

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 5, 2007

MINUTES

In attendance: Blair Davies, Gene Roberts, Bill Prendergast

Due to the lack of a quorum, the meeting was cancelled.

Respectfully submitted,

William R. Prendergast
January 9, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 12, 2007

MINUTES

In attendance: Blair Davies, Fred Knight, David Schofield, Gene Roberts, Bill Prendergast

Guests:

Chuck Terry, AOS

Mark MacRae, Congress Group

Mark Allenwood, Weston & Sampson

Christopher Perkins, Weston & Sampson

Francis Yanuskiewicz, Weston & Sampson

Adam Weisenberg, Attorney for Twenty Wayland

R.J. Lyman, Attorney for Twenty Wayland

Dean Stratouly, Twenty Wayland

Margery Baston, Member of the Public

Prescott Baston, Member of the Public

Jonathan Buchman, Member of the public

Chairman Blair Davies called the meeting to order at 7:20 PM.

Blair Davies reviewed the agenda that he wished to use for the meeting.

Fred Knight made a motion to appoint David Schofield chairman of the Wastewater Commission effective immediately. David Schofield seconded the motion. After some discussion a vote on the motion was taken. The motion carried by a vote of 2 – 1.

Bill Prendergast presented the draft of a letter to Ms. Holly Johnson of the State Office of Environmental Affairs. The letter concerned an Email to Ms. Johnson from Blair Davies in which Mr. Davies commented on the FEIR submitted by Town Center and signed the Email as Chairman of the Commission. The Commission was unaware of the existence of the Email. The letter drafted by Bill Prendergast states that the comments in the Davies Email are his personal comments not approved by the Commission. Fred Knight made a motion to accept the letter drafted by Bill Prendergast by changing “letter” to “Email”. David Schofield seconded the motion. The voter on the motion was 2 – 0 with one abstention. The Commission directed Bill Prendergast to send the letter to Ms. Johnson.

Mark Allenwood reported that the current treatment plant was unable to meet the requirements of the draft DEP/EPA permit for metals and for phosphorus.

Blair Davies requested a cost estimate to add redundancy to the current plant.

Blair Davies requested a cost estimate for a treatment plant capable of treating an average flow of 24,000 gallons per day.

Blair Davies requested a budgetary estimate of the operating cost of a new plant with one or two scenarios of technology. Mark Allenwood agreed to provide operating cost estimates.

Dean Stratouly stated that sewer capacity limits the amount of building at Town Center.

Blair Davies asked Weston & Sampson to recommend technology that would meet the requirements of the draft permit.

Mark Allenwood commented that tertiary treatment for phosphorus could be added.

The subject of ground water discharge of effluent was discussed. Christopher Perkins estimated that an area of 1 ¼ acres would be required for an average discharge of 52,000 gallons per day.

A Member of the Public asked if the Commission's new plant would be ready to service Town Center.

Prescott Baston expressed his concern about the cost of a new plant to current users of the sewer system.

Dean Stratouly reported on a meeting with DEP. He reported that, since Wayland water contains metals, the Commission's new plant would not be expected to meet metals standards. He reported, also, that DEP was willing to work with the Town of Wayland on permitting.

Blair Davies reported that EPA will not permit discharge to the Sudbury River and that DEP will agree to a marginal increase in flow.

Mark Allenwood stated that flow is not a problem.

The schedule for the building of Town Center was discussed. Dean Stratouly stated that present plans propose the simultaneous opening of all commercial buildings and 40 housing units in the Fall of 2009.

Fred Knight made a motion to schedule a meeting with DEP and EPA with the Commission Chairman, Weston & Sampson, Metcalf & Eddy, and Twenty Wayland in attendance. David Schofield seconded the motion. The Commission vote on the motion was 2 – 1 in favor of the motion. The meeting will not be open to the public.

The meeting adjourned at 11:15 PM.

Respectfully submitted,

William R. Prendergast
January 12, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 17, 2007

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:00 PM.

The meeting was scheduled to discuss, prior to a meeting with the Board of Selectmen, a letter dated November 30, 2007 from Twenty Wayland. In that letter, Twenty Wayland discusses an FEIR comment letter submitted to MEPA by Blair Davies. The Commission discussed the Twenty Wayland letter in preparation for the meeting with the Board of Selectmen.

Fred Knight made a motion to pursue the appointment of Gene Roberts with appropriate title to advise the Wastewater Commission. The motion was seconded by David Schofield. The Commission voted 2 – 0 in favor of the motion.

