

**WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION  
MEETING OF 14 June 2017**

**In Attendance:** Fred Knight, Rick Greene and Jane Capasso.  
**Absent:** Sam Potter  
**Guests:** None  
**Meeting Location:** 7:30 pm Wayland Town Building

**MINUTES**

*Note: Items may not be discussed in the order listed or at the specific time. Times are approximate.*

7:31 1. Public comment - None

7:35 2. Review of transfer of land and design flow from Wayland Meadows to Conservation Commission (land only) and to BoS (design flow only) to be allocated to 5 Concord Road. Documents have been approved by boards but not by Wayland Meadows. Still waiting for signatures. Discussion with Nan on splitting the legal bills between the Conservation Commission and Board of Selectmen.

Wayland Meadows has not signed the documents as of today. The Board of Selectmen, Conservation Commission and Wastewater will sign after.

The agreed upon amount that the WWMDC will pay for legal bills is \$1,013. Elizabeth Doucette will do a journal entry to transfer the money.

7:38 3. Update of design flow accounting for the Town Center. Review of current allocations including the reallocation of 500 gpd for new doctors' practice approved by WWMDC on 1 Mar 2017. Discussion of National Development's plans for future businesses.

National Development - Is planning on meeting with the DEP to discuss the reallocation of design flow. Fred and Rick feel this is a bad idea and they are concerned that the DEP may not respond favorably. Fred spoke to Cherry Karlson, the WWMDC liaison from the BoS, and she agrees. Fred will write to National Development and discourage them from speaking with the DEP and encourage them to talk to the WWMDC. Rick: The NPDES permit was submitted for approval June, 2014. It has been about 2.5 years and we have not heard from the EPA on the renewal of the 5 year operation permit.

Fresh Market update – According to the owners of the plaza, Fresh Market has signed a lease and construction is expected to start soon.

Ace Hardware – National Development offered them lower rent and the gourmet store moved into the Ace Hardware space.

Panera – Lease under negotiation. Discussing the non-compete clause that does not allow a coffee shop or a bakery in the Town Center.

7:50 4. Continued discussion of draft revision of WWMDC Rules and Regulations, specifically the modification of section on connections and alterations. This is an on-going discussion that may continue, but we are nearing agreement. Are we ready to approve the revised Rules and Regulations?

Rick: Article 7, Sect 3, Para D – Changed verbiage. Fred agrees. Fred: Make gpd consistent as lower case throughout the document. Add a signature line and date of approval at the end of the document. Rick: Made a motion that with the above changes that the rules and regulation be approved. Fred second the motion.

Approved 2-0. Jane will post the final document on the website.

7:55 5. Report from Chair (Fred Knight) on:

- A) The efforts to get a vendor for measuring locations of pipes in preparation for excavation (No RFP, 5-6 quotes is in process) and another vendor for emergency response (research on the wastewater system and then an Information For Bid, IFB, will be done). Paul Brinkman, town engineer for DPW, is working on this.

Fred: Help from Tom Holder and Paul Brinkman have been very helpful.

Paul is working on gathering information on the sewer system and then he will send out an Information for Bid for an emergency repair company. The treatment plant operator was not available for a tour.

Dig Safe: Paul is obtaining plans for the WW sewer system. He has identified 5-6 companies that can do mark-outs and he is getting quotes and will send a memo to the WWMDC.

Treatment Plant Key – Paul would like to have one key for himself and a second in the key box at the DPW in case of emergencies or contactors need access to the plant. Ben Keefe has a master key for the whole town, which cannot be copied. Jane will talk with Chris, the WhiteWater Plant Manager to get a key.

Rick: Jane, check with Ben to see if the Town has a key just for the plant.

WhiteWater annual review – Meeting to be set up with WhiteWater to discuss the state of plant, upcoming issues and billing based on the contract. The meeting will include any issues Paul or Tom have identified and will occur in July, August or September when all parties are prepared.

Voice Mail – In the future we will have a company to handle emergencies. In the meantime, Jane will contact Paul and Ben Keefe. Fred will work on this.

- B) Discuss Beth Doucette's recommendations for WWMDC's Operating Budgets for F17 and FY18 to cover expenses and adding a new account called Extraordinary/Unforeseen expenses.

Beth recommends using the \$25,000 contingency account to cover DigSafe and emergency repair services. WWMDC should request a revision to the FY18 Budget, at the special fall town meeting, to appropriate funds to cover DigSafe and emergency repair contracts as well as adding a new account for Extraordinary/Unforeseen Expenses. This account is similar to a reserve fund and using the same amount each year will not affect billing rates. Jane provided Beth with a schedule showing a list of FY17 unbudgeted expenses, emergency calls and the WWMDC's calculation of the Wayland Meadows Legal Costs.

Jane and Paul are working on gathering all the plans and legal documents relating to the sewer system and the WWMDC.

8:11 6. 40 Hastings Way Abatement Decision and amount to be abated.

Fred estimated that 100% humidity in the air would equal about 205 gpd. Based on third quarter use of 524 gpd less 205 gpd for 100% humidity, there was approximately 319 gpd of regular use and 205 gpd attributable to the faulty humidification system.

Fred: Motion that the WWMDC allow an abatement for 40 Hastings Way, for the third quarter of FY17, equal to the 205 gpd associated with keeping the house at 100%

humidity. The abatement will be approximately \$300. Rick Second the motion.  
Approved 2-0 with the comment that this is the last time an abatement will be given for this reason.

8:25 7. Approve minutes from previous meetings–17 May 2017.

Fred: Motion to approve the May 17, 2017 minutes, Rick second the motion.  
Approved 2-0.

8:29 8. Pay Bills, monthly budget update, year-to-date finances, and monthly commitments.

Further discussion on Beth's recommendations in number 6 above. The Board agrees that additional expenses will be required for hiring DigSafe, to do Mark-outs and hiring an emergency response company. The Extraordinary/Unforeseen expense account would be the same each year and would not have an effect on the overall billing rates. A reserve of \$30,000 to \$50,000 will be considered. Rick: The wastewater system is getting older and we should expect increased costs. The WWMDC should talk with WhiteWater about what to expect and increase the FY18 budget for equipment repair and maintenance. Fred would like to modify the budget to include using retained earnings to cover these expenses.

Interdepartmental expenses for the Wayland Meadows Agreements of \$1,013 and Indirect/Administrative costs (expenses associated with other Town departments) of \$24,669 were to the Monthly Operating Budget.

Jane spoke with Keyes North Atlantic and new contracts were drawn up lowering the annual cost due to their inclusion of some unnecessary tests. The Dry Drip test was completed at the treatment plant. Total bills for the month of May were \$16,987. Fred: Motion to approve bills as presented, Rick second the motion. Passed 2-0.

No Commitments or Abatements for May, 2017.

9:00 9. Administrative Items, if any

A. Treatment Plant:

- a) Punch List – Meeting did not occur between Ben Keefe, WhiteWater and Ian Catlow to discuss what has been done and remains on the punch list.
- b) Paul Brinkman will arrange a meeting with WhiteWater to review the plant and the current and future operations, needs and costs.
- c) Email sent to Ben Keefe to discuss the Capital Account charges and balance. No response from Ben.

B. Quarterly Reports - None

C. Treatment Plant Repairs: Wilo EQ Pump Installation \$8,464. Dave Boucher indicated this is on order and will take a few weeks to come in. Installation could occur July, 2017 and will be part of FY18 expenses.

D. New member search – Ongoing.

E. Wayland Buzz interview – See number 1 above.

F. Change Jane's Voice Mail to include Ben Keefe – Fred will work on whether Ben Keefe's or Paul Brinkman's name should be added to Jane's voice mail for emergencies only. This is temporary until an emergency response company is hired.

G. FY17 Sludge Summary & Emergency Calls - Jane created a year-to-date list by date, quantity and cost of sludge removal for the treatment plant. Paul Brinkman will discuss this with WhiteWater and Jane will prepare an updated Alarm Call List. Fred: Sludge removal is up and agrees this should be reviewed.

H. 356 Boston Post Road – Per Julia Junghann's email on June 13, 2017, Wayland Foreign Motors failed their Title 5 inspection and she would like to know if they

can tie-in to the WW sewer system.

The WWMDC will be happy to entertain the possible tie-in. The Board will need: A Sewage Use Discharge Permit Application from the Owner (refer to Article 3, Section 2 and 3 - Applying for a New Connection of the Wastewater Rules and Regulations) and b) the Title V recommendation from the Health Department. The Board will then decide whether to issue a Connection Permit. For 356 BPR, the WMDC feels the Title V design flow is for a gas station with bays and no pumps. The Title V design flow for this is 125 gpd per bay. Possibly 2 bays or 250 gpd. Per Julia, the old septic plans were probably designed for 600 gpd. This is the amount on the permit, but it is not on the old plan. Since this is now primarily a car sales business with bays (the original design flow probably included 2 pumps) the Board feels the design flow will be between 250 gpd and 600 gpd. Per the Health Department, the water meter readings over 807 days averages 23.2 gallons per day. Rick: Believes Mass General Law states that in order for a new user to connect to our system, they have to pass Title V inspections. This will need to be researched since the system failed Title V. Rick will create the necessary forms for the application of a new Connection (Sewage Use Discharge Permit Application and a Connection Permit). Jane will give the Health Department the WMDC's Rules and Regulations.

Privilege Fee - The WMDC will decide how much of a privilege fee to charge for tie-in and a decision will be made on whether the betterment should be prorated for the new user. Governance Guidelines – Handed out for the Board's review.

- 9:38 10. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any. None.
- 9:38 11. Website status: recent postings and organization. None.
- 9:31 12. Calendar: upcoming meetings and events, including hearings. The next WMDC meeting is scheduled for July 12, 2017 at 7:30 pm.
- 9:32 13. Public Comment. None
- 9:39 14. Adjourn

Attachments:

Wayland Meadows legal bill calculation.  
6/14/17 email: Update on Route 20 and Town Center  
Draft Rules and Regulations  
6/9/17 email: Agenda Changes and Questions  
40 Hastings Way Abatement  
May 17, 2017 Minutes  
5/31/17 email: Wastewater funding options for unanticipated expenditures  
5/31/17 email: Wastewater Unbudgeted Expenses  
Monthly Operating Budget  
Forecasted June Expenses updated 6/9/17  
6/7/17 email: Wastewater Punch List Update  
Reconciliation – Munis to John Moynihans Spent/Committed  
FY17 Sludge Summary & Emergency Calls  
356 Boston Post Road  
Governance Guidelines  
Agenda 6/14/17

Capasso, Jane

Wayland Meadows Legal Bills

**From:** Doucette, Elizabeth  
**Sent:** Friday, May 05, 2017 12:00 PM  
**To:** Knight, Fred  
**Cc:** Balmer, Nan; Gretchen Schuler; aida gennis; Karlson, Cherry; Lea Anderson; Capasso, Jane  
**Subject:** RE: Funding Request for Legal Costs

Hi Fred,

In rereading my memo it was not clearly stated. My apologies for this. Where the memo states "requesting a payment adjustment of \$3,919, or the actual amount incurred by June 30<sup>th</sup>" it should instead have clarified that the payment adjustment would not exceed the amount for actual services incurred.

Sincerely,  
Elizabeth Doucette

5/12/17 - \$573.50 add'l legal bill have come in. Since this email. The \$2,000 is an estimate of exp's until yearend.

**From:** fred knight [mailto:fred.knightway@gmail.com]  
**Sent:** Thursday, May 04, 2017 9:13 PM  
**To:** Doucette, Elizabeth  
**Cc:** Balmer, Nan; Gretchen Schuler; aida gennis; Karlson, Cherry; Lea Anderson; Capasso, Jane  
**Subject:** Re: Funding Request for Legal Costs

All,

As chair of the WWMDC, I received a request from Beth Doucette to pay legal expenses related to the transfer of land and Title V design flow from Wayland Meadows to the Town. Charges were \$1056 from Mark Lanza for an initial draft of the agreement for land transfer, \$1295 from KP Law for editing of my draft of the BoS/WWMDC agreement, and from a nebulous estimate of \$2000 for the remainder of FY2017. I cannot see any justification for the \$2000, as I do not see any issues to justify this estimate. As to the others, my feeling is that these legal expenses should be shared among the Board of Selectmen, the Conservation Commission, and the WWMDC. In addition, there might be other considerations.

First, the requesting Article 19 passed the 2016 ATM included \$438 for expenses. Article 19 comments had the following:

The needs of the current library are estimated to be in the range of 400-500 gpd, so 820 gpd would provide wastewater capacity to support expansion. The cost of \$56,000 is driven primarily by the payment in lieu of benefit charge of \$53,356 (calculated at the same rate as the FY2015 betterment charge paid by current users), \$2,207 in FY2017 operational cost, and \$438 for clerical charges and other expense.

In estimating these expenses, I should have anticipated legal expenses and will do so in the future. However, to now request payment seems contrary to how operations have occurred up until this point. For the future, if legal expenses are anticipated, they should be included in the article. For this case, one might argue the we should assume the model of legal expenses that was in place at the time, namely that they would be covered under the Board of Selectmen. For the future, making estimated legal expenses part of articles seems quite appropriate.

Second, a charge from KP Law for 7 hours of time needed to edit the draft of the agreement seems very high to me. I spent much less time than this drafting the agreement, and the helpful changes were important but not

large. Another point is that Mark Lanza drafted an entire agreement for land transfer in less time, but KP Law may have made changes here, adding to their total.

Third, there might be consideration of the number of people affected by this transfer. The users of the WWMD number fewer than residents of the Town. Some weighting of shares might be appropriate. On the other hand, the transfer of Title V design flow benefited the WWMD users. I note this only to point out that costs born by each WWMD user are higher than for each Town resident.

With these considerations in mind, I am willing to present to the WWMD a request for only some of these charges. I suggest the following:

1. one-third of Mark Lanza's charge, namely  $\$1096/3 = \$365$ , 1/3 to Cons Comm, 1/3 to BoS
2. one-half of KP Law's charge, namely  $\$1295/2 = \$648$ , 1/2 to BoS
3. nothing for future expenses.

→ wrong #. 5/18  $\$1056/3 = \$352$

		<u>Fred</u>	<u>Corrected</u>
The WWMD total is \$1013.	1. 1/3 Lanza charges (1096/3 vs 1056/3)	365	352
Sincerely,	2. 1/2 KP Law charges	648	648
Fred Knight, chair of WWMD	3. No future exp's	\$	\$
--			
Fred Knight, <a href="mailto:fred@knightway.org">fred@knightway.org</a> , 508 358 0834		<b>\$1,013</b>	<b>\$1,000</b>

On Wed, May 3, 2017 at 3:58 PM, Doucette, Elizabeth <[edoucette@wayland.ma.us](mailto:edoucette@wayland.ma.us)> wrote:

Dear Fred, Based on Fred's email 5/4/17, the Town accepted \$1,013 as what WW will pay. Beth Doucette submitted \$1,013 to Finance. Transfer of funds from WW to the legal acct by Journal Entry 6/19/17

In Fiscal Year 2017 Town departments and projects, overall, utilized more legal services than budgeted resulting in a projected budget deficit. Departments or projects with available funding are being asked to consider making a one-time payment adjustment to assist the Town in balancing the Legal budget.

I have attached a detailed list of the legal services provided to your department or project in Fiscal Year 2017, as well as a memo requesting a payment adjustment of \$3,919, or the actual amount incurred by June 30<sup>th</sup>, for legal services provided for the Wastewater Management District Commission; the detailed accounting of legal services provided for Wastewater Management District Commission thus far in FY17 totals \$2,351 and additional legal services through June 2017 are estimated to cost \$2,000.:

\$1,295	KP Law - 7 hours @ \$185/hour
1,056	M. Lanza - 6.6 hours @ \$160/hour
2,000	Estimated legal services through June 2017

Thank you very much for your assistance.

Sincerely,

*Elizabeth Doucette, MCPPO*

Financial Administrator

Town of Wayland

41 Cochituate Road, Wayland, MA 01778

508-358-6821

## Capasso, Jane

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**From:** Capasso, Jane  
**Sent:** Monday, June 12, 2017 9:15 PM  
**To:** Fred Knight <fred@knightway.org>  
**Cc:** Capasso, Jane  
**Subject:** Wayland Meadows Legal Costs

Hi Fred

Are you still considering having the BoS and Con Com split the Wayland Meadows legal bills? If yes, please review your email below dated June 8, 2017 and then the questions I asked Brian Keveny based on your email. Brian's responses are in yellow.

I believe Brian's comments indicate:

- 1) The PILOB cannot be used to Pay for legal expenses.
- 2) Beth Doucette is working on giving each Department their KP Law bills by June 30, 2017.
  - a) The Cons Com and BoS would need to agree to split the bills and an interdepartmental journal entry would have to be completed by July 5, 2017 the official FY17 closing date (we may have a few days more with Brian's permission). Or
  - b) Brian said we can carryover the FY17 legal bills to the new fiscal year. It's not clear from his comments whether we can then do an interdepartmental journal entry to charge half to the BoS and Con Com.
  - c)

Both you and Rick agreed that a 50/50 split should be done. Do you want this to happen? If yes, the BoS and Con Com need to agree to 2 a) above ASAP.

What are your thoughts on this?

