

# WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

January 12, 2016

7:00 PM

## MEETING MINUTES

Present: C. Brown (Chair), M. Lowery (Vice Chair), W. Baston, J. Mishara (Left at 10:04), 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.

### **Review of Draft of Bylaw Change Concerning the Inspection, Testing, & Maintenance of Private Fire Hydrants and Underground and Exposed Piping (Fire Chief Houghton in Attendance)**

Chief Houghton appeared before the Board to discuss the proposed change to the bylaw concerning privately-owned fire hydrants.

Brown asked who is sponsoring the article for Town Meeting.

Houghton replied that he hoped it could be submitted as a joint article between the Fire Department and the Board of Public Works.

Lowery made a motion to support the article for submission to 2016 Annual Town Meeting as amended, with sponsorship to be determined.

Mishara 2<sup>nd</sup>, all in favor.

*Items Included as Part of Agenda Packet for Discussion*  
*- Draft of proposed bylaw changes*

### **Discuss and Potentially Set Transfer Station Revolving Fund Target Balance**

Brown noted that at a recent Finance Committee meeting, it was discussed that the Transfer Station is currently operating with a budget deficit of approximately \$7000 due to timing.

Brown added that at the Finance Committee meeting, they also discussed personnel issues, recommending that a comparison be conducted regarding the proposed Town Engineer position as well as potential ways to reduce overtime expenditures within the Water Division.

Wegerbauer noted that there is no urgent need to set the desired Transfer Station Revolving Fund balance at this time, but a plan to reduce the balance should be established in the future.

Brown requested that this topic be placed on the next meeting agenda.

*Items Included as Part of Agenda Packet for Discussion*  
*- 12-31-2015 Transfer Station Budget Line Item Comparison*

### **Preliminary Discussion of WRAP Requirements**

Baston discussed a recent meeting he had with DPW Park & Highway Superintendent Michael Lindeman regarding the information sought by the WRAP Committee pertaining to the Park Division.

Lowery and Wegerbauer noted that they were not able to complete the review of their respective DPW divisions in time for the meeting.

Brown asked Kadlik if any progress had been made by DPW staff regarding obtaining information for the WRAP Committee.

Kadlik noted that an initial staff meeting has occurred, and some information pertaining to the Transfer Station had been forwarded to Wegerbauer.

Lowery noted that the Board's proposed article for 2016 Annual Town Meeting seeking the transfer of custody of a small portion of Lakeview Cemetery may be pertinent to the WRAP Committee.

*Items Included as Part of Agenda Packet for Discussion*  
*- Highway WRAP Discussion*  
*- Park WRAP Discussion*

### **DPW Director's Operational Report**

Kadlik reviewed the 1/12/2016 Director's Report submitted to the Board.

Millette discussed the current status and scheduling of the Happy Hollow Well shutdown.

Brown noted that the recent water main break on Charena Road was the second to occur within the last several years.

*Items Included as Part of Agenda Packet for Discussion*  
*- 2016-01-12 DPW Director's Report*

### **Review & Approve the Minutes of the 12/15/15 Meeting**

Baston noted that on page 2, it should be clarified that it was stated the DPW would pay for the expense of testing the water meter at 170 Glezen Lane if it was found to be defective.

Baston noted a typographical correction on page 6.

Brown made a motion to approve the minutes of the 12/15/2015 meeting as amended.

Baston 2<sup>nd</sup>.

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

*Items Included as Part of Agenda Packet for Discussion  
- 12-15-2015 Board of Public Works Meeting Minutes Draft*

### **Update of Library Drainage Project (Tighe & Bond in Attendance)**

Ian Catlow and Janet Moonan of Tighe & Bond appeared before the Board to discuss the status of the Library Drainage project.

Catlow discussed the history of the Library Drainage Project and the MEMA Hazard Mitigation Grant Funding that was obtained.

Catlow described the current status of the drainage system in the area of the Library.

Catlow and Moonan provided a large map of the area in question as reference to illustrate the routing of drainage in the area.