The Commission discussed the FY2008 budget and expense reports. The revenue from user fees was budgeted as \$180,000. That amount required an increase in the minimum billing of user fees. The Commission did not increase minimum billing. At the current billing rate, user fees will total approximately \$130,000 for FY2008. An increase in minimum billing from 20 % of capacity to 40 % of capacity for the last quarter of FY2008 would result in total revenue from user fees of approximately \$148,000. The Commission decided not to increase the minimum billing at this point but to review the situation at the next meeting.

David Schofield reported that he had been in contact with DEP and that a meeting with DEP and EPA along with Twenty Wayland, Weston & Sampson, Metcalf & Eddy, and the Commission chairman take place in early January 2008.

Bill Prendergast offered to develop several financial scenarios pertaining to the financing of a new or upgraded treatment plant.

The meeting adjourned at 8:15 PM.

Respectfully submitted,

William R. Prendergast
January 9, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 7, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Blair Davies, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:40 PM.

The purpose of this meeting was to review the FY2009 budget prior to the budget hearing with the Finance Committee.

After discussion, the Commission approved a draft budget with income and expenses of \$308,008.00 for operation of the current treatment plant. The budget provided funding for emergency repair or replacement of the treatment plant clarifier. Income of \$76,983.00 from Retained Earnings was included.

For financing the new or upgraded plant, the budget included a loan of \$3,000,000.00.

The meeting adjourned at 8:30 PM for the Commission to attend the Finance Committee budget hearing.

Respectfully submitted,

William R. Prendergast
February 13, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 9, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Blair Davies, Gene Roberts, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:03 PM.

The Monthly Operations Report for November 2007 was reviewed. The Annual Toxicity Report was completed and mailed to DEP and EPA. A cost estimate of \$3,500 was received from Weston & Sampson for the replacement Muffin Monster Control Panel.

Blair Davies reported that there was a problem with aluminum in the Septage sludge and that the source of the aluminum had not been determined. No immediate action by Wastewater was required.

The Discharge Monitoring Report for November 2007 was reviewed. All effluent parameters were met for the month. The average flow through the treatment plant was 7,812 gallons per day. The maximum flow which occurred on November 28 was 12,361 gallons and the minimum flow which occurred on November 22 (a holiday) was 2,092 gallons.

A memo from Mark Allenwood of Weston & Sampson with a suggested agenda for a meeting with EPA, DEP, Twenty Wayland, and Metcalf & Eddy was reviewed along with comments provided by Blair Davies. The Commission directed Blair Davies to send his comments to David Schofield who will forward the comments to Mark Allenwood. David Schofield will suggest three dates for the meeting with DEP and EPA after consultation with Weston & Sampson.

The following invoices were approved for payment:

1. AOS Operating Company (010801WAY) - \$7,851.41
2. Weston & Sampson (156562) - \$5,830.00
3. William R. Prendergast - \$300.00

Bill Prendergast distributed a financial report for FY2008 through December 2007. The report showed revenue of \$108,375.46 and expenses of \$99,200.34.

Bill Prendergast distributed a bank statement showing Retained Earnings of \$507,001.58.

Bill Prendergast estimated income of approximately \$121,000 for the period January 1 – June 30, 2008. The Commission discussed the possibility of increasing user fees for the

last quarter of FY2008. The Commission decided that a user fee increase was not needed unless there was a major expense such as replacement of the treatment plant clarifier. The Commission decided that the best time for a user fee increase is at the beginning of a fiscal year.

Bill Prendergast reported that Wayland Meadows had not paid privilege fee installments of \$50,000 plus interest due on November 30, 2007 and December 31, 2007.

The meeting adjourned at 10:25 PM.

Respectfully submitted,

William R. Prendergast
February 13, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 13, 2008

MINUTES

In attendance: David Schofield, Blair Davies, Fred Knight, Gene Roberts, Bill Prendergast

Guests: Margery Baston, Member of the Public
Prescott Baston, Member of the Public

Chairman David Schofield called the meeting to order at 7:05 PM.

During the public comment period, Prescott Baston requested a report of a recent meeting with the Massachusetts Department of Environmental Protection (DEP).

David Schofield presented a review of the meeting with DEP on January 30, 2008. Attending the meeting along with DEP representatives were Town Center developer Dean Stratouly and his legal staff, Metcalf & Eddy, Weston & Sampson, Mark Lanza, Fred Turkington, and David Schofield. Dean Stratouly did not invite EPA to attend the meeting. DEP stated that, as a result of the committed capacity, an increase in plant flow will be required. However, according to DEP, there is nothing preventing the issuance of the draft permit in final form with no changes. The draft permit was distributed in February 2006 and the public comment period ended in April 2006. DEP has issued a connection permit to Wayland Meadows. David Schofield stated that he felt that the draft permit allows the Wastewater Commission to meet all current commitments including Wayland Meadows and Town Center. DEP stated that Town Center does not require a connection permit but will require DEP certification.