Thank you

Jane Capasso  
Account Specialist  
Wayland Wastewater Management District Commission  
41 Cochituate Road, Wayland, MA 01778  
508-358-6851

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**From:** Keveny, Brian  
**Sent:** Monday, June 12, 2017 12:59 PM  
**To:** Capasso, Jane  
**Subject:** RE: Agenda Changes and Questions

Hi Jane,

See Comments below

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**From:** Capasso, Jane  
**Sent:** Friday, June 09, 2017 9:39 AM  
**To:** Keveny, Brian  
**Cc:** Capasso, Jane  
**Subject:** FW: Agenda Changes and Questions



## Capasso, Jane

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**From:** Capasso, Jane  
**Sent:** Wednesday, June 14, 2017 9:43 AM  
**To:** Capasso, Jane  
**Cc:** Capasso, Jane  
**Subject:** Update on Route 20 and Town Center

Update from Sarki Sarkisian June 14, 2017:

Fresh Market – The owners of the plaza were in this week. Fresh Market was bought out and the Owners deal was with the original owners. A lease has been signed and it looks good. We won't have a definitive answer until construction is started.

Town Center

- 1) As far as Sarki knows, National Development is planning to meet with the DEP to discuss more capacity based on what is used and discharged to the river.
- 2) Ace Hardware - Was offered a lower rent and the Gourmet store moved into the main store.
- 3) Panera – Negotiating a new deal right now. Panera's numbers are low compared to the Natick and Framingham stores. There is talk of not renewing their lease because of the non-compete clause that does not allow another bakery or coffee shop in the plaza.

Jane Capasso  
Account Specialist  
Wayland WMDC  
508-358-6851

Draft 6/14/17

# **RULES AND REGULATIONS OF THE WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION**

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THESE RULES establish the regulations for the use of public sewers and drains, the installation and connection of building sewers, and the discharge of water and wastes into the public sewer system(s) and providing penalties for violations thereof:

WHEREAS, the Federal government has enacted and amended the Federal Water Pollution Control Act now known as the Federal Clean Water Act (33 U.S.C. 1150 et seq.) and the Town of Wayland desires to remain in compliance therewith, and

WHEREAS, the Town of Wayland, through the Wastewater Management District Commission desires to assure that the use of the public wastewater system operated by it will conform to standard sanitary engineering practices, and

WHEREAS, Chapter 461 of the Acts of 1996 of the Massachusetts Legislature authorizes the WWMDC to establish such Rules and Regulations, and

WHEREAS, the Town of Wayland desires to regulate the use of the public wastewater system operated by it:

NOW, THEREFORE, BE IT enacted by the Commissioners of the Wastewater Management District Commission of the Town of Wayland, Commonwealth of Massachusetts, as follows:

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# ARTICLE I. DEFINITIONS

## Section 1. Specific Definitions

Unless the context of usage indicates otherwise, the meaning of specific terms in these Rules and Regulations shall be as follows:

Act shall mean the Federal Clean Water Act, as amended.

ASTM shall mean the American Society for Testing and Materials.

BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter.

Building Sewer shall mean the extension from a building wastewater plumbing facility to the public wastewater management system and includes any pump, grinder pump, or accessory equipment required to connect to the wastewater management system.

Capacity (or "Discharge Capacity") shall mean the wastewater discharge Design Flow (q.v.) assigned by the WWMDC to a user, based on guidelines set forth Title 5 in 310 CMR 15.203 of the Massachusetts General Laws (MGL). Capacity is expressed in Gallons per Day. In general, Capacity allocations should represent roughly double the expected average daily flow to allow sufficient capacity for periods of peak flows.

Connection Appeal shall be the sole means of disputing the Title 5 design flow assigned to a user by the WWMDC.

Connection Permit is the document that specifies the design flow, in GPD, assigned to a user. The Connection Permit needs to be approved by the WWMDC before the user connects to the wastewater management system.

Class I User shall mean all premises connected to the wastewater management system not classified as a Class II or Class III (Industrial) User.

Class II User shall include any property connected to the Wastewater Management System that has a wastewater strength that exceeds 250 milligrams per liter of BOD-5 and or 300 milligrams per liter of suspended solids based upon effluent monitoring, and is not classified as a Class III User.

Class III - Industrial User shall mean any nonresidential user identified in Division A, B, D, E, or I of the Standard Industrial Classification Manual. Class III shall also include any user that discharges wastewater containing toxic or poisonous substances, or any substance(s) which cause(s) interference in the wastewater management system.

Commission shall mean the Wayland Wastewater Management District Commission (also "the WWMDC").

Day shall mean the 24-hour period beginning at 12:01 a.m.

Design Flow refers to the formal term in Title 5 that designates the volume of a wastewater discharge allocation. Title 5 in 310 CMR 15.203 of MGL sets out guidelines for design flow for connected users based the type of occupancy (residential, commercial or industrial), the commercial or industrial use of the facility, and/or approved residential occupancy (per bedroom). When there is no applicable guideline for a specific type of commercial activity in Title 5, design flow is generally set at 200% of the average monthly flow over a one year period. All assigned design flows are assigned by the WWMD, and must adhere to the stricter of the standards established by Title 5 or the Wayland Board of Health.

Director shall mean the Executive Director of the Wastewater Management District Commission or an authorized staff member acting on behalf of the Director or WWMD.

Easement shall mean an acquired legal right for the specific use of land owned by others.

EPA shall mean the United States Environmental Protection Agency.

Flow or actual flow shall mean the actual amount of discharged wastewater, usually measured in gallons per day. For any facility that lacks a discharge meter at its sewage connection, discharge is assumed to be equal to the amount of water billed by the Town of Wayland Water Department in the billing period.

GPD or gallons per day shall be the measure of actual flow and design flow. Both have units of volume/time, but flow is actual water consumed or wastewater produced, whereas design flow (q.v.) is a Title 5 concept used to size wastewater or sewer systems.

Garbage shall mean the solid animal and vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking, and serving of foods.

Groundwater shall mean water within the earth.

Inspection shall mean any activity by a qualified WWMD or Town official to determine that a user is in compliance with governing rules and regulations, local bylaws, state and federal statutes, as well as issued permits.

Interference shall mean inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal, or their operation, which substantially contributes to a violation of applicable discharge permits.

"May" is permissible, "shall" is mandatory.

NPDES shall mean National Pollutant Discharge Elimination System permit program, whether administered by the EPA or by the Commonwealth of Massachusetts.

Owner shall mean the person or persons who legally own, lease, or occupy private property with wastewater management system that discharge, or will discharge to the Wayland wastewater management system.

Person shall mean any individual, firm, company, association, society, partnership, corporation, municipality, or other similar organization, agency, or group.

pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration expressed in grams per liter of solution as determined by Standard Methods.

Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to discharge to the Wayland wastewater management system.

Pretreatment Standard shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, which applies to Industrial Users.

Privilege Fee shall be a payment made by a user or potential user to obtain a new or increased allocation of discharge capacity. The Privilege Fee is determined by the WWMDC and the cost per GPD shall be reasonably equivalent to GPD cost paid by other users under the 2015 betterment declaration. Payment of a Privilege Fee entitles a user to the agreed capacity so long as sufficient discharge capacity is granted to the WWMDC by state and federal regulators, and the user remains in compliance with WWMDC rules and regulations.

Sanitary Wastewater shall mean wastewater discharged from the sanitary conveniences of dwellings, office buildings, industrial plants, or institutions.

Sewer Use Discharge Permit Application shall be submitted by a potential user or existing user and is the means to obtain approval for a new connection to the Wayland Wastewater System, or an increase in assigned Title 5 design flow for an existing user.

Standard Methods shall mean the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, Water Pollution Control Federation and American Water Works Association.

State shall mean the Commonwealth of Massachusetts.

Storm Sewer shall mean a sewer for conveying storm, surface, and other waters, which is not intended to be transported to a wastewater treatment facility.

Surface Water shall mean water that occurs when the rate of precipitation exceeds the rate at which water may infiltrate into the soil.

Suspended Solids shall mean the total suspended matter that either floats on the surface of, or is in suspension in, water or wastewater, as determined by Standard Methods.

Title 5 shall mean the Massachusetts laws governing wastewater systems, codified in 310 CMR 15.

Town shall mean the Town of Wayland, Massachusetts.

Toxics shall mean any of the pollutants designated by Federal regulations pursuant to Section 307(a)(1) of the Act.

Wastewater shall mean a combination of liquid and water carried wastes from residences, commercial buildings, industries, and institutions.

Wastewater Management System, (or System), shall mean the combination of the wastewater sewers and treatment facilities under the control of the Commission as defined in Chapter 461 of the Acts of 1996 of the Massachusetts Legislature.

Wastewater Sewer shall mean the structures, processes, equipment and arrangements necessary to collect and transport wastewater to the treatment facility.

Wastewater Treatment Facility shall mean the structures, processes, equipment and arrangements necessary to treat and discharge wastewater that are under management of the WWMDC.

WEF shall mean the Water Environment Federation.

WWMDC shall mean the Wayland Wastewater Management District Commission (also "the Commission").

## Section 2. General Definitions.

- a) Unless the context of usage indicates otherwise, the meaning of terms in these Rules and Regulations and not defined in Section 1 above, shall be as defined in the *Glossary: Water and Wastewater Control Engineering* prepared by Joint Editorial Board of the American Public Health Association, American Society of Civil Engineers, American Water Works Association, and Water Environment Federation, copyright 1969.



## ARTICLE II. GENERAL PROVISION

### Section 1. Purpose

- a) The purpose of these Rules and Regulations is to provide for the maximum possible beneficial public use of the wastewater management system through regulation of sewer construction, sewer use, and wastewater discharges; to provide for equitable distribution of the costs of the wastewater management system; and to provide procedures for complying with the requirements contained herein.

### Section 2. Scope

- a) The definitions of terms used in these Rules and Regulations are found in Article 1. The provisions of these Rules and Regulations shall apply to the discharge of all wastewater to facilities under the control of the WWMD. These Rules and Regulations provides for use of the wastewater management system, regulation of sewer construction, control of the quantity and quality of wastewater discharged, wastewater pretreatment, equitable distribution of costs, assurance that existing customers' capacity will not be preempted, approval of sewer construction plans, minimum sewer connection standards and conditions, water conservation standards, and penalties and other procedures in cases of violation of these Rules and Regulations.
- b) These Rules and Regulations shall apply to the Town of Wayland and users of the wastewater sewers or wastewater treatment facilities.

### Section 3. Administration

- a) Except as otherwise provided herein, the Director or the WWMD itself shall administer, implement, and enforce the provisions of these Rules and Regulations.

### Section 4. Notice of Violation

- a) Any person found in violation of these Rules and Regulations or any requirement of a permit issued hereunder, may be served with a written notice stating the nature of the violation and providing a reasonable time limit for compliance. Any such notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last address of the violator known to the Director. Where the address is unknown, service may be made upon the owner of record of the property involved. If satisfactory action is not taken in the time allotted by the notice, Section 5 of this article shall be implemented.

### Section 5. Violations

- a) Any person who continues to violate the provisions of these Rules and Regulations beyond the time limit provided for in Section 4 above, may be charged with commission of a misdemeanor and upon conviction thereof, shall be fined not more than the maximum amount allowed by law, for each day the violation continues, or may be subject to disconnection from the - wastewater management system.
- (b) Each day or portion thereof a violation continues shall constitute a separate violation.

## Section 6. Payment Schedule for Fees

- a) All fees and charges payable under the provisions of these Rules and Regulations shall be paid to the Town. Such fees and charges shall be established from time to time by the WWMD.
- b) All fees, penalties and charges collected under these Rules and Regulations shall be used for the sole purpose of constructing, operating, maintaining, or replacing the wastewater management system of the Town, establishing reserves, or the retirement of debt incurred for same.
- c) All fees and charges payable under the provisions of these Rules and Regulations are due and payable within thirty (30) days of the receipt of notice of charges. Unpaid charges shall become delinquent and shall be subject to penalty and interest charges as provided by law. Bills unpaid for ninety (90) days shall be turned over to the Board of Assessors for collection as a lien against the property.

## Section 7. Inspections

- a) The Director, bearing proper credentials and identification, shall be permitted to enter properties at any reasonable time for the purposes of inspection, observation, measurement, and sampling of the wastewater discharge to ensure that discharge to the wastewater management system is in accordance with the provisions of these Rules and Regulations.
- b) The Director, bearing proper credentials and identification, shall be permitted to enter all private property through which the Town holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any of the wastewater management system lying within the easement. All entry and any subsequent work on the easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.
- c) While performing the necessary work on private properties referred to in Sections 7(a) and (b) above, the Director shall observe all reasonable safety rules established by the owner or occupant of the property and applicable to the premises.
- d) During the performance of inspections on private properties, wastewater sampling, or other similar operations referred to in Sections 7(a) and (b) above, the owner and occupant shall be: (1) held harmless for personal injury or death of the Director and the loss of or damage to Town supplies or equipment; (2) indemnified against loss of or damage to property of the owner or occupant by the Director; and (3) indemnified against liability claims asserted against the owner or occupant for personal injury or death of the Director or for loss of or damage to property of the Town, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions as required by Articles III and IV of these Rules and Regulations.

## Section 8. Vandalism

- a) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater management system. Any person who violates this section shall be charged with a misdemeanor and, upon conviction, is punishable by a fine in an amount not to exceed the maximum allowed by law.

## Section 9. Severability

- a) A finding by any court or other jurisdiction that any part or provision of these Rules and Regulations is invalid shall not affect the validity of any other part or provision of these Rules and Regulations which can be given effect without the invalid parts or provisions.

## Section 10. Amendments of the Rules and Regulations

- a) These Rules and Regulations may be revised from time to time by formal vote of the WWMDC.

# ARTICLE III. BUILDING SEWERS AND CONNECTIONS

## Section 1. General

- a) Modifications to design flow, either through a new connection, an increase of design flow, or a decrease of design flow, are handled by the WWMDC in cooperation with the Board of Health. The process is outlined in Section 2 of this article. Each specific type of modification is discussed in the following three sections (3, 4, and 5).
- b) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any wastewater management system under the control of the WWMDC without first submitting a completed Sewer Use Discharge Permit application and getting an approved Connection Permit from the WWMDC.

## Section 2. Applying for a New Connection or a Change in Assigned Design Flow

- a) The general outline of the Connection Permit application process is as follows:
  1. The WWMDC and Board of Health provide user with Title 5 guidelines and design flow.
  2. The User completes Sewer Use Discharge Permit Application for new design flow or alteration of design flow.
  3. The WWMDC determines if the System can allow new design flow.
  4. If approved, the WWMDC or Director issues a Connection Permit upon payment of any administrative or privilege fees.

## Section 3. Applying for a New Connection

- a) There shall be three (3) classes of Connection Permits: Class I, Class II, and Class III— industrial. In all cases, the owner shall make application for a permit to connect to the wastewater management system on a form furnished by the WWMDC. The Sewer Use Discharge Permit Application shall be supplemented by any relevant information required to administer these Rules and Regulations. Any necessary permit and inspection fees, as established by the WWMDC, for a Class I, Class II, or Class III Connection Permit, shall be paid to the Town at the time the application is filed.
- b) The Sewer Use Discharge Permit Application shall specify the amount of Title 5 design flow desired by the owner and shall be consistent with Title 5 guidelines in 310 CMR 15.203. If the user's business or residence is not specifically called out in 310 CMR 15.203 (1)-(5), then 310 CMR 15.203(6) ("the 200% rule") of Title 5 allocation shall apply, namely that the design flow shall be set to double existing water use. However, if

no water use exists and the entity is not called out specifically in Title 5, the WWMDC, in consultation with the Board of Health, shall assign a Title 5 design flow.

- c) The Commission shall determine if the System can accommodate the requested design flow and, if so, shall issue a Connection Permit. A privilege fee may be levied upon any such user seeking new or additional capacity at a rate determined by the WWMDC at the time of such application. The amount of the privilege fee and payment terms for the fee will be set forth in the grant of the capacity.

### Section 3. Process for Increasing Discharge Design Flow

- a) A request by a user to increase discharge design flow must be related to material change in the building (e.g. additional square footage) or use (e.g. change of business activity) of the connected property. All changes must comply with relevant State and Town laws and regulations. Any request by a connected user to increase assigned design flow must be consistent with Title 5 guidelines in 310 CMR 15.203.
- b) The user must submit a completed Sewer Use Discharge Permit application as described above in Section 2. The change must be pre-approved by the Board of Health.
- c) The WWMDC shall determine if the System can accommodate the requested change and, if so, shall issue a Connection Permit. A privilege fee may be levied upon any such user seeking new or additional capacity at a rate determined by the WWMDC at the time of such application. The amount of the privilege fee and payment terms for the fee will be set forth in the grant of the capacity.

### Section 4. Process for Surrendering Discharge Design Flow

- a) Any request by a connected user to surrender assigned design flow capacity and return it to the WWMDC must reflect a permanent, material change in the building on the property (e.g. demolition), or a change in use (e.g. long-term change in business use). Once a user has surrendered design flow capacity and it has been accepted by the WWMDC, the building has no further claim to the capacity at a future date, notwithstanding any payments made or costs incurred by the user.
- b) The WWMDC may accept the surrendered capacity if it determines that such an action is the interest of all system users; the WWMDC is under no obligation to accept any offer to surrender capacity if it determines this could have negative consequences for other system users.
- c) If the WWMDC accepts surrendered capacity, the user is no longer responsible for future operational changes. The WWMDC is under no obligation to compensate the user for paid or outstanding betterment assessment changes, or previously billed connection charges, privilege fees, or operational fees.