Catlow and Moonan described the current process of hiring an outside contractor to assist in the locating of drainage lines.

Lowery asked Catlow and Moonan about the status of a MEMA grant extension request.

Moonan replied that the grant extension was requested last week, and the timeframe for a response from MEMA is not currently known.

Brown asked if the request for extension is routine.

Moonan noted that MEMA has indicated it is fairly routine, and since there are no changes in scope, the granting of the extension is very likely.

Catlow noted that the project would need to be completed within the year extension.

Baston discussed potential alternative drainage plans with Catlow and Moonan.

Lowery asked if any funding has been received from the Federal Government to date.

Kadlik noted that no funding has yet been received from the Federal Government, and approximately \$4,000 has been spent by the Town this year to date.

Lowery expressed his desire for the establishment of a definitive plan with a specific project timeline.

Lowery requested that a copy of the MEMA grant extension request be provided to the Library Board of Trustees.

Brown asked what the consequences would be if the project was not completed with the 1-year extension.

Catlow replied that the MEMA funding would be lost.

Wegerbauer asked what the probability of the drainage improvements will help.

Moonan noted the improvements are designed to address a 25-year flooding event.

Mishara asked if there is any chance the changes could make the drainage worse.

Catlow replied that based on the models they have run, the drainage will not be made worse by the proposed changes.

Baston volunteered to walk the area in question with Catlow to discuss the project further.

Lowery asked that Tighe & Bond keep Kadlik up to date on the status of the library drainage project so that Kadlik could then provide updates to the Board.

***Items Included as Part of Agenda Packet for Discussion***

- 2010-11-01 MEMA Grant Application

- 2016-01-06 MEME Grant Modification Request

**Topics Not Reasonably Anticipated by the Chair 48 Hours Prior to Posting**

Kadlik distributed a time frame for the construction of the Rt27/Rt30 Intersection that he had received from TEC earlier in the day.

***Items Distributed for Information and Use by the Board of Public Works***

- 2016-01-12 Memo re: Rt 27/30 Intersection Improvements

**Board Members' Reports, Concerns, and Updates**

Lowery noted that the Historical Commission is interested in exploring the option of using Community Preservation Committee funds to restore the stone wall that has partially collapsed at North Cemetery.

Lowery noted that the white fence in the area of Mansion Beach on Lakeshore drive is in very bad condition, and expressed his desire to see the issue resolved.

Lowery discussed the status of Framingham's Birch Road Wells and their attempt to reactivate the wells.

Lowery noted that the concern is that the Birch Road Wells would draw from the same aquifer as Wayland's existing wells, and that assurances would be needed that the Birch Road Wells will not negatively impact the Town's wells.

Millette noted that, in his opinion, a study needs to occur to determine what affect the activation of the Birch Road Wells would have on the wells in Wayland.

Brown discussed the status of the FEMA reimbursement for last winter's winter storms.

Wegerbauer noted that the River's Edge Advisory Committee is discussing amending the Request for Proposals, and discussed the current status of the project.

### **Discussions of Future Use of 195 Main Street**

Aida Gennis, Anne Knight, and Suzanne Woodruff of the Board of Library Trustees; and Brud Wright of the Recreation Commission, appeared before the board to discuss the potential future uses of 195 Main St.

Gennis discussed the process by which the Board of Public Works could transfer the land in question.

Lowery asked about the portion of the library grant application that dictates who has care and custody of the land being studied as potential library locations.

Gennis discussed the process of the grant application, noting that the Board of Library Trustees would need jurisdiction over the parcel before the grant application is submitted.

Lowery asked if the library grant excludes the potential for having two library facilities.

Gennis noted that it was very unlikely that a grant would be awarded to build a second library.

Brown noted that he does not believe the Board needs to declare the land surplus this evening; that it would only need to be done prior to Town Meeting.

Lowery asked if the draft article will be modified so that it would include both 195 Main Street and 193 Main Street, which is under the care and custody of the School Committee.