David Schofield reported on a meeting with Dean Stratouly, Town Center developer on February 13, 2008. Mr. Stratouly indicated that he favors a fast track for the permitting and construction of a new treatment plant. When asked by David Schofield, Mr. Stratouly confirmed that Twenty Wayland would pay 70 % of the cost of a new treatment plant. Also, he indicated that Twenty Wayland is not interested in sewer capacity beyond the 45,000 gallons per day specified in the 1999 Agreement.

There was some discussion concerning the possibility of construction of the plant by Twenty Wayland with the plant given to the Town at the completion of construction. The possibility of a lawsuit by the Town's unions was discussed.

There was a comment that an attractive treatment plant could be a tourist attraction.

David Schofield made a motion directing him to communicate to EPA and DEP the desire of the Wastewater Commission for the draft permit to be issued in final form as soon as possible. The motion was seconded by Fred Knight. Blair Davies made a motion to amend Mr. Schofield's motion to request EPA to fast track an expansion of the permit to 80,000 gallons per day at 2 mg/l of phosphorus on the basis that he believes that the Wastewater Commission will need the additional capacity in the future and will not get it later. In return, the Wastewater Commission will commit to 2 mg/l of phosphorus year

around. The motion to amend was not seconded. The vote on the original motion was 2 – 0 in favor with one abstention.

The Monthly Operating Report for December 2007 was reviewed. The report states that equipment such as motors and pipes that are no longer useful will be removed from a storage room in order to store Sodium Aluminate. The assistance of landfill personnel will be requested for transporting the material to the landfill.

The Discharge Monitoring Report for December 2007 was reviewed. All effluent parameters were met for the month. The average plant flow was 8,347 gallons per day. The maximum flow was 11,821 gallons on December 22, 2007 and the minimum flow was 3,461 gallons on December 25, 2007.

The minutes of the meetings of January 7, 2008 and January 9, 2008 were approved.

The following invoices were approved for payment:

1. AOS Operating Company (020801WAY) - \$9,739.39
2. Wayland Business Center (1-16-08) - \$3331.33
3. Weston & Sampson (157514) - \$8,016.25
4. Dave Starmer Disposal (1-10-08) - \$766.80
5. Dave Starmer Disposal (1-14-08) - \$200.00
6. Dave Starmer Disposal (1-18-08) - \$100.00
7. Dave Starmer Disposal (1-29-08) - \$920.55
8. William R. Prendergast - \$300.00

Bill Prendergast distributed a financial report for FY2008 through January 2008. The report showed income of \$133,531.98 and expenses of \$120,013.64. The report showed current debt of \$352,875.14 (principal) and \$36,241.49 (interest). The debt is paid in annual installments with the last payment due on August 1, 2020. The report showed Accounts Receivable of \$54,283.34 and Accounts Payable of \$0.

Bill Prendergast distributed a bank statement showing \$505,301.64 in Retained Earnings.

There was no other business. The meeting adjourned at 10:40 PM.

Respectfully submitted,

William R. Prendergast
March 12, 2008

Distribution:
David Schofield
Blair Davies
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MARCH 26, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:30 PM.

There was no public comment.

The Monthly Operating Report for January 2008 was reviewed. The report states that, on January 18, 2008, the clarifier drive stopped rotating. Weston & Sampson determined that the main bull gear and drive were worn out. On January 21, 2008, the clarifier main drive assembly was removed for a complete rebuild. On January 25, 2008, the rebuilt drive was installed, tested, and placed on line. On January 28, 2008, the Muffin Monster started making loud grinding noises. It was determined that the bearings were worn out and the unit would need to be removed and rebuilt. On January 30, 2008, the Muffin Monster gear box was removed and rebuilt. It was reinstalled on February 1, 2008. The report noted that heavy usage of soaps has been observed for the past few weeks.

The Discharge Monitoring report for January 2008 was reviewed. Despite the reported problems, all effluent parameters were met for the month. The average flow was 9,089 gallons per day. The maximum flow which occurred on January 18, 2008 was 13,098 gallons and the minimum flow was 5,389 gallons on January 1, 2008.

The Monthly Operation Report for February 2008 was reviewed. The report states that the last of three sodium aluminate lines became clogged during the month. A temporary chemical feed system has been set up. Although the phosphorus levels increased as a result of the clogged line, the monthly permitted level for phosphorus was maintained.

