

BOARD OF WATER COMMISSIONERS
MINUTES FOR THE MEETING OF
JULY 23, 2024

Chairperson Sheldon called the meeting to order at 5:03 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: Robert H. Sheldon, Commissioner and Chairperson – Present; Robert E. Boyd, Jr., Commissioner - Present; and Joshua M. Fox, Commissioner - Present.

Board Members Present Virtually: None.

Others Present in Person: Vincent J. Roy, Executive Director - Present; Thomas S. Travers, Treasurer - Present; Michael Abbondanzio, Foreman - Present; Karen A. Moretti, Assistant Treasurer - Present; Renee M. Adams, Executive Administrator - Present; and Peter Stutman, Sudbury resident and homeowner of 27 Lillian Avenue – Present only during the appeal for leak abatement for 17 Lillian Avenue.

Others Present Virtually: None.

1. Review and Vote to Approve the Minutes from the Board of Water Commissioners Meeting’s Held On June 11, 2024, and June 24, 2024:

The Commissioners approved the minutes for the Meeting of June 11, 2024, as amended. The motion for approval was made by Commissioner Fox, duly seconded by Commissioner Boyd, and approved by unanimous roll call:

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

The Commissioners approved the minutes for the Meeting of June 24, 2024, as amended. The motion for approval was made by Commissioner Boyd, duly seconded by Commissioner Fox, and approved by unanimous roll call:

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

2. Review the Director’s July 19th Bi-Weekly Report:

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

Raymond Road Water Treatment Plant (RRWTP) PFAS Project:

Commissioner Sheldon asked Director Roy if he knew when the Massachusetts Department of Environmental Protection Agency (MassDEP) planned to issue the approval letter to bring the new PFAS treatment system online. Mr. Roy stated that he had spoken with Amy LaPusata of the Northeast Regional office, and that she had informed him that, because six weeks had lapsed from the initial bacteria sampling taken at the plant, MassDEP was now requiring an additional round of bacteria sampling before they could issue an approval letter. Mr. Roy informed the Commissioners that the additional sampling had already been completed and submitted to MassDEP. The results were good, and he was waiting on their response. Chairperson Sheldon stated that the District has been waiting for MassDEP’s approval letter since May, emphasized that PFAS is a public health issue, and said it is in the best interest of the Sudbury community

to start treatment as soon as possible. Mr. Roy stated that he planned to seek the advice of Kathy Baskin, who is the Assistant Commissioner for the Bureau of Water Resources division of MassDEP, to see what the District could do to accelerate the approval process.

There were no further questions on the Directors Bi-Weekly Report.

3. Vote to Transfer Funds in Fiscal Year 24 (FY24) Budget/Emergency Reserve Account to Balance Outstanding Accounts:

Director Roy presented the Commissioners with a request to transfer funds from the FY24 Emergency Reserve account to balance outstanding FY24 budget accounts. Commissioner Boyd moved to authorize Assistant Treasurer Moretti to transfer funds from the FY24 Emergency Reserve account to balance outstanding accounts within the FY24 budget. The motion was seconded by Commissioner Fox and approved by unanimous roll call:

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

4. Vote for Authorization to Execute Contracts/Invitation for Bids (IFB) 25-4 Miscellaneous Waterworks Supplies and Materials:

Director Roy presented the awards for IFB 25-4 Miscellaneous Waterworks Supplies and Materials to the Commissioners. Chairperson Sheldon asked Mr. Roy how the IFB compared to the results of the previous Request for Quotes (RFQ) for Miscellaneous Waterworks Supplies and Materials that had been retracted in early June. Mr. Roy responded that the IFB resulted in bids that were approximately \$120,000 lower than the RFQ. Commissioner Fox moved to authorize Director Roy to execute the contracts for IFB 25-4 for Miscellaneous Waterworks Supplies and Materials. The motion was seconded by Commissioner Boyd and approved by unanimous roll call:

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

5. Water Abatement Appeal Request - 17 Trailside Circle

Director Roy presented the Commissioners with a formal letter drafted by the meter distributor, Ti-Sales, Inc., documenting the meter bench test results for the one-inch Sensus meter removed from 17 Trailside Circle last fall. The content of the letter is included below (verbatim):

“On June 6, 2024, Ti-SALES conducted a test on a one-inch Sensus water meter (S/N 67645570) for the Sudbury Water District. The test results were as follows:

- **Low Flow Test** at 3/4 gpm for 10 gallons: **94.7% Accuracy**
- **Intermediate Flow Test** at 4 gpm for 10 gallons: **99.8% Accuracy**
- **High Flow Test** at 30 gpm for 10 gallons: **100.4% Accuracy**

Summary of Findings:

This water meter is a positive displacement mechanical meter, which can experience wear over time, impacting its accuracy. Typically, mechanical meters wear most at the flow rates that are used most frequently. As parts wear, the meter may allow unmeasured water to pass through, leading to decreased accuracy.”

Chairperson Sheldon asked Director Roy if the homeowner had furnished documentation of a leak audit of his household plumbing and irrigation system (by a licensed plumber or irrigation specialist). Mr. Roy responded that he had not yet received any such submittal, and that he would contact Mr. Crane to inform him that documentation of an audit is a condition for the Commissioners to consider his request for an abatement. Mr. Roy also stated that he would list this topic on the next Commissioners Meeting agenda for resolving this matter.