### Section 5. Connection Costs

- a) The costs and expenses incidental to the building sewer installation and connection to the wastewater management system shall be borne by the owner. The owner shall indemnify the Town and WWMDC from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

## Section 6. Separate Connections Required

- a) A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer pipe is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer serving the front building may be extended to the rear building and the whole considered as one building sewer. The Town and WWMDC assume no obligation or responsibility for damage caused by or resulting from any single building sewer that serves two buildings.

## Section 7. Building Sewer Design

- a) The size, slope, alignment, construction materials, trench excavation and backfill methods, pipe placement, jointing and testing methods used in the construction and installation of a building sewer shall conform to the building and plumbing code or other applicable requirements of the Town, including the Board of Health, or the Commonwealth of Massachusetts. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF shall apply.

## Section 8. Building Sewer Elevation

- a) Whenever practicable, the building sewer shall be brought to a building at an elevation below the basement floor. In buildings in which any building drain is too low to permit gravity flow to the Town's wastewater sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to a building sewer connected to the Town sewer.

## Section 9. Surface Runoff and Groundwater Drains

- a) No person shall connect roof, foundation, sump pump, areaway, parking lot, roadway, or other surface runoff or groundwater drains to any sewer that is connected to a wastewater treatment facility unless such connection is authorized in writing by the Director.

## Section 10. Conformance to Applicable Codes

- a) The connection of a building sewer into a wastewater sewer shall conform to the requirements of the building and plumbing code or other applicable requirements of the Town or Commonwealth of Massachusetts, or the procedures set forth in appropriate specifications of the ASTM or the WEF. The connections shall be made gas-tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved in writing by the Director before installation.

## Section 11. Connection Inspection

- a) The applicant for a building sewer connection permit shall notify both the WWMDC and the Board of Health when such sewer connection is ready for inspection prior to its connection to the WWMDC's facilities. Such connection and testing as deemed necessary by the Board of Health shall be made under the supervision of the Board of Health.

## Section 12. Excavation Guards and Property Restoration

- a) Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

## Section 13. Protection of Capacity for Existing Users

- a) The Director shall not issue a permit for any connection to the wastewater sewers or wastewater treatment facilities unless there is sufficient capacity, not legally committed to other users, in the wastewater sewers and treatment facilities to convey and adequately treat the quantity of wastewater which the requested connection will add to the system.

## Section 14. Building Sewer Maintenance

- a) The Owner shall be responsible for the operation and maintenance of the building sewer, including all pumping facilities, as defined in Article I.

# ARTICLE IV. CONDITIONS TO USE SEWERS

## Section 1. Water Conservation Rules

- a) The conservation of water and energy shall be encouraged by the Director. In establishing discharge restrictions upon industrial users, he/she shall take into account already implemented or planned conservation steps revealed by the Class III user. Upon request of the Director, each industrial user will provide the Director with pertinent information showing that the quantities of substances or pollutants have not been nor will be increased as a result of the conservation steps. Upon such a showing to the satisfaction of the Director, he/she shall make adjustments to discharge restrictions, which have been based on concentrations, to reflect the conservation steps.
- b) All users requiring a connection permit under Article III, Section 1 of these Rules and Regulations that meet the applicability criteria defined in paragraph (c) of this Section shall be subject to the Water Conservation Performance Standards listed in Table 1.
- c) The requirement to comply with the Water Conservation Performance Standards applies to all New Construction or Significant Renovation over the Threshold Size that has not received a Certificate of Occupancy as of the effective date of this amendment to the WWMDC Rules and Regulations.
  - i) New Construction or Significant Renovation is defined as (1) the construction of a new building for which a Certificate of Occupancy is required or (2) an increase in the square footage of a building or structure of greater than or equal to 25 percent or (3) an increase in design flow of a building or structure, as calculated pursuant to 310 CMR 15.203, of greater than or equal to 25 percent or (4) the addition of one or more bedrooms to an existing building.

- ii) The Threshold Size is defined as a peak day flow of 100 gallons per day for commercial uses and 440 gallons per day for residential uses. In calculating the peak day flow, the user must consider the entire building or structure and not just the addition or renovation. For users with evaporative cooling systems, estimated peak day flow must include estimated cooling tower blow down volumes.
- d) The Water Conservation Performance Standards (Table 1) apply only to new plumbing fixtures or water using devices installed in New Construction or Significant Renovation; the Standards do not apply to existing plumbing fixtures or water using devices in the same building or structure. The user shall present plans in compliance with these regulations prior to issuance of a building permit. The user shall demonstrate compliance with the Water Conservation Performance Standards to the satisfaction of the WWMDC prior to the issuance of the Certificate of Occupancy for the New Construction or Significant Renovation.

**Table 1: Water Conservation Performance Standards**

<b>Water Saving Fixtures</b>				
<b>Appliance/Fixture</b>	<b>Residential</b>		<b>Commercial</b>	
	<b>Baseline Water Usage</b>	<b>Water Conservation Performance Standard</b>	<b>Baseline Water Usage</b>	<b>Water Conservation Performance Standard</b>
Toilet	1.6 gal/flush	1.3 gal/flush	1.6 gal/flush	1.3 gal/flush
Urinal			1.0 gal/flush	0.5 gal/flush
Shower	2.5 gpm (showerhead)	2.0 gpm (showerhead)		
Residential Clothes Washer	Varies	6.0 Water Factor (See Note 3)		
Lavatory Faucet	2.2 gpm	1.5 gpm	2.2 gpm	1.5 gpm
Commercial prerinse spray valves			1.6 gpm	1.4 gpm
Kitchen Faucet	2.2 gpm	2.2 gpm		
Residential Dish Washer	Varies	5.0 gal/cycle		
Dishwasher Single Tank Rack Conveyor - High Temp			1.13 gal/rack	0.700 gal/rack
Dishwasher Single Tank Rack Conveyor - Low Temp			1.23 gal/rack	0.790 gal/rack
Dishwasher Multi-Tank Rack Conveyor - High Temp			1.1 gal/rack	0.540 gal/rack
Dishwasher Multi-Tank Rack Conveyor - Low Temp			0.99 gal/rack	0.540 gal/rack
Ice Machine			<25 gal/100 lbs ice	25 gal/100 lbs ice
Ice Machine Self Contained Unit			<35 gal/100 lbs ice	35 gal/100 lbs ice
<b>Notes:</b>				
1) Baseline values are based on the Massachusetts State Plumbing Code and values published by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program. These values are presented for reference only.				
2) Water Conservation Performance Standard values are based on the U.S. Environmental Protection Agency, Water Sense and Energy Star programs, and LEED documents.				
3) The Water Factor is a water performance metric published by the U.S. Environmental Protection Agency Energy Star Program that allows the comparison of clothes washer water consumption. $WF=Q/C$ , where Q is the quotient of the total weighted per-cycle water consumption, and C is the capacity of the clothes washer.				

- e) All users requiring a connection permit under Article III, Section 1 of these Rules and Regulations that install a new evaporative cooling system shall be prohibited from using a single pass cooling system. In addition, such users are subject to the following requirements:
  - i) At least 10 days prior to the installation of a new cooling system, the user shall submit a written estimate of the daily volume of tower blow down for the new evaporative cooling system to the WWMDC. This estimate of the daily volume of tower blow down shall be based on seasonal periods when the largest monthly blow down volumes are expected and should be calculated and stamped by a Massachusetts Registered Professional Engineer.
  - ii) All new evaporative cooling system towers shall have separate blow down metering systems to monitor and record blow down water volumes. Blow down water volumes shall be reported to the WWMDC on a monthly basis.
  - iii) At least 10 days prior to the installation of a new [heating or] cooling system, the user shall submit a list of any chemical additives to be used in the system as well as the estimated amount of their use. All chemical additives used in new [heating] or cooling systems shall be approved by the WWMDC prior to use to ensure compatibility with the treatment system and effluent limits.
- f) For the purposes of evaluating the effectiveness of this Article and of the Rules and Regulations generally, the WWMDC may require any user requiring a connection permit under Article III, Section 1 of these Rules and Regulations, whether the connection is existing or new, to meter actual flow to the Wastewater Sewer.
- g) If in the sole discretion of the WWMDC, full compliance with this Article IV represents an unreasonable hardship to the user, as measured by costs disproportionate to the benefits of full compliance, the WWMDC may waive any requirement imposed pursuant to paragraphs (b) through (f) of this Article.

## Section 2. Restricted Discharges

- a) No person shall discharge or cause to be discharged to any of the Town's wastewater management system any substances, materials, waters, or wastes in such quantities or concentrations which will:
  - i) Create a fire or explosion hazard including, but not limited to, gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas;
  - ii) Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater management system, but in no case discharges with the following properties:
  - iii) having a pH lower than 5.0 or greater than 10.0 for more than 10% of the time in a 24hour period;
  - iv) having a pH lower than 3.5 or greater than 12.0 for any period exceeding 15 minutes.



- v) Cause obstruction to the flow in sewers, or other interference with the operation of wastewater management system due to accumulation of solid or viscous materials. If the drainage or discharge from any establishment causes a deposit, obstruction, or damage to any of the Town's wastewater management system, the Director shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision shall be borne by the person causing such deposit, obstruction, or damage.
- vi) Constitute a rate of discharge or substantial deviation from normal rates of discharge, ("slug discharge"), sufficient to cause interference in the operation and performance of the wastewater management system;
- vii) Contain heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the wastewater sewer or inhibit biological activity in the wastewater treatment facilities, but in no case shall the discharge of heat cause the temperature in the Town wastewater sewer to exceed 58° C (150° F) or the temperature of the influent to the treatment facilities to exceed 40° C (104° F) unless the facilities can accommodate such heat;
- viii) Contain more than 100 milligrams per liter of non-biodegradable oils of mineral or petroleum origin;
- ix) Contain floatable oils, fat, or grease;
- x) Contain noxious, malodorous gas or substance which is present in quantities that create a public nuisance or a hazard to life;
- xi) Contain radioactive wastes in harmful quantities as defined by applicable state and federal regulations;
- xii) Contain any garbage that has not been properly shredded;
- xiii) Contain any odor or color producing substances exceeding concentration limits that may be established by the Director for purposes of meeting the WWMD's NPDES permit.

### Section 3. Federal Categorical Pretreatment Standards

- a) No person shall discharge or cause to be discharged to any wastewater management system, wastewater containing substances subject to an applicable Federal Categorical Pretreatment Standard promulgated by EPA in excess of the quantity prescribed in such applicable pretreatment standards except as otherwise provided in this section. Compliance with such applicable pretreatment standards shall be within three (3) years of the date the standard is promulgated; provided however, compliance with a categorical pretreatment standard for new sources shall be required upon promulgation.
- b) Upon application by a Class III user, the Director shall revise any limitations on substances specified in the applicable pretreatment standards to reflect removal of the substances by the wastewater treatment facility. The revised discharge limit for specified substances shall be derived in accordance with Federal law.

- c) Upon application by a Class III user, the Director shall adjust any limitation on substances specified in the applicable pretreatment standards to consider factors relating to such person which are fundamentally different from the factors considered by EPA during the development of the pretreatment standard. Requests for and determinations of a fundamentally different adjustment shall be in accordance with Federal law.
- d) The Director shall notify any Class III user affected by the provisions of this Section and establish an enforceable compliance schedule for each.

#### Section 4. Special Agreements

- a) Nothing in this article shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater management system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

### ARTICLE V. CLASS III INDUSTRIAL DISCHARGERS

#### Section 1. Information Requirements

- a) All Class III dischargers shall file with the Town wastewater information deemed necessary by the Director for determination of compliance with this Ordinance, the Town's NPDES permit conditions, and state and Federal law. Such information shall be provided by completion of a questionnaire designed and supplied by the Director and by supplements thereto as may be necessary. Information requested in the questionnaire and designated by the discharger as confidential is subject to the conditions of confidentiality as set out in Section 1 (c) of this article.
- b) Where a person owns, operates or occupies properties designated as a Class III discharger at more than one location, separate information submittals shall be made for each location as may be required by the Director.
- c) The Director shall implement measures to ensure the confidentiality of information provided by a Class III discharger pursuant to these Rules and Regulations. In no event shall the Director delegate this responsibility or disclose any claimed confidential information to any person without prior notice in writing to the owner and without providing the owner with the opportunity to protect such confidential information, including the right to seek judicial relief.

#### Section 2. Provision for Monitoring

- a) When required by the Director, the owner of any property serviced by a building sewer carrying Class III wastewater discharges shall provide suitable access and such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastewater. Such access shall be in a readily and safely accessible location and shall be provided in accordance with plans approved by the Director. The access shall be provided and maintained at the owner's expense so as to be safe and accessible at reasonable times.

- b) The Director shall consider such factors as the volume and strength of discharge, rate of discharge, quantities of toxic materials in the discharge, wastewater treatment facility removal capabilities, and cost effectiveness in determining whether or not access and equipment for monitoring Class III wastewater discharges shall be required.
- c) Where the Director determines access and equipment for monitoring or measuring Class III wastewater discharges is not practicable, reliable, or cost effective, the Director may specify alternative methods of determining the characteristics of the wastewater discharge which will, in the Director's judgement, provide an equitable measurement of such characteristics.

**Section 3. Determination of Wastewater Characteristics**

- a) Measurements, tests, and analyses of the characteristics of wastewater to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Waste water," published by the American Public Health Association or such alternate methods approved by the Director and which comply with state and Federal law. Sampling methods, locations, times, duration, and frequencies are to be determined on an individual basis subject to approval by the Director. The discharger shall have the option to use, at his own expense, more complete sampling methods, locations, times, duration, and frequencies than specified by the Director.
- b) Measurements, tests, and analyses of the characteristics of wastewater required by these Rules and Regulations shall be performed by a qualified laboratory. When such analyses are required of a discharger, the discharger shall make arrangement with a qualified laboratory to perform such analyses.
- c) Monitoring of wastewater characteristics necessary for determination of compliance with applicable pretreatment standards shall be conducted on the basis of the following schedule, unless more frequent monitoring is required by authority other than these Rules and Regulations, or if the Director, in his/her judgement, determines that the characteristics of the specific discharge warrant a different frequency monitoring:

<u>Average Actual Daily User Discharge</u>	<u>Monitoring Frequency</u>
• less than 1,000 gpd	semiannually
• 1,000 to 2,000 gpd	quarterly
• more than 2,000 gpd	monthly

- d) Monitoring of wastewater characteristics for any purpose other than the determination of compliance with pretreatment standards shall be conducted on a frequency deemed necessary by the Director.
- e) Upon demonstration by any person that the characteristics of the wastewater discharged by that person are consistent, the Director may reduce the frequency as maybe required by authority other than these Rules and Regulations, except in no case shall the frequency of monitoring be less than semiannual for the determination of compliance with pretreatment standards.

- f) In determining the discharge characteristics factors such as continuous or batch operation, and seasonal operation and the information requirements of other provisions of these Rules and Regulations shall be considered by the Director. The Director may obtain wastewater samples as required to verify the consistency of discharge characteristics.
- g) Fees for any given measurement, test, or analysis of wastewater required by these Rules and Regulations and performed by the Town shall be the same for all classes of dischargers, regardless of the quantity or quality of the discharge and shall reflect only direct cost. Costs of analyses performed by an independent laboratory at the option of discharger shall be borne directly by the discharger.

## ARTICLE VI. PRETREATMENT

### Section 1. Wastewaters with Special Characteristics

- a) While the Director may initially rely upon the Federal Categorical Pretreatment Standards to protect wastewater management system or receiving waters, if any wastewater which contains substances or possesses characteristics shown to have deleterious effect upon the wastewater management system, processes, equipment, or receiving waters, or constitutes a public nuisance or hazard, is discharged or is proposed for discharge to the wastewater sewers, the Director may:
  - i) Require pretreatment to a condition acceptable for discharge to the waste water sewers,
  - ii) Require control over the quantities and rates of discharge,
  - iii) Require payment to cover added cost of handling and treating the waste waters not covered by existing fees or charges,
  - iv) Require the development of compliance schedules to meet any applicable pretreatment requirements,
  - v) Require the submission of reports necessary to assure compliance with applicable pretreatment requirements,
  - vi) Carry out all inspection, surveillance, and monitoring necessary to determine compliance with applicable pretreatment requirements,
  - vii) Obtain remedies for noncompliance by any user. Such remedies may include injunctive relief, the civil penalties specified in Article II of these Rules and Regulations, or appropriate criminal penalties, or
  - viii) Reject the wastewater—if scientific evidence discloses that discharge will create unreasonable hazards or have unreasonable deleterious effects on the wastewater management system.
- b) When considering the above alternatives, the Director shall assure that conditions of the Town's NPDES permit are met. The Director shall also take into consideration cost effectiveness and the economic impact of the alternatives on the discharger. If the Director allows the pretreatment or equalization of wastewater flows, the installation of the necessary facilities shall be subject to review. The Director shall review and recommend any appropriate changes to the program, within sixty (60) days of submittal.

- c) Where pretreatment or flow equalizing facilities are provided or required for any wastewater, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner.

