

**WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION
MEETING OF 9 MARCH 2016**

In Attendance: Fred Knight, Rick Greene, Sam Potter, Jane Capasso

Absent: All Present

Guests: Nan Balmer (Town Administrator), Bill Sterling, Pei & Sherman Lin, Anette Lewis, Molly Upton, Frank Normandin

Meeting Location: 7:30 Wayland Town Building

Minutes

- 7:30 1. Call to order
- 7:31 2. Public comment – None
- 7:32 3. Public hearing to review rates for FY2016-Q3/Q4 and rates for FY2017. Based on a review of the YTD expenses and prospect of no significant legal expenses in FY2016, there appears to be a reason to reduce rates for the remainder of FY2016. The rates for FY2017 are contained in the draft budget for FY2017.

- Recommended Motion #1: Reduce collections for the last two quarters of FY2016 by the difference between savings on legal expenses (\$45,000) and increased expenses from administrative charges for all Town departments (\$25,000). The savings would be distributed evenly between Q3 (Jan-Mar 2016) and Q4 (Apr-Jun 2016).

WWMDC budgeted for legal expenses in case of betterment appeals. None were submitted, and the time to apply for appeals has ended. Unanticipated administrative charges of \$25,000 offset this amount leaving an excess of \$20,000 to use in reducing collections. By year end the budget is estimated to be favorable by \$60,000. Motion by Sam to reduce billing by \$10,000 in each quarter. All in favor 3 to 0.

In a related vein and since there is misinformation conveyed to the FinCom, Jane to email Gordon Cliff, WWMDL liaison from the Finance Committee, our P&L on a monthly basis.

- Recommended Motion #2: Set operational rates for FY2017 based on the draft budget for FY2017, namely:
 - Capacity Rate: \$2.79/gpd/year
 - Flow Rate: \$1.97/gpd/year
 - Penalty Rate (3x Flow Rate): \$5.91/gpd/year

The FY17 Budget approved by the Finance Committee and Board of Selectmen dated 22 Feb 2016 includes an increase in the 19 hours the Account Specialists is allowed and as a result benefits would be added on. The Personnel Board has not taken action at this time due to lack of support that the need for increased hours will continue. Fred argued that the position has taken on more responsibility and special projects requiring more hours. Jane is to keep track of her duties and hours for the next 1-3 months and this request may be reviewed at that time. Overtime should be kept to a minimum and requested work should be spread to maintain 19 hours per

week as much as possible, but she is not allowed to work at home. Since the budget dated 22 Feb 2016 has been approved, the increase will be left in the budget and will appear in the warrant. If necessary, a rate hearing will be scheduled midway through FY2017 to reduce rates in FY2017.

The NPDES permit cost of \$3,000 in the budget for water testing has not happened in the past. If there is no charge for this, can WWMDC reallocate this amount in the future? Further discussion needed.

Motion by Rick to approve the capacity, flow and penalty rates for FY2017 listed above. Seconded by Sam, all in favor 3 to 0.

8:10 4. Discussion with Nan Balmer, Town Administrator

- Betterment billing and accounting – WWMDC would like to change and/or add line items to their balance sheet to show an account called Prepaid Betterments containing the Paid In Lieu of Betterment (PILOB), betterments paid in advance by users, and betterments collected in the third and fourth quarter each fiscal year. WWMDC would like this accounting to ensure there is a positive cash flow for betterments. WWMDC has a spreadsheet that reflects the apportionment of payments and who has paid in advance verses installments over 5, 10, 15 or 20 years.
- Sam would like a separate account to record betterment activity. Nan and Brian Keveny are in agreement that this cannot be done because WWMDC is an enterprise fund and everything must be accounted for in one fund. Rick agrees our Balance Sheet (B/S) is hard to read. WWMDC would like the balance sheet to show us how much we have collected, billing pay offs, and how much is paid off in bond payments. Nan will work with us on this.
- Review of Title V allocations for the Town Center and ramifications of the accounting of Title V allocations for all of Town Center, Condominiums and Town Pad - Is the TC in aggregate at or above based on the DEP permit. All businesses together total 45,000 gpd. WWMDC wants to know how close we are to this number. Jane analyzed this and did a comparison to the Building Department and Board of Health numbers. There remains some uncertainty in a few allocations, but the TC aggregate Title V design flow is close to the 45k gpd.
- Process of assigning Title V design flows in the future - WWMDC has a number of questions that need resolution. Rick received calls on the decision making for the Title V classification of Femiluxe as retail by the Board of Health/Building Department (BOH/Bld Dpt) verses a beauty shop, and Orange Leaf is permitted for 16 seats but they have 31. The BOH should go out and check on this. WWMDC was told that if they have a concern then they should file a complaint with the BOH. Nan: the BOH will give us a written response for the exceptions to Title V and a policy for appeals. Fred thinks that the Special Act (Chapter 461) gives sole authority to designate Title V design flows to the local allocating authority, namely the BOH. All communication for the BOH should go through Nan so all legal protocols are followed. Discussions with National Development on the Title V design flow have been tough because WWMDC is waiting for answers from the BOH.
- Fred asked for an update within a month, a policy should be in place for current design flow, sales and change of use. WWMDC would like to be consulted.

