

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 5 November 2014

MINUTES

In attendance: Fred Knight, Sam Potter, Rick Greene, Cindy Cincotta
Absent:
Guests: Linda Segal, Brian Giblin of Brendon Homes
Location of meeting: Board of Selectmen Meeting Room, Wayland Town Building

Fred Knight called the meeting to order at 7:39 PM.

- 7:39 1. Call to order
- 7:39 2. Public comment
 - None
- 7:40 3. Public Safety Building \$50,000 capital request (Sam?)
 - To pay for two things, a second temporary fix and the other is to design a permanent fix. If, in three or four years, we need to do something else, we will need the design in advance. Re-designing the draining system is needed. It is currently fed by gravity. One of the fixes would be bringing all that to the ground floor.
 - Linda Segal mentioned that Town meeting appropriated funds for reconstruction from the flood a couple of years ago there were still funds unused and potentially available.
- 7:45 4. Billing update(Cindy)
 - FY2015/Q1 billed on 24 October 2014 and due 24 November 2014
 - Penalty accounts need to be monitored.
- 7:50- 5. Draft FY2016 budget (Cindy and Sam)
8:19
 - Amend and present to Brian Keveny
 - Hearing is needed to set the rate for FY2016
- 8:45- 6. Request to abate interest on Waste Water Account
9:06
 - Although the board is sympathetic, the request by Karen LaRoche of 19 Pelham Island Road to waive interest is denied.
- 9:07 7. Discussion of eliminating the WWMDC in favor of incorporation into BPW
 - Rick was in the room when they discussed it and the sense was that over the longer term it may be a good idea. We should keep this as a topic of discussion.
- 9:10 8. Reallocation of design capacity
 - Nothing new to discuss. A willingness to discuss, however, we should continue to have this on the agenda.
- 9:11 9. Infiltration & Inflow study
 - Fred is completely opposed. He stated this is an extra, unnecessary expense.

Wayland WWMDC Minutes

There is no evidence of infiltration to any measurable extent, and inspections of almost all users' connections were conducted in January 2012.

- 9:10 10. Investment Strategy
- Paul Keating has put the funds collected from the betterment into a money market account at a 1% interest rate.
- 9:13 11. Calendar: upcoming meetings and events, including hearings.
- Next Wednesday 13 November 2014 another meeting
 - Pay bills next week
 - Schedule rate hearing. Must be advertised and posted 30 days in advance.
 - The board should meet with two people in town, Brian Keveny & new facilities director.
- 8:25- 12. Brendon Homes betterment amendment process and procedure
8:45
- Board received a hand delivered letter by Brendon Giblin requesting reassessment of betterment
 - Board made a motion to dissolve the original betterment and amend a new betterment and file a betterment order. Brendon Homes will agree to pay all legal and recordings fees incurred due to this amendment. Motion passes 3-0. Motion made to authorize Cindy Cincotta to work with Town Counsel to reassess the betterment.
- 9:15 13. Public Comment
- Linda Segal, speaking on her own behalf and as a citizen liaison to Raytheon cleanup, noted that there is an annual meeting Wednesday, December 3, 2014 and would like to invite the board to attend.
 - Linda Segal would like to see the website on the agenda again.
- 9:25 14. Executive Session on litigation with 20Wayland and potential litigation with other users and approval of previous executive session minutes
- 5/7, 5/14, 6/23, 6/30, 7/21, 8/4, 9/23 and 10/27
 - Return to regular session to adjourn only
- 9:42 15. Any action to be taken as a result of executive session
- None
- 9:43 16. 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 WWMDC Minutes

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 Fliegauf, 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 Cindy Cincotta. The Board will return to a second executive session in approximately 40 minutes to adjourn.