

WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

February 9, 2016

7:00 PM

MEETING MINUTES

Present: C. Brown (Chair), M. Lowery (Vice Chair), W. Baston, M. Wegerbauer, M. Lindeman (DPW Park & Highway Superintendent)

Absent: J. Mishara, S. Kadlik (DPW 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

Discussion on the Potential Transfer of Cremains from the Church of the Holy Spirit to North Cemetery

Lindeman described the process involved in the potential transfer of cremains from the Church of the Holy Spirit to a Town-owned cemetery.

Brown asked Lindeman if he is seeking a Board vote or just providing a report.

Lindeman noted that he hopes to put together an informational package to be reviewed by Town Counsel then sent to the church.

Cynthia Bryant of 48 Pemberton Road expressed her concern that the potential installation of a monument identifying a specific church may be a violation of the separation of church and state, and may unintentionally serve to designate a particular part of the cemetery to a specific church.

Lindeman noted that the individual graves would be marked with flat markers, but a discussion of what would be on a larger monument has not yet occurred.

Lowery asked Bryant if the monument only gave the address where the cremains were transferred from, and not the name of the church, would her concerns be adequately addressed.

Bryant reiterated her concern for a potential precedent that may be set by identifying a specific area of a municipal cemetery for a particular church.

Bryant added that under the law, all interments would need to be issued new burial permits since they are being relocated to a new cemetery.

Lindeman noted that he will address the issues surrounding the disinterment with Town Counsel, and the burden will ultimately fall onto the church and the family members to comply.

The Board encouraged Lindeman to meet with Town Counsel and continue the process.

Items Included as Part of Agenda Packet for Discussion
- 2/1/2016 Draft of Letter to Rev. Frederick P. Moser

Discussion and Vote Position on STM Article 3

Brown asked if the Board feels they should vote their position on the article.

Lowery noted that in his opinion, items 1, 3, and 5 of the article do not fall under the purview of the Board; and he is under the impression that item 2 will be removed from the article on Town Meeting floor.

Lowery added that he feels the Board should consider commenting on item 4, but not necessarily offer their endorsement.

The Board discussed the issues concerning School Bus traffic on Oak Hill intersection.

Lowery noted that his opinion is that the Board should neither support nor oppose item 4 of the article.

Baston made a motion that the Board of Public Works not take a position on items 1, 2, 3, and 5 of STM Article 3; and that the Board cannot take a position on item 4 due to the ambiguity of the language in the article.

Wegerbauer 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion
- 2/11/2016 Special Town Meeting Warrant Articles

Discussion of Water Rates and Payments for Town-Owned & Community Facilities

The Board discussed the nature of billing of municipal meters.

Brown suggested that the item be discussed at the next meeting when Kadlik is available for comment and discussion.

Lowery requested copies of the bills for all municipal meters for the last year.

Lowery requested that Woodcock and Associates be consulted to discuss establishing a municipal water rate.

Items Included as Part of Agenda Packet for Discussion
- List of Town-Owned and Community Facility Meters

Brown departed at 7:43 PM to attend Board of Selectmen Meeting

Discussion of ATM Articles

Article DD: Accept Modified Route 30 and 27 Intersection as a Town Way

Lowery asked for Board comment on Article DD: Accept Modified Route 30 and 27 Intersection as a Town Way

Lowery requested that the amount of funding needed be added to the article.

Article AA: Transfer Custody of Small Portion of Lakeview Cemetery

Lowery asked for Board comment on Article AA: Transfer Custody of Small Portion of Lakeview Cemetery

Lowery noted that a map needs to be provided by Town Planner Alf Barry noting the boundary in question for the article to proceed.

The Board determined the language ‘that mistakenly got placed...’ with ‘that should have been transferred to the Parks portion of the Board of Public Works for cemetery purposes, rather than recreation, when the Board of Public Works was created.’

Article EE: Regulating Temporary Signs within Town Rights-of-Way

Lowery asked for Board comment on the Article EE: Regulating Temporary Signs within Town Rights-of-Way.

Lowery noted that the fourth page of the article was included in error, and should be disregarded.

Lowery suggested that additional DPW employees be added to the Selectmen sign approval e-mail notification list.

Lowery distributed an email exchange with Selectman Mary Antes regarding signs in right-of-way.

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

Lowery asked for Board comment on Article CC: Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)

Wegerbauer asked if there are any additional changes to the intersection planned.

Lowery replied that the article seeks funding to make permanent the temporary measures currently in place.

Baston noted that the cost estimate of \$300,000 should be included in the article.

Lowery asked that Kadlik confirm with TEC that the radii of the changes are adequate for truck traffic.