## Section 2. Compliance with Pretreatment Requirements

- a) Persons required to pretreat wastewater in accordance with Section 1 above, shall provide a statement, reviewed by an authorized representative of the user and certified to by a qualified person indicating whether applicable pretreatment requirements are being met on a consistent basis and, if not, describe the additional operation and maintenance or additional pretreatment required for the user to meet the pretreatment requirements. If additional pretreatment or operation and maintenance will be required to meet the pretreatment requirements the user shall submit a plan (including schedules) to the Director. The plan (including schedules) shall be consistent with applicable conditions of the NPDES Permit or other local, state or Federal laws.

## Section 3. Monitoring Requirements

- a) Discharges of wastewater to the Town's wastewater management system from the facilities of any user shall be monitored in accordance with the provisions of these Rules and Regulations.

## Section 4. Effect of Federal Law

- a) In the event that the Federal government promulgates a regulation for a given new or existing user in a specific industrial subcategory that establishes pretreatment standards or establishes that such a user is exempt from pretreatment standards, such Federal regulations shall immediately supersede Section 1(a) of this article.

## Section 5. Revision of Pretreatment Standards

- a) The Director shall promptly apply for and obtain authorization from the EPA to revise discharge limitations for those substances listed in the Federal Categorical Pretreatment Standards for which consistent removal occurs in the wastewater treatment facilities of the Town. The Director shall not adopt or enforce discharge limitations more stringent than the requested limitations until the state or EPA acts on the application.

# ARTICLE VII. WASTEWATER SERVICE

## Section 1. Wastewater User Charges

- a) Charges and fees for the use of the wastewater management system shall be based upon the use of such system, or contractual obligations for a level of use in excess of actual use. The WWMDC shall establish user charges on an annual basis, which shall be done at a properly noticed public hearing. In the event of significant changes to capital or operating expenses during a fiscal year, the WWMDC may hold a properly noticed hearing to adjust fees as appropriate.

## Section 2. Determination of System Use

- a) The use of the wastewater management system shall be based Title 5 design flow and upon actual or estimated measurement and analysis of each user's wastewater discharges to the extent such measurement and analysis is considered by the Director to be feasible and cost-effective.
- b) Where measurement and analysis is considered not feasible, determination of each user's use of the facilities shall be based upon the quantity of water used whether purchased from a public water utility or obtained from a private source, or an alternative means as provided by Section (c) below.
- c) The Director, when determining use of the wastewater management system based on water use, shall consider consumptive, evaporative, or other use of water which results in a significant difference between a discharger's water use and wastewater discharge. Where appropriate, such consumptive water use may be metered to aid in determining actual use of the wastewater management system. The meters used to measure such water uses shall be of a type and installed in a manner approved by the Director.

## Section 3. Penalties for Excessive Use

- a) Each user is encouraged to conserve water. Each connection permit will specify the amount of capacity in the Wastewater Management System that has been allocated to that user. Discharges into the System in excess of the permitted capacity are prohibited. In the event that a user discharges excessive amounts of wastewater, the Director may assess a penalty fee. The penalty fee shall be set in accordance with Section 6 of Article II.
- b) In the event that a user is assessed a penalty fee for any two quarters out of four consecutive quarters, the WWMDC reserves to right to inspect the customer premises in accordance with Article II, Section 7 to assess compliance with water conservation standards set forth in Article IV, and verify that the facility conforms to assigned design flow capacity as set forth Title 5 in 310 CMR 15.203 of the MGL.

## ARTICLE VIII. EFFECTIVE DATE

These Rules and Regulations shall be in full force and effect from and after its passage, approval and publication, as provided by law.

AMENDED 14 June 2017

AYES: Fred Knight, Chair  
Rick Greene

NAYS: None

ABSENT: Sam Potter

NOT VOTING: None



ww operations  
Paul Brinkman

Capasso, Jane

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**From:** Capasso, Jane  
**Sent:** Thursday, June 08, 2017 1:08 PM  
**To:** Fred Knight <fred@knightway.org>  
**Cc:** Capasso, Jane; Rick Greene  
**Subject:** Agenda Changes and Questions  
**Attachments:** 2017-06-14-WWMDCAgenda.docx

Hi Fred

Questions and Information regarding the Agenda. I made changes in red for your review:

- 1) Do you have a key to the treatment plant and the pump station? Paul would like to have a key at the DPW building so he can meet with WhiteWater and help with emergency calls if possible. Ben Keefe has a key, but it is a master for the whole town that he cannot give to Paul.
- 2) Based on a conversation I had with Paul today, he is currently working on:
  - Dig Safe: Obtaining plans for the WW sewer system. I just asked Paul to make a list of what he needs and I will follow-up to get the plans. He has identified 5-6 companies that can do mark-outs. No RFP is necessary for this. He will get quotes and issue a detailed memo for the WWMDC.
  - Paul contacted Dave Boucher and he will have Chris, the Tmt plant operator, call him back to meet for a tour of the plant. He will discuss the operation of the plant, current and future needs and the punch list.
  - After the WhiteWater meeting he will have a better understanding of the plant in order to review current and future costs that are being billed to WWMDC.
  - Emergency Repair: An RFP is not the appropriate document for this (for professional services) he will send out an IFB, Information for Bid (for construction related projects). Paul is gathering information on the sewer system before he sends out the IFB.
- 3) 40 Hastings Way Abatement – I will send you my email regarding this next and attach the Abatement instructions with how calculations are made. The calculation is based on whether the Board wants to approve this and then how much actually went down the drain. A decision on this is due at the June 14, 2017 meeting.
- 4) May I add Ben Keefe onto my voice mail for emergencies only? I believe you were going to talk with Nan.
- 5) Please discuss with Nan how the Wayland Meadows legal bills will be split. Beth Doucette said she just received two more.
- 6) How can we get the WM deal to close? Nan's email said that the tax attorneys are looking at the documents. I spoke with Zoe Pierce, Treasurer, and she strongly suggested we close this before June 30, 2017 from an accounting stand point and the auditors.
- 7) Jane's Performance Evaluation. My original start date was June 17, 2015. Please let me know if you need anything from me to complete this before June 17,2015.

On the attached Agenda you will see my additions in red. Please make any changes and send this back by Friday morning for posting.

Thank you

Jane Capasso  
Account Specialist  
Wayland WMDC  
508-358-6851



Capasso, Jane

40 Hastings Way

**From:** Capasso, Jane  
**Sent:** Friday, May 12, 2017 2:02 PM  
**To:** Fred Knight <fred@knightway.org>; Rick Greene; 'Sam Potter'  
**Cc:** Capasso, Jane  
**Subject:** Abatement Request for May 17 2017 Meeting  
**Attachments:** Scanned from a Xerox Multifunction Device.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Abhilash Barot  
40 Hastings Way  
#2701017, #1700486

The WWMDCC is being asked by Abhilash Barot for an abatement for his FY17 Q3 wastewater bill. Please see the Details section below and the attached Account History with summary of use for two years.

He also asked the Water Department for an abatement and they said no. In March, 2015 Water and Wastewater issued Abhilash an abatement for this same problem, which he fixed. The Water Dept only allows one abatement.

For WW we have the additional situation that <sup>some of</sup> the water being used is not going into the sewer system. As a result, the Board needs to decide whether we do an abatement or not since the water didn't go in the sewer system. If you say yes to the abatement, please consider the following:

Details:

Abhilash's plumber found (two weeks ago) that his humidification system was running nonstop and his Water and Wastewater bills were very high. Water was running through the humidification system and spilling onto the basement floor. The water is not going into the sewer system. It is an unfinished basement and he doesn't go down there.

This is complicated by:

- 1) Abhilash was out of the country due to his mother's illness and death from September through December. His wife was home except for November when she went to India.
- 2) They shut their humidification system off about June 1 – October 1 each year.

In looking at the attached information by quarter, I see two ways to estimate his abatement:

- A) Use the FY16 Q3 water use (same billing period) of 361 gpd and calculate what he owes based on current rates or
- B) Use an average of FY16 Q2, Q3 and Q4 with a little more weight given to FY16 Q3 because it's Winter and the humidification runs more at this time and it is the same time period that the bill is for.

This item is not on the Agenda since I just received the call today. I advised Abhilash to pay his bill due 5/18/17 so he doesn't incur interest charges and it will be cleaner to do the abatement.

Let me know if you have any questions.

**Capasso, Jane**

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**From:** fred knight <fred.knightway@gmail.com>  
**Sent:** Wednesday, May 31, 2017 12:37 PM  
**To:** Capasso, Jane  
**Subject:** Re: FW: 40 Hastings Way Abatement Request

I thought Rick's point was that the humidity in a closed house is restrictive. Let's see...

100% absolute humidity at 25 degC is 23g/m<sup>3</sup> or 23 ppm water.

Assuming 1 air exchange per hour and a floor area of 2000 sqft, I get 100% absolute humidity requires  
 $2000 \times 8 \times (12/39.37) \times 2 \times 23 / 1000 \times 24/4 \sim 205$  gpd

Hence, a malfunctioning humidification system keeping the air saturated (100% RH) would require ~200 gpd.

What was his use? I think it was 361 gpd. This is double what would have been needed according to my estimate. The remainder would go down the drain, presuming the humidification system was installed with an overflow guardian.

I guess he could have used this much water, but it's pretty unlikely that none of it went down the drain.

The one more thing you might ask is whether there is a drain installed in the humidity system.

We'll consider this in June.

Fred

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Fred Knight, [fred@knightway.org](mailto:fred@knightway.org), 508 358 0834

On Wed, May 31, 2017 at 11:17 AM, Capasso, Jane <[jcapasso@wayland.ma.us](mailto:jcapasso@wayland.ma.us)> wrote:

Yes, the contractor's intention is that it went through the humidification system and not down the sewer drain. Is there anything else I can ask Abhilash to do to prove this?

Jane Capasso

Account Specialist

Wayland WMDC

508-358-6851

**WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION  
MEETING OF 17 MAY 2017**

**In Attendance:** Fred Knight, Rick Greene and Jane Capasso.  
**Absent:** Sam Potter  
**Guests:** None  
**Meeting Location:** 7:30 pm Wayland Town Building

**DRAFT MINUTES**

*Note: Items may not be discussed in the order listed or at the specific time. Times are approximate.*

- 7:38 1. Call to order
- 7:38 2. Public comment – None.
- 7:39 3. Final review of transfer of land and design flow from Wayland Meadows (WM) to Conservation Commission (Con Com) (land only) and to BoS (design flow only) to be allocated to 5 Concord Road. Documents have been approved. Final action is whether the WWMDC shall pay for part of or all legal expenses. Charges were \$1,056 from Mark Lanza for an initial draft of the agreement for land transfer, \$1,295 from KP Law for editing of my draft of the BoS/WWMDC agreement, and a nebulous estimate of \$2,000 for the remainder of FY2017. I cannot see any justification for the \$2,000, as I do not see any issues to justify this estimate. Arguments have been put forward both ways. Chair will review these. Basically, Fred argues that payment of legal fees should be split among Cons Comm, BoS, and WWMDC, namely the following:
1. One-third of Mark Lanza's charge, namely  $\$1,056/3 = \$352$ , 1/3 to Cons Comm, 1/3 to BoS
  2. One-half of KP Law's charge, namely  $\$1,295/2 = \$648$ , 1/2 to BoS
  3. Nothing for future expenses.

The WWMDC total is \$1,000. In contrast, Nan argues that Cons Comm and BoS do not have ability to pay these unless they ask the Finance Committee, so WWMDC should pay all.

Fred: Everything has been completed but he is not certain if WM has signed the agreement. WW, BoS and Con Com approved the agreement and will sign after WM.

The ATM Article did not include legal expenses. This was an oversight by Fred. In the past, the BoS had a budget and the Finance Committee covered legal expenses. The Finance Committee is no longer doing this and WW was not made aware of this. In the future WW will include legal expenses. Rick: Agrees the Town should split the costs. The Con Com receives the land, the Town receives capacity and WW receives the Paid in Lieu of Betterment from the BoS. There is no net benefit to our users, which makes paying legal expenses hard to justify. Jane: Beth Doucette just received an additional \$573.50 for KP Law for expenses from the March bill. Rick made a motion that the \$1,056 should be split between WW and Con Com and the \$1,295 plus \$573.50 should be split between WW and the BoS. Fred second the motion. Passed 2-0. Fred will discuss legal expenses with Nan Balmer.

- 7:45 4. Update of design flow accounting for the Town Center. Review of current allocations including the reallocation of 500 gpd for new doctors' practice approved by WWMDC on 1 Mar 2017. Discussion of National Development's plans for future businesses.

National Development contacted the BoS to discuss plans for future business. WW was asked to phone into the meeting and this did not happen. Fred and Rick feel National Development should discuss their needs with the WWMDC and not with the BoS. National Development suggested that their actual use does not come close to the assigned Title V Design Flow and they are planning to discuss this with the DEP and/or EPA. Fred would prefer they talk to WW first and when they have a plan, use our Change of Use procedure

to deal with any potential changes in capacity. Rick is in agreement.

- 7:58 5. Continued discussion of draft revision of WWMDC Rules and Regulations, specifically the modification of the section on connections and alterations. This is an on-going discussion that may continue, but we are nearing agreement. Are we ready to approve the revised Rules and Regulations?

Rick reread the agreement. 1) Made WWMDC and Commission consistent with WWMDC. 2) Director or designee updated the definition. 3) Updated Article and Section numbers 4) Article 3, rearranged paragraphs. Fred: Reviewed Article 3 in detail. 5) Rick: Article 2, Section V – Violations and Misdemeanors: Fred and Rick agreed the wording would change to: Any person in violation of the rules and regulations, as codified in local state or federal laws, is liable to the rules. 6) Rick: Article 4, Section 1.D – Rick: Change to say plans should be presented to the Board of Health or Building Department and WW's change in use procedure followed. Fred will review the whole document for the next Board meeting. We would anticipate approval next month.

- 8:08 6. Report from Chair on the efforts to get Tom Holder, the DPW Director, to oversee some WWMDC operations, specifically starting with oversight of maintenance, emergency response, oversight of Whitewater, and interactions with outside agencies (mostly DEP and EPA). The chair's hope is that the DPW will soon begin to handle emergencies and requests for marking wastewater line locations (just like water line locations), as well as provide supervision for on-going administrative activities.

- First, Fred produced a White Paper that was sent to the BOPW and discussed at their last meeting; see 25 April 2017 BPW meeting at ~14:30 into their meeting and available on waycam.tv government on-demand.
- Second, there was a discussion about the initial tasks that Tom could undertake on 10 May 2017. Attendees were Nan Balmer, Woody Baston, Jane Capasso, John Senchyshyn, Tom Holder, and Fred Knight. Fred had ranked possible initial tasks in a table before the meeting. We discussed each of these with an initial implementation.
  - 1) Maintenance of the wastewater system: Initially, verification of as-built drawings and contracting with an agency to mark pipe locations when needed for excavation. Weston and Sampson, who did the original as-built drawings in 1999, should be contacted first. Then an RFP may be needed to redo the as-built drawings. An interim method of providing the original as-built drawings with a liability limiter on a cover page is needed.
  - 2) Emergency response: Initially, contracting with a company. We need an RFP, a list of possible vendors from Tom, solicitation of bids, and review and selection. Funds for this have to be found, possibly from WWMDC retained earnings.
  - 3) Oversight of Whitewater: Initially, Tom's review of extra charges by Whitewater.
  - 4) Interaction with outside agencies: Initially not necessary.

In the May 10, 2017 meeting it was decided that Tom will start working on items 1, 2 and 3 for the near future and he will discuss this with the Board of Public Works at their May 23, 2017 meeting. It was agreed that better maintenance is needed for the Route 20 wastewater system. Particularly, As Built Drawings and a maintenance contract for the system. Tom will contact Weston and Sampson to see who did the original as built drawings, which are not very accurate, so they can be updated.

At tonight's meeting, the Board asked Jane to discuss with Tom about creating a disclaimer letter to handout with as built plans for mark-outs. Rick asked if there were checks for the rest of the system (outside the treatment plant). Fred: we need someone to do this.

Fred's memo May 10, 2017 lists 13 items to be worked on. Under discussion is: An RFP for

mapping the Route 20 System and a maintenance contract. Fred: How much this will cost and can WW pay for this using retained earnings? Jane: Alf Berry is overseeing getting As Built Plans for the Town Center, which is in process.

Fred: Our contract with WhiteWater for the treatment plant has some expenses that need research. Tom agreed to look at the monthly bills.

WW needs to setup an agreement with contractors for emergency response. Until this can be setup WW will continue to use local companies and Ben Keefe will be contacted to respond to emergencies. Tom will draw up an RFP. There may be a monthly charge to have a contractor available for emergency responses.

Oversight of WhiteWater activities and monthly bills. Tom will get a better understanding of the plant by meeting with Dave Boucher and going on a tour. Jane: Tom reviewed the most recent WhiteWater Bill and has some questions for the WWMDC. Rick: Could the Water Department respond to our emergencies. Until this can be worked out, John Senchyshyn, at the May 10, 2017 meeting, said there can be no Water Department involvement due to union contract negotiations.

Fred: Next steps - Tom will talk to BoPW about his involvement in the above items; Fred will view or attend this meeting. Nan is in favor of combining Water and WW functions. Rick has spoken to others that Water and WW should be split off from BoPW. Fred: The WWMDC is very appreciative of Tom Holder's help.

- 8:25 7. Approve minutes from previous meetings—12 Apr 2017 and 24 Apr 2017.

4/24/17 - Fred will supply additional text to item 3. Rick: Motion to approve minutes with the changes as described by Fred. Second Fred, passed 2-0.

4/12/17 – Fred will add a post meeting comment to number 6 that the Town's insurance company was contacted and there is no insurance for underground excavation. John Senchyshyn will look into this type of insurance. Rick: Motion to approve minutes with changes as noted by Fred. Fred second, passed 2-0.

- 8:45 8. Pay Bills, monthly budget update, year-to-date finances, and monthly commitments.

Bills: Summary sheet showing the total cost of the 268 Boston Post Road emergency \$17,989. Your Electrical Solutions performed testing and replacement of electrical lighting and batteries for \$4,343. WhiteWater Bill for May included \$7,170 in sludge expenses due to emergency calls at the treatment plant. Total Bills \$33,978. Rick motioned that we pay bills as stated. Fred second, passed 2-0.

Monthly Budget: Rick: Jane check what we have received for betterments verses billed year-to-date. Jane did a comparison of Revenue billed verses received year-to-date and it looks reasonable. Analysis was based on data as of May 10, 2017. Bills were not due until May 18, 2017.

Forecasted FY2017 expenses as of June 30, 2017. Forecast is favorable to budget by approximately \$26,302. Fred: We should have Tom review our budget and to look at the high number of emergency calls and what can be done to fix this.

Two Commitment letters signed.

- 9:05 9. Administrative Items, if any

- A. Treatment Plant Punch list – Jane: Ben Keefe received an email from Ian Catlow asking for a meeting with WhiteWater to discuss any open items and finalize the punch list. Fred: Jane is to see if the items completed on the punch list are being charged against borrowed funds. Once the punch list is completed, what amount of

the funds will go to WW and to the Town? WW will need a ruling from the Department of Revenue on the disposition of the remaining funds.

- B. Quarterly Reports - None
- C. Treatment Plant Repair Bills – Dave Boucher, WhiteWater, informed Fred that the Wilo EQ Mixer Pump with a cost of \$8,500 needs replacement. Fred approved the purchase which should be complete in June. The emergency lights were tested and replacement for lighting and batteries completed in February. The bill was received in May for \$4,343 from Your Electrical Solutions.
- D. 268 Boston Post Road Emergency, Shep’s Gas Station – Fred: Reimbursement is not possible. It was WW’s responsibility to provide mark-outs. For liability reasons the Water Department did not supply the As Built Plans. Shep’s contractor by accident nicked the force main. Wayland’s insurance does not cover underground problems. Rick: We need to solve who will do the mark-outs. At the May 10, 2017 meeting, Tom agreed that WW will give the As Built Plans with a disclaimer cover letter since the Plans are not very accurate.
- E. Sam Potter renewing as Commissioner – Fred: Sam has a new job in Florida and won’t be back anytime soon. Jane informed MaryAnn DiNapoli, BoS Office, who will take his name off the list. Fred: Should we contact Dave Schofield, who had the position in the past? Rick: How about Kamal Namou, who ran for BoS? Jane will contact Kamal.
- F. FY18 approved Budget vs Rate Hearing numbers: Finance Department changed salaries after WW held their rate hearing. The Monthly Operating Budget will be based on the Rate Hearing numbers and the MUNIS system/Town will have a larger budget by \$4,472 for salaries.
- G. Treatment Plant Maintenance Contract Summary – WW recently took over the contracts and annual maintenance for the following companies, from the Facilities Department: Keane Fire & Safety, Keyes North Atlantic, South Shore Generator and Your Electrical Solutions. When the FY18 Budget was created, these expenses were unknown and not included in the Budget.
- H. BP Trucking – Rick: How much trash do we have monthly and do we need a dumpster? Jane to contact Pat Morris, Facilities.

9:30 10. Revisit the long-term viability of the betterment. Ten years from now there will be a shortfall in the betterment account unless funds are invested to realize growth that has associated risk as well. Here is some background---the way Fred sees it:

- On the betterment balance over time, I think that all we need to keep up-to-date is the one spreadsheet that Cindy and Rick put together. There is one free parameter on that sheet: the effective interest rate of the retained earnings from betterment payments. Setting it to 1%, there is a shortfall in 2027 that grows and then decreases until close to the end of the bond payments in 2033. The shortfall is smaller if the effective interest rate is higher, or if operations funds (the part of the retained earnings that I associate with operations) are used, as Mark Abrahams did.
- Now, we employed Mark Abrahams to bless this spreadsheet, i.e., to divide our retained earnings into two pots, one earmarked for betterment payment and the second for operations. If we can maintain the balances of these, we will know how much can be spent on operations versus the amount needed to fund the betterment over time. To me, this is all we need. We get the betterment funds from the spreadsheet Cindy and Rick put together, and the amount that can be used for operations is the difference of the total balance and the betterment amount.
- This situation described above is to be contrasted with Mark's assessment. In his case, he allowed all retained earnings to be used for debt payments. My feeling is that we need to allocate funding of the betterment only from pre-paid betterments, apportioned betterments, and the PILOB. The betterment fund goes below zero earlier (2027) than Mark estimated when he used all our retained earnings to pay betterments. Instead we go farther below zero.
- Attention needs to be paid to this predicament of a shortfall in funding during bond repayment; even the final balance has sufficient funding.

Fred: WW should use the spreadsheet Cindy and Rick created and update it using 1% interest and subtracting any accounts that are paid in full. Rick: The retained earnings account for the betterment should contain betterments collected, accounts paid in full, interest and PILOB's (paid in lieu of betterment's). Fred will discuss betterment with Nan.

- 9:43 11. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any.
- A. 40 Hastings Way Abatement – The Water Department gave an abatement for a problem with the humidification system in the past and will not give a second abatement for the same problem. The Owner said his plumber indicated the water was going into the air and some on the basement floor. Rick: Can he prove that the water did not go into the WW system? He used 524 gpd of water which seems extremely high. Rick: Have the owner follow the abatement procedure on the WW website and include a detailed explanation of where the water went. Fred agrees. Jane will email the owner.
  - B. WhiteWater Contract verses Billing: Tom's review provided the following questions: 1) Did WW agree to the 2016 increase in rates and particularly Markup changing from 10% to 15%? 2) The Consumer Price Index says nor more than a 2% increase in salaries. WhiteWater raised their rates in year 2 of the contract by more than 9% in some instances. The WWMDC decided to discuss this at a later date.
  - C. OARS Water Quality Report for 2016 – Rick will review and discuss at the next meeting.
  - D. Jane's Duties – List updated for Jane's review in June and Nan Balmer asked for an update. Jane will provide Fred with performance review form. Board will review Jane's duties keeping in mind that Tom may be handling some of these duties.
  - E. Website – What types of final documents does the board want? Fred will work on this.
  - F. Selectmen Meeting Dates. WW may be updating their FY18 Budget for unbudgeted expenses from maintenance contracts and RFP's for services needed to maintain the sewer system and to perform mark-outs. Jane will check with Brian Keveny to see if this can be presented at the next Town Meeting.
  - G. Keane Fire & Safety suggested WW purchase a Water Mist extinguisher, but it wasn't necessary. Fred and Rick agreed WW does not need this.
- 9:26 12. Website status: recent postings and organization. Monthly Agenda's and minutes including documents reviewed at the board meeting are posted.
- 9:27 13. Calendar: upcoming meetings and events, including hearings. WW's next Board Meeting is June 14, 2017.
- 9:28 14. Public Comment – None
- 10:03 15. Adjourn

Attachments:

Wayland Meadows Legal Expenses email.  
Draft of WW's Rules and Regulations  
Draft April 12, 2017 minutes  
Draft April 24, 2017 minutes  
Summary of 268 Boston Post Expenses  
Summary List of Bills  
Summary List of WhiteWater Bills  
Monthly Operating Budget  
Forecasted Year-end FY17 Budget  
Summary of Revenue billed verses Received year-to-date  
Commitment Letters  
FY18 approved Budget vs Rate Hearing

Treatment Plant Maintenance Contract Summary  
Review of Maintenance Contracts: Keane Fire & Safety, Keyes North Atlantic, South Shore  
Generator and Your Electrical Solutions.  
Betterment Spreadsheet created by Rick and Cindy  
Memo on 40 Hastings Way Abatement  
OARS Water Quality Report – Binder will be filed in the WW Office  
List of Jane's Duties  
Water Mist Fire Extinguisher Flyer





## Capasso, Jane

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**From:** Doucette, Elizabeth  
**Sent:** Monday, June 05, 2017 9:59 AM  
**To:** Knight, Fred  
**Cc:** Capasso, Jane; Holder, Thomas; Paul Brinkman  
**Subject:** RE: Wastewater Funding options for unanticipated expenditures

Fred,

I just spoke with Paul to understand the scope of services you are in need of. My comments and recommendations, financially, are the following:

1. The FY17 funds would only have been a possible source for developing a survey that would begin in June. Since you are not pursuing a survey at this time, the FY17 funds would not be used.
2. The FY18 budget has a \$25,000 contingency line item. Assuming you do not have a set need for these funds, they would be available to engage vendors for a) DigSafe response calls and b) emergency repair services. In speaking with Paul, it seems that these are likely to fit within this budget.
3. Request a revision to the FY18 budget at Fall Town Meeting to appropriate enough funds for DigSafe and Emergency Repair contracts
4. Consider a request to revise the FY18 budget at Fall Town Meeting to add a line item for "Extraordinary/Unforeseen Expenses". This line may also impose any condition(s) for their use for better control and accountability over their use. Any unspent balance closes to the enterprise fund at fiscal year-end. This is similar to a Reserve Fund. If the same amount is included in the budget each year, the rate would be unaffected. You could work with Paul to define an appropriate amount based on the value of infrastructure that may experience an emergency.

Beth

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**From:** Paul Brinkman  
**Sent:** Monday, June 05, 2017 8:25 AM  
**To:** Knight, Fred  
**Cc:** Doucette, Elizabeth; Capasso, Jane; Holder, Thomas  
**Subject:** RE: Wastewater Funding options for unanticipated expenditures

Fred,

Yes the value is based somewhat upon the likely value of an emergency, unbudgeted cost that could occur. It could be something like the cost of a generator or piece of equipment, based upon age, condition etc. In your case, it appears that we would be budgeting a line item for the repair of the system and having an emergency line for something unanticipated.

I will see if I can find a contractor or two that is interested in the Dig Safe mark-outs.

Paul

**From:** fred knight [<mailto:fred.knightway@gmail.com>]  
**Sent:** Monday, June 05, 2017 7:47 AM  
**To:** Paul Brinkman

## Capasso, Jane

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**From:** Capasso, Jane  
**Sent:** Wednesday, May 31, 2017 9:53 AM  
**To:** Doucette, Elizabeth  
**Cc:** Capasso, Jane; Fred Knight <fred@knightway.org>  
**Subject:** FW: Question on WW costs  
**Attachments:** FY17 Wastewater Unbudgeted Expenses.xlsx

Attached is a list of unbudgeted expenses. Should I include repairs made at the treatment plant that are in the range of \$1,000 - \$3,000. I think there are one or two? The items in green will be paid in June.

Thank you

Jane Capasso  
Account Specialist  
Wayland Wastewater Management District Commission  
41 Cochituate Road, Wayland, MA 01778  
508-358-6851

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**From:** Doucette, Elizabeth  
**Sent:** Tuesday, May 30, 2017 7:54 PM  
**To:** Capasso, Jane  
**Subject:** Question on WW costs

Hi Jane,

I understand that WW incurred some unexpected costs earlier this year. Can you tell me what these were for and who the vendor(s) are? Also, have these been paid?

Thank you,  
Beth

Wayland Wastewater Management District Commission  
 Summary of Unbudgeted Utility Bills - FY2017  
 5/31/2017

Vendor#	Vendor Name	Notes	Address	Invoice#	Invoice Date	Amount	WWMDC Act #	Org#	Object Exp Acct	Description
16307	ABC Soils, Inc.	3	111 Boston	8328	3/15/2017	\$ 2,703.41	5443	63443002	52116	Emerg. Repair 268 BPR 3/13/17
2170	Abrahams Group	1	52 Flanagan	-	8/27/2016	\$ 3,000.00	Note 1	63443002	54599	Consultant/Financing Project
2494	B-P Trucking Inc.	2	P.O. Box 38	-	4/30/2017	\$ 606.20	8670	63443002	52121	Disposal/Trash Removal 185 Elissa Ave (7 Months)
9388	Robert F. Callahan Co.	6	5 Flagg Stre	-	4/7/2017	\$ 1,050.00	-	63443002	52115	Tmt Plant Repair-Unit Heater/Supply Line Leaking
1093	Idle Business Forms		49 Bullard	020917	2/9/2017	\$ 35.00	020917	63443002	52107	Billing paper
3805	KP Law					\$ 4,351.00		63443002	52108	Town Counsel-Legal costs for Wayland Meadows
2117	Keane Fire & Safety	4	1500 Main	527314	2/27/2017	\$ 346.51	527314	63443002	52115	Inspection/repair - 4 Fire Extinguishers
2129	Keyes North Atlantic, Inc	4	459 Water	5122108	3/13/2017	\$ 450.00	18111	63443002	52115	Tmt Plant Fire Alarm Inspection
7783	E.S. O'Neil Electric	5	82 Lawrenc	A66098	10/21/2016	\$ 1,704.50	A66098	63443002	52116	Emerg. Repair 292 BPR 10/19/16
3332	John Regan Ent.	5	PO Box 500	31593	10/20/2016	\$ 890.00	31593	63443002	52116	Emerg. Pumping 292 BPR 10/19/16
7783	E.S. O'Neil Electric dba S	3	82 Lawrenc	A66303	3/15/2017	\$ 4,414.08	A66303	63443002	52116	Emerg. Repair 268 BPR 3/13/17
3332	John Regan Ent.	3	PO Box 500	33092	3/17/2017	\$ 2,520.00	33092	63443002	52116	Emerg. Pumping 268 BPR 3/13/17
6693	Whitewater/RH White	3	C/O RHW C	70026384	4/25/2017	\$ 7,015.11	WAY002	63443002	52101	Facility Labor (Prof. Serv.) Emerg 268 BPR
6693	Whitewater/RH White	3	C/O RHW C	70026384	4/25/2017	\$ 1,162.41	WAY002	63443002	52116	Equip Repairs & Maint. Emerg 268 BPR
6693	Whitewater/RH White	3	C/O RHW C	70026384	4/25/2017	\$ 174.36	WAY002	63443002	52151	Mark Up-Repairs & Maint. Emerg 268 BPR
7336	Your Electrical Solutions	7	345 Washir	172518	5/1/2017	\$ 4,343.15	172518	63443002	52115	Tmt Plant-Testing/Replace Emerg Lights
	WhiteWater	8	C/O RHW C	-		\$ 8,464.00				Replace Wilo EQ Mixer Pump
	South Shore Generator	4	PO Box 567	-		\$ 1,020.00				Maint. Tmt Plant & Pump Sta. Backup Generators
	<b>Total</b>				5/31/2017	<b>\$65,445.83</b>				

Total Cost for Emergency Repair at 292 Boston Post Road \$ 2,594.50  
 Total Cost for Emergency Repair at 268 Boston Post Road \$ 17,989.37

Green = Unpaid bills for FY2017

- Note 1: The Abrahams Group reviewed Wastewater's betterment financing and reformatting the balance sheet. FY17 paid \$3,000 and FY16 paid \$3,000.
- Note 2: B-P Trucking - Facilities Dept. has been paying this. Starting December, 2016, WW will pay for the removal of trash from the Treatment Plant at \$86.60 per month.
- Note 3: Emergency at 268 Boston Post Road required ABC Soils (new account) ES O'Neil Electric, John Regan Septic and RH White to make the repair. Contractor nicked the force main.
- Note 4: Based on the Treatment Plant Punch List, Ben Keefe had the inspections done. WW will takeover management of annual maintenance. Jane overseeing new contracts with updated amounts for FY18 for: Keane Fire & Safety, Keyes North Atlantic, South Shore Generator and Your Electrical Solutions.
- Note 5: Emergency Repair at 292 Boston Post Road. Failed anti-siphon valve attached to the main wastewater line.
- Note 6: Two unit heaters and the supply lines in the basement were leaking. Pat Morris, Facilities, let the plumber in and confirmed work was done.
- Note 7: Pat Morris ordered the work done because several safety lights and battery packs were not working. This will be done once a year.
- Note 8: Replace Wilo EQ Mixer Pump. Fred Knight approved \$8,464 for pump and installation in May/June.

Summary of 268 BPR Emergency on March 13, 2017

Vendor#	Vendor Name	Notes	Address	Invoice#	Invoice Date	Amount	WWMDC Acct #	Org#	Object Exp Acct	Description
6693	Whitewater/RH White		C/O RHW C	70026384	4/25/2017	\$ 7,015.11	WAY002	63443002	52101	Facility Labor (Prof. Serv.)
6693	Whitewater/RH White		C/O RHW C	70026384	4/25/2017	\$ 1,162.41	WAY002	63443002	52116	Equip Repairs & Maint.
6693	Whitewater/RH White		C/O RHW C	70026384	4/25/2017	\$ 174.36	WAY002	63443002	52151	Mark Up on Repairs & Maint.
16307	ABC Soils, Inc.	3	111 Boston	8328	3/15/2017	\$ 2,703.41	5443	63443002	52116	Emerg. Repair 268 BPR 3/13/17
7783	E.S. O'Neil Electric dba S	3	82 Lawrend	A66303	3/15/2017	\$ 4,414.08	A66303	63443002	52116	Emerg. Repair 268 BPR 3/13/17
3332	John Regan Ent.	3	PO Box 500	33092	3/17/2017	\$ 2,520.00	33092	63443002	52116	Emerg. Pumping 268 BPR 3/13/17

\$17,989.37

Total Cost

**Wastewater Legal Costs  
 FY2017  
 As of May 18, 2017**

	Forecasted			
	Legal Costs	Cost	50/50 Split	Split
M Lanza - 6.6 hours @ \$160/hour		\$1,056.00	\$528.00	WWMDC/Con Com
Initial draft land transfer agreement				
KP Law - 7 hours @ \$185/hour		\$1,295.00	\$647.50	WWMDC/BoS
Edit of Fred's draft BoS/WWMDC agreement				
March KP Law Invoice		\$573.50	\$286.75	WWMDC/BoS
Total 5/18/17		\$2,924.50	\$1,462.25	
KP Law Estimated Additional Legal Costs through June 30, 2017	\$2,000.00			
Deduct March KP Law Invoice	\$573.50			
Balance of Estimated Additional Legal Costs through June 30, 2017	\$1,426.50			
Forecasted Legal Costs with no 50/50 Split (\$2,924.50 + 1,426.50)	\$4,351.00			
Note: Forecasted Legal Costs with no 50/50 Split - Conservative forecasting in case the 50/50 split is not agreed to by the Board of Selectmen or the Conservation Commission.				



Preliminary Cash Receipts YTD

Revenue Codes	July 2016	August 2016	September 2016	October 2016	November 2016	December 2016	January 2017	February 2017	March 2017	April 2017	May 2017	June 2017
6302 WW User Charges	\$ 316.79	\$ 16,844.92	\$ 42,316.05	\$ 648.97	\$ 11,235.04	\$ 48,953.21	\$ 24,238.46	\$ 39,990.91	\$ 31,731.99	\$ 192.35	\$ 39,907.16	\$ 38,812.49
63105000/42105												\$ 295,188.34
6308 Penalties & Interest *	\$ -	\$ 42.73	\$ 20.10	\$ 13.24	\$ 140.81	\$ 418.73	\$ 228.28	\$ 39.88	\$ 186.65	\$ -	\$ 7,807.92	\$ 11.74
63105000/41750												\$ 8,910.08
6303 Miscellaneous Rev *	\$ -	\$ -	\$ 4,523.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,182.65	\$ -	\$ -
6310500/43299												\$ 12,705.65
6304 Betterments (Old)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,047.90	\$ -	\$ 488.85	\$ 10,532.51	\$ 420.89
63105000/47501												\$ 25,490.15
6305 Betterment Interest (Old)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,378.14	\$ -	\$ 97.77	\$ 2,010.82	\$ 179.83
63105000/47502												\$ 4,666.56
6306 Betterments Pd in Adv	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
63105000/47599												\$ -
6307 Int. Earned on Savings *	\$ -	\$ 367.57	\$ -	\$ 367.86	\$ 356.27	\$ 368.42	\$ 356.82	\$ 368.99	\$ 705.00	\$ -	\$ 370.84	\$ -
6310500/48210												\$ 3,261.77
6309 Wastewater Liens *	\$ -	\$ -	\$ -	\$ 0.02	\$ -	\$ -	\$ -	\$ 6,601.69	\$ -	\$ -	\$ 521.96	\$ -
63105000/42111												\$ 7,123.67
6311 WW Better TC Rev	\$ -	\$ -	\$ 1,426.88	\$ -	\$ -	\$ -	\$ -	\$ 97,552.00	\$ 715.78	\$ 802.05	\$ 93,946.14	\$ 1,626.78
63105000/47503												\$ 196,069.63
6312 WW Better TC Int	\$ -	\$ -	\$ 3,165.66	\$ -	\$ -	\$ -	\$ -	\$ 85,569.62	\$ 644.20	\$ 644.20	\$ 112,442.45	\$ (29,511.55)
63105000/47504												\$ 172,954.58
6313 UNAPP WW Better TC Rev	\$ 12,884.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,168.26	\$ -	\$ -	\$ -	\$ -
63105000/47505												\$ 25,052.50
6314 UNAPP WW Better TC Int	\$ 481.83	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 201.69	\$ -	\$ -	\$ 524.01	\$ -
63105000/47506												\$ 1,207.53
49761 Trans from wrt fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
63105000/49761												\$ -
<b>Total Revenue</b>	\$ 13,682.66	\$ 17,255.22	\$ 51,451.69	\$ 1,030.09	\$ 11,732.12	\$ 49,740.36	\$ 24,823.56	\$ 258,919.08	\$ 33,983.62	\$ 10,407.87	\$ 268,063.81	\$ 11,540.18

Notes:  
 Miscellaneous Revenue - Privilege Fee \$4,523 for change in use resulting in increased capacity at 231 Boston Post Road. Privilege Fee \$8,182.65 for 317 BPR new Market increase in incremental design flow 127 gpc  
 Unapportioned WW Better TC Rev & Int - Accounts that have paid their betterment off in full. \$524.01 is interest on the betterment from Wayland Meadow:  
 WW Better TC Interest \$(29,511.55); Per Treasury this is a \$(30,000) correction for a data entry error made in May. Difference is revenue received of \$468.51 for the month  
 \* Other for Budget Reporting

	Total Revenue (Munis Balance)	Budgeted
47599,47505	\$ 752,630.26	\$ 752,630.26
Less: UNAPP New Better TC Rev	\$ (25,052.50)	\$ (25,052.50)
47506	\$ (1,207.53)	\$ (1,207.53)
Less: New WW Better TC Principal	\$ (196,069.63)	\$ (196,069.63)
47504	\$ (172,954.58)	\$ (172,954.58)
Less: New WW Better TC Int	\$ (25,490.15)	\$ (25,490.15)
47501	\$ (4,666.56)	\$ (4,666.56)
Less: Old Betterment Int	\$ (327,189.51)	\$ (327,189.51)
Revenue net of Capital Acts (Net of Betterment)	\$ 752,630.26	\$ 752,630.26

Liens	Principal	Interest
Old Betterment	\$ 23,661.10	\$ 4,732.21
New Betterment	\$ 197,419.10	\$ 172,982.81
Total Apportioned (billed)	\$ 221,080.20	\$ 177,715.02
Total Received	\$ 221,559.78	\$ 177,621.14
Variance	\$ (479.58)	\$ 93.88

Note: Betterments are billed in February and May. Payments come in March and June. June is still coming in.

Liens Billed	Liens Received	Variance
\$ 3,139.39	\$ 7,123.67	\$ (3,984.28)

Note: Liens billed are for FY17

Pmts FY16	Pmts FY17	Surcharges
\$ 3,265.11	\$ 2,814.64	\$ 1,043.88
Total	\$ 7,123.63	Surcharges from Way Meadows



Wayland Wastewater Management District Commission											
Summary of Utility Bills - FY2017											
May 11 - June 9, 2017											
Signed: _____											
Munis/Batch: _____											
Preliminary											
Vendor#	Vendor Name	Notes	Address	Invoice#	Invoice Date	Amount	WWMDC Acct #	Org#	Object Exp Acct	Description	
16307	ABC Soils, Inc.		111 Boston Post Road, Sudbury, MA 01776				5443	63443002	52116	Emerg. Repair 268 BPR 3/13/17	
2170	Abrahams Group		52 Flanagan Dr, Framingham, MA 01701					63443002	54599	Consultant/Financing Project	
2494	B-P Trucking Inc.	1	P.O. Box 386, Ashland, MA 01721	89832	5/31/2017	\$ 86.60	8670	63443002	52121	Disposal/Trash Removal 185 Elissa Ave	
9388	Robert F. Callahan Co.		5 Flagg Street, Woburn, MA 01801					63443002	52115	Tmt Plant Repair-Unit Heater/Supply Line	
10656	Direct Energy		P.O. Box 32179, New York, NY 10087-2179	H17688314	5/18/2017	\$ 70.97	452224/678961	63443002	53102	Gas-185 Elissa Ave	
10656	Direct Energy		P.O. Box 32179, New York, NY 10087-2179	H17683433	5/17/2017	\$ -	452224/678968	63443002	53102	Gas-2 Elissa Ave	
3027	EVERSOURCE		1 NSTAR Way, SW300, Westwood, MA 02090	28704030031	5/26/2017	\$ 155.65	28704030031	63443002	53103	Electricity-185 Elissa Ave	
3027	EVERSOURCE		1 NSTAR Way, SW300, Westwood, MA 02090	28671560010	5/26/2017	\$ 2,064.93	28671560010	63443002	53103	Electricity-185 Elissa Ave	
1016	GateHouse Media		P.O. Box 845908, Boston, MA 02284-5908				100242045	63443002	52101	Rate Hearing Advertisement	
1093	Ide Business Forms		49 Bullard Road, Oakham, MA 01068				0	63443002	52107	Billing paper	
3805	KP Law							63443002	52108	Town Counsel (Legal)	
2117	Keane Fire & Safety		1500 Main Street, Waltham, MA 02451				527314	63443002	52115	Inspection/repair - 4 Fire Extinguishers	
2129	Keyes North Atlantic, Inc		459 Watertown Street, Newton, MA 02460				18111	63443002	52115	Tmt Plant Fire Alarm Inspection	
2129	Keyes North Atlantic, Inc		459 Watertown Street, Newton, MA 02460	S124545	5/31/2017	\$ 400.00	18111-001	63443002	52115	Tmt Plant Dry Trip Test	
2759	National Grid		PO Box 11735, Newark, NJ 07101-4735	50412-10350	5/17/2017	\$ 80.49	50412-10350	63443002	53102	Gas-185 Elissa Ave	
2759	National Grid		PO Box 11735, Newark, NJ 07101-4735	50412-10370	5/16/2017	\$ 9.33	50412-10370	63443002	53102	Gas-2 Elissa Ave	
11776	OARS Inc.		23 Bradford St, Concord, MA 01742				144	63443002	52103	2015 Surface Water Testing	
7783	E.S. O'Neil Electric dba Septic Pl		182 Lawrence St, Waltham, MA 02451				A66303	63443002	52116	Emerg. Repair 268 BPR 3/13/17	
3332	John Regan Ent.		PO Box 5003, Cochrane, MA 01778				33092	63443002	52116	Emerg. Pumping 268 BPR 3/13/17	
2226	South Shore Generator		PO Box 567, East Wareham, MA 02538	59265	5/30/2017	\$ 525.00	WAY1-C	63443002	52116	185 Elissa Backup Generator Ann. Maint.	
2226	South Shore Generator		PO Box 567, East Wareham, MA 02538	59266	5/30/2017	\$ 495.00	WAY1-I	63443002	52116	2 Elissa Backup Generator Ann. Maint.	
2271	TOW-Water		66 River Road, Wayland, MA 01778	2601700			2601700	63443002	53105	Water Dept Admin Fee-185 Elissa	
2569	VERIZON		PO Box 15124, Albany, NY 12212-5124	5083582801	5/18/2017	\$ 67.17	5083582801	63443002	53104	Back Flow Testing-185 Elissa Ave	
2569	VERIZON		PO Box 15124, Albany, NY 12212-5124	5083580192	5/18/2017	\$ 47.96	5083580192	63443002	53104	Phone - Pump @ 2 Elissa Ave	
2058	WB MASON		59 Centre St, Brockton, MA, Attn: Gail Meireles				C2380305	63443002	52107	Office Supplies-Index tabs/hole punch	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA	70027203	6/1/2017	\$ 3,900.00	WAY002	63443002	52100	Facility Operating Contract	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA	70026905	5/19/2017	\$ 3,880.00	WAY002	63443002	52101	Facility Labor (Prof. Serv.)	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA	70026905	5/19/2017	\$ 745.80	WAY002	63443002	52116	Equip Repairs & Maint.	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA	70026905	5/19/2017	\$ 3,780.00	WAY002	63443002	52122	Sludge Disposal	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA 01501				WAY002	63443002	52125	Chemicals	
6693	Whitewater		C/O RHW Construc, 41 Central St., Auburn, MA	70026905	5/19/2017	\$ 678.87	WAY002	63443002	52151	Mark Up on Repairs & Maint.	
7336	Your Electrical Solutions, Inc		345 Washington St, Pembroke, MA 02359				172518	63443002	52115	Tmt Plant- Testing/Replace Emerg Lights	
	<b>Total</b>		May 11 - June 9, 2017			\$ 16,987.77					
	Total WhiteWater without Contract Fee					\$ 9,084.67					

Red = New contracts

Note 1. B-P Trucking - Facilities Dept. has been paying this. WW will now pay for the removal of trash from the Treatment Plant at a monthly cost of \$86.60 per month.

WhiteWater Invoices  
Fiscal Year 2017

May 11 - June 9, 2017 Preliminary

Invoice #	Invoice Date	Amount	Month Processed	Contract Fee	Labor	Equip Repairs & Maint					Mark Up	Total
						#52101	52116	Sludge	Chemicals	#52151		
70020354	7/1/2016	\$ 3,900.00	July	\$ 3,900.00								\$ 3,900.00
70020979	8/1/2016	\$ 3,900.00	Sept	\$ 3,900.00								\$ 3,900.00
70021672	9/1/2016	\$ 3,900.00	Sept	\$ 3,900.00								\$ 3,900.00
70021378	8/17/2016	\$ 937.50	Sept	\$ -	\$ 937.50							\$ 937.50
70021378	8/17/2016	\$ 2,100.00	Sept			\$ 2,100.00						\$ 2,100.00
70021378	8/17/2016	\$ 1,376.94	Sept				\$ 1,376.94			\$ 521.54		\$ 1,376.94
70021378	8/17/2016	\$ 521.54	Sept							\$ 521.54		\$ 521.54
70022321	10/1/2016	\$ 3,900.00	Oct	\$ 3,900.00								\$ 3,900.00
70022062	9/15/2016	\$ 3,120.00	Oct			\$ 3,120.00						\$ 3,120.00
70022062	9/15/2016	\$ 468.00	Oct						\$ 468.00			\$ 468.00
70022985	11/1/2016	\$ 3,900.00	Nov	\$ 3,900.00								\$ 3,900.00
70022699	10/14/2016	\$ 1,318.75	Nov		\$ 1,318.75							\$ 1,318.75
70023634	12/1/2016	\$ 3,900.00	Dec	\$ 3,900.00								\$ 3,900.00
70023324	11/16/2016	\$ 9,782.16	Dec	\$ 3,900.00	\$ 4,195.00	\$ 1,297.20	\$ 3,360.00	\$ 201.20	\$ 728.76			\$ 9,782.16
70024191	1/6/2017	\$ 3,900.00	Jan	\$ 3,900.00								\$ 3,900.00
70023926	12/12/2016	\$ 7,713.61	Jan	\$ 3,900.00	\$ 1,538.75	\$ 2,309.44	\$ 3,060.00		\$ 805.42			\$ 7,713.61
70024773	2/1/2017	\$ 3,900.00	Feb	\$ 3,900.00								\$ 3,900.00
70024480	1/17/2017	\$ 4,859.58	Feb	\$ 3,900.00	\$ 995.00	\$ 180.50	\$ 3,180.00		\$ 504.08			\$ 4,859.58
70025292	3/1/2017	\$ 3,900.00	Mar	\$ 3,900.00								\$ 3,900.00
70025050	2/15/2017	\$ 6,214.76	Mar	\$ 3,900.00	\$ 628.75	\$ 3.42	\$ 2,190.00	\$ 2,663.98	\$ 728.61			\$ 6,214.76
70025822	4/3/2017	\$ 3,900.00	Apr	\$ 3,900.00								\$ 3,900.00
70025566	3/13/2017	\$ 6,659.90	Apr	\$ 3,900.00	\$ 5,336.25	\$ 1,151.00			\$ 172.65			\$ 6,659.90
70025724	3/22/2017	\$ (1,410.00)	Apr	\$ (1,410.00)								\$ (1,410.00)
70026508	5/1/2017	\$ 3,900.00	May	\$ 3,900.00								\$ 3,900.00
70026216	5/7/2017	\$ 13,748.05	May		\$ 3,630.00	\$ 47.98	\$ 7,170.00	\$ 1,580.32	\$ 1,319.75			\$ 13,748.05
70026384	4/25/2017	\$ 8,351.88	May (1)		\$ 7,015.11	\$ 1,162.41			\$ 174.36			\$ 8,351.88
70027203	6/1/2017	\$ 3,900.00	June	\$ 3,900.00								\$ 3,900.00
70026905	5/19/2017	\$ 9,084.67	June		\$ 3,880.00	\$ 745.80	\$ 3,780.00		\$ 678.87			\$ 9,084.67
Totals		\$ 121,647.34		\$ 46,800.00	\$ 28,065.11	\$ 6,897.75	\$ 27,960.00	\$ 5,822.44	\$ 6,102.04			\$ 121,647.34

Current Month Total without Contract Fee \$ 9,084.67

Notes:

June- Contract Fee is billed the first of each month, there is no fee for June year-end.

