

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 23 March 2015

MINUTES

In attendance: Fred Knight, Sam Potter, Rick Greene, Cindy Cincotta

Absent:

Guests:

Location of meeting: Senior Center, Wayland Town Building

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

- 7:30 1. Call to order
- 7:49 2. Executive Session for approval of executive session minutes.
- In executive session for one half hour.
- 8:19 3. Any action to be taken as a result of executive session minutes
- Executive sessions will be released.
 - Motion made to approve redacted minutes. Vote 3-0 to release the minutes and put on the website and be available for viewing.
 - Rick gave Jonathan B. hard copies of the Executive Sessions. Independent of the BOS Executive Session. George Harris also requested a copy and the WWMDC will send a copy.
- 8:22 4. Vote to release redacted executive session minutes
- Listed above
 - 3-0 in favor
- 7:33- 5. Public comment
- 7:49
- Nancy C. mentioned she went to the BOS and showed the WWMDC a letter she submitted to the BOS.
 - Nancy said she told the BOS the plant was overbuilt
 - Nancy said the pro-rata share was mentioned.
 - The settlement and gift money was mentioned.
 - The BOS said they need to speak with Mark Lanza and get back to the users
 - Jonathan B. said he is trying to look at how to make this right. He constantly has members of the development community come to him and there is no available capacity for new businesses. He suggests new leaching fields be build and a pipe should be run and the plant be used. There could be user charges billed and used to defray the capital costs. Sam Potter stated the economic development group is looking for a two million dollar grant to run the pipe.
 - Sam said the WWMDC is looking at everything. Increasing the NEPDES permit is the first plan of action. If the state contributes two million dollars

for the piping then Rivers Edge and pipe down to the plant and the WWMDC would get a privilege fee and bring down the user fees.

- Nancy C. said it sounds reasonable, but this is the second betterment she has paid for. She has already paid for a new pump and Jonathan stated he has also replaced a pump.
- Rick said he thinks that if we do something like that in the future that is something we would have to look at.
- Jonathan said he feels he is within his rights to go forward with the abatement suit. He feels like the users got a raw deal. He feels his rights are not protected.
- Donna Carleton said the future possibilities of expansion that could reduce the user fees.
- Sam said the betterment will not change, but the privilege fee would offset the user charges.
- Donna wants to know if there is anything legally that can be put in writing.
- Sam said the future plans are conceptual.

8:20 6. Discussion of abatement requests

- There are three items that will be discussed tonight.
- First item - The amount of the assessment is more than the enhanced value of the property, or reflects a disproportionate allocation of the cost of the project when compared to other benefited properties. The design flow and pro-rata share was used when assessing betterments.
- Second item - The second possible is the stated design flow is incorrect.
- Third item - Administrative error/other. We will read through the reasoning. As far as we know we checked and re-checked.

8:25 7. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any.

- None

8:26 8. Calendar: upcoming meetings and events, including hearings

- 29 April 2015 at 7:30
- Abatement hearings.
- We will send letters .

8:27 9. Public Comment

- None

8:28 10. Adourn

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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 potential litigation between a group of WWMDC users as threatened by their lawyer 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 between a group of WWMDC users as threatened by their lawyer and the Commission and / or the Town of Wayland over sewer use charges may have a detrimental effect on the litigating position of the Town.

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.