The Board determined that merchants of the Villa and Mel's Plaza should be included as interested parties.

Article BB: Five Paths Intersection Improvement

Lowery asked for Board comment on Article BB: Five Paths Intersection Improvement

Baston noted that the cost estimate of \$300,000 should be included in the article.

The Board determined that the Police and Fire Departments be included as interested parties/stake holders.

The Board discussed the history of the intersection in its present configuration.

Items Included as Part of Agenda Packet for Discussion

- Article DD: Accept Modified Route 30 and 27 Intersection as a Town Way
- Article AA: Transfer Custody of Small Portion of Lakeview Cemetery
- Article: Regulating Temporary Signs within Town Right-of-Way

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

- Article: Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)
- Article FF - Improve Five Paths Intersection (Signaling & Pedestrian Crossings)
- 2/3/2016 Email from Mary Antes re: Signs in the right-of-way

Discussion of Library Drainage Project

The Board was provided a copy of the Library Drainage Project extension approval.

Lowery requested that a copy of the extension approval be forwarded to the Library Trustees.

Lowery requested that Tighe & Bond again be requested to provide a project timeline.

Baston and Lowery described a recent on-site meeting they had involving representatives of Tighe & Bond and Conservation pertaining to library drainage.

Lowery requested that Tighe & Bond be asked to provide an update on the status of hiring a contractor to locate the existing drainage.

Lowery expressed his dissatisfaction with the performance of Tighe & Bond on the project, and felt that Tighe & Bond should again appear before the Board for further discussion.

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

- 1/20/2016 MEMA Library Drainage Grant Extension Approval

Brown returned from the Board of Selectmen meeting at 8:26 PM.

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

Brown described the Board of Selectmen meeting he attended to discuss Town meeting articles.

Brown requested that maps of proposed changes be obtained from TEC for Articles AA, BB, and CC.

Brown described discussion among the Board of Selectmen regarding Article EE: Regulating Temporary Signs within Town Rights-of-Way.

Lowery discussed the differences in the signs regulated by the Planning Board, the Board of Public Works, and the Board of Selectmen.

Brown noted that there was some discussion encouraging the establishment of a cohesive policy among all three Boards.

Baston expressed his concern with proceeding without the support of the Board of Selectmen and Planning Board.

Brown noted that he has not had the chance to completely analyze the information from the Board of Selectmen meeting, noting that the article could be passed over on Town meeting floor if the Board desires.

Lowery expressed his concern for potentially delaying the article, as it addresses a public safety concern.

Lowery suggested potential changes to the language of Article EE, to specifically exclude signs on private property as well as specify the four areas in Town authorized by the Selectmen for sign placement.

DPW Director's Operation Report

The Board discussed the Directors Report and the included letter from James Persky of the DEP regarding the Birch Road Wells.

Items Included as Part of Agenda Packet for Discussion

- 2/9/2016 DPW Director's Report

- 2/4/2016 Email from James Persky (DEP) re: Framingham Birch Road Wells

Board Members' Reports, Concerns, and Updates

Lowery discussed a recent meeting with the Finance Committee regarding the creation of a Town Engineer position.

Wegerbauer asked when Water Superintendent Don Millette will be conducting a file review with the DEP regarding the Birch Road Wells.

The Board determined that Lowery would draft a letter to be sent on behalf of Town Administrator Nan Balmer to the Town of Framingham regarding the Birch Road Wells.

Review and Approve the Minutes of the 1/26/2016 Meeting

Lowery page 2: Sole authority to bring to TM proposed expenditures from the water enterprise fund.

Lowery noted a correction to be made to page 2 to add that it is the Board's sole authority to bring to Town Meeting expenditures from the Water Enterprise Fund.

Brown made motion to approve the minutes of the 1/26/2016 meeting as amended.

Wegerbauer 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion
- 1/26/2016 Meeting Minutes Draft

Executive Session to Discuss Strategy with Respect to Recent Actions Regarding Bernstein et al v. Wayland Planning Board et al and Review and Approval of the Executive Session Minutes of the 1/12/2016 Meeting

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 recent actions regarding Bernstein et al v. Wayland Planning Board et al and the review and approval of the executive session minutes of the 1/12/2016 meeting.

Baston 2nd.

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

Brown invited the attendance of DPW employees Mike Lindeman, Joe Doucette, and Daniel Cabral.

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

The Board entered into executive session at 9:04 PM.

The Board reconvened in open session at 9:14 PM.

Brown made motion to adjourn.

Baston 2nd, all in favor.

Meeting adjourned at 9:21 PM