1) 268 Boston Post Road Emergency on March 13, 2017

**Wastewater Legal Costs  
 FY2017  
 As of May 18, 2017**

		<b>Cost</b>	<b>50/50 Split</b>	<b>Split</b>
M Lanza - 6.6 hours @ \$160/hour		\$1,056.00	\$528.00	WWMDC/Con Com
Initial draft land transfer agreement				
KP Law - 7 hours @ \$185/hour		\$1,295.00	\$647.50	WWMDC/BoS
Edit of Fred's draft BoS/WWMDC agreement				
Estimated legal services through June, 2017	\$2,000.00			
March KP Law Invoice	\$573.50	\$573.50	\$286.75	WWMDC/BoS
Subtotal Estimated Services	\$1,426.50			
Totals		\$2,924.50	\$1,462.25	
Forecasted Legal Costs 100% WWMDC	\$4,351.00			
<p>Note: The June 30, 2017 FY17 Forecast is based on the total Cost including Estimated Services of \$2,000. for a total of \$4,351 (conservative approach). The WWMDC is discussing a 50/50 split with the two Boards.</p>				

# WWMDC FY2017 BUDGET

## Forecasted June Expenses

Updated 6/9/17

EXPENSE DETAILS	ACTUAL YTD	BUDGET YTD	YTD VARIANCE	ANNUAL BUDGET	FRCST MTD	NOTES
<b>PERSONAL SERVICES</b>						
Salaries (Account Specialist)	25,333.97	33,552.00	8,218.03	33,552.00	1,000.00	
Indirect/Admin (Town Services)	24,669.00	24,669.00	-	24,669.00	-	Expensed June, 2017
Legal Services	1,103.00	5,000.00	3,897.00	5,000.00	1,103.00	Wayland Meadows (see attached schedule)
<b>PROFESSIONAL SERVICES</b>						
Facility Operating Contract	46,800.00	46,800.00	-	46,800.00	-	
Fac. Labor & Other Prof. Serv.	30,383.28	20,000.00	(10,383.28)	20,000.00	2,000.00	Emergency Repairs
Engineering Fees	-	-	-	-	-	
NPDES Permit	-	-	-	-	-	
<b>Total Pers. &amp; Prof. Expenses</b>	<b>\$ 128,289.25</b>	<b>\$ 130,021.00</b>	<b>\$ 1,731.75</b>	<b>\$ 130,021.00</b>	<b>\$ 4,103.00</b>	
<b>Percent of Total</b>	<b>43%</b>			<b>17%</b>		
<b>REPAIRS &amp; MAINT EXP.</b>						
Building Repair & Improvement	6,589.66	-	(6,589.66)	-	-	Tmt Plant Fire & Light Testing & Repair
Equipment Repairs & Maint.	27,497.94	6,168.31	(21,329.63)	6,168.31	8,500.00	Wilo EQ Mixer Pump Replaced
Sludge Disposal	30,611.00	19,343.40	(11,267.60)	19,343.40	1,500.00	Alarm calls requiring pumping.
Chemicals	6,322.44	7,784.50	1,462.06	7,784.50	500.00	
Markup & Other	6,402.04	22,000.00	15,597.96	22,000.00	300.00	Budget included sludge.
Surface Water Testing (Oars)	6,803.00	6,500.00	(303.00)	6,500.00	-	Contract Renewal Budgeted Monthly
<b>Total Repairs &amp; Maint Exp.</b>	<b>\$ 84,226.08</b>	<b>\$ 61,796.21</b>	<b>\$ (22,429.87)</b>	<b>\$ 61,796.21</b>	<b>\$ 10,800.00</b>	
<b>Percent of Total</b>	<b>29%</b>			<b>8%</b>		
<b>OPERATING EXPENSES</b>						
Disposal (Trash Removal)	606.20	500.00	(106.20)	500.00	86.60	
Natural Gas-Ntl Grid & Dir. En.	4,284.25	6,178.35	1,894.10	6,178.35	500.00	
Electricity -Eversource	31,091.50	39,784.46	8,692.96	39,784.46	2,500.00	
Telephone -Verizon	1,319.46	2,027.24	707.78	2,027.24	115.00	
Water -TOW	871.82	632.77	(239.05)	632.77	-	Backflow Testing
Admin Serv's (Other/Vadar Trng)	125.20	-	(125.20)	-	-	Office Supplies
Contingency	3,000.00	25,000.00	22,000.00	25,000.00	-	Final Payment-Abrahams Consulting Fee
<b>Total Operating Expenses</b>	<b>\$ 41,298.43</b>	<b>\$ 74,122.83</b>	<b>\$ 32,824.40</b>	<b>\$ 74,122.83</b>	<b>\$ 3,201.60</b>	
<b>Percent of Total</b>	<b>14%</b>			<b>10%</b>		
<b>TOTAL EXPENSES</b>	<b>\$ 253,813.76</b>	<b>\$ 265,940.04</b>	<b>\$ 12,126.28</b>	<b>\$ 265,940.04</b>	<b>\$ 18,104.60</b>	
<b>TOTAL OPER &amp; CAP EXP'S</b>						
<b>CAPITAL EXPENSES</b>						
Debt Paid YTD				<b>ANNUAL BUDGET</b>		
Old Debt-Principal	27,650.76			38,441.67		Paid in August and February
Old Debt-Interest	2,135.64			9,465.15		Subsidy pays interest in Aug. Payment due Feb.
New Debt -Principal	240,000.00			240,000.00		Paid in August and February
New Debt -Interest	189,565.00			189,565.00		Paid in August and February
<b>Total Capital Expenses:</b>	<b>\$ 459,351.40</b>			<b>\$ 477,471.82</b>		

**Notes:**

Equipment Repairs and Maintenance - Emergency repairs: 3/13/17 268 BPR & 10/19/16 292 BPR  
 Other Revenue \$8,182.65 is the Privilege Fee for 317 BPR, new market. Unapportioned WW Better TC Interest from Wayland Meadows deal.  
 Legal Costs - Town accepted Fred's number of \$1,103 per Beth Doucette 6/14/17. Funding will come from other sources.

Capasso, Jane

Jane's

**From:** Capasso, Jane  
**Sent:** Wednesday, June 07, 2017 10:46 AM  
**To:** Keefe, Ben  
**Cc:** Capasso, Jane; Fred Knight <fred@knightway.org>; Paul Brinkman  
**Subject:** FW: Wastewater Punch List Update  
**Attachments:** Scanned from a Xerox Multifunction Device.pdf

6/14/17 - Paul w/b working on this

Hi Ben

Next Wednesday is WW's Board meeting and we will be talking about the Capital Account in detail.

The last time we spoke there was a meeting planned with WhiteWater and Ian Catlow to discuss the open items on the punch list. Please email me an update on this.

The WW board asked me to check if the items on the punch list were being paid for through the capital account. When I checked the capital account, there have been no entries since June 8, 2015. I have the following questions for next week's meeting:

- 1) Attached is the MUNIS account showing all charges up to June 8, 2015. Do you have any other bills to be paid through the capital account?
- 2) The attached punch list shows a Total Value (not including credits) of \$41,600. There are three items highlighted in yellow that have been checked off as completed. A) Do we have a requisition for payment for each item? B) Do you have a comment of completion? and C) Do you have the as builts, warranties and construction photo's that were checked off as completed?
- 3) For the other items on the list, please have Tighe and Bond comment on the status of each item, it's expected completion and any additional costs that may be needed.
- 4) 4) As the items are completed, Wastewater should receive all the completed documents at 66 River Road.

We are making headway. Thank you for your assistance.

Jane Capasso  
Account Specialist  
Wayland Wastewater Management District Commission  
41 Cochituate Road, Wayland, MA 01778  
508-358-6851

Jane Capasso  
Account Specialist  
Wayland Wastewater Management District Commission  
41 Cochituate Road, Wayland, MA 01778  
508-358-6851

-----Original Message-----

No.	Location	Task	Ball In Court	Value	T&B Status	WIC Comments
37	Screen / Odor Control Room	Coordinate with FR Mahoney and provide shortened sampling device - screen scoop is too long	WIC	\$500	WIC to remove ball valve and provide screw cap	Remove ball valve when needed
116	General	Provide as-builts	WIC	\$10,000	Not Done	Under review & updating
180	Lab / Control Room	Reprogram the auto wasting feature on the PLC. For some reason it was programmed so that the maximum amount of sludge the Operator can waste at any one time is 200 gallons which is a drop in the bucket. Operator has noted it needs to be at least 2,000 gals.	WIC	\$2,500	Ovivo will need to be involved. WIC said they will contact Ovivo.	WIC will check in with Ovivo by end of February 2014
183	Process Room - East Area	Troubleshoot the UV intensity sensor. The UV intensity sensor on rack 1 will not read higher than 1.9 even after a cleaning, and goes into alarm when it reaches 1.7. The one on rack 2 will go up to 4.5 or higher right after a cleaning.	WIC	\$2,000	Not done.	WIC contacting supplier
187	General	Provide warranties	WIC	\$5,000	Some remain, see list.	WIC to provide
189	General	Post - construction photos	WIC	\$1,000	WIC to provide.	WIC to provide
193	General	Provide VFD startup/commissioning reports, including actual settings and parameters selected	WIC	\$2,500	Not done. Reports needed from Ovivo (started up VFDs)	WIC working with Ovivo
217	HVAC	Confirm proper operation of freeze stat on air intake which shuts outside air intake when temp drops below certain temperature.	WIC	\$2,000	WIC to provide quote	WIC working on new design
219	General	Program system to have generator call out under a fault condition. Currently the generator does not call out when a fault occurs. Wiring is available for having this be a call out condition but Ovivo programming is required for it to occur.	WIC	\$1,500	Not done.	WIC working with Ovivo
222	Exterior - Old WWTF Demo Site	Loam and seed area per contract documents unless site developer says otherwise	WIC	\$5,000	Need credit, area paved by TW	WIC working on a credit breakdown
224	Basement	Sludge load out pump needs air bleed valve similar to other pump	WIC	\$600	Not done - WIC to work up cost	Extra Cost
225	Process Room	Tamper switch on fire panel hasn't worked (shows alarm)	WIC	\$2,500	Not done	
230	Exterior	Replace dead tree on west side of building	WIC	\$1,500	Not done	
234	Exterior	Rototill the lawn around the WWTF and place new hydroseed	WIC	\$5,000	Not done	Not done

Highlighted yellow have been completed per Tighe + Bond

Total Value (not including credits) = \$41,600

-11,600  
10,000 (10,000 + 5000 + 1000) Jane

Revised Value \$25,600 on 2/15/17

## Reconciliation - MUNIS to John Moynihan Spent/Committed

	Tmt Plant Cap Acct Loan	MUNIS	Moynihan Spent/Committed	Capital Acct Balance
Capital Account-Tmt Plant Loan	\$ 5,600,000.00			\$ 5,600,000.00
Moynihan Total 6/13/14			\$ 5,355,683.29	
Plus Amt John can't find			\$ 12,408.17	
			\$ 5,368,091.46	
Tighe & Bond FY15			\$ 10,000.00	
Tighe & Bond FY15 Engineering Exp PO 145			\$ 123.30	
Moynihan Total 12/15/14	\$ 5,600,000.00		\$ 5,378,214.76	\$ 221,785.24
2015 Not on Moynihan Sched.			\$ 891.70	
2015 Not on Moynihan Sched.			\$ 630.15	
Total Moynihan 6/5/17			\$ 5,379,736.61	
MUNIS Total Capital Account 6/5/17		\$ 4,785,846.47		
MUNIS Contractual Services 6/5/17		\$ 574,411.58		
MUNIS Total 6/5/17		\$ 5,360,258.05		
Moynihan Total 6/5/17			\$ 5,379,736.61	
Variance MUNIS to Moynihan 6/5/17			\$ (19,478.56)	
<b>Capital Account Balance:</b>				
MUNIS Cap Acct 6/5/17	\$ 5,600,000.00	\$ 5,360,258.05		\$ 239,741.95
Less Encumbrance carryover				\$ 18,457.45
Munis Cap Acct Balance 6/5/17				\$ 221,284.50
Moynihan Cap Acct Balance 6/5/17	\$ 5,600,000.00	\$ 5,379,736.61		\$ 220,263.39
Variance				\$ 1,021.11
MUNIS Printout Balance				\$ 239,742.45
Rounding????				\$ (0.50)

Note: Moynihan's 6/5/17 balance includes \$12,408.17 of unexplained capital.

Sludge Disposal History - June 29, 2016 to May 19, 2017

WhWater	Invoice	Pumped		Monthly		Other	
Invoice	Date	Slip Date	Quantity	Total	Cost	Costs	Comments
70026905	5/19/2017	4/17/2017	8,500		\$ 1,020		
70026905	5/19/2017	4/17/2017	9,000		\$ 1,080		
70026905	5/19/2017	4/13/2017	8,500	26,000	\$ 1,020		
70026905	5/19/2017	3/29/2017	5,500		\$ 660		
70026216	4/17/2017	3/22/2017	9,000		\$ 1,080		
70026216	4/17/2017	3/22/2017	8,500	23,000	\$ 1,020		
70026216	4/17/2017	2/28/2017	9,000		\$ 1,080		
70026216	4/17/2017	2/22/2017	8,500		\$ 1,020		
70026216	4/17/2017	2/20/2017	6,000		\$ 720	\$ 150	Emergency Call Fee
70026216	4/17/2017	2/8/2017	17,500		\$ 2,100		2 slips
70025566	3/13/2017	2/7/2017	4,800	45,800	\$ 576		
70025566	3/13/2017	1/20/2017	1,500		\$ 180		
70025050	2/15/2017	1/4/2017	17,000	18,500	\$ 2,040		2 slips
70025050	2/15/2017	12/27/2016			\$ 150		Service Call?
70024480	1/17/2017	11/30/2016	18,000		\$ 2,160		2 slips
70024480	1/17/2017	11/16/2016	8,500	26,500	\$ 1,020		
70023926	12/12/2016	10/25/2016	8,500		\$ 1,020		
70023926	12/12/2016	10/13/2016	8,500		\$ 1,020		
70023926	12/12/2016	10/12/2016	8,500		\$ 1,020		
70023324	11/16/2016	10/10/2016	5,500		\$ 660		
70023324	11/16/2016	10/9/2016			\$ 150	\$ 150	Emergency Call Fee
70023324	11/16/2016	10/9/2016	5,500		\$ 660		
70023324	11/16/2016	10/7/2016	8,500		\$ 1,020		
70023324	11/16/2016	10/6/2016			\$ 150	\$ 150	Emergency Call Fee
70023324	11/16/2016	10/6/2016	6,000	51,000	\$ 720		
70022699	10/14/2016						No sludge billed
70022062	9/15/2016	8/4/2016	17,500	17,500	\$ 2,100		2 slips
70022062	9/15/2016	7/28/2016	8,500	8,500	\$ 1,020		
70021378	8/17/2016	6/29/2016	17,500	17,500	\$ 2,100		2 slips
	Totals		234,300	234,300	\$ 28,566	\$ 450	



## Capasso, Jane

---

**From:** Junghanns, Julia  
**Sent:** Wednesday, June 14, 2017 11:27 AM  
**To:** Capasso, Jane  
**Subject:** RE: 356 Boston Post road

Hi Jane,

Just fyi, we checked the water meter readings for this property and Darren calculated that they used about 23.2 gallons per day (on average)during a period of 807 days.

Thanks,

**Julia Junghanns, R.S., C.H.O.**  
Director of Public Health  
Town of Wayland  
Health Department  
41 Cochituate Road, 01778

508-358-3617 ph  
508-358-3619 fax

email: [jjunghanns@wayland.ma.us](mailto:jjunghanns@wayland.ma.us)



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**From:** Capasso, Jane  
**Sent:** Tuesday, June 13, 2017 4:56 PM  
**To:** Junghanns, Julia  
**Subject:** Re: 356 Boston Post road

I will let the Board know what is going on. No rush on our end unless you know for sure they are considering a hook up to our system.

Jane Capasso  
Account Specialist  
Wayland Wastewater Management

## Capasso, Jane

---

**From:** Junghanns, Julia  
**Sent:** Tuesday, June 13, 2017 4:28 PM  
**To:** Capasso, Jane  
**Subject:** RE: 356 Boston Post road

Hi Jane,

I reviewed the old septic plans and it looks like the flow was probably designed for 600 gpd (this amount is on the permit but I can't find it on the old plan). I am not sure what the flow is right now as it is a car sales business and probably has limited use, and we don't have current water meter readings. I do have some recent correspondence indicating that they owed money to the town for taxes and I'm not sure if they paid yet but I will be looking into that (just fyi).

There may be another property or two that is currently served by a cesspool that would benefit from tie in to town sewer but I have to research that, when would you need it by? Also, I'm not sure if these owners are even interested in tying in.

Thanks,

**Julia Junghanns, R.S., C.H.O.**  
Director of Public Health  
Town of Wayland  
Health Department  
41 Cochituate Road, 01778

508-358-3617 ph  
508-358-3619 fax

email: [jjunghanns@wayland.ma.us](mailto:jjunghanns@wayland.ma.us)



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**From:** Capasso, Jane  
**Sent:** Tuesday, June 13, 2017 2:10 PM  
**To:** Junghanns, Julia  
**Cc:** Capasso, Jane  
**Subject:** FW: 356 Boston Post road

Hi Julia

We have not heard from Wayland Foreign Motors. The Board meets tomorrow night. If you would like to send me your Title V recommendation and the design flow, I will run this by the Board. Should any of the other businesses in the area be asked if they want to hook up at the same time?