The Discharge Monitoring Report for February 2008 was reviewed. All effluent parameters were met for the month. The average flow was 10,075 gallons per day. The maximum flow, occurring on February 7, 2008, was 15,793 gallons and the minimum flow was 6,822 gallons on February 26, 2008.

David Schofield reported that there was no further news from DEP on the issuance of the permit. According to DEP, the issuance is imminent. David reported that Mark Allenwood has left Weston & Sampson but he would be available through a subcontract with Weston & Sampson. David reported that Allenwood is organizing a meeting with DEP within a few days.

The Commission agreed that selection of the designer of the new plant is critical. David Schofield will meet with Town Counsel concerning the legal aspects of designer selection. The Commission wishes to avoid being forced to accept the lowest bid.

The options for building the new plant were discussed. The options are:

1. The Commission builds the plant.
2. Twenty Wayland builds the plant and returns the new plant to the Wastewater Commission for operation.

3. The Wastewater Commission sells or gives the current plant to Twenty Wayland and Twenty Wayland builds and operates the new plant.

Bill Prendergast stated that he recalled reading a report of a meeting during which it was stated that the owner of a wastewater treatment plant was required to be a public utility and not a private company. He offered to locate the report and advise the Commission.

The subject of a new Commissioner was discussed. Prior to the meeting, there was a suggestion that Prescott Baston might be interested in becoming a Commissioner. David Schofield discussed this suggestion with Town Counsel and was advised that Mr. Baston was not eligible to become a Commissioner.

The minutes of the meeting of February 13, 2008 were approved.

The following invoices were approved for payment:

1. AOS Operating Company (030801WAY) - \$8,464.04
2. Weston & Sampson (158526) - \$728.75
3. Wayland Business Center – (2/22/08) - \$2,461.39
4. Dave Starmer Disposal (3/10/08) - \$175.00
5. Dave Starmer Disposal (3/10/08) - \$770.70
6. William R. Prendergast - \$225.00

Bill Prendergast distributed a financial report for FY2008 through February 2008 showing income of \$164,052.35 and expenses of \$120,013.64. He pointed out that the Commission's bills were not paid during February resulting in Accounts Payable of \$23,374.32. Accounts Receivable were \$28,369.37.

Bill Prendergast distributed a bank statement showing a balance of \$538,535.97.

Bill Prendergast reported that payment of approximately \$160,000 had been received from Wayland Meadows representing payments of \$50,000 plus interest for each of the months of November 2007, December 2007, and January 2008.

There was no other business.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

William R. Prendergast

Distribution:
David Schofield
Fred Knight
Blair Davies
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF APRIL 9, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Blair Davies, Bill Prendergast
Guest: Chuck Terry, AOS Operating Company

Chairman David Schofield called the meeting to order at 7:06 PM.

There were no Monthly Operating Reports or Discharge Monitoring Reports for review.

Chuck Terry distributed copies of a proposed amendment to the contract for operation of the wastewater treatment plant. Under the amendment, the working hours of the plant operator would be increased from 30 hours per week to 40 hours per week effective July 1, 2008 in anticipation an increased work load as Wayland Meadows and Town Center progress. The increase in working hours was planned and the cost was included in the FY2009 budget. David Schofield made a motion to accept the amendment and the motion was seconded by Blair Davies. The vote on the motion was 3 – 0 in favor.

David Schofield reported that, on April 3, 2008, he had met with DEP and EPA along with representatives of Weston & Sampson and with Mark Allenwood, formerly of Weston & Sampson. David reported that he was advised that the treatment plant permit would be issued in three weeks. The permit would be the same as the draft permit issued some time ago. The subject of the new plant was discussed. It was pointed out that the Wastewater Commission has an obligation to provide 45,000 gallons per day of sewer capacity but has no commitment from the developer of Town Center concerning the construction of the development. The Wastewater Commission cannot commit to a new plant until the Commission knows the future of Town Center.

There was a discussion of regulatory standards for wastewater treatment plants. The Commission agreed that technology capable of meeting the phosphorus standard would be needed. There was a comment that the regulatory standard for copper in the plant effluent was not being enforced in many cities and towns in Massachusetts due to the high copper content in the water supply.

The subject of a new Commissioner was discussed. The possibility that Gene Roberts, former Commissioner and Chairman, might be willing to serve on an interim basis until a new Commissioner could be appointed. David Schofield offered to discuss the matter with Mr. Roberts.