Wright discussed the status of 195 Main Street and the process of declaring the land surplus.

Wright expressed his desire to develop a shared use of the land in question, and expressed his concern that the stipulations in the library grant request would preclude that from consideration.

Wright asked the Board about the process of transferring the land.

Brown replied that assuming the proposed transfer was approved at Town Meeting, the Board of Library Trustees would want the Board of Public Works to transfer the land to them.

Lowery requested the Board of Library Trustees provide a copy of any document indicating that the land needs to be in the Library Trustee's care and custody before the sight can be considered.

Lowery discussed the nature of the land transfer that was conducted by the Board pertaining to the River's Edge project.

Wright noted that the Recreation Commission has explored potential uses of 195 Main Street for some time, and asked the Board to consider alternative and shared uses for the parcel.

Gennis discussed the language of the draft article, and the potential of broadening its scope to encompass additional municipal uses.

Wright noted that options for Town meeting articles include a joint article or the filing of separate articles for the same parcel of land.

Brown expressed his concern that the draft article language limits the options of the Board to only transfer the land to the Library Trustees.

Lowery noted that the WRAP committee was formed to provide recommendations for the transfer of parcels in situations such as this.

Lowery expressed his concern that the process dictated by the State to file the grant application is unnecessarily convoluted, and expressed a desire to find a way the Board of Library Trustees can file the application without gaining the care and custody of the land.

The Board discussed a proposed plan of a potential layout incorporating both a library and a playing field on the site.

Gennis noted that the plan was not provided by the Board of Library Trustees.

Wright clarified that the plan was drafted by Town Planner Sarkis Sarkisian.

Wright asked the Board if the Recreation Commission should draft an article with language sufficiently broad to satisfy the concerns regarding the transfer of the land.

Lowery noted that two conflicting articles will potentially confuse the Town and will likely be questioned during warrant hearings.

Brown asked Kadlik if he foresees any ongoing uses for 195 Main Street.

Kadlik replied that the site could possibly be used for snow storage and as a material lay-down area.

Brown noted that he will meet with Town Counsel to discuss the process of declaring the land surplus.

*Items Included as Part of Agenda Packet for Discussion*

- Draft Article to Transfer Former Highway Garage Site to Library Trustees

***Items Distributed for Information and Use by the Board of Public Works***

- 2014-03 Wayland Library and Multipurpose Field Plan

**Discussion of ATM Articles**

**Accept Modified Route 30 and 27 Intersection as a Town Way**

Brown made a motion to submit an article to 2016 Annual Town Meeting to Accept Modified Route 30 and Route 27 Intersection as a Town Way.

Mishara 2<sup>nd</sup>, all in favor.

***Items Included as Part of Agenda Packet for Discussion***

- Draft Article to Accept Modified Route 30 and 27 Intersection as a Town Way

**Fund Reconfiguration of the Five Paths Intersection (Cochituate Road and Old Connecticut Path)**

After Board discussion, it was determined that on line 3 of the text (including pedestrian crossings) should be added following ‘improvements to the intersection’.

Mishara made a motion to submit an article as amended to 2016 Annual Town Meeting to Fund Reconfiguration of the Five Paths Intersection (Cochituate Road and Old Connecticut Path), with a cost estimate of \$300,000.

Wegerbauer 2<sup>nd</sup>, all in favor.

***Items Included as Part of Agenda Packet for Discussion***

- Draft Article to Fund Reconfiguration of the Five Paths Intersection (Cochituate Road and Old Connecticut Path)

**Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)**

Mishara made a motion to submit an article to 2016 Annual Town Meeting to Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road) with a cost estimate of \$300,000.

Wegerbauer 2<sup>nd</sup>, all in favor.

***Items Included as Part of Agenda Packet for Discussion***

- Draft Article to Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)

**Transfer Custody of Small Portion of Lakeview Cemetery**

Lowery made a motion to submit an article to 2016 Annual Town Meeting to Transfer Custody of a Small Portion of Lakeview Cemetery, as written or later amended by Town Counsel.

