

BOARD OF WATER COMMISSIONERS
MINUTES FOR THE MEETING OF
JUNE 11, 2024

Chairperson Boyd called the meeting to order at 5:02 p.m., announced that the virtual version of the meeting was being recorded, and asked those in attendance to state their name and title for the record by roll call:

Board Members Present in Person: Joshua M. Fox, Commissioner - Present; and Robert E. Boyd, Jr., Commissioner and Chairperson - Present.

Board Members Present Virtually: Robert H. Sheldon, Commissioner - Present.

Others Present in Person: Vincent J. Roy, Executive Director - Present; Renee M. Adams, Customer Service Manager - Present; Michael Abbondanzio, Foreman - Present; Karen A. Moretti, Assistant Treasurer – Present; and Robert Crane, Sudbury resident and homeowner of 17 Trailside Circle - Present.

Others Present Virtually: Thomas S. Travers, Treasurer - Present.

1. APPOINTMENT OF NEW CHAIRPERSON OF THE BOARD OF WATER COMMISSIONERS:

Chairperson Boyd moved to appoint Commissioner Sheldon as the new Chairperson effective immediately. Commissioner Fox asked Commissioner Sheldon if he accepts the nomination, to which Commissioner Sheldon replied that he would. The motion was seconded by Commissioner Fox, and approved by unanimous roll call:

Joshua M. Fox, Commissioner - Aye
Robert E. Boyd, Jr., Commissioner and Chairperson - Aye
Robert H. Sheldon, Commissioner - Aye

2. REVIEW AND VOTE TO APPROVE THE MINUTES FROM THE BOARD OF WATER COMMISSIONERS MEETING OF MAY 14, 2024:

The Commissioners approved the minutes for the Meeting of May 14, 2024, as amended. The motion for approval was made by Commissioner Fox, duly seconded by Commissioner Boyd, and approved by unanimous roll call:

Robert E. Boyd, Commissioner - Aye
Joshua M. Fox, Commissioner - Aye
Robert H. Sheldon, Commissioner and Chairperson - Aye

3. REVIEW THE DIRECTOR'S MAY 24th AND JUNE 7th BI-WEEKLY REPORTS:

Director Roy presented his bi-weekly report to the Commissioners and addressed questions regarding the following topics:

DIRECTORS MAY 24TH BIWEEKLY REPORT

• **LEAD SERVICE LINE INVENTORY PROJECT**

Commissioner Sheldon asked Director Roy to provide an update on the District's Lead Service Line portal for customers to upload their water service information. Mr. Roy responded that he had drafted a dedicated Lead Service Line page on the District's website with a direct link to the MassDEP Lead Service Line Identification (MA-LSLI) Web App. Mr. Roy stated that the District would not publish the page until he could coordinate with the District's Lead Service Line project consultant. Commissioner Sheldon asked Mr. Roy if the District had sent out a questionnaire to customers, to which Mr. Roy replied that postcards with instructions on how to use the portal would be mailed out to residents sometime in late summer.

- *ETHICS TRAINING*

Commissioner Fox asked Director Roy if he had begun ethics training, to which Mr. Roy responded that he had attended a virtual training session regarding the State Ethics Commission website about how to manage ethics training and certifications for District personnel.

- *RECEIVABLES*

Treasurer Travers asked Mrs. Moretti how the 4th quarter collections (\$988,000 +/-) were progressing. Mrs. Moretti responded that payments were starting to come in and that she has been aggressive in collecting past due balances. Treasurer Travers stated that in the next twenty days the District needed to collect as much of the 4th quarter billing as possible, because the quarter is part of the free cash calculation. Mrs. Moretti responded that the 4th quarter billing due date is June 28th.

- *Total Trihalomethanes (TTHMs) EXCEEDANCE*

Commissioner Fox asked Mr. Roy to provide a brief explanation of total trihalomethane compounds (TTHMs) exceedance at the Townline Hardware sampling location. Director Roy stated that there are four sampling locations within the distribution system for detection of disinfection byproducts. Mr. Roy stated that, although the quarterly results exceeded the Maximum Contamination Level (MCL) of 80 parts per billion (ppb), the District remains below the MCL threshold for the annual running average (RAA). Commissioner Fox asked Mr. Roy if the contaminants originated from the ground water, to which Mr. Roy responded that the results are by-products from chlorine disinfection. Commissioner Sheldon further stated that the chlorine residual reacts with hydrocarbons and organic material with system water to form the TTHMs. Commissioner Sheldon also stated that once the PFAS treatment system goes into operation, the organic material should be noticeably removed, meaning a reduction in TTHMs.

- *COLDBROOK CROSSING SUBDIVISION WATER & SEWER BILLS*

Commissioner Sheldon informed the Commissioners that a resident of The Apartments at Coldbrook Crossing had been posting on a social media outlet (Nextdoor) complaining about exorbitant water and sewer bills. Commissioner Sheldon stated that he was concerned about statements related to “Sudbury Water Rates” that might give the impression that the District was more involved with the setting of rates at apartments not individually metered by the District. He had asked Mrs. Adams to contact the Apartment’s Property Manager to inquire about their billing protocols. Mrs. Adams stated that she had received some information from the Property Manager, but was waiting for more detailed information. Mrs. Adams stated that the District has a master meter for each apartment building and reads the meter and invoices that management company on a quarterly basis. The management company has a contract with a private utility billing service (Minjol) who installed individual submeters for each apartment unit to measure actual consumption within the unit. Mrs. Adams stated that Minjol reads the submeters and invoices the tenants for water and sewer on a monthly basis. Mrs. Adams also stated that the Property Manager had been very cooperative and has agreed to send copies of a tenant’s water and sewer bill and standard lease agreement. Mrs. Adams informed the Commissioners that the Property Manager had spoken directly with the resident that initiated the social media post to clear up any confusion they may have. Mrs. Adams stated that once she receives copies of the bills and lease agreement, she will present them to the Commissioners. Commissioner Fox stated that the tenant’s issue with the water and sewer billing should be between the tenant and landlord and not the District. Commissioner Sheldon agreed but stated his concern was with a potential false perception that water and sewer rates were directly set by the District.

