

**BOARD OF WATER COMMISSIONERS**  
**MINUTES FOR THE MEETING OF**  
**SEPTEMBER 13, 2022**

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Chairman Fox called the meeting to order at 5:02 p.m. and announced that the virtual version of the meeting was being recorded, and asked for each Commissioner to state their name for the record by roll call:

**Board Members Present:** Robert E. Boyd, Jr., Commissioner – Present; Joshua M. Fox, Commissioner and Chairman – Present; and Robert H. Sheldon, Commissioner - Present.

**Others Present:** Thomas S. Travers, Treasurer; Renee M. Adams, Customer Service Manager; and Vincent J. Roy, Executive Director.

Note that all meeting attendees were in person. Nobody attended virtually.

**1. REVIEW THE MINUTES FROM THE AUGUST 9<sup>th</sup> COMMISSIONERS MEETING:**

The Commissioners approved the Minutes for the Meeting of August 9, 2022, as amended. The motion for approval was made by Chairman Fox, duly seconded by Commissioner Boyd, and approved by unanimous roll call:

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

**2. REVIEW THE DIRECTOR'S AUGUST 19<sup>th</sup> AND SEPTEMBER 2<sup>nd</sup> BI-WEEKLY REPORTS:**

Executive Director Roy presented his bi-weekly reports to the Board and addressed questions regarding the following topics:

The following comments are from the August 19<sup>th</sup> Directors Bi-Weekly Report:

***Hudson-Sudbury Eversource Project:*** Director Roy informed the Commissioners that he had attended a panel discussion at the September 6<sup>th</sup> Sudbury Select Board Meeting to discuss the Hudson-Sudbury Eversource Line Project. Mr. Roy stated that he read a prepared statement to the Select Board on behalf of the District outlining project concerns. Mr. Roy informed the Commissioners that he had reviewed the project requirements as stipulated by MassDEP, Sudbury Conservation Commission and other Town departments and was satisfied that all the District's concerns had been addressed. Mr. Roy also stated that excavation of the project was scheduled to begin sometime in late September and that, other than increased traffic concerns, there would be no immediate impact to the District.

- ***MWRA – Inquiry from the Town of Concord for regional connection to the Massachusetts Water Resource Authority (MWRA) water supply system.*** Mr. Roy stated that he was scheduled to attend a second virtual meeting to gather information regarding the possibility of connecting to the MWRA supply. Mr. Roy asked the Commissioners if he should send the link to members of the Sudbury Select Board to attend the meeting. The Commissioners agreed that the Select Board should be extended an invitation to the meeting as a guest of the District.

- ***Personnel:***

Mr. Roy discussed the resignation of Mr. Spinetto, the newly hired field staff member. Mr. Spinetto found the position to be less appealing than he originally thought when he applied for it and thought he would be more comfortable returning to the job he had left. Mr. Roy also informed the Commissioners that there were two other excellent candidates who had originally interviewed for the position, and he already hired one of those individuals to replace Mr. Spinetto.

The following comments are from the September 2<sup>nd</sup> Directors Bi-Weekly Report:

- ***Macone Property:*** Mr. Travers asked Mr. Roy if he had received any further news about the Macone Property foreclosure. Mr. Roy stated that he had been forwarded a copy of the court summons from Nina Pickering-Cook of Anderson & Kreiger and that he would be speaking to her later this week.
- ***PFAS Reporting:*** Mr. Roy stated that the District remains in compliance with the State's PFAS 20 parts per trillion (ppt) limit. He also stated that the District's sampling results remain well below the EPA's final health advisories for Gen X chemicals and PFBS, which are 10 ppt and 2,000 ppt respectively. However, PFAS analytics at all District sources exceed the Environmental Protection Agency's (EPA) interim health advisory for PFOA and PFOS which he emphasized are far below the detection limits of current analytical methods. He also stated that current analytical methods accurately detect down to 4 ppt whereas the interim health advisories for PFOA and PFOS are 0.004 ppt and 0.02 ppt respectively. He informed the Commissioners that the EPA is proposing to set maximum contaminant limits (MCL) for these compounds within the next year. Mr. Roy stated that MassDEP is in a wait and see mode with the EPA before proposing any new changes to the State's current regulation.

There were no further questions regarding the Director's report.

### **3. INTERMUNICIPAL AGREEMENT BETWEEN THE SUDBURY WATER DISTRICT AND THE TOWN OF CONCORD**

Mr. Roy presented the final version inter-municipal agreement (IMA) between the Sudbury Water District and the Town of Concord to supply water from the District's distribution system to six units located in the Cold Brook Crossing Development in Concord, Massachusetts, off Route 117. Mr. Roy stated that both District Counsel and Concord's Town Counsel had reviewed the final inter-municipal agreement. Mr. Roy stated that he had conferred with District Counsel as to the legal requirements of recording the IMA with the Middlesex Registry of Deeds. District Counsel Williams stated that, although there was no legal requirement to record the IMA, but recording the agreement would benefit both the District and unit owners affected by the IMA. Chairman Fox agreed with Counsel Williams' recommendation. The motion for approval was made by Chairman Fox, duly seconded by Commissioner Boyd, and approved by unanimous roll call:

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

Immediately following the vote, the IMA was signed by the Commissioners. See attached.

### ***Conclusion of Open Meeting:***

The motion to conclude the meeting was made, duly seconded, and approved by unanimous roll call:

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

The Open Meeting concluded at 5:54 p.m.