The FY2009 budget was reviewed and discussed for the presentation at Town Meeting. David Schofield advised the Commission that he would be out of town for the first night of Town Meeting. Fred Knight agreed to make the presentation if Town Meeting reached the Commission's budget article during the first night.

The minutes of the meeting of March 26, 2008 were approved.

Bill Prendergast distributed a financial report for FY2008 through March 2008 showing income of \$108,419.75 and expenses of \$99,200.34. Accounts Receivable were \$27,121.01 and Accounts Payable were \$0.

Bill Prendergast distributed a bank statement showing a balance of \$666,665.18. He reported the payment of \$162,524.95 from Wayland Meadows representing payments of \$50,000 each for the months of November and December, 2007 and January 2008 plus interest due to late payment. The final \$200,000 is due on August 10, 2008.

There was no other business.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

William R. Prendergast
May 12, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 12, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:08 PM.

The purpose of the meeting was to discuss questions raised by Fred Turkington in his Email message of May 9, 2008 prior to meeting with the Board of Selectmen.

David Schofield reported that there was nothing new to report on the issuance of a new permit. DEP is still estimating three weeks.

It was agreed that the Commission needs to select a consultant to design the new treatment plant. The estimate of maximum cost is \$5.2 million.

Bill Prendergast reported that he had received from Metcalf & Eddy a drawing showing possible location of the new plant northeast of the current plant.

David Schofield reported that Twenty Wayland had advised him that they planned to have some commercial units at Town Center complete by Fall 2009. The Commission's tentative schedule is for completion of the new plant by November 2009.

David Schofield reported that the consulting engineering firm of Weston & Sampson had complete their work of arranging meetings with DEP and EPA.

At 8:30 PM, the Commission adjourned the meeting to meet with the Board of Selectmen.. The meeting resumed at 9:15 PM.

The minutes of the meeting of April 9, 2009 were approved by a vote of 2 – 0.

The following invoices were approved for payment:

AOS Operating Company (040801WAY) - \$3541.76

AOS Operating Company (050801WAY) - \$9031.78

Dave Starmer Disposal (4/30/08) - \$781.40

Twenty Wayland (4/16/08) - \$2502.61

Town of Wayland (Water) - \$43.40

William R. Prendergast - \$250.00

The Monthly Operations Report for March 2008 was reviewed. It was reported that United Water health and safety personnel had inspected the treatment plant for OSHA violations. Chemical storage and minor electrical changes need to be corrected.

The Discharge Monitoring Report for March 2008 was reviewed. The average discharge was 10,292 gallons per day with a maximum of 18,271 gallons on March 8, 2008 and a minimum of 6,506 gallons on March 17, 2008. All plant effluent parameters were met for the month.

Bill Prendergast distributed a financial report for FY2008 through April 2008 showing income of \$188,816.65 and expenses of \$160,110.16. The Meadows account had a balance of \$415,910.17 which represents \$400,000.00 in privilege fees and \$15,910.17 in interest due to late payment. The current debt was \$352,875.14.

Bill Prendergast distributed a bank statement showing a balance of \$682,480.48.

There was no other business.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

William R. Prendergast
June 11, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 27, 2008

MINUTES

In attendance: David Schofield, Fred knight, Gene Roberts, Mark Lanza, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:10 PM.

The purpose of the meeting was to discuss a Request for Proposals for the design of a new wastewater treatment plant.

David Schofield provided a draft Request for Proposals for the design of the new wastewater treatment plant.

For the design/build scenario, the cost must exceed \$5 million.

Mark Lanza explained the turnkey scenario in which the construction contractor builds the structure in accordance with provided plans. He stated that the Cochituate School apartment project was an example of a turnkey scenario.

Mark Lanza suggested a turnkey project for the treatment plant with WWMDC providing the design. Twenty Wayland would build the plant on their property with their financing. After completion, WWMDC would pay Twenty Wayland for 30 % of the cost and the land swap would take place. Mark Lanza stated provision for cost audit would be written into the construction contract. He stated that he had a preliminary discussion with Twenty Wayland and received a favorable response. He pointed out that Twenty Wayland would have an incentive to control construction because they would be paying 70 % of the cost.

Mark Lanza proposed a single design contract for preliminary design and for final design.

Gene Roberts agreed with the proposal for a single design contract. When the design is 30 % complete, it would be submitted to EPA/DEP for approval. Also, WWMDC would apply for funding from the State Revolving Fund (SRF) when the design is 30 % complete.

Mark Lanza stated that the construction of the treatment plant was a building project, not a public works project.

