefit communities in myriad ways: conserving natural resources; protecting undeveloped land and the environmental services such land provides; offering wildlife habitat and corridors; preserving culturally and historically important vistas, and rural heritage; *providing carbon sequestration*; acting as important educational resources to public (especially children`s) understanding of agriculture and the food system; and providing useful food, wood, and fiber products.

Right to Farm laws have been widely adopted in the U.S. to help farming and farmland remain viable, and help protect them in the face of increasing development pressures. The Massachusetts Constitution protects the right to farm; local right-to-farm bylaws allow each community to endorse the right to farm as it deems appropriate.

ACTON RIGHT TO FARM BY-LAW

Section 1: Legislative Purpose and Intent

- A. The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97 of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9; Chapter 111, Section 125A; and Chapter 128, Section 1A. We the citizens of Acton restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").
- B. This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmland within the Town of Acton by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within Town of Acton.

Section 2: Definitions

- A. "Farming" and "agriculture" shall have the same meaning as in General Laws Chapter 128, Section 1A.
- B. Notwithstanding the foregoing, for the purposes of this General Bylaw, "farming" and "agriculture" shall not include the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, or containing of marijuana, as defined in General Laws Chapter 94G, Section 1.

Section 3: Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Acton. Agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right to Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4: Disclosure Notification

Within 30 days after this By-law becomes effective, the Select Board shall prominently post in the Town Hall, Public Libraries, Town Notice Boards, the official Town website, and make available for distribution the following disclosure: "It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers and occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers and occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances."

In addition to the above, copies of this disclosure notification shall be available in a public area at the Town Hall.

Section 5: Resolution of Disputes

- A. This section shall apply only if the Town of Acton has established an Agricultural Commission in accordance with M.G.L. c. 40, § 8L.
- B. "Comments" shall mean either written comments on behalf of or an appearance by an agent of the Agricultural Commission at a public hearing.
- C. When a dispute within the Zoning Enforcement Officer's or Zoning Board of Appeals' jurisdiction concerns agricultural activities, the Zoning Enforcement Officer or Zoning Board of Appeals shall obtain comments from the Agricultural Commission or its agent. The Zoning Enforcement Officer or Zoning Board of Appeals may require that those comments be given in writing.
- D. When a dispute which does not present imminent danger or risk to public health within the Board of Health's jurisdiction concerns agricultural activities, the

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- Board of Health shall obtain comments from the Agricultural Commission or its agent. The Board of Health may require that those comments be given in writing.
- E. All other Town officers and employees may request comments from the Agricultural Commission in addressing concerns or resolving disputes relating to farming or agricultural activities. Any officer or employee requesting comments may require that those comments be given in writing.

Section 6: Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Acton hereby declares the provisions of this By-law to be severable.

DRAFT AG COMM WARRANT ARTICLE FOR APRIL 2019 TOWN MEETING

To see if the Town will vote to adopt Chapter 40, Section 8L of Massachusetts General Law [see MGL text below], and to create an Agricultural Commission for the Town of Acton. Members of the Agricultural Commission would be appointed by the Board of Selectmen.

Farming and other agricultural uses of land, such as equine and forestry operations, benefit communities in myriad ways. These uses conserve natural resources; protect undeveloped land and the environmental services it provides; offer wildlife habitat and related corridors; preserve culturally and historically important vistas, and rural heritage; provide carbon storage; act as important educational resources to public, and especially children's, understanding of agriculture and the food system; and provide useful, locally grown food, wood, and fiber products.

The purposes of an Acton Agricultural Commission are to support and encourage the conservation, protection, maintenance, and improvement of agricultural land through agricultural uses and for those benefits described above.

An Acton Agricultural Commission may:

- encourage, facilitate, and promote farming, forestry, equine, and other agricultural pursuits in Acton (which may include community gardens, farmers markets, and agricultural institutions and events)
- educate the public about the agricultural sector, and help integrate it in community culture
- act as a community information resource on agricultural matters
- convene agricultural expertise to inform local decision making, including land use planning
- assist, when useful, in resolution of agriculture-related disputes
- support sustainable agricultural economic development
- work to preserve agricultural and forest lands
- advise the Board of Selectmen, Town Manager, and/or any relevant Town board, committees, or staff on matters involving agriculture

The commission shall consist of five regular members, and associate members at the discretion of the Board of Selectmen. Members shall be residents of Acton or operators of agricultural, equine, or forestry operations within the Town. Members shall be substantially knowledgeable about the agricultural sector, and appointments to the commission shall seek to include individuals actively engaged in such operations in Acton.

Member terms shall be as follows: two members for terms of three years; two members for terms of two years, and three thereafter; and one member for a term of one year, and three years thereafter. The Board of Selectmen shall consider recommendations from the Agricultural Commission to fill vacancies.