Property Location: 48Y Fitchburg Turnpike Concord MA

Requested Grantor Indexing:

Quarry North Road LLC  
Title Reference Book 77153, Page 396

Cold Brook Crossing Condominium  
Master Deed Book 77321 Page 395  
Plan 231 of 2020

**INTER-MUNICIPAL AGREEMENT  
BETWEEN SUDBURY WATER DISTRICT AND  
TOWN OF CONCORD PUBLIC WORKS DEPARTMENT,  
WATER AND SEWER DIVISION**

This Intermunicipal Agreement dated \_\_\_\_\_, 2022, between the Sudbury Water District (hereinafter "the District"), acting by and through its Board of Water Commissioners, and the Town of Concord Department of Public Works Water and Sewer Division (hereinafter "Concord"), acting by and through its Public Works Director and Town Manager,

WITNESSETH:

WHEREAS, the Town of Sudbury conveyed the land located at 48Y Fitchburg Turnpike in Concord to Quarry North Road LLC by deed dated February 7, 2021 and recorded at the Middlesex South Registry of Deeds in Book 77153 Page 396; and

WHEREAS said land was made a part of the Cold Brook Crossing Condominium by Master Deed (as amended) dated March 22, 2021, and recorded at the Middlesex South Registry of Deeds in Book 77321, Page 395; and

WHEREAS, access to 48Y Fitchburg Turnpike is from North Road (Route 117) in the Town of Sudbury, a public way;

WHEREAS, Quarry North Road LLC is in the process of developing a Planned Residential Development consisting of a total of six (6) residential units on a portion of 48Y Concord Turnpike that is located within the Town of Concord;

WHEREAS, the Sudbury Water District Annual Meeting on May 7, 2022, approved the Petition of Quarry North Road to expand the Sudbury Water District service area to include the Concord portion of the land at 48Y Fitchburg Turnpike;

WHEREAS, the Sudbury Water District has agreed to provide water for domestic and fire protection purposes to the six residential units proposed by Quarry North Road LLC for the portion of 48Y Fitchburg Turnpike that is located in the Town of Concord; and

WHEREAS, the Sudbury Water District and the Town of Concord Department of Public Works Water and Sewer Division are desirous of clearly delineating the responsibilities of each with regard to such six residential dwelling units.

NOW THEREFORE, it is agreed between the District and Concord that:

1. The District shall provide water for domestic purposes and fire protection to the six residential units to be developed in Concord on 48Y Fitchburg Turnpike.
2. The District shall bill the owners of such units all charges for water, meters, and connection fees in accordance with the District's usual and ordinary then existing fees.

3. Concord shall have no responsibility to provide water for domestic or fire prevention to said six residential units, or to provide water mains, meters, or fire hydrants, all of which shall be installed by or on behalf of the District, at its sole cost, as provided herein, or to provide billing for any services to said six residential units.
4. The District shall not provide water for domestic purposes or fire protection to any other residential units located within Concord other than the six residential units located at 48Y Fitchburg Turnpike without first entering into a separate Intermunicipal Agreement as to such other residential units.
5. All water mains, pipes, and meters at 48Y Fitchburg Turnpike in Concord shall be installed by the Water District in accordance with the specifications issued by the Water District. To the extent reasonably practicable, such hydrants shall be accessible to, and consistent with, the fire apparatus used by the Fire Departments of the Town of Concord and the Town of Sudbury. The parties shall consult with the Fire Chiefs of the Towns of Sudbury and Concord in the event of any incompatibility between the apparatus of each Town and in such event, hydrants shall be installed as required by the Concord Fire Department unless otherwise directed by the Concord Fire Department.
6. This Agreement shall expire 25 years from the date hereof as required by G.L. c. 40 sec. 4A. At the time of expiration, the parties may by mutual agreement extend the term hereof for such additional 25-year term or terms as they may each mutually agree is desirable or convenient, or for such other 25-year terms thereafter.
7. Quarry North Road LLC is not a party to this agreement, but its land is a beneficiary of the provisions that establish the Water District's agreement to provide water for domestic and fire protection purposes to Quarry North Road LLC's land in Concord. A copy of this Agreement shall be recorded in the chain of title for land owned by

Quarry North Road LLC in the Town of Concord as referenced in the deed recorded at Middlesex South Registry of Deeds in Book 77153 Page 396.

IN WITNESS WHEREOF, we have hereunto set our hands and seals as follows:

SUDBURY WATER DISTRICT/BOARD OF WATER COMMISSIONERS:

Chairman

Joshua M. Fox

Commissioner

Robert H. Sheldon

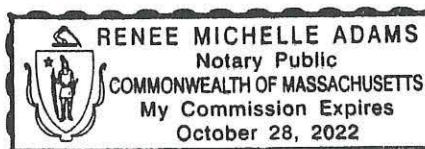
Commissioner

COMMONWEALTH OF MASSACHUSETTS,

County of Middlesex

On this 13 day of September, 2022, before me personally appeared Joshua M. Fox and Robert H. Sheldon and Robert E. Boyd Jr., to me known to be the person described in and who executed the foregoing instrument, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document and acknowledged to me she signed it voluntarily for its stated purpose as Commissioners of the Sudbury Water District

Renee Michelle Adams  
Notary Public  
My Commission Expires: 10/28/22



TOWN OF CONCORD:

\_\_\_\_\_  
Town Manager, as duly authorized by the Select Board

\_\_\_\_\_  
Director, Public Works

\_\_\_\_\_  
Superintendent  
Water and Sewer Division

COMMONWEALTH OF MASSACHUSETTS,  
County of Middlesex

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document and acknowledged to me she signed it voluntarily for its stated purpose as the Town Manager for the Town of Concord, The Director of the Town of Concord Public Works Division, and the Superintendent of the Concord Public Works Water and Sewer Division

\_\_\_\_\_  
Notary Public  
My Commission Expires: