

**WAYLAND BOARD OF PUBLIC WORKS
WAYLAND TOWN BUILDING
February 6, 2012
7:00 PM
Meeting Minutes
Approved February 21, 2012**

C. Brown, T. Abdella, J. Mishara, M. Lowery, M. Wegerbauer, D. Gorham

Brown opened the meeting at 7:00

Public Comment

None

Water Abatements

1604 Wisteria Way

High usage due to a faulty seal pack on the water softener. Repaired.

Wegerbauer made a motion to abate the 12/22/2011 bill to 3000 cubic feet. Waive all interest and fees.

2nd Mishara

5-0 unanimous in favor

60 Shaw Drive

High Usage due to leaky toilet and leaky shower valve. Repaired

Abdella made a motion to abate the 12/22/2011 water bill to 4300 cubic feet. Waive all interest and fees.

2nd Lowery

5-0 Unanimous in favor

37 Plain Road

High usage due to faulty toilet. Repaired.

Mishara made a motion to abate the 12/22/2011 water bill to 3200 cubic feet. Waive all interest and fees.

2nd Abdella

5-0 Unanimous in favor

3 Winthrop Place

High usage due to leaky toilet. Repaired.

Lowery made a motion to abate the 11/23/2010 bill to 9300 cubic feet. Waive all interest and fees.

2nd Wegerbauer

5-0 Unanimous in favor

92 Commonwealth Road

High Usage due to leak in irrigation system

Wegerbauer made a motion to abate the 10/12/2011 bill to 14500 cubic feet. Waive all interest and fees.

2nd Mishara

Discussion about meter situation. 4 meters one bill?? Board asked that Brian meet with the owner and discuss a solution.

5-0 Unanimous in favor

7 Bennett Road

High usage. Plumber came in and found no leak.

Abdella made a motion to abate the 12/22/2011 bill to 2900 cubic feet. Waive all interest and fees.

2nd Mishara

5-0 Unanimous in favor.

52 Moore Road

No one present, discuss later.

Open Meeting Law Complaint filed by George Harris on February 1, 2012

George Harris was present.

Brown told the Board that they had received an open meeting complaint filed by George Harris on 2/1/2012. The complaint was regarding two emails sent by M. Lowery to a quorum of the Board. Brown asked Harris to explain his concerns. Harris replied that it is all in the letter. The emails sent to a quorum of the board was in violation. Harris explained the riskiness of using emails. Emails should be used only for agendas, announcements etc. not for opinions. Harris added that he felt this was not done by Lowery deliberately. Wegerbauer thanked Harris for making the Board aware.

Lowery handed out a response to Harris's complaint dated 2/6/2012. Lowery proceeded to read his response aloud to the Board and Mr. Harris. When Lowery was through Harris said that he disagrees with 80% of what Lowery said. Discussion about the interpretation of the definition of deliberation. Brown suggested letting the Attorney General sort this out. Discussion about the use of emails moving forward.

Mishara made a motion to reject the complaint & refer to Town Counsel to address the complaint.

2nd Lowery

5-0 Unanimous in favor

Irrigation System Abatement Policy

Lowery handed out the Wayland Bylaw / Code regarding irrigation systems.

Lowery explained the policy to the Board. Lowery suggested setting stringent requirements moving forward. Discussion about excess flow detection devices and availability. Discussion about using this as an abatement condition. Brown asked about costs? Lowery said that further research needs to be done. Lowery said that Bylaw / Code could be changed at a future Town Meeting. Brown asked Lowery to continue and research.

Water Abatements (cont.)

52 Moore Road

Brown made a motion to abate the 12/3/2010 water bill to 600 cubic feet. Waive all interest and fees.

2nd Abdella

3-2 motion carries

Wireless Water Meter Reading Program

Brown told the Board that he spoke with a FinCom member who said the board should respect Town Meeting vote unless they can provide new information. Discussion about a ROI analysis which would be new information. Discussion about a board member contacting Abrahams to check about the contract for an ROI for the fixed meter program.

Lowery made a motion that Wegerbauer contact Abrahams by way of email regarding a contract for a return of investment of the fixed meter system. CC'ing Ouellette and Turkington.

2nd Mishara

5-0 unanimous in favor.

Discussion about holding public hearings for the fixed meter program.

Wellhead Protection Plan

Lowery told the board that he has done more edits to the Wellhead Protection Plan. Lowery sent the draft to the board for review. Discussion about links etc. Lowery asked permission to make

some structural changes to the document. Discussion about the use of road salt in the area near the wells. Discussion about adding a link to the Wayland Hazard Mitigation Plan (FEMA Document).

