

## BOARD OF WATER COMMISSIONERS

### MINUTES FOR THE MEETING OF

February 23, 2021

(Meeting held virtually via Zoom, with some attendees being in person at the District office)

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The statutory requirements as to notice having been complied with, the meeting was convened at 5:03 PM.

**Members Present:** Chairman Joshua M. Fox, Commissioner Robert H. Sheldon, and Commissioner Robert E. Boyd Jr. (also attended in person)

**Members Absent:** None

**Others Present:** District Treasurer Thomas S. Travers, Executive Director Vincent J. Roy (also attended in person), and Assistant Treasurer Karen Moretti (also attended in person).

Chairman Fox called the meeting to order.

#### **1. REVIEW THE MINUTES FROM THE FEBRUARY 9<sup>th</sup> COMMISSIONERS MEETING**

The Commissioners approved the Minutes for the Meeting of January 26, 2021, as amended. The motion for approval was made by Commissioner Sheldon, duly seconded by Chairman Fox, and approved by roll call:

Joshua M. Fox, Chairman - Aye

Robert H. Sheldon, Commissioner - Aye

Robert E. Boyd, Jr., Commissioner - Aye

#### **2. REVIEW DIRECTOR'S FEBRUARY 19<sup>th</sup> REPORT**

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

##### **Cyber-security:**

Commissioner Sheldon asked Mr. Roy if there was anything that could be implemented to improve the security of the District's SCADA system. Mr. Roy stated that he and the District IT's provider (TCG Network Services) virtually attended the briefing on the Oldsmar cybersecurity breaching and that the District had already implemented the recommended upgrades suggested at the briefing prior to the briefing. Mr. Roy emphasized that District staff are constantly monitoring access and potential threats to the SCADA system and that the District does not have the capability to change chemical dosing remotely, which was the problem at Oldsmar. Commissioner Sheldon suggested that Mr. Roy engage the staff on their ideas for increasing security to the system, considering what could go wrong and how to prevent it.

##### **Dutton Road Bridge Project:**

Director Roy stated that the Sudbury Select Board was scheduled to vote at their 7:00 PM meeting tonight to award the construction contract to the low bidder, George R. Cairns & Sons, Inc. of Windham, N.H. Mr. Roy stated that that the District will enter into a contract agreement with Tighe & Bond Engineering to provide inspectional services throughout the water main portion of the project. Construction is anticipated to begin this spring after school has ended, when the reduced traffic volume will help minimize the impacts from the proposed detour.

##### **Macone Property:**

Director Roy stated that he had recently conducted a site inspection of the District's Well #11 site (adjacent to the Macone property) and that there were no observed problems.

##### **136 Boston Post Road (Bear MT Sudbury, LLC) property lien:**

Director Roy provided an update on District's effort to collect the unpaid balance for water bills for the 136 Boston Post Road property. Mr. Roy stated that District Counsel Lawson Williams has been in communications with the corporate office of the property's parent company (Sabre), located in California. Mr. Roy relayed that Mr. Williams stated he was hopeful that the matter could be resolved by the next Commissioners meeting with the District and that the District would be receiving full payment on the past due amount. Treasurer Travers asked Mr. Roy what could be done to avoid having

this recur. Mr. Roy responded that he would work with District Counsel to consider ways that the current policy might be amended. Mr. Travers also suggested that the District implement an interest charge to outstanding accounts. Commissioner Sheldon suggested that Mr. Roy check with some of the larger Massachusetts utilities, who have multiple large corporation accounts for ideas on policy changes. Mr. Sheldon suggested the Boston Water & Sewer Commission, the City of Worcester, and Springfield Water & Sewer as candidate utilities.

**Bonnie Brook Estate (proposed sub-division):**

Director Roy stated that he attended a virtual pre-application meeting for a proposed eight lot subdivision off of Maynard Road (between Hudson Road and Crescent Lane). Mr. Roy said he had provided to the project's engineer (Saluk Engineering & Associates of Marlboro, Massachusetts) the District's required procedures for potential customers not currently in the District to become part of the District. .

**3. UPDATE OF CLOSINGS FOR 16 NORTH ROAD AND RAYMOND ROAD PARCELS:**

Director Roy stated that all closing documents have been signed and received by District Special Counsel Jillian Bargar (Anderson & Krieger) in preparation for the March 5<sup>th</sup> closing date.

Chairman Fox stated that he received a commitment from Quarry North, LLC to pay \$4,382.50 toward the District's closing attorney fees.

Commissioner Sheldon asked Mr. Roy if there was any update on Quarry North's request to provide water service to their Concord parcel. Mr. Roy stated that Quarry North had not submitted a petition to expand the District by February 17, which is the deadline this year for petition articles to be included on the warrant for the District Annual Meeting in May. Mr. Roy also stated that he had provided Quarry North in early December the guidance and a template for submitting a petition to the District. Mr. Roy emphasized that he had subsequently reminded Quarry North's Chris Claussen and Quarry North's Attorney William Henchy of the deadline to submit the petition by February 17<sup>th</sup>. Commission Sheldon suggested that Mr. Roy should mention that Quarry North had missed the February 17<sup>th</sup> deadline the next time he speaks with the Town of Concord's Public Works Director.

**4. APPEAL FOR WATER ABATEMENT DECISION/62 JACK PINE DRIVE**

Director Roy presented a draft letter to the Commissioners for an appeal to deny a request for water abatement for 62 Jack Pine Drive. The issue behind the abatement was that the owner had a pre-existing connection between the property's irrigation system and the District's water supply, and District water was inadvertently being used for irrigation for a period of time prior to a past water meter reading. The Commissioners were in agreement that the property owner had not intentionally made the connection and that it was not discovered by the pre-sale home inspection in 2016 nor by District staff who made the final water meter reading. Because of those missed opportunities to identify the problem to the property owner prior to his purchase of the property, the Commissioners were in agreement that the owner was entitled to the full abatement amount calculated by the District's policy. All agreed that this should be considered a special case and not a precedent for future discoveries of improper cross-connections between irrigation systems and the District's system. The Commissioners also asked Mr. Roy to have a procedure in place for the District staff inspect and photograph water meters and associated plumbing for all future final reading requests to help avoid a similar situation from occurring. Commissioner Boyd moved to grant a water abatement for 62 Jack Pine Drive for the amount of \$1,192.74. The motion was seconded by Commissioner Sheldon and was approved unanimously by roll call:

Joshua M. Fox, Chairman - Aye

Robert H. Sheldon, Commissioner - Aye

Robert E. Boyd, Jr., Commissioner - Aye

There being no further discussions the meeting adjourned at 6:26 PM.