6. Leak Abatement Appeal - 27 Lillian Avenue

Note that the homeowner (Peter Stutman) was in attendance, in person, during the discussion on this agenda item. Director Roy informed the Commissioners that, in late June, Mr. Stutman had submitted a leak abatement application, and Mr. Roy had denied the request for abatement because it did not meet the policy's minimum criteria. Mr. Roy also stated that Mr. Stutman was attending the meeting to appeal his decision to the Commissioners. Chairman Sheldon welcomed Mr. Stutman and asked for the Commissioners and the others in attendance to make introductions. Chairman Sheldon invited Mr. Stutman to present his argument to the Commissioners in support of reconsideration of his abatement request.

Mr. Stutman informed the Commissioners that he is a longtime resident of Sudbury and that he has lived in the same small home with his family for nearly forty-five years. Mr. Stutman stated that he had come to know Director Roy in 2022, when Mr. Stutman called to report a possible water main break near his home. The District's foreman evaluated the area and determined that the water was not a leak but instead was high groundwater. Mr. Stutman persisted in his assertion that the water came from a leak, leading to the District hiring a leak detection specialist to conduct a leak survey of the area. The survey confirmed that there indeed was a small main break and a house-side service leak on Richard Avenue. Subsequent to that, both leaks had been repaired without delay. Mr. Stutman emphasized that, if it were not for his actions in reporting the leak, the District would have wasted thousands of gallons of water.

Mr. Stutman stated that he more recently contacted the District to dispute his February 2024 water bill, because the water use was unusually high (40,000 gallons). He stated that usage was about twice his normal average consumption. Mr. Stutman stated that he questioned the accuracy of the meter because it was quite old, and that it was his belief that the meter malfunctioned, causing an overcharge. Mr. Stutman stated that the District suggested that he schedule an appointment for leak detection, and to also upgrade his meter (Neptune T10) to a newer model (Neptune Mach 10 R900i) with data logging capabilities. Mr. Stutman informed the Commissioners that no leaks were found during the appointment, and that he had contacted the District's administrative office, shortly thereafter, to schedule a data log. Mr. Stutman stated that, because the first log only incorporated a few days of data, he had requested for a second data log to be taken at the end of May, so that a longer period of data could be analyzed. Mr. Stutman informed the Commissioners that he is an engineer by profession, and although the second data log flagged intermittent consumption, it was his opinion that the algorithms built into the data logging software are flawed. Mr. Stutman stated that he came to this conclusion after reviewing his data log report. Mr. Stutman emphasized, that because he often works from home, at all hours of the day and evening, that it is possible that water use could register in almost every consumption block, and that when the data is logged it could result in misleading intermittent consumption flags. Mr. Stutman further stated that since the installation of the new Mach 10 R900i meter, his water consumption has returned to a reasonable rate as opposed to the billing period in question.

Mr. Roy stated that he disagreed with Mr. Stutman's theory based on the functionality of the old T10 meter. Mr. Roy explained that the T10 water meter is a positive displacement mechanical meter and that, with age, mechanical meters typically under register water usage. Mr. Roy further stated that he had sent the old meter to the distributor, Ti-Sales, Inc., for a bench test to get a definitive answer as to the meter's flow accuracy. Mr. Roy informed the Commissioners that the results of the bench test determined that the meter was working within industry standards (+/- 1.5%) and that he had provided Mr. Stutman with a copy of the test results (noted below):

- Low Flow 99.9% Accuracy
- Intermediate Flow 100.3% Accuracy
- High Flow 99.8% Accuracy

Mr. Roy further stated that the most common cause for an unexpectedly high water bill is an intermittent or continuously leaking toilet, and because toilets sometimes leak silently, the wasted water could go unnoticed until the customer receives their bill. Mr. Stutman stated that he disagreed with Mr. Roy's assessment because he had personally checked all of his household plumbing fixtures for leaks and found none.

Chairman Sheldon stated that he was inclined to vote to deny the appeal, because a leak had not been identified, which means the abatement policy's minimum criteria had not been met. Commissioner Fox moved to deny the abatement appeal request. The motion was seconded by Commissioner Boyd and approved by unanimous roll call:

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

Following the vote, Mr. Stutman stated that he wanted it noted in the meeting minutes that he disputed the Commissioners decision and that he disagreed with the vote.

7. Review Abatement Policy

Director Roy presented the Commissioners with a copy of the current Leak Abatement Policy for their review. Discussion of the policy included amending the existing policy, limiting the dollar amount of an abatement, restricting an abatement to hardships only, and eliminating the policy altogether. Chairperson Sheldon suggested that the discussion on the policy be deferred and asked Mr. Roy to add the subject as an agenda item to the next Board of Water Commissioners meeting agenda, to which he concurred.

Conclusion of Open Meeting

Chairman Sheldon moved to conclude the public open meeting and not move into executive session. The motion was duly seconded by Commissioner Boyd and approved by unanimous roll call:

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

There being no further discussion the meeting adjourned at 7.04 p.m.