

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 12 Feb 2014

DRAFT MINUTES

In attendance: Fred Knight, Sam Potter

Absent:

Guests: Woody Baston, Jonathan Buchman, Leslie Stearn,
Tracy Caplan, Susan Essi, Donna Carlton, Joan
Duffy, Mary Jo and Ron Beresgniewicz, Cherry
Karlson, Frank Normadin, Lynn Perry

Location of meeting: School Committee Room, Wayland Town Building

Fred Knight called the meeting to order at 7:30 PM.

7:30 1. Public comment

- Woody Baston: Was state money applied for?
- Jonathan Buchman: When will the information from Public Records Request be available?
- Lynn Perry: Did Brenden Homes know about the WWMD fees?
- Are users being treated uniformly?
- Jonathan Buchman---Questions about the allocation of cost.
- Anette Lewis---When will information be available for rate hearing?
- Jonathan Buchman---Why weren't bills sent out for a year?
- Jonathan Buchman---How do we compare to other operating costs in other WW systems?

7:40 2. WWMDC Staffing - discussion and vote of hiring an Executive Director.

- Need for more administrative capability.
- Motion: Vote to enter the process of writing a job description for an Executive Director and take that to the Personnel Board for approval and authorize Sam to proceed through the hiring process. Vote: 2-0

7:57 3. Final FY2015 Annual Budget: Annual budget, Financial report, expect to vote to approve budget.

- Present budget for FY2015
- Lots of questions about budget

- Motion to approve draft FY2015 budget vote: 2-0
- 8:38 4. Discussion of cash balance, billing, and reports of meetings with FinCom and BoS last week.
- Sam discussed allocation for financial consultant. BoS approved \$25,000 to pay for this consultant. Request needs to be approved by FinCom, which does not want BoS to spend this amount on the Town side. More discussion needs to occur for another method: funding from a deficit posture with the approval of DOR. If DOR does not approve, then Sam will talk to FinCom again on 24 Feb 2014. In the meantime, Sam will follow up and refer Powers and Sullivan to Fred.
- 8:25 5. FY2013/FY2014 billing: status and next steps. Plan is to bill monthly to catch up on quarterly billing. Necessary also for collecting sufficient fees to balance budget. Discussion of draft abatement process.
- Bills for FY2014/Q1 and FY2014/Q2 in draft form.
 - To be sent next week.
 - Abatement comments from Mark Lanza. The WWMDC decides on abatements. There should be a form for requesting abatements. Charges need to “fair and equitable.” The special act creating WWMDC allows WWMDC to charge on flow and/or capacity. The WWMDC can respond within 90 days to an abatement request. If no response, then abatement deemed denied. Appeal can be made to the state Appellate Tax Board. Reference id MSL Chapter 82 Section 16G
- 8:50 6. DEP interactions and NPDES operating permit application, including finding additions to the amount already approved by DEP based on existing flows at the Town Center. From 14 Jan 2014, note DEP acceptance of total of 45,000 gpd allocated to 20W and status of 3000 gpd for municipal pad at Town Center.
- WWMDC has control of the 3,000 gpd now.
 - Billing should be based on 42,000 gpd from 20W.
- 9:05 7. Update on construction and betterment process. Discussion with Cherry Karlson of the FinCom. Motion to be considered is declaring the new WWTP complete or substantially complete in preparation for betterments in FY2015.
- Draft of the betterment process; see attached document
 - Motion by Sam: I move that the Wayland Wastewater Management District Commission determine that the Town-

owned Wastewater Treatment Plant Replacement Project is complete for purposes of assessing sewer betterments, subject to any final punch list items which must be addressed by the general contractor for the project. vote: 2-0

- 9:50 8. Preparation for rate hearing on 5 Mar 2014. Posting of budget and rates. Format of hearing.
- Discussion of FY2015 budget
 - Betterment process
 - FY2015 rates
- 9:52 9. Discussion of fulfilling public records request. How can it be accomplished as inexpensively as possible?
- See earlier discussion
- 9:52 10. Approval of minutes
- None
- 9:52 11. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 9:52 12. WWMDC composition: new member needed
- None
- 9:53 13. Calendar: upcoming meetings and events, including hearings.
- 26 Feb 2014 decide if necessary for betterment, otherwise discuss at rate hearing.
 - 5 Mar 2014 rate hearing
- 9:56 14. Public comment
- Frank Normadin: Does 20W have to pay independent of the lawsuit?
 - Woody: Place usage on the web site
 - Anette: Our rate hearing advertisement was late.
- 10:00 15. Executive session on litigation; see motion below. This deals with litigation by 20Wayland.
- 10:30 16. Open session and any action resulting from executive session
- None
- 10:30 17. Adjourn

Respectfully submitted,
Fred Knight

Distribution:
Fred Knight,

Sam Potter,
Board of Selectmen,
Web site,
File

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.

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.

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

CHAIR: The Board invites Administrator Ira Montague, Town Counsel Mark Lanza (if present), Town Administrator John Senchyshyn (if present). The Board will return to open session in approximately 40 minutes.