Wegerbauer 2<sup>nd</sup>, all in favor.

*Items Distributed for Information and Use by the Board of Public Works  
- Draft Article to Transfer Custody of Small Portion of Lakeview Cemetery*

**Water Conservation Restrictions Apply Uniformly to Public Wells and Private Wells**

Lowery noted that this article seeks to expand upon an existing Town bylaw.

Wegerbauer expressed his concern that the potential article has not yet been fully discussed and vetted by the Board.

The Board discussed the impact on residents who have already invested in private wells.

Mishara expressed his desire to see empirical evidence of the impact private wells are having on the Town's water supply.

Lowery made a motion to submit an article to 2016 Annual Town Meeting for Water Conservation Restrictions to Apply Uniformly to Public Wells and Private Wells.

Motion failed for lack of 2<sup>nd</sup>.

*Items Distributed for Information and Use by the Board of Public Works  
- Draft Article for Water Conservation Restrictions to Apply Uniformly to Public Wells and Private Wells*

**Larger Future Landscape Irrigation Systems Must be Supplied by Private Wells**

The Board discussed the nature of the potential article.

Baston noted that in his opinion increased education regarding irrigation systems needs to be conducted.

Baston expressed his concern for the impact on water revenue the rate change would have.

Lowery noted that the sense of the Board is that the article is not ready for voting, and as such should be passed over for vote.

*Items Distributed for Information and Use by the Board of Public Works  
- Draft Article Larger Future Landscape Irrigation Systems Must be Supplied by Private Wells*

**Regulating Temporary Signs Within Town-Owned Rights of Way**

The Board discussed the nature of the potential article.

Mishara suggested that DPW should be spelled out 'Department of Public Works'.

The Board continued discussion on the language of the potential article.



Lowery made a motion to submit an article to 2016 Annual Town Meeting Regulating Temporary Signs Within Town-Owned Rights of Way, with DPW spelled out ‘Department of Public Works’ and ‘without notice’ added following disposed of.

Mishara 2<sup>nd</sup>.

Lowery noted that State law allows anyone to remove a sign placed illegally within the public right-of-way.

Lowery and Mishara in favor; Brown and Wegerbauer opposed; Baston abstained.

Motion failed.

*Items Distributed for Information and Use by the Board of Public Works  
- Draft Article Regulating Temporary Signs Within Town-Owned Rights of Way*

**Board Members’ Reports, Concerns, and Updates (Continued)**

Wegerbauer discussed how OPEB deductions are calculated, noting that he understands them to be based on budget, not employee head count, and asked if a more equitable method of calculation should be discussed with the Finance Director.

Brown noted that it is his understanding that the calculation is based on budgeted employees.

Wegerbauer noted that any retroactive OPEB deductions pertaining to landfill employees should not be deducted from the Transfer Station.

Baston noted that the Community Preservation Committee is seeking funding to get a conservation restriction on 200 acres of Mainstone Farm, absorbing a large amount of the available CPC funds.

The Board acknowledged Baston’s draft of talking points for the WayCam Weekly Buzz.

*Items Distributed for Information and Use by the Board of Public Works  
- 2016-01-12 – Wayland Weekly Buzz Proposed Submission*

**Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to a Pending Litigation Regarding Bernstein et al v. Wayland Planning Board et al.**

Brown made a motion that the Board of Public Works enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to a pending litigation regarding Bernstein et al v. Wayland Planning Board et al.

Mishara 2<sup>nd</sup>.

Roll Call Vote: Baston – aye, Wegerbauer – aye, Brown – aye, Lowery – aye.

Brown invited attendance by DPW employees Stephen Kadlik and Daniel Cabral.

Brown noted that the Board will reconvene in open session in approximately five minutes for the purpose of adjourning.

The Board entered into executive session at 10:28 PM.

The Board reconvened in open session at 10:35 PM

Baston made motion to adjourn.

Wegerbauer 2<sup>nd</sup>, all in favor.

Meeting adjourned at 10:36 PM