Status of Warrant Articles

Brown handed out '2012 Annual Town Meeting, Articles Submitted for inclusion by January 17, 2012 Deadline'. Brown explained to the Board that they are entitled to 150 words per article. Brown suggested that each Board member work on an Article. Discussion. One member will write 150 words in support of the Article and one member edits.

Article 6 - Water Enterprise Fund

Brown made a motion to support the Article for the Water Enterprise Fund
2nd Lowery
5-0 Unanimous in favor

(Brown and Wegerbauer to work on the Enterprise Fund Article.)

Article D1 – River Road Parcel for DPW Facility

Brown made a motion to support the Article for the River Road Parcel as the site of the DPW Garage.
2nd Lowery
5-0 Unanimous in favor

Article D2 – Appropriate funds for documents for the new DPW Maintenance and Storage Facility.

Brown made a motion to support the article to appropriate funds for documents for the new DPW Maintenance and Storage Facility.
2nd Mishara
5-0 Unanimous in favor.

Article D3 - Appropriate funds for new DPW Maintenance and storage facility.

Brown made a motion to support the article to appropriate funds for a new DPW Maintenance and Storage Facility.
2nd Wegerbauer
5-0 Unanimous in favor

Article H – Amend Town Code 68-1: Traffic Calming

Brown made a motion to support the Article to amend the Town Code 68-1: Traffic Calming.
2nd Mishara
5-0 Unanimous in favor

Topics not reasonably anticipated by the Chair prior to posting

CPC Fund Committee

Mishara told the board that as their appointee on the CPC committee he was asked to inform the Board of Public Works about an Article to reduce the CPC contribution surcharge to .01%. The CPC Committee is against the article. The CPC Committee has asked that the Board of Public Works vote on the article. Someone from the CPC Committee will come to a Board of Public Works Meeting to make a presentation. Mishara told the Board that the CPC was originally intended to acquire Mainstone. Currently there is around \$4,000,000.00 in the CPC Fund.

Capital Request for Cemetery Expansion

Lowery explained to the Board that there are some residents who are concerned that the cemetery expansion will fall within the capture zone of Baldwin Pond Wells. Lowery handed out a packet beginning with an email entitled ‘Cemetery Expansion’ by previous members of the Wellhead Protection Committee, Sherre Greenbaum, Jennifer Riley, Linda Segal, Thomas Sciacca and Kurt Tramosch. Discussion. Brown suggested putting this on the Agenda for a future meeting.

Lowery suggested members bring up resident concerns at the end of each meeting to be put on the next agenda to avoid email. This agenda item may be entitled ‘Board members reports and concerns’.

Brown told the Board that the Warrant hearing is March 28th. Brown said all Board of Public Works members should attend.

Fincom is meeting on budget items on Monday February 13th. Board of Public Works has been posted with the Town Clerk so they can attend the meeting.

Follow Up on action items from previous meeting

Town Meeting

Lowery told the Board that he contacted Town Moderator Dennis Berry with questions about Town Meeting but has had no reply.

1. Regarding the use of Projection Equipment
2. If the Board can have a Rep from Weston Sampson present.

Lowery will follow up with Berry

Cochituate Field Lights

Discussion about the cost of running the lights at Cochituate field for skating. Have not found out the cost of the lights yet. Discussion about whether Cochituate Field is Park or Recreation.

Parkland Drive Traffic Calming Request

Mishara told the board that traffic has not been heavy on Parkland drive for the past 5 years. Ouellette and the Chief will talk with TEC about signage. Will do a traffic study in the Spring.

Glezen Lane

Counters have been torn up. Will replace in the Spring.

Traffic signal contract with Twenty Wayland has been signed.

Public Records Request George Harris

Regarding the records request made by George Harris on December 1, 2012 requesting all of the emails C. Brown has sent. Harris had told Brown that it is his decision whether or not to release the emails to him. Brown spoke with Town Counsel who said that it is the Board's decision since the emails are regarding Board issues. Town Counsel also said that it is too broad of a request.

Wegerbauer made a motion to deny the request

2nd Mishara

4-0-1 Approved, M. Lowery abstained

Meeting Minutes

Brown made a motion to approve the January 23, 2012 minutes as amended

2nd Mishara

Unanimous in favor

C. Brown will fix the minutes of January 26, 2012 for the next meeting.

The board will review the minutes of January 17th for the next meeting.

Next meetings are February 21st, March 5th & March 19th.

Discussion about holding a public hearing at the current DPW garage on March 24th at 11:00 am

Lowery made a motion to adjourn

2nd Mishara

Unanimous

Meeting adjourned at 10:24 PM