

BOARD OF WATER COMMISSIONERS
MINUTES FOR THE MEETING OF
AUGUST 9, 2022

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

Others Present: Thomas 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 JUNE 14th COMMISSIONERS MEETING:

The Commissioners approved the Minutes for the Meeting of July 12, 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 22nd AND AUGUST 5th 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 July 22nd Directors Bi-Weekly Report:

- ***Macone Property*** – Director Roy informed the Commissioners that he received notice from Anderson & Kreiger informing him that a foreclosure notice had been issued for the Macone property on Concord Road. Mr. Roy stated that Anderson & Kreiger would continue to represent the District as special counsel regarding the matter.

The following comments are from the August 5th Directors Bi-Weekly Report:

- ***Hudson Road/Sudbury Eversource Project:*** Mr. Roy stated that a resident had contacted Mr. Travers to inquire as to the District's position on the Hudson/Sudbury Eversource project. After further discussion Chairman Fox requested that Mr. Roy contact the Town's Director of Planning and Community Development, Adam Duchesneau, to inquire about the approval process for this project. To which Mr. Roy concurred.
- ***PFAS / RRWTP Project Update*** – Director Roy informed the Commissioners that the District issued Addendum # 1 for IFB 23-3 (PFAS Project) on July 25, 2022, declaring that the project will be bid under MGL 149 with Electrical Filed Sub Bids. Mr. Roy stated that the reasoning for the filed sub bids was due to the possible electrical work exceeding the \$25,000 requirement

for the filed sub bid category.

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

3. DISCUSSION ON NON-ESSENTIAL OUTDOOR WATER USE RESTRICTIONS

Director Roy provided the Commissioners with an update on the District's water demand and groundwater levels for each of the wells, noting that the District currently has Level 2 restrictions in place, as required by MassDEP. Mr. Roy stated that, in the last week, the demand for water has been trending downward and that all well levels remain stable. He also stated that the average run time for each well had decreased from 18 hours per day to about 12 to 14 hours per day.

Commissioner Sheldon asked Mr. Roy if he was aware if communities receiving their water from the Massachusetts Water Resource Authority (MWRA) supply were excluded from the drought declaration issued by the Executive Office of Energy and Environmental Affairs (EEA). Mr. Roy responded that he was uncertain of the MWRA's drought management status, however emphasized that the District's Level 2 non-essential outdoor water restriction was in compliance with the District's WMA Permit requirements. Commissioner Fox asked Mr. Roy to provide clarification as to what were allowable uses during this level of restriction, specifically handheld watering. Mr. Roy stated that non-essential outdoor water use was limited to one-day per week, Saturday for even numbered addresses and Sunday for odd numbered addresses and only before 9 am or after 5 pm. Mr. Roy further explained that the only means allowed for watering lawns and ornamentals was to use a watering can or to physically hold a hose with a spray nozzle attached. Mr. Roy stated that oscillating and rotary style sprinklers as well as underground irrigation systems were banned during a Level 2 Non-essential Outdoor Water Restriction unless the source was from a private well. Mr. Roy stated that the District's restriction policy is outlined in the System Rules and Regulations, under the water restriction policy. Mr. Roy also stated that the policy is posted on the District's website.

Mr. Roy noted that imposing the most stringent Level 3 restrictions would require a vote to do so by the Commissioners. Given the reduced demand for water and steady groundwater elevations under the existing Level 2 restrictions, he had seen no need to impose Level 3 restrictions. He recommended that the District remain at Level 2 Non-Essential Outdoor Water Restriction. The Commissioners expressed their agreement with not proceeding with a vote on Level 3 restrictions and therefore took no formal action on the matter.

4. REVIEW DRAFT INTERMUNICIPAL AGREEMENT BETWEEN THE SUDBURY WATER DISTRICT AND THE TOWN OF CONCORD

Mr. Roy presented a draft 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 in the Cold Brook Crossing Development located in Concord off Route 117. Mr. Roy stated that the draft had been reviewed and revised by both District Counsel and Concord's Town Counsel. Chairman Fox asked Mr. Roy to confer with District Counsel as to legal requirements to record the IMA with the Middlesex Registry of Deeds. Commissioner Sheldon also stated that the IMA needs to reference the District as "District" throughout the IMA and not be listed as "Sudbury", further stating that referencing the District as Sudbury may be construed as "Town of Sudbury". Mr. Roy concurred and stated that he would present a final draft at the next meeting. Following this discussion, no vote was taken.

5. DISCUSSION ON POSSIBLE MWRA CONNECTION

Director Roy informed the Commissioners that he had attended a virtual meeting to discuss joining the Massachusetts Water Resource Authority's (MWRA's) system. Alan Carthcart, DPW Director for the Town of Concord, had organized the meeting, prompted by the EPA's press release regarding PFAS in drinking water. The meeting included representatives from the MWRA, Concord, and other neighboring communities to gather information and discuss the feasibility of connecting onto the (MWRA) system.

Commissioner Sheldon asked Mr. Roy what the connection costs were. Mr. Roy presented the Commissioners with a connection cost summary provided by the MWRA. Commissioner Sheldon asked Mr. Roy if the District would be required to abandon all of its sources or was there a possibility of a supplemental connection. Mr. Roy stated that both were options. Commissioner Sheldon expressed concerns with maintaining necessary pressures in the District's distribution system and blending of the two sources. Blending might create water quality issues, given that the MWRA uses chloramination for residual disinfection, whereas the District uses chlorine without ammonia. Mr. Roy said the District would be responsible for the cost of constructing a new water main and pump facilities to supply water from the MWRA to the District's distribution system. Mr. Roy estimated the approximate capital cost to connect onto the MWRA system to be between \$15 and \$25 million dollars, and there would be operational charges for pumping and for maintaining the transmission main from MWRA's source to the District, as well as a per-gallon fee owed to the MWRA. Mr. Roy stated that a second meeting would be scheduled in September to further explore this topic and that officials from the local communities would be invited. He will provide more information once the date of the meeting is established.

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 6:06 p.m.