The meeting agreed on the following actions:

1. David Schofield will discuss the design RFP with Weston & Sampson.
2. Mark Lanza will meet with Fred Turkington on Thursday, May 29, 2008 to arrange further discussion with Twenty Wayland on a turnkey project for building the new treatment plant. WWMDC should be represented at the meeting.

3. Fred Knight will review the Request for Proposals for design of the treatment plant and will prepare a draft.

In the matter of temporary power for the current treatment plant, David Schofield will contact Mark MacRae of Twenty Wayland. Bill Prendergast will provide David Schofield with the name and Email address of a contact at NSTAR.

The meeting adjourned at 9:05 PM.

Respectfully submitted,

William R. Prendergast
June 11, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JUNE 11, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Gene Roberts, Bill Prendergast, Alan Reiss

Chairman David Schofield called the meeting to order at 7:08 PM.

Alan Reiss announced that he was taping the meeting to be shown on the Wayland channel.

The Monthly Operating Report for April 2008 was reviewed. The office printer was replaced at a cost of \$100. The report stated that the chemical feed pumps need to be rebuilt and parts have been ordered. An estimate for installing a new heater in the storage room has been requested. A total of 12,901 gallons of sludge was removed during the month.

The Discharge Monitoring Report for April 2008 was reviewed. All plant effluent parameters were met for the month. The average discharge was 9,057 gallons per day with a maximum of 12,477 gallons on April 29, 2008 and a minimum of 3,666 gallons on April 8, 2008. Phosphorus was 0.33 mg/l.

David Schofield reported that he had contacted Paul Hogan of DEP concerning the new permit and was advised that it would be issued in 2 – 4 weeks.

Fred Knight distributed copies of the Request for Proposals for designing the new wastewater treatment plant. David Schofield made a motion to approve the Request for Proposals. The motion was seconded by Fred Knight. The vote to approve was 2 – 0 in favor. Fred Knight reported that the Request for Proposals had been requested by eleven prospective contractors.

David Schofield reported on a meeting held on June 6, 2008. In attendance were Adam Weisenberg (attorney for Twenty Wayland), Town Counsel Mark Lanza, Town Administrator Fred Turkington, and Commission Chairman David Schofield. Items discussed included time frame for 30 % design, treatment technology, the Request for Proposals and its time frame, legal issues, and paying for the new plant. The technology selection will be included in the 30 % design. Twenty Wayland reported that they would sell the residential units and lease the commercial units.

Actions required:

1. Review the response to the Request for Proposals
2. Contact DEP concerning issuance of the new permit.
3. Meet on Monday, July 14, 2008 to review the proposals for designing the new plant.

4. Conduct interviews, if required, with prospective contractors.

The minutes of the meetings of May 12, 2008 and May 27, 2008 were approved with corrections.

Bill Prendergast distributed a financial report for FY2008 through May 2008. The report showed income of \$192,850.86 and expenses of \$178,261.11. Bill Prendergast noted that he expected the Commission to finish FY2008 with a small surplus and without using Retained Earnings. Accounts Receivable were \$38,724.57 and Accounts Payable were \$0. The Meadows account was \$415,910.17.

Bill Prendergast distributed a bank statement showing a balance of \$672,363.60 in Retained Earnings. He noted that this balance included the Meadows account of \$415,910.17.

There was no other business.

The meeting adjourned at 8:45 PM

Respectfully submitted,

William R. Prendergast
July 21, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JULY 21, 2008

MINUTES

In attendance: David Schofield, Fred Knight, John Moynihan, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:06 PM.

The purpose of the meeting was to rank the firms that submitted proposals for the task of designing the new wastewater treatment plant.

David Schofield, Fred Knight, and John Moynihan reported on telephone calls that they had made to references provided by the three firms that submitted proposals. The three firms were Onsite Engineering, Tighe & Bond, and Weston & Sampson. The references such as the Town of Sturbridge gave a very favorable report on the performance of Tighe & Bond.

David Schofield made a motion to rank the firms with Tighe & Bond ranked first, Weston & Sampson ranked second, and Onsite Engineering ranked third. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion.

John Moynihan was directed to advise the firms of the ranking and to schedule a meeting with Tighe & Bond to begin negotiations concerning the cost of the design project.

Fred Knight made a motion to enter negotiations with Tighe & Bond with a team consisting of John Moynihan, Wayland Public Building Director, and one Commissioner. The motion was seconded by David Schofield.. The vote was 2 – 0 in favor of the motion.

Fred Knight made a motion assuming successful cost negotiation with Tighe & Bond to permit the design project to proceed without another meeting of the Wastewater Commission. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

At this point John Moynihan left the meeting to attend another meeting.

The minutes of the meeting of June 11, 2008 were approved with changes and corrections.