- Allocation for Town Overhead – (Indirect/Administrative Costs) The 5% allocation of Ben Keefe’s salary, Facilities Director, may be lowered. Nan is looking into this.
Ended at 9pm
- Close-out status of the WWTF. We have gotten the amount of funds remaining, ~\$239,000. We will keep these funds to pay for capital costs, e.g., replacement of Membrane Bioreactor screens. Update on whether funds can be refunded for WWMDC use, i.e., to reduce fees in upcoming years. The \$239,000 capital account belonging to WW needs to be spent or it will be reverted back to the Town. This could be re-appropriated at Town Meeting.
- Nan identified a \$239,000 amount related to the Baldwin Treatment Plant that was labeled in error as WW’s. Nan is looking into this.
- The administration of the WWMDC. Do we need an executive administrator, say a part-time manager of WWMDC activities, to be responsible for day-to-day activities? Update from WWMDC chair on his interview with Personnel Board concerning Account Specialist duties and hours.

Nan suggested WW could benefit by hiring a part-time professional manager to work about 10 hours per month to help with the day-to-day activities. The Commission acts as a managerial and policy board. Having a part-time manager will keep the commission out of trouble. Fred inquired with our operating company to see if they knew someone who could do this. More discussion is necessary. Other Towns may have this situation. Could the new Water Superintendent be able to handle this? In the past, the DPW was not interested.

Account Specialist duties and hours – See number 3, Motion #2.

- 8:50 5. Pay Bills: Direct Energy \$569.55, Eversource \$2,997.01, National Grid \$385.85, FY2015 OARS \$6,498, TOW Water \$225, Verizon \$99.11, Whitewater \$3,900 and Whitewater \$4,835.96. Total bills as of March 4, 2016 \$19,510.48. Board reviewed the bills in detail and a motion to approve was seconded with all in favor.

OARS 2016 Budget totaling \$6,803 – Review of the Oars budget and a discussion on having Whitewater do the testing and would this be more cost effective. The Oars budget was approved 3-0.

- 8:56 6. Monthly budget update and year-to-date finances – Discussed above in number 3.
- 8:56 7. Approve minutes for previous meetings: February 10, 2016 and Feb 29 2016. February 29th amended and both minutes approved with the amendment. All in favor.
- 8:58 8. NPDES Permit renewal – See number 3 above.
OARS monitoring – See number 5 above.
Other monitoring – No discussion.

9:00 9. Further discussion of what to do with 820 gpd of design flow. Update on the article for 2016 Annual Town Meeting to purchase the 820 gpd for the Library allocation.

- Joint meeting with the Board of Selectmen last week to finalize the verbiage for the warrant to be voted on at the Annual Town Meeting in April. WWMD has DEP approval to use the 820 gpd as needed. Fred or Sam will talk at the Annual Town Meeting (ATM) to speak in favor of the motion, but not say we support it. WWMD has the 820 gpd available to allocate to the library, or we could sell it and get the same money. WW's stand at ATM is we can sell the 820 gpd and possibly answer questions.
- What about the current flow issue, the Administrative Consent Order and how it impacts this and what are the ramifications to the town. Sam will prepare answers to these questions as well as, what is our actual flow, projected flow and are we in danger of approaching 41,600 gpd of outflow. Nan: 76,245 gpd assigned capacity does not include the 440 (subtracted to calculate betterments). What is the total design capacity 76,245 plus 440 gpd? There is no more to sell. Wayland Commons is included in this number. Note added in editing: Nan is right; Fred neglected to include that 440 gpd in the total Title V design flow. This oversight should be corrected when the 440 gpd is sold or used for the Library.
- Annette: Years ago flow was very high due to flooding in the system, Spring, 2010. Was this resolved? Yes, this was corrected. The Administrative Consent order is a 3 month running average and at that time the flow went up to 65,000 gpd.
- Nan: Four properties in August of 2013 were not on the betterment list. Should they be added onto the 76,245? Fred commented that these were part of Hastings Way and never built. Nan will send us information on this.
- Annette: If the Town Building was changed to condominiums, would this increase flow? The TB currently has 3,000 gpd allotted for the building. A 40,000 sq ft building would equal 4,400 gpd and the increase could not be done without approval. The flow will never come close to the 76,245 gpd plus 440 gpd. We have 16,000 gpd extra before we trigger the DEP threshold. Rick: The Administrative Consent Order is based on design flow and not actual flow. Sam and Fred agree that there is no rational way that WW could approach the 41,600 gpd. Rick does not agree. Note added in editing: See the meeting agenda for 30 Mar 2016 for more commentary. Per Fred's calculations, the total actual flow would never get close to the threshold for triggering the building of the auxiliary leaching field, even if the Town Building were converted to condos AND, in addition, the amount of restaurant flow was DOUBLED for the Town Center.

9:35 10. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any.

- WWTP Landscaping – No seeding is needed where the old treatment plant was since it is now a parking lot. There is grass around the new treatment plant, but the Board feels it may be weeds. Jane to confirm this and proceed with hiring landscapers to hydro seed if necessary. Jane is waiting for the trees to bloom to find out if one needs replacing. When this work is complete, Jane will get final approval signatures.
- A Florist is looking at moving into 310 Boston Post Road. This was classified as a

retail store and now a new Title V classification for a Florist may be needed.

- 9:43 11. Website status: recent postings and organization. Chair notes a request to organize the site better. No discussion. The following was added after the meeting: Additions under Documents: Sewer Allocation Response from DEP, Letter to Eric Worrall, DEP, Draft of the TC Data Capacity 2/25/16, and Nan Balmer's Draft Letter.

- 9:43 12. Calendar: Upcoming meetings and events, including hearings. No meeting in April due to the Annual Town Meeting. The next meeting will be May 11.

- 9:50 13. Adjourn