

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 21, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast

Guests: Anette Lewis, Wayland resident

Prescott Baston, Wayland resident

Location of meeting: Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

Prior to the regular meeting a hearing on illegal use of the wastewater system was scheduled. The meeting notice and a letter concerning illegal use of the system was mailed to all users prior to the meeting. Fred Knight discussed the proposed penalty of a civil fine of \$2000 for each illegal use of the system. None of the system users attended the meeting. At 7:44 PM, Sam Potter made a motion to close the hearing. David Schofield seconded the motion. The vote was 3 – 0 in favor of the motion.

The Commission discussed the problem of illegal use of the wastewater system. Illegal use includes the discharge of storm water to the system. Sump pumps and basement floor drains could be the source of illegal use of the system. The Commission decided to inspect user facilities for the presence of sump pumps and floor drains and the route of discharge from the sump pumps and floor drains. David Schofield agreed to search for a plumber or other person to perform inspection of user facilities. The Commission will advise users by letter concerning the inspection and the date of inspection. David Boucher of Whitewater has agreed to provide a report of the amount of discharge to the sewer system over a period of 30 days from the Wayland Commons housing development.

The Commission postponed a discussion of the operating cost of the new treatment plant until a report is received from Ian Catlow of Tighe & Bond.

A review of the water problems at the Public Safety Building was postponed due to the absence of John Moynihan.

Fred Knight reported on the study by Tighe & Bond of the possibility of using the playing field adjacent to Town Building for a leaching field to increase the capacity of the treatment plant. With an increase in capacity, Twenty Wayland could request from DEP an increase in the permitted discharge from Town Center from 28,000 gallons per day to 45,000 gallons per day.

The subject of water conservation was discussed. David Schofield reported that Dan Bennett has not received from Twenty Wayland an application for a water permit for Town Center. The Commission's Water Conservation Regulations were reviewed. David

Schofield suggested an amendment to the regulations. After some discussion, David Schofield made a motion to approve the amended regulations. Sam Potter seconded the motion. The vote was 3 – 0 in favor of the motion.

The minutes of the meeting of September 7, 2011 were reviewed. David Schofield made a motion to approve the minutes. Fred Knight seconded the motion. The vote on the motion was 2 -,0 in favor of the motion. (Note: Sam Potter was not a member of the Commission on September 7, 2011.)

The minutes of the meeting of December 7, 2011 were reviewed. Fred Knight made a motion to approve the minutes with corrections. Sam Potter seconded the motion. The vote was 3 – 0 in favor of the motion.

Bill Prendergast distributed two financial reports. The first report showed a bank balance of \$942,255.30 as of December 20, 2011. The second report showed a balance of \$1,764,047.90 remaining from the loan of \$5.0 million for construction of the new treatment plant. The date of the balance was December 12, 2011.

At 9:05 PM, David Schofield made a motion to go into executive session:

I move that the Wastewater Management District Commission go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the Commission.

Sam Potter seconded the motion. The chair declared that discussion of strategy in open meeting with respect to litigation between Twenty Wayland, LLC and the Commission and the Town of Wayland over sewer use charges as filed in court may have a detrimental effect on the litigating position of the Town.

The roll call vote was 3 – 0 in favor of the motion.

David Schofield: Yes

Sam Potter: Yes

Fred Knight: Yes

The chair invited Executive Director Bill Prendergast to attend to record minutes of the discussion.

At 9:30 PM, Fred Knight made a motion to end the executive session. Sam Potter seconded the motion. In a roll call vote, Fred Knight, David Schofield, and Sam Potter voted to end the executive session.

On the return to open meeting, the meeting adjourned at 9:35 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight
David Schofield
Sam Potter
Board of Selectmen
File