

## BOARD OF WATER COMMISSIONERS

### MINUTES FOR THE MEETING OF

March 9, 2021

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

---

Chairman Fox announced that the virtual meeting was being recorded and announced the names of those in attendance in the virtual meeting.

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

**Members Absent:** None

**Others Present:** District Treasurer Thomas S. Travers, Executive Director Vincent J. Roy (also attended in person), and Customer Service Manager Renee Adams (also attended in person).

Chairman Fox confirmed attendees in attendance by polling individuals. After determining that a quorum was present and the statutory requirements were met as to notice, Chairman Fox called the meeting to order at 5:03 pm.

**Director Roy requested for Chairman Fox to move the order of the Agenda items to accommodate Treasurer Traver's scheduling conflict.**

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

Chairman Fox announced that the real estate property closing to transfer the District's 16 North Road to Quarry North, LLC has been completed and that the funds were transferred to the District earlier this afternoon. Director Roy announced that the Town's Raymond Road parcel had been transferred to the District and had been recorded with the Middlesex Country Registry of Deeds. Mr. Roy also confirmed that the 16 North Road parcel transfer had been recorded at the Middlesex Country Registry of Deeds. Commissioner Sheldon inquired about the status of the easement at 16 North Road. Chairman Fox responded that the easement was resolved as discussed at the last Board of Water Commissioners meeting with minor modifications to the insurance coverages.

Director Roy stated that he understands that Quarry North is continuing to discuss the proposed portion of the development that is within the jurisdiction of the Town of Concord with Concord officials. He also stated that he had spoken with Alan Cathcart, Concord's director of public works, to explain that Quarry North had missed the deadline for an article for the District's Annual Meeting to consider for including the Concord portion of the development within the District's service area.

#### **2. UPDATE ON 136 BOSTON POST ROAD/OUTSTANDING COLLECTION**

Director Roy provided the Commissioners with an update from District Counsel Lawson Williams regarding the debt collection efforts made on behalf of the District to 136 Boston Post Road (Bear Mtn, LLC). As per Mr. Williams, he had spoken with Mary Davis of Sabre (Bear Mtn's corporate entity) and had provided her with copies of all outstanding statements. According to Counsel Williams, Ms. Davis acknowledges receipt of the statements and disclosed that they were in discussions with the prior tenant (Wingate) to pay the outstanding debt. Mr. Williams stated that he expected to hear from Ms. Davis this coming week and anticipated that Sabre will generate the final payment shortly thereafter. Commissioner Sheldon asked how the District is recording payments, to which Customer Service Manager Adams replied that payments received via check were entered into the billing software system as a paid receipt and that the check number was noted as part of the payment transaction. Commissioner Sheldon asked why this real estate closing did not include final payment by the seller. Chairman Fox responded that the District did indeed conduct a final meter reading as required prior to a sale, but the seller did not pay the final bill before the closing.

#### **3. REVIEW THE MINUTES FROM THE FEBRUARY 23<sup>rd</sup> COMMISSIONERS MEETING**

The Commissioners approved the Minutes for the Meeting of February 23, 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

#### **4. REVIEW DIRECTOR'S MARCH 5<sup>th</sup> REPORT**

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

##### **R.I. Analytical:**

The Commissioners requested clarification from Mr. Roy regarding R.I. Analytical's expired lab certification for testing of disinfection byproducts. Director Roy informed the Commissioners that R.I. Analytical recently notified the District that their certification for analysis of disinfected by-products had expired. Mr. Roy stated that because of the expired certification, the recently conducted analysis was now invalid. Mr. Roy also stated that District would conduct sampling again for the disinfection byproduct analysis and that there would be no additional charge to the District. Commissioner Sheldon emphasized that the District verify that lab certifications are up to date to avoid noncompliance with MassDEP regulations, which can lead to a violation on the part of the District and the requirement for emergency notifications to consumers.

##### **PFAS Testing:**

Director Roy informed the Commissioners that DEP contacted him this past week and requested that the District sample for PFAS at its four points of entry into the Distribution system. Mr. Roy confirmed with DEP that the District would conduct sampling on March 11<sup>th</sup>, one month ahead of the new regulatory requirement to start testing in April.

Chairman Fox moved to conclude the open meeting and to move into executive session under Exception 2 of the Open Meeting Law for the purpose to conduct strategy session in preparation for negotiations with non-union personnel (Executive Director Performance Evaluation), or anything relative thereto.

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

There being no further discussions the meeting adjourned at 6:10 PM