

**BOARD OF WATER COMMISSIONERS**  
**MINUTES FOR THE MEETING OF**  
**APRIL 7, 2020**

*Virtual Meeting Access via Zoom / Audio Meeting Access via telephone dial in*

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The statutory requirements as to notice having been complied with, the meeting was convened at 5:01 PM.

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

**Members Absent:** None.

**Others Present:** Treasurer Thomas Travers, Customer Service Manager Renee M. Adams, Assistant Treasurer Karen A. Moretti, Treatment Operator Michael Abbondanzio, Executive Director Vincent J. Roy, District Moderator Craig E. Blake and District Counsel Lawson Williams.

Chairman Boyd called the meeting to order.

**1. REVIEW MEETING MINUTES**

The Commissioners approved the Minutes for the Meeting of March 24, 2020 as amended. The motion for approval was made, duly seconded, and approved by unanimous roll call.

**2. DIRECTORS BI-WEEKLY REPORT**

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

**Codjer Lane Water Main Replacement Project:**

Commissioner Sheldon inquired about the project start date. Director Roy responded that May 4<sup>th</sup> was the preferred day to begin construction because the contractor, Celco Construction Corporation [Celco] was finishing another project. Commissioner Sheldon asked how the Police and Fire Departments would be informed of road closures during construction. Chairman Boyd stated that police detail officers assigned to the project were required to radio road closures into dispatch. Mr. Roy emphasized that Codjer Lane would remain open to emergency vehicles, school buses and local pedestrian and vehicle traffic. Mr. Roy informed the Board that the District would host a virtual preconstruction meeting with Celco and the project engineer, Environmental Partners Group [EP], and would send invitations to the Police Chief, Fire Chief, DPW Director and the School-bus Coordinator. Mr. Roy emphasized that road closure procedures would be reviewed at the preconstruction meeting, and determined by the Police Chief. Commissioner Sheldon stated that EP had adopted safety procedures to address field and site visits in response to COVID-19 on projects he was familiar with in Framingham and asked Mr. Roy to review that policy at the upcoming meeting.

**Modified Water Main Flushing:**

Mr. Roy informed the Board that water main flushing began on April 4<sup>th</sup>. Mr. Roy stated that, due to COVID-19, flushing was limited to dead-end mains to remove stagnant water from the pipes. Mr. Roy anticipated flushing would be complete in two-weeks.

**MassDEP Annual Statistical Report [ASR]:**

Mr. Roy informed the Board that the 2019 Annual Statistical Report [ASR] had been submitted to MassDEP. Mr. Roy stated that residential per capital per day consumption was down due to an unusually wet spring and an aggressive leak detection program, resulting in non-revenue (unaccounted for) water less than 8.5%.

**3. REVIEW FINALIZED AT&T LEASE EXTENSION AGREEMENT**

The Commissioner reviewed the finalized First Amendment to the Lease Agreement between the Sudbury Water District and AT&T. Commissioner Fox made an inquiry regarding Item 4, Right of First Refusal. Mr. Roy stated that he would confer with Counsel Williams and present his opinion to the Board at the next Commissioners meeting. Further discussion was tabled.

#### **4. PFAS TEST RESULTS/PUBLIC NOTICE**

The Commissioners reviewed a draft public notice regarding PFAS test results in the Sudbury Water District's water supply. The Commissioners suggested revisions to the notice. Mr. Roy stated he would incorporate the suggested changes and forward the edited copy for the Board's approval.

#### **5. COVID-19 DISCUSSION RELATING TO ANNUAL MEETING AND ELECTION**

Counsel Williams informed the Board that the state legislature had approved a bill that would allow municipalities to postpone their annual elections due to the COVID-19 pandemic. Mr. Williams stated that the annual meeting could be postponed at the discretion of the District Moderator thirty-days from the original meeting date and every thirty-days thereafter, if needed. Mr. Williams emphasized that the Moderator's decision requires consultation with the Board members. Mr. Williams stated that although the Board could change the election date that only the Moderator has the authority to change the Annual Meeting date, time and venue. Treasurer Travers stated the bill also allowed municipalities to run their monthly 2021 budgets at 1/12<sup>th</sup> of their previous year's budget for each month that a new budget was not in place (if the annual meeting were delayed beyond June 30). Mrs. Moretti asked Counsel Williams if an excerpt could be incorporated on the Annual Warrant notification postcard stating that the meeting and elections could be changed due to the fluid COVID-19 pandemic. Mr. Williams replied that it could.

#### **6. REVIEW EXECUTIVE DIRECTOR PERFORMANCE EVALUATION**

Commissioner Sheldon presented his edits of Mr. Roy's Draft Performance Evaluation to the other Board members. Commissioner's Fox and Boyd stated that they would review the edited version and provide comment at the next Commissioners meeting.

Commissioner Fox moved to conclude the open meeting and to move into executive session for the purpose of reviewing the Minutes from the Executive Session Meeting of February 24<sup>th</sup> and to review the draft Purchase & Sale Agreement between the Town of Sudbury and CSX Railroad. The chair confirmed that having discussion in an open meeting may have a detrimental effect on the negotiating position of the public body pursuant to General Laws chapter 30A, §21(a) (exception 6). The motion was seconded by Commissioner Sheldon and approved by unanimous roll call:

Chairman Robert E. Boyd  
Commissioner Joshua A. Fox  
Commissioner Robert H. Sheldon

There being no further discussions the meeting adjourned at 6:08 PM