The following invoices were approved for payment:

AOS Operating Company (070801WAY) - \$8458.77

Dave Starmer Disposal (6/30/08) - \$100.00

Town of Wayland (Water) - \$25.00

William R. Prendergast - \$275.00

The subject of providing temporary electrical power for the present treatment plant was discussed. Temporary power is required because power is connected through the buildings which will be demolished before the new plant is built and the current plant

must remain in operation. Twenty Wayland reported in an Email message that NSTAR required a temporary gravel road along the line of poles and suggested that the Commission should pay for this road. The Commission felt that Twenty Wayland should pay for the road.

David Schofield offered to contact Fred Turkington to set up a meeting to discuss plans for building the new treatment plant.

The Discharge Monitoring Report for May 2008 was reviewed. All effluent parameters were met for the month. The average plant flow was 9,162 gallons per day with a maximum of 12,288 gallons on May 7 and a minimum plant flow of 5,169 gallons on May 25.

The Monthly Operations Report for May 2008 was reviewed. The following cost estimates were received for repair and maintenance:

1. Emergency generator - \$24,350
2. Return activated sludge pump - \$8,500
3. Muffin Monster control panel - \$3,500
4. Duplex receptacles - \$1,200
5. Heaters - \$2,800

David Schofield offered to discuss these cost estimates with the Area Manager for AOS Operating Systems.

The Discharge Monitoring Report for June 2008 was reviewed. All plant effluent parameters were met for the month. The average plant flow was 9,079 gallons per day with a maximum of 13,040 gallons on June 23 and a minimum of 6,549 gallons on June 22.

The Monthly Operations Report for June 2008 was reviewed. It was reported that the gravity feed pipe from the aeration basin to the secondary clarifier was being blocked more frequently. It was felt that the cause was grease from a Shopping Center restaurant, hair from hair salons, and deli food cleanings. It was reported that potential contractors for the design of the new treatment plant had visited the treatment plant.

There was no other business.

The meeting adjourned at 8:38 PM.

Respectfully submitted,

William R. Prendergast
August 13, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF AUGUST 13, 2008

MINUTES

In attendance: David Schofield, Fred Knight, John Moynihan, Bill Prendergast
Guest: Chuck Terry, AOS Operating Company

Chairman David Schofield called the meeting to order at 7:03 PM.

There was no public comment.

John Moynihan reviewed the negotiation with Tighe & Bond concerning the cost of design of the new wastewater treatment plant. The Commission rated Tighe & Bond first among the companies that responded to the Commission's Request for Proposals for the design of the plant. The original cost proposed by Tighe & Bond was \$856,000. The Commission felt that this cost was too high considering the estimated construction cost in the range \$4.0 - \$4.5 million. It was pointed out that the second-rated company, Weston & Sampson, was capable of designing the plant. John Moynihan pointed out that the Commission was required to break off negotiations with Tighe & Bond before negotiating with Weston & Sampson and once broken could not be resumed. John Moynihan recommended that the Commission stay with Tighe & Bond. John Moynihan reported that he had received a new proposal from Tighe & Bond in which the cost was reduced to \$661,100.

Fred Knight made a motion to accept the revised cost proposal of \$661,100 dated August 13, 2008 and the revised scope of work dated August 13, 2008. The motion was seconded by David Schofield. The vote on the motion was 2 – 0 in favor of the motion.

It was agreed that John Moynihan would advise Tighe & Bond that their revised proposal had been accepted by the Commission.

There were no Discharge Monitoring Reports or Monthly Operations Reports for review.

Plant maintenance problems were discussed. The most important and persistent problem is stoppage in the underground pipe that connects the aeration tank to the clarifier. There is a valve in this pipe and it may be partially closed. Low flow appears to worsen the problem. When stoppage occurs, it is necessary to employ an outside vendor to clear the stoppage. Chuck Terry suggested using clean water and a camera to attempt to identify the problem. This would be step 1. Step 2 would be digging up the pipe after the problem is identified.

Fred Knight made a motion to authorize Chairman David Schofield to expend an amount not to exceed \$2000 for camera inspection of the pipe. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

Fred Knight made a motion to authorize Chairman David Schofield to expend an amount not to exceed \$10,000 to correct any problem discovered as a result of the camera inspection. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

Fred Knight made a motion to permit Chairman David Schofield to initiate procurement of an emergency generator for backup power for the existing treatment plant. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

The project involving the installation of temporary electrical power service to the treatment plant was discussed. John Moynihan agreed to contact Mark MacRae to determine the current status of the project.