MGL Chapter 40, Section 8L: Municipal agricultural commission

[Text of section added by 2016, 218, Sec. 23 effective November 7, 2016]

Section 8L

- (a)** For the purposes of this section “farming” and “agriculture” shall have the same meaning as ascribed to them in section 1A of chapter 128.
- (b)** A municipality which accepts this section may establish a municipal agricultural commission to promote and develop the agricultural resources of the municipality. Unless otherwise restricted by law, a municipal agricultural commission may: (i) buy, hold, manage, license or lease land for agricultural purposes; (ii) educate the public on agricultural issues; (iii) advocate for farmers, farm businesses and farm interests; (iv) assist farmers in resolving municipal problems or conflicts related to farms; (v) seek to coordinate agricultural-related activities with other governmental bodies or unofficial local groups or organizations that promote agriculture; (vi) receive grants, gifts, bequests or devises of money or personal property of any nature and interests in real property in accordance with this section; (vii) apply for, receive, expend and act on behalf of the municipality in connection with federal and state grants or programs or private grants related to local agriculture, with the approval of the mayor or city manager in a city or the board of selectmen in a town; and (viii) advertise, prepare, print and distribute books, maps, charts and pamphlets related to local agriculture that the municipal agricultural commission deems necessary for its work.
- (c)** A commission may conduct research and prepare agricultural-related plans, including a comprehensive local agricultural land plan which shall be, to the extent possible, consistent with any current town master plan and regional area plans. The plan shall show or identify: (i) agricultural land areas and facilities; (ii) matters which may be shown on a tract index under section 33 of chapter 184; (iii) acquisitions of interest in land under this section; (iv) municipal lands that are held as open space; (v) nonmunicipal land subject to legal requirements or restrictions to protect that land or use it for open space, conservation, recreation or agriculture; (vi) land that should be retained as a public necessity for agricultural use; and (vii) any other information that the commission determines to be relevant to local agricultural land use. The commission may amend the plan whenever necessary.
- (d)** The commission may appoint a chair, clerks, consultants and other employees and may contract for materials and services as it may require, subject to appropriation by the municipality.
- (e)** The commission shall keep accurate records of its meetings and actions and shall file an annual report with the clerk of the municipality. The commission's annual report shall be posted on the municipality's public website and, in a town, shall be printed in the annual town report for that year.
- (f)** A commission shall consist of not less than 3 nor more than 7 members who shall be residents of the municipality. A majority of members shall be farmers or employed in an agriculture-related field. If farmers or persons employed in agriculture are not available to serve on the commission, then the commission shall include a majority of members with knowledge and experience in agricultural practices or knowledge of related agricultural business. Each member of the commission shall serve for a term of 3 years; provided, however, that the initial members appointed under this section shall serve for terms of 1, 2 or 3 years and the terms shall be arranged by the appointing authority so that the terms of approximately 1/3 of the commission's members shall expire each year.

In a city, the members of a commission shall be appointed by the mayor unless otherwise provided by the city's charter; provided, however, that in a city having a Plan D or Plan E charter, the appointments shall be made by the city manager unless otherwise provided by the city's charter. In a town, the members of the commission shall be appointed after a public hearing by the board of selectmen; provided, however, that in a

town having a town manager form of government, the appointments shall be made by the town manager subject to the approval of the board of selectmen.

A member of a commission may be removed for cause by the appointing authority after a public hearing if a hearing is requested by the member. A vacancy created by a member being removed for cause shall be filled by the appointing authority for the remainder of the unexpired term in the same manner as the original appointment.

(g) A commission may receive gifts, bequests or devises of personal property or interests in real property as described in this subsection in the name of the municipality, subject to the approval of the city council or board of selectmen, as the case may be. The commission may purchase interests in the land only with funds available to the commission. A city council or a town meeting may raise or transfer funds so that the commission may acquire in the name of the municipality, by option, purchase, lease or otherwise, the fee in the land or water rights, conservation or agricultural restrictions, easements or other contractual rights as may be necessary to acquire, maintain, improve, protect, limit the future use of or conserve and properly utilize open spaces in land and water areas within the municipality. The commission shall manage and control the interests in land acquired under this subsection. The commission shall not take or obtain land by eminent domain.

The commission shall adopt rules and regulations governing the use of land and water under its control and prescribe civil penalties, not exceeding a fine of \$100, for a violation.

(h) A municipality may appropriate money to an agricultural preservation fund of which the treasurer of the municipality shall be the custodian. The treasurer shall receive, deposit or invest the funds in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation or national banks or invest the funds in: (i) paid up shares and accounts of and in cooperative banks; (ii) shares of savings and loan associations; or (iii) shares of federal savings and loan associations doing business in the commonwealth. Any income derived from deposits or investments under this subsection shall be credited to the fund. Money in the fund may be expended by the commission for any purpose authorized by this section.

ABRSD Conservation

Chris Allen

From: John David Head <jdhead@abschools.org>
Sent: Tuesday, January 22, 2019 9:59 AM
To: Matt Mostoller
Cc: Chris Allen; kcrosby@abschools.org
Subject: Re: Twin School Project

Thank you Matt, this is very helpful. I am copying Emily and Chuck, our designer and project manager. We look forward to working with you.

Best,
JD

On Thu, Jan 17, 2019 at 3:58 PM Matt Mostoller <Matt@actonwater.com> wrote:

Good Afternoon JD,

Congratulations on selecting a site for the proposed new twin school in West Acton. Now that the School District has reached that milestone and will presumably be moving towards additional design work, I wanted to begin a conversation about the water use for this project. I am attaching a copy of our current rules and regulations regarding new and expanded connections. Of particular note is the requirement to install water using equipment that exceeds current codes. Going above and beyond these requirements is more readily accomplished in the early design phase. If you or the building committee would like to further discuss water use and efficiency, Chris and I would be more than happy to sit down with your team.

The other area I will direct your attention to is with regards to the mitigation fee. The ultimate disposition of the existing school buildings at Gates and Douglas will have a role in the calculation of any mitigation fees due.

I look forward discussing opportunities and plans to incorporate water as one of the sustainability items in the new building.

-Matt

Matthew Mostoller
Environmental Compliance Manager
Water Supply District of Acton
693 Massachusetts Avenue