From Google maps this looks like Wayland Foreign Motors, Is this correct?

Jane Capasso  
Account Specialist  
Wayland Wastewater Management District Commission  
41 Cochituate Road, Wayland, MA 01778  
508-358-6851

---

**From:** Junghanns, Julia  
**Sent:** Tuesday, June 13, 2017 1:06 PM  
**To:** Capasso, Jane  
**Subject:** 356 Boston Post road

Hi Jane,

I hope all is well with you. I wanted to touch base regarding this property. Is WWMDC working with the owner on a possible tie in to town sewer? They have a failed Title 5 and we need to find a resolution.

Thanks...stay cool,  
Julia

**Julia Junghanns, R.S., C.H.O.**  
Director of Public Health  
Town of Wayland  
Health Department  
41 Cochituate Road, 01778

508-358-3617 ph  
508-358-3619 fax

email: [jjunghanns@wayland.ma.us](mailto:jjunghanns@wayland.ma.us)



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**TOWN OF WAYLAND  
GOVERNANCE GUIDELINES FOR  
THE BOARD OF SELECTMEN AND  
APPOINTED BOARDS, COMMITTEES, COMMISSIONS  
ADOPTED JUNE 5, 2017**

**1.0 Volunteer Appreciation**

The Board of Selectmen thanks the members of all Boards, Committees and Commissions for giving their valuable time and effort to the improvement of the Wayland community.

**2.0 Authority and Purpose of These Guidelines**

The Wayland Board of Selectmen adopts these Guidelines for the governance of the Board of Selectmen and its appointed Boards, Committees and Commissions, referred to in this document as "public bodies". It is understood that elected public bodies including the Board of Assessors, Board of Health, Library Board of Trustees, Board of Public Works, Planning Board, Recreation Commission and School Committee possess independent authority to adopt separate Governance Guidelines consistent with law.

The purpose of these Guidelines is to promote among the Town's public bodies decision-making that is open, thoughtful, fact-based, respectful and fair, in compliance with Town bylaws and with all state and federal laws.

These Guidelines are superseded when in conflict with any federal or state law or Town by-laws.

The Board of Selectmen will review, revise and distribute the Guidelines annually.

**3.0 Organization**

**3.1 Annual Organization Meeting:** Public bodies must organize annually at the first meeting scheduled after Annual Town Election and Meeting. Public bodies will elect a Chair and any other necessary officers such as a Vice-Chair or Co-Chair, Clerk and Assistant Clerk.

**3.2: Assignment to Department:** Each public body will be assigned to a department of the Town which will provide a secure location to maintain minutes and records.

**3.3: Responsibilities under Charge and Local and State Law:** Each appointed public body will conduct its business under a Town by-law, state statute or under a charge adopted by the Board of Selectmen.

**3.4 Annual Reports:** Under Chapter 53 of the Town Code, all boards, commissions, committees, officers and agents of the Town shall submit a report to the Selectmen, not later than September 30 after the end of each fiscal year for publication each December in the Annual Town Report. The Selectmen shall notify all officers and agents of the Town and the Chairmen of all boards, commissions and committees of the final date for submitting such reports for publication. This notice shall be given by letter mailed in May of each year. If an appointed board, commission or committee of the Town, other than those created under the General Laws of the commonwealth, does not submit its written report on or before such final date for publication in the Annual Town Report, it shall be dissolved, except in such instances where the creating vote specifically provides that it is to report at longer given intervals, or unless the Town at the next annual Town meeting, by vote naming the board, commission or committee, continues it in existence.

Every Annual Report shall contain a section entitled "Current Debt," which shall provide the following information for the debt funded by the Town, with debt remaining and/or with as yet unfunded grants from the commonwealth or the federal government: (1) name of the debt; (2) funds appropriated by identified Town meeting article(s); (3) cumulative funds expended at fiscal year-end; (4) cumulative interest paid at fiscal year-end; and (5) anticipated final cost to the Town, including principal and interest after receipt of funded grants, if any, and date when all financing will have been paid off or otherwise completed.

**3.5 Rules of Procedure and Voting:** Public bodies must establish a quorum before any meeting is called to order. Each public body may establish rules of procedure and voting consistent with local, state and federal law. The rules of procedure should include when public comment may be allowed by the Chair.

**3.6 Advisory Committees:** The Board of Selectmen may appoint advisory committees for a specific purpose under a temporary charge.

**4.0 Role of Members:** A member of any public body will:

1. Respect the role of the Chair in setting agendas and facilitating meetings.
2. Respect decisions of the public body and recognize that members take action as part of a public body and may not conduct Town business independently of the public body except as authorized by a vote of the public body.
3. Recognize that action at an official legal meeting is binding and that an individual member cannot bind the public body outside of such meeting.

4. Not make statements or promises about how he / she will vote on matters that come before the public body until he / she has had an opportunity to hear the pros and cons of the issue during the body's public meeting.
5. Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.
6. Assume a high level of integrity, striving toward fact - based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
7. As a general rule, work with Town staff at the direction of the public body so that Town staff are not subject to conflicting direction.
8. If appointed by a majority of the public body, serve as a liaison to other public bodies.
9. Fulfill any training the Board of Selectmen may require so members can effectively fulfill their duties. Training may be provided at Town building, over the internet, or may require out of Town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a public body, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.
10. Be sworn in by the Town Clerk or Assistant Town Clerk after appointment or election and submit a letter of resignation to the Office of the Town Clerk when no longer willing or able to serve. New members of public bodies cannot vote until sworn in by the Town Clerk or Assistant Town Clerk. If a member wishes to resign before the end of a term he or she must submit to the Office of the Town Clerk a signed letter of resignation. The resignation is effective upon receipt by the Office of the Town Clerk unless a different date is specified. Upon expiration of a term, appointed members will continue to hold office until a successor is appointed.

**5.0 Role of Chair and Vice Chair:** The Chair will set meeting agendas, convene all meetings, and execute documents as authorized by the public body. The Chair will act only under authority provided by a quorum of the public body. The Chair will serve as the public body's primary contact with Town staff. As a general rule, the Chair will solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body. The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. The Vice Chair will fulfill the duties of the Chair in his or her absence.

**6.0 Role of Clerk:** Although Town staff may record minutes for some public bodies, the public body is encouraged to elect a Clerk or individual member who takes responsibility for ensuring minutes are recorded, created and submitted for approval and

filed along with supporting documents as a permanent record in the office of the assigned Town department.

## **6.0 Open Meeting Law**

**6.1 Requirement to comply with the Open Meeting Law:** Public bodies must comply with all parts of the Open Meeting Law. Public bodies subject to the Open Meeting Law include any sub-committee of two or more members assigned by the public body to conduct business. Please refer to the MA Attorney General's Open Meeting Law Guide which is available on the Town website and through the Wayland Town Clerk and includes the following information important for members to know:

1. Definition of a public body
2. Definition of a meeting / 5 exceptions to the definition
3. Definition of a meeting quorum
4. Requirements for posting meetings
5. Ten legal purposes for executive sessions
6. Requirements to allow remote participation
7. Required public participation.
8. Required records for Open and Executive Sessions
9. Open Meeting Law complaint process

The Town Administrator is available to provide or obtain assistance on Open Meeting Law questions. You may also contact the Division of Open Government at (617) 963-2540 or e-mail [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

**6.2 Meeting Notices:** All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at [Townclerk@wayland.ma.us](mailto:Townclerk@wayland.ma.us) . Agendas must be received by the Town Clerk at least 30 minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing. The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an Executive Session.

**6.3 Revised Agendas:** If an agenda item is received by the Chair within 48 hours of a posted meeting, and the agenda item could not be reasonably anticipated by the Chair more than 48 hours before the meeting, the Chair may revise the posted agenda to include the new agenda item. It is preferred that agendas are revised only when the agenda item arises because of an emergency, which is defined as a sudden and generally unexpected occurrence or set of circumstances, demanding

immediate action. All other matters should be heard at a later meeting of the public body. If you are filing a revised agenda it should be marked "REVISED" and any changes or additions should be highlighted.

**6.4 Requirement for Meeting Minutes:** The Open Meeting Law requires public bodies to create and approve minutes in a timely manner. The Public Records Law requires that existing minutes be made available to the public within 10 days upon request, whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request.. Minutes of all staffed public bodies will be posted to the website by departmental staff. Minutes of all other public bodies will be will be emailed to [townclerk@wayland.ma.us](mailto:townclerk@wayland.ma.us) be posted on the Town website.

**6.5 Contents of Minutes:** Minutes must include the name of the public body, the date, time, and place of the meeting, the names of members present and absent, the names of staff present, and the substance of all discussion including all subjects acted upon or heard. Minutes must include a full and complete record of all motions proposed for vote and will include the exact vote, the names of the mover and the seconder for each motion, and the names of those voting against each motion. A verbatim record of meetings is not required.

**6.6 Draft Minutes:** Once created, draft regular meeting minutes are a public record available to the public, even if the minutes have not been presented at a meeting.

**6.7 Executive Session Minutes:** Minutes must be created for all Executive Sessions. Executive Session Minutes must not be released to the public until the reason for calling an Executive Session has ended, after which Executive Session Minutes must be reviewed and voted for approval and release by the public body.

**6.8 Recording of Meetings:** Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must inform attendees of any such recording at the beginning of the meeting including that that the meeting will be broadcast on the Way-Cam government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

**6.9 Public Participation:** Under the Open Meeting Law, the public is permitted to attend open meetings of public bodies. The public is excluded from an executive session that is called for a valid legal purpose cited in the agenda. The amount of time a member of the public will be allowed to speak to a public body will be determined at the discretion of the Chair. While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at



the request of the Chair, all members of the public will be silent. If after clear warning, a person is disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a police officer to remove the person.

**6.10 Remote Participation at Meetings:** The Town of Wayland permits remote participation. Members of Town boards and committees can participate and vote by teleconference, audio-conference or other means that allows all persons present, including the audience and the member participating remotely, to hear the proceedings. Acceptable reasons for remote participation under the regulations include personal illness, personal disability, emergency, military service and geographic distance.

All votes taken at such meetings where a member participates remotely must be taken by roll call vote and a quorum of members must otherwise be present, not including the remote participant. No remote participant can chair a meeting.

**6.11 Open Meeting Law Complaint Process:** Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Administrator's Office.

Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO.

The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

## **7.0 Use of E-Mail to Conduct Business**

**7.1 E-Mail and Public Records Law:** E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a public record and is subject to a public records request under the Public Records Law even if the e-mail is received by or created on a private computer or sent to only one individual. Over time, the Town will assign an e-mail address to all members of appointed and elected boards and committees. It is requested that any volunteer who does not have a Town e-mail address create a new separate e-mail account to be used for Town business only.

**7.2 E-Mail and Open Meeting Law:** Whenever one member of a public body uses e-mail to discuss the public body's business (except for administrative matters such as scheduling and the transmission of documents) with a quorum of the members, it constitutes "deliberation" and is in direct violation of the Open Meeting Law. E-mail communication between less than a quorum of a public body is also in violation of the Open Meeting Law if the e-mail between less than a quorum of members is later forwarded to or discussed with additional members outside of a public meeting, thus unintentionally creating a quorum.

**7.3 Board of Selectmen Guideline on E-Mail:** To avoid violations of the Open Meeting Law and the Public Records Law, it is preferred that e-mail between members of the Town's public bodies be restricted to scheduling meetings and distribution of agendas, documents and reports.

## **8.0 Code of Ethics and Code of Conduct**

**8.1 Code of Ethics:** All members of public bodies are sworn in by the Town Clerk to uphold all state and local laws applicable to the public body's jurisdiction. Members must comply with the state ethics law (MGL Chapter 268A) regarding the conduct of public officials. Members must complete required ethics training and on-line tests. A member is required under the law to not vote on any matter in which the member or an immediate family member has a financial interest. Members are encouraged to recuse themselves if there is an "appearance" of a conflict of interest.

**8.2 Standard of Conduct:** All members will treat the public, applicants before the public body, Town employees and other members with respect and courtesy. The members and Chair of a public body should take time to listen to individuals speaking to the body. The Chair should make sure members of the public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted.

Bullying by public officials (including committee, board and commission members and staff) while in the course of public business is not tolerated. Bullying is the repeated

use of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, that:

1. Causes physical or emotional harm to another party or that party's property;
2. Places another party in reasonable fear of harm or of damage to his or her property;
3. Creates a hostile environment within Town Building or other Town workplace;  
OR
4. Materially and substantially disrupts the work of the multi-member body, Town departments or the orderly process of government.

**8.3: Absences:** The absence without appropriate explanation of any member of an appointed body from a majority of meetings held over a one year period or from three consecutive meetings may serve to vacate the office. The decision to recommend that the office be vacated will be made by a majority vote of other members of the public body and then transmitted to the Board of Selectmen.

**8.4 Members are Bound by Applicable Personnel Policies and Law:** Members of public bodies, when acting in their official capacity, are subject to any applicable state law and Town policies including those prohibiting sexual harassment, discrimination and workplace violence. Any allegation of misconduct made by the public, Town staff or a fellow member will be reported immediately to the Town Administrator.

**8.5 Litigation against Town by a Member of an Appointed Public Body:** An appointed member of any appointed public body may be temporarily suspended by the Board of Selectmen during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the state of MA.

**8.6 Removal under this Section:** The Board of Selectmen, under such procedures it may adopt, may remove a member from a public body for violations of this section.

**9.0 Town Meeting and Public Bodies:** Upon a majority vote, public bodies may sponsor and submit to the Board of Selectmen articles for the Board's consideration for inclusion in Annual and Special Town Meeting warrants. Articles submitted by committees that are advisory to the Selectmen shall be submitted and sponsored by the Board of Selectmen.

#### **10.0 Policy on Legal Services**

All requests for legal opinions will be made through the Town Administrator under the Board's policy on legal affairs of the Town.

#### **SUPPLEMENTAL POLICIES REFERENCED ABOVE:**

1. Remote Participation Policy; 2. Legal Affairs Policy

DATE OF ADOPTION / AMENDMENT: JUNE 5, 2017

**TOWN OF WAYLAND - TOWN CLERK'S OFFICE**  
**NOTICE OF MEETINGS OF TOWN BOARDS/COMMITTEES/COMMISSIONS**

Posted in accordance with the provisions of the Open Meeting Law

NAME OF BOARD/COMM: Wayland Wastewater Management District Commission

FILED By: Jane Capasso

DATE OF MEETING: Wednesday, 14 Jun 2017

TIME OF MEETING: 7:30 PM

PLACE OF MEETING: Wayland Town Building

**PROPOSED AGENDA**

*Note: Items may not be discussed in the order listed or at the specific time. Times are approximate.*

- 7:30 1. Interview of Fred and Rick on Wayland Buzz by Ken Isaacson
- 7:31 2. Public comment
- 7:35 3. Review of transfer of land and design flow from Wayland Meadows to Conservation Commission (land only) and to BoS (design flow only) to be allocated to 5 Concord Road. Documents have been approved by boards but not by Wayland Meadows. Still waiting for signatures. Discussion with Nan on splitting the legal bills between the Conservation Commission and Board of Selectmen.
- 7:45 4. Update of design flow accounting for the Town Center. Review of current allocations including the reallocation of 500 gpd for new doctors' practice approved by WWMDC on 1 Mar 2017. Discussion of National Development's plans for future businesses.
- 7:55 5. Continued discussion of draft revision of WWMDC Rules and Regulations, specifically the modification of section on connections and alterations. This is an on-going discussion that may continue, but we are nearing agreement. Are we ready to approve the revised Rules and Regulations?
- 8:05 6. Report from Chair on: A) The efforts to get a vendor for measuring locations of pipes in preparation for excavation (No RFP, 5-6 quotes is in process) and another vendor for emergency response (research on the wastewater system and then an Information For Bid, IFB, will be done). Paul Brinkman, town engineer for DPW, is working on this. B) Discuss Beth Doucette's recommendations for WWMDC's Operating Budgets for F17 and FY18 to cover expenses in A) and Extraordinary/Unforeseen expenses and C) Jane: List of Plans requested by Paul.
- 8:35 7. 40 Hastings Way Abatement Decision and amount to be abated.
- 8:45 8. Approve minutes from previous meetings—17 May 2017.
- 8:55 8. Pay Bills, monthly budget update, year-to-date finances, and monthly commitments.
- 9:10 9. Administrative Items, if any
  - A. Treatment Plant: Punch List – a) Ben Keefe update (meeting with WhiteWater and Ian Catlow) and Paul Brinkman review (meeting with WhiteWater to review the current and future plant operations, needs and costs and b) Capital Account charges and current balance.
  - B. Quarterly Reports
  - C. Treatment Plant Repairs: Wilo EQ Pump Installation
  - D. New member search
  - E. Wayland Buzz interview
  - F. Change voice mail to include Ben Keefe
  - G. FY17 Sludge Summary & Emergency Calls

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- 9:25 10. Topics not reasonably anticipated by chair 48 hours in advance of the meeting, if any.
  - 9:30 11. Website status: recent postings and organization.
  - 9:31 12. Calendar: upcoming meetings and events, including hearings.
  - 9:32 13. Public Comment
  - 9:33 14. Adjourn