The minutes of the meeting of July 21, 2008 were approved with a correction (Online should be Onsite).

Bill Prendergast distributed a financial report for FY2008 showing income of \$226,855.93 and expenses of \$201,654.87 for a surplus of \$25,201.06.

Bill Prendergast distributed a bank statement showing a balance of \$680,945.09.

There was no other business.

The meeting adjourned at 9:03 PM.

Respectfully submitted,

William R. Prendergast
September 10, 2008

Distribution:
David Schofield
Fred Knight
Board of selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF SEPTEMBER 10, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Gene Roberts, John Moynihan, Bill Prendergast

Chairman David Schofield called the meeting to order at 7:07 PM.

There was no public comment.

The Monthly Operations Report for July 2008 was reviewed. The report included the comment that approval of plant improvements and capital repairs is awaited. Also included was the comment that plant flow is the lowest in the history of the plant. (This report is substantiated by the decrease in water usage by users of the system to less than 50 % of the water usage in 2001.) Camera investigation of gravity line blockage is scheduled for August 18, 2008.

The Discharge Monitoring Report for July 2008 was reviewed. All plant parameters were met for the month. The average plant flow was 7,633 gallons per day with maximum flow of 14,303 gallons on July 8, 2008 and minimum flow of 3,319 gallons on July 13, 2008 (Sunday).

John Moynihan reported that Tighe & Bond had submitted the State Revolving Fund (SRF) application on time.

John Moynihan provided a cost estimate of \$70,000 for installation of temporary electrical power for the treatment plant. Temporary power is needed because the power is connected through the existing buildings which are scheduled for demolition prior to constructing Town Center and the new treatment plant. John Moynihan reported that he had met with NSTAR to discuss the requirements. John Moynihan presented an invoice from NSTAR in the amount of \$38,744.00. Payment is required prior to the start of the installation. David Schofield made a motion to pay to NSTAR the amount of \$38,744.00. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion.

John Moynihan reported that NSTAR requires a temporary road along the temporary power lines for access in an emergency. John Moynihan reported that he had arranged for the Wayland Highway Department to construct the road. A license for the Highway Department to work on private property (Twenty Wayland property) will be required.

John Moynihan reported that the Basis of Design report for the new plant was due from Tighe & Bond on October 1, 2008.

There was a brief discussion of financing the new plant. The Commission felt that an attempt should be made to obtain a portion of the \$3 million gift from Twenty Wayland to help pay for the plant. David Schofield was directed to contact Fred Turkington on the subject.

The Commission discussed the plan for sending an information letter to current users of the sewer system. The decision was made to wait until the Basis of Design report becomes available in order to include the latest information on design and cost.

The minutes of the meeting of August 13, 2008 were approved.

The annual report for FY2008 was approved.

The following invoices were approved for payment:

Dave Starmer Disposal, Inc (8-15-08) - \$200.00

Dave Starmer Disposal, Inc (9-4-08) - \$644.50

William R. Prendergast - \$250.00

Bill Prendergast distributed a financial report for FY2009 through August 2008 showing revenue of \$6175.04 and expenses of \$45,353.19. He pointed out that expenses included the debt principal payment of \$22,918.55 for FY2009. Accounts Receivable were \$23,872.00 and Accounts Payable were \$0.

Bill Prendergast distributed a bank statement showing a balance of \$641,766.94.

There was no other business.

The meeting adjourned at 9:00 PM.

Respectfully submitted,

William R. Prendergast
October 15, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF OCTOBER 15, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Gene Roberts, John Moynihan, Bill Prendergast

Guests: Bob Peirent, Tighe & Bond
Ian Catlow, Tighe & Bond
Prescott Baston, sewer user
Linda Segal, general public

Chairman David Schofield called the meeting to order at 7:03 PM.

Ian Catlow distributed copies of the Basis of Design Report as required by the contract for designing the new treatment plant. The report states that the plant designer, Tighe & Bond, selected two process technologies as alternatives for wastewater treatment at the Wayland facility. The technologies are the MBR Process and the Biomag Process.

As explained by Ian Catlow, in the MBR Process two screens are located in the influent stream to remove coarse solids and to protect the membranes from fouling and damage. Two screens provide redundancy with one screen in use and the other screen in standby. Components of the MBR Process include a flow equalization tank, sludge storage tank, anoxic basin, pre-aeration basin, MBR basin, and UV disinfection.

The Biomag Process, as explained by Ian Catlow, includes screens in the influent stream for the same purpose as the screens in the MBR Process. Components in the Biomag Process include an influent pump station, sludge storage tank, anoxic basin, aeