

WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

August 25, 2015

7:00 PM

MEETING MINUTES

Present: C. Brown (Chair), M. Lowery (Vice Chair), W. Baston, J. Mishara M. Wegerbauer, S. Kadlik (Director)

Meeting opened at 7:00 PM

(Brown announced that the meeting is being recorded)

Brown opened the meeting with a review of the agenda.

Brown asked for public comment – there was none.

Water Abatement Requests

3 Folsom's Pond Road

Michael Mitchell, 3 Folsom's Pond Road, appeared before the Board to discuss his request for abatement.

Brown explained the process by which water abatements are calculated and granted.

Mishara made a motion to abate the bill in question to 5400 units, waiving all interest and fees.

Wegerbauer 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 3 Folsom's Pond Request for Abatement
- 3 Folsom's Pond 6/5/2015 Water Bill
- 3 Folsom's Pond Water Usage & Financial History
- 3 Folsom's Pond Repair Receipts/Invoices

1 Nolan Farm Road

Brown noted that the residents of 1 Nolan Farm Road were unable to attend the meeting, and the abatement request would be delayed.

Items Included as Part of Agenda Packet for Discussion

- 1 Nolan Farm 12/17/2014 Water Bill
- 1 Nolan Farm Account Note re: Request for Abatement
- 1 Nolan Farm Water Usage & Financial History
- 1 Nolan Farm Repair Invoice

31 Overlook Road

James O'Reilly, 31 Overlook Road, appeared before the Board to discuss his request for abatement.

O'Reilly noted that the home is a rental property, and the irrigation system was turned on without his knowledge, and the leak occurred while the home was unoccupied.

Lowery noted that the Board has adopted a policy limiting request for abatements related to irrigation systems filed after January 1, 2015 to 20% of the bill.

Lowery made a motion that the bill be abated by 20%, down to a usage of 18,900 units, waiving any interest and fees.

Brown noted that in his opinion this request involves unusual and extraordinary circumstances, and as such should not be subject to the 20% abatement policy.

Brown explained how radio-read meters work and the process of adopting their use.

Lowery amended his motion to abate the bill by 50%, down to a usage of 11,800 units, waiving all interest in fees.

Mishara 2nd. Baston, Lowery, Brown, and Mishara in favor. Wegerbauer opposed.

Wegerbauer noted that he believes the usage data indicates that the leak may have begun prior to the enactment of the Board's 20% abatement policy.

Items Included as Part of Agenda Packet for Discussion

- 31 Overlook E-Mail Requesting Abatement
- 31 Overlook 5/4/2015 Water Bill
- 31 Overlook Water Usage & Financial History
- 31 Overlook Repair Receipts/Invoices

3 Pesce Drive

Jan Sharp, 3 Pesce Drive, appeared before the Board to discuss her request for abatement.

Brown explained how to read the meter to determine if there is any water leakage.

Brown noted that it appears that two bills were affected by the leak.

Wegerbauer made a motion to adjust the combined usage on the January 2014 and December 2014 bills to 7400 units, waiving any interest and fees.

Mishara 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 3 Pesce Request for Abatement

- 3 Pesce 2/6/2014 & 1/7/2015 Water Bills
- 3 Pesce Water Usage & Financial History
- 3 Pesce Repair Receipt

197 Stonebridge Road

Michael Henley, 197 Stonebridge Road, appeared before the Board to discuss his request for abatement.

Henley showed pictures of the water damage he incurred as a result of the leak to the Board and explained the repair process that occurred.

The Board discussed calculation options for a potential water abatement.

Brown made a motion to abate and separate the October, 2014 bill into two bills, with usage of 13,200 units and 4400 units, waiving all interest and fees.

Mishara 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 197 Stonebridge 12/23/2013, 5/20/2014, 9/19/2014, 10/22/2014, & 5/14/2015 Water Bills
- 197 Stonebridge Water Usage & Financial History
- 197 Stonebridge Repair Receipt & Work Service Order

10 Catherine's Farm Road

Robert Junkin, 10 Catherine's Farm Road, appeared before the Board to discuss his request for abatement.

Brown noted that in his opinion, since the water usage occurred in 2014, the bill should be abated under the Board's pre-January 1, 2015 guidelines for irrigation-related abatements.

Brown made a motion to abate the January, 2015 bill to 2600 units, waiving all interest and fees.

Mishara 2nd.

Lowery noted that the notice was sent out on July 1, 2014, and moved to amend the motion to abate the January, 2015 bill to 50% of the billed usage, waiving all interest and fees.

Mishara 2nd Lowery's amendment.

Brown noted that the meter was read in December, 2014, but did not issue to the homeowner until January, 2015.

After Board discussion, Mishara withdrew his 2nd to Lowery's amendment.

Lowery's amendment falls flat – no 2nd.

Board vote on original motion: Baston, Brown, Mishara, and Wegerbauer in favor. Lowery opposed.

Items Included as Part of Agenda Packet for Discussion

- 10 Catherine's Farm Request for Abatement
- 10 Catherine's Farm Repair Receipt
- 10 Catherine's Farm 1/7/2015 Water Bill
- 10 Catherine's Farm Water Usage & Financial History

Irrigation Application Review – 23 Marshall Terrace

Patrick Donovan, 23 Marshall Terrace, appeared before the Board to discuss his irrigation application.

Brown discussed the benefits of installing of a master valve on irrigation systems and encouraged Donovan to do so.

Wegerbauer discussed the Board's policy on granting abatements for water usage due to irrigation leaks.

Donovan noted that the plan supplied indicates the proposed installation of more sprinkler heads than what will be installed.

Lowery noted that due to this change, the plan submitted does not satisfy the irrigation application requirements.

Wegerbauer suggested that a conditional approval be granted by the Board, pending the submission of an updated plan.

Lowery discussed the current ban on the usage of irrigation systems.

Brown suggested that Donovan correct the plan and return to the next meeting for approval.

Mishara made a motion to conditionally approve the application, pending the submission of an updated plan to the DPW Director for approval.

Lowery expressed his personal opposition to the use of irrigation systems.

Wegerbauer suggested that the updated plan indicate an irrigated area of 9500 square feet or less.

Mishara made a friendly amendment that the approved plan shows an irrigated area that does not exceed 9500 square feet.

Brown, Mishara, and Wegerbauer in favor. Baston and Lowery opposed.

Lowery requested that the amended plan be provided to the Board at the next meeting.

Items Included as Part of Agenda Packet for Discussion
- 23 Marshall Terrace Irrigation Application with Site Plan

Discussion & Possible Vote on the Transportation of Rowing Docks for the Wayland-Weston Crew Team to Boston

Kadlik distributed an E-Mail from Assistant Town Administrator John Senchyshyn stating the legal opinion provided by Town Counsel for the Board's review and inclusion in the meeting minutes. (see attached)

Kadlik noted that he is opposed to continuing the process due to cost and liability issues.

Lowery made a motion that the information provided to the Board be given to the Crew and they are notified that the DPW will not be able to move the docks this year or the future for the entity that requested it.

Lowery made a motion that the Wayland-Weston Crew Team be notified that the DPW will not be able to transport the rowing docks for the entity that requested it this year or in future years, with the email indicating Town Counsels opinion provided as well.

Wegerbauer noted that if we do not transport the docks the Town may potentially lose the benefit of their use.

Brown noted that the Town is getting a public benefit, but Town Counsel has indicated that the practice is in violation of the law.

Mishara 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion
- Town / BoPW E-Mail Communication re: Transportation of Docks
Items Distributed for Information and Use by the Board of Public Works
- 8/25/2015 E-Mail from John Senchyshyn re: Town Counsel's opinion on the transportation of the docks

Discussion of the Status of Municipal-Use Water Meters

Brown noted that the large water usage read at Loker School was the result of the meter being read upside down.

Lowery asked how much the water enterprise fund received for the municipal-use meters.

Kadlik noted that it is his understanding that the Town had agreed upon a transfer of \$75,000 annually, although such a transfer has not yet occurred.

Lowery suggested that a municipal rate be established for water usage.

Baston asked if the water analysis to be provided by Woodcock & Associates would offer guidance on how to charge municipal meters.

Brown asked if the YMCA Camp Chickami and the Glezen Swim & Tennis Club are being billed for their usage.

Lowery noted that the School Department does have funds allocated in their budget to pay for water usage.

Lowery made a motion that the Water Department ensures that the water usage at the Bent Avenue Cemetery, YMCA Camp Chickami, and the Glezen Swim & Tennis Club is currently being billed.

Brown 2nd, all in favor.

Lowery made a motion that the Board establish a municipal rate within the rate structure for municipal water usage upon advice from Woodcock & Associates, and that the Finance Department be contacted to determine if a transfer from the appropriate municipal fund to the water enterprise fund has occurred.

Kadlik noted that he agrees with the motion, and added that he believes the school department may be paying their water bills.

Mishara 2nd, all in favor (Wegerbauer absent for vote)

Items Included as Part of Agenda Packet for Discussion

- December, 2014 List of Municipal-Use Water Meters

- Municipal Meter Usage History Reports

Discussion of BoPW Positions on Fall Town Meeting Articles

The Board determined that no discussion on this item was necessary.

Discussion & Possible Board Vote on Policy for the Transfer Station Revolving Fund

Kadlik discussed the balance of the Transfer Station Revolving Fund from 2012 through 2016.

Kadlik discussed potential FY2017 capital requests for the Transfer Station.

The Board discussed the nature of the use of the Transfer Station vehicle scheduled for replacement in 2017.

The Board discussed the optimal target balance for the Transfer Station revolving fund.

Mishara suggested that Finance Director Brian Keveny be consulted about the nature of the Transfer Station revolving fund balance.

Wegerbauer noted that in his opinion, \$100,000 is a desirable level for the fund balance.

Items Included as Part of Agenda Packet for Discussion
- FY2012 to FY2016Munis Report of Revolving Fund Balance
- Transfer Station Budget Balances at end of FY2015

DPW Director's Financial Report

Kadlik described the current status of the DPW budget.

Lowery discussed the status of open DPW staff positions with Kadlik.

Items Included as Part of Agenda Packet for Discussion
- FY16 Operating Budget Summary

Board Members' Reports, Concerns, and Updates

Brown noted that Police Chief Irving had provided Kadlik with information pertaining to Stonebridge Road Traffic Calming.

Lowery requested that he be sent a copy of the Chief's memo, and that a copy be provided to Stonebridge Road resident Duane Galbi as well.

Baston noted that the brush located along the fence of the DPW Facility appears to be getting overgrown.

Kadlik noted that the maintenance and care of the grounds is done under contract, and the area along the fence was planted with wildflowers.

Lowery asked about the status of the Woodcock & Associates water analysis.

Kadlik noted that the new Water Management Act permit application was just signed and submitted.

Lowery requested that the Board receive a copy of the application.

Brown asked about the status of potholes on Sedgemoor Road.

Lowery noted that he examined the area in question and, in his opinion, it is not a critical concern.

Brown asked about the status of the installation of berm on Rice Spring Lane.

DPW Senior Foreman Joe Doucette noted that berm has been installed and the issues addressed.

Lowery noted that the Board will be discussing capital requests at the next meeting.

Brown asked that requests be sent to the Board as soon as they are prepared.

Items Included as Part of Agenda Packet for Discussion
- 8/20/2015 Memo from Police Chief Irving re: Stonebridge Road Traffic Calming

Review & Approve Executive Session Minutes for Release & Posting to BoPW Website

June 11, 2014 Executive Session re: Discussion of BoPW Interest in Pending Litigation of Moss and Borner v. Lingleys regarding ‘Crown Path’

Brown noted that Town Counsel has opined that releasing the minutes would adversely affect the Town’s position, and therefore should not be released.

July 9, 2014 Executive Session re: Approval of the Executive Session Minutes of June 11, 2014

Brown noted that Town Counsel has opined that releasing the minutes would adversely affect the Town’s position, and therefore should not be released.

September 10, 2014 Executive Session re: Review Landfill Access Road Appeal WET-2014-012

Brown made a motion to release the Executive Session minutes of September 10, 2014 for posting.

Mishara 2nd.

Lowery, Brown, Mishara, and Wegerbauer in favor. Baston abstain.

October 8, 2014 Executive Session re: Approval of the Executive Session Minutes of September 10, 2014

Brown made a motion to release the Executive Session minutes of October 8, 2014 for posting.

Lowery 2nd.

Lowery, Brown, Mishara, and Wegerbauer in favor. Baston abstain.

Review & Approve Minutes of the August 11, 2015 Meeting

Brown noted that one page 1, ‘...between dawn and dusk’ should be replaced by ‘...between dusk and dawn.’

Brown noted that during the discussion of the high water usage at Loker Elementary School, it should be add that the high usage reading was later determined to be the result of a meter reading error.

Mishara noted that the motion to approve minutes on the last page should include the minutes' date of July 15, 2015.

Wegerbauer noted that it should be added to the Sherman's Bridge discussion that the Board agreed with the recommendation of resident involvement throughout the process.

Mishara made a motion to approve the minutes of the August 11, 2015 meeting as amended.

Lowery 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion
- 8/11/2015 Board of Public Works Meeting Minutes Draft

After Board discussion, it was determined that the next meetings will occur on September 15, 2015 and September 29, 2015.

Mishara made a motion to adjourn.

Wegerbauer 2nd, all in favor.

Meeting adjourned at 9:00 PM.