

BOARD OF WATER COMMISSIONERS
MINUTES FOR THE MEETING OF
JULY 12, 2022

Chairman Fox called the meeting to order at 5:04 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, Robert H. Sheldon, Commissioner - Present, and Joshua M. Fox, Commissioner and Chairman - Present.

Others Present: Thomas Travers, Treasurer, Renee 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 JUNE 14th COMMISSIONERS MEETING:

The Commissioners approved the Minutes for the Meeting of June 14, 2022, as amended. The motion for approval was made by Chairman Fox, duly seconded by Commissioner Boyd, and approved by unanimous roll call:

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

2. REVIEW THE DIRECTOR'S JULY 1ST AND 8TH BI-WEEKLY REPORTS:

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

- There were no comments on the July 1st Directors Bi-Weekly Report. The following comments are from the July 8th Directors Bi-Weekly Report:
- ***Personnel***
Director Roy informed the Commissioners that the Interview Team selected Paul Spinetto of Clinton as the newest member of SWD staff. Mr. Roy stated that Robert Gasset's last of employment was last Friday and that he would be greatly missed. Commissioner Sheldon asked Director Roy if the District would consider bringing in Mr. Gasset for emergency situations. Mr. Roy responded that he had discussed the possibility of future work with Mr. Gasset and that Mr. Gasset had stated that, if he was available, he would welcome the opportunity. Mr. Roy also stated that the District would only bring in retired employees to work during normal business hours at a per diem rate to avoid unfair labor practices with employee members of the collective bargaining unit. Chairman Fox asked Mr. Roy how the liability insurance would work in such cases, to which Mr. Roy stated he would contact MIIA and later inform the Board as to their policy.
- ***Hudson Road Water Main Project***
Commissioner Sheldon asked Mr. Roy if he had received any complaints regarding the Hudson Road water main project. Mr. Roy responded that the project went very well, with one exception relating to the planning of temporarily shutting off water to the Fairbank Community and Senior Centers to disconnect the old water main. Mr. Roy stated that it was necessary to

delay the initial shut off date due to scheduling conflict with a summer camp program held at the building. Mr. Roy also stated that he discussed alternative shut off dates with the Director of Sudbury Parks and Recreation and rescheduled the shut off to a more suitable day for the camp and other scheduled activities in the building.

- ***Open Meeting Law/Public Participation***

Mr. Roy informed the Commissioners that the flexibility to the Open Meeting Law that had been allowed by the State was due to expire on July 15th. Mr. Roy further stated that he had consulted with District Counsel Lawson Williams about the Open Meeting Law if the flexibility were to expire, and Mr. Williams stated that the only limitation for meetings is that an in-person option for attendance must be available. In other words, the meeting can't be held exclusively with Zoom. Attendance can still be remote for those requesting it, but there must be an arrangement made at the physical location of the meeting to have an individual or individuals present allowing for members of the public to participate in person..

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

3. DISCUSSION ON NEW EPA HEALTH ADVISORY ON PFAS COMPOUNDS

Director Roy presented the EPA's Health Advisories for per-and polyfluoroalkyl substances (PFAS) to the Commissioners. He stated that the EPA has established interim updated lifetime health advisories for PFOS (0.02 ppt) and PFOA (0.004 ppt) and the final Health Advisory for GenX chemicals (10 ppt) and PFBS (2,000 ppt). Mr. Roy also stated that the new levels are below the levels at which current analytical methods can measure. Mr. Roy stated that he had discussed the EPA's health advisory with the District's PFAS consultant, Weston and Sampson, and they affirmed that the designed PFAS treatment for the Raymond Road plant would result in treated water being below these new health advisory concentrations. Chairman Fox asked Mr. Roy if the District was in violation for the compounds listed in the EPA's news release, to which Commissioner Sheldon responded that the EPA's health advisory is non-enforceable and nonregulatory. Commissioner Sheldon asked Mr. Roy about the potential impact on Wells 4 and 6, to which Mr. Roy noted that the District has two options available for PFAS remediation at Wells 4 and 6, to either install localized treatment at each well or to redirect the raw water from those wells to the Raymond Road Water Treatment Plant. Mr. Roy stated that he would follow up with Ashley Campbell of SL Environmental and his contact as MassDEP for further advice and then update the Board with their comments.

4. REVIEW THE LEASE EXTENTION AGREEMENT PROPOSALS

American Tower Wireless Communication Tower (SBC)E Site # 305033 at 16 North Road

Director Roy presented a spreadsheet to the Commissioners to illustrate the difference between the current terms of the American Tower Wireless Communication Tower (SBS) Lease Agreement Site #305033 and the proposed terms for the new lease extension agreement. There was some discussion regarding the detail in the spreadsheet. Treasurer Travers asked if there were any changes to the revenue from co-locators. Mr. Roy responded that the current wireless communication providers that are on the tower would see no change from the current agreement. However new carriers would be subject to negotiating a separate ground lease agreement with the District to co-locate on the tower. Chairman Fox requested Mr. Roy to provide him with a copy of the final lease extension agreement for his review. Mr. Roy concurred. Commissioner Sheldon moved to authorize Director Roy, contingent upon Chairman Fox's review of the final lease extension agreement, to execute the lease extension agreement with American Tower Wireless Communications, Site #305033 at 16 North Road. The motion was duly seconded by Commissioner Boyd and approved by unanimous rolls call:

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

Verizon Tower Wireless Communication Site #4329 at 292 Maynard Road

Director Roy presented a spreadsheet to the Commissioner to illustrate the difference between the current and proposed new lease extension terms of the agreement. The Commissioners chose not to take a vote on the proposed extension agreement and asked Mr. Roy to negotiate more favorable terms for the District.

Conclusion of Open Meeting:

Chairman Fox moved to conclude the open meeting and to move into executive session under Exception 2 of the Open Meeting Law, to review the Minutes from the June 14 Executive Session and to not return to the Open Session at the conclusion of the 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 - Aye
Joshua M. Fox, Commissioner and Chairman - Aye

The Open Meeting concluded 6:06 p.m.