

**TOWN OF WAYLAND - TOWN CLERK'S OFFICE**  
**NOTICE OF MEETINGS OF TOWN BOARDS/COMMITTEES/COMMISSIONS**

Posted in accordance with the provisions of the Open Meeting Law

NAME OF BOARD/COMM: Wayland Wastewater Management District Commission

FILED By: Fred Knight

DATE OF MEETING: Monday, 30 June 2014

TIME OF MEETING: 6:30 PM

PLACE OF MEETING: Wayland Town Building

**PROPOSED AGENDA**

*Note: Items may not be discussed in the order listed or at the specific time. Times are approximate.*

- 6:30 1. Call to order, not with BoS
- 6:31 2. Public Comment
- 6:45 3. Executive Session with the Board of Selectmen on litigation with 20Wayland and potential litigation with other users
- 8:00 4. Executive Session on litigation with 20Wayland and potential litigation with other users
- 8:15 5. Pay bills
- 8:16 6. Approval of minutes for 2014: 5/14,5/21,5/27,5/29,6/2,6/16, 6/23
- 8:26 7. Discussion of billing status, water meter reads, and budgets
- 8:31 8. Discussion of abatement procedure
- 8:41 9. Outstanding Abatements/Administrative Adjustments to Prior Bills.
- 8:55 10. Discussion of betterment procedure
  - 1) What portion of debt to cover with betterment (between 0 and 100%)
  - 2) How to apportion the betterment. There are three options permissible by law. Apportionment can be applied 1. on a per unit basis, 2. on a frontage basis or 3. by Special Act based upon capacity or winter water usage.
  - 3) Which rate should be charged to customers for betterments. Law allows for two options - 5% or borrowing rate+2%.
  - 4) Possible votes to be taken
- 9:15 11. Authorize John Moynihan to contract with Tighe & Bond to produce as-built drawings for the new WWTF. Estimate 7-10 days work and under \$10k.
- 9:20 12. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any.
- 9:21 13. Calendar: upcoming meetings and events, including hearings.
- 9:22 14. Public Comment
- 9:37 15. Adjourn

**MOTION TO GO INTO EXECUTIVE SESSION**

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town, and potential litigation by a group of WWMDC users as threatened by their lawyer.

CHAIR: Is there a second to the motion to enter into executive session? The Chair declares that discussion of strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town and potential litigation mentioned in communication from Kurt Fliegau, who represents a group of users.

CHAIR: Roll call vote. Mr. Greene. Aye. Mr. Potter. Aye. Chair votes aye. Motion passes.

CHAIR: The Board invites attendance by Town Counsel Mark Lanza, special Counsel Damon Seligson, Cindy Cincotta, John Senschensyn, Bob Mercier, MaryAnn DiNapoli, and Board of Selectmen. The Board will return to a second executive session in approximately 75 minutes.