- *EAST STREET WATER TREATMENT PLANT (ESWTP) PFAS TREATMENT DESIGN:*

Director Roy informed the Board that he has not awarded the construction contract to the lowest bidder Barbato Construction because MassDEP has not given final approval for the SRF application. Director Roy stated that we are nearing the 90-day threshold and that if MassDEP does not grant SRF application approval he may need to seek help from others within the state.

4. WATER ABATEMENT APPEAL REQUEST – 17 TRAILSIDE CIRCLE:

It should be noted that Mr. Robert Crane was in attendance in person during this item on the agenda. Director Roy started by providing the Commissioners with a brief overview of the Leak Abatement Request for 17 Trailside Circle. Mr. Roy stated that he was contacted by the homeowner (Robert Crane) for a high water bill last September (640,000 gallons) and later he visited the address with District Foreman Michael Abbondanzio to investigate for a possible leak on the property. Mr. Roy stated that he and Mr. Abbondanzio were not able to detect a leak within the house but they were unable to evaluate the outdoor irrigation system at that time because it had already been winterized by the homeowner. Mr. Roy stated that he instructed Mr. Abbondanzio to replace the water meter with a new Neptune Mach 10 meter and to have the old meter tested for accuracy. Mr. Roy also stated that he allowed the homeowner to pay his average Q2 bill until the District could come back in the spring to assist the homeowner with further inspections, looking for a possible leak on the irrigation system. Mr. Roy stated that Mr. Abbondanzio replaced the meter last fall, and noted on a follow up visit, noted that subsequent usage was within the homeowner's average usage for Q3 and Q4 billing cycles. He also stated that Mr. Abbondanzio performed leak detection on the homeowner's irrigation system and found no additional usage (1.5 +/-). Mr. Roy stated that the meter test report for the old meter was within the acceptable range for medium and high flow but was below the acceptable range on the low flow, measuring at 94% accuracy. Mr. Roy also stated that the District has data logged on the new meter for finer detection of usage and was able to detect continuous to intermittent usage of 1 to 2 gallons per hour, which can be indicative of a leaky toilet within the home. However, that flow rate was not close to the usage from the period in question. Mr. Crane stated that there was no leak, both internally and on his irrigation system.

Mr. Crane presented his case stating that he averages about 20,000 gallons for the same quarter since moving into his home in 2003, and that he absolutely has no leaks within his plumbing. Mr. Crane stated that he thought the Bruce Freeman Railtrail project contributed somehow to the meter being disrupted, citing a lot of vibration from compaction equipment used during construction. Mr. Roy stated that the District had not received high water usage complaints within the project area and that it was unlikely that vibration would have led to leaks. Mr. Crane stated that he is expecting an abatement for the full amount above his average use. Commissioner Sheldon noted that the District's abatement policy includes having a licensed plumber or similar expert make appropriate modifications to eliminate the reason for a leak. He suggested that it might be appropriate for Mr. Crane to have an irrigation expert make a full evaluation of his system and submit a report indicating that it is not leaking and is operating correctly. The Commissioners delayed a decision on this matter until their next meeting. The Commissioners also requested that Mr. Roy further investigate this issue with the meter manufacturer to see if this has ever occurred and, if so, why. They also suggested that Mr. Roy contact neighboring communities to see if they have had similar issues and, if so, how they had been resolved. Mr. Roy agreed to making those inquiries.

There was no further discussion on the abatement appeal request.

5. FY 25 MISCELLANEOUS WATERWORKS SUPPLIES/ VOTE FOR AUTHORIZATION TO EXECUTE CONTRACT AGREEMENTS:

Director Roy stated that he had solicited a Request for Quotes (RFQ) for frequently purchased supplies and materials and had executed contracts with the vendors. Commissioner Fox asked Director Roy why we solicited quotes and did not advertise an Invitation for Bids (IFB). Director Roy stated that the threshold for an IFB is above \$50,000, and that each category was less than the threshold. Commissioner Fox stated that the District should always follow best business practices and advertise with an IFB. Commissioner Sheldon also asked Director Roy what he knew from his past experience. Mr. Roy stated that he has seen both approaches. Based on that, the Commissioners asked Mr. Roy to take the more conservative approach and withdraw from the RFQ and then advertise an IFB for Miscellaneous Waterworks Supplies, to which he concurred.

Conclusion of Open Meeting

Commissioner Fox moved to conclude the open meeting and to move into executive session under Exception 1 of the Open Meeting Law, to review and vote to approve Minutes from the March 24th, April 2nd, April 16th, and April 30th Executive Sessions and not return to open meeting at the conclusion of the executive session. The motion was duly seconded by Chairperson Boyd and approved by majority roll call:

Joshua M. Fox, Commissioner - Aye

Robert E. Boyd, Jr., Commissioner - Aye

Robert H. Sheldon – Chairperson and Commissioner - Aye

There being no further discussion the meeting adjourned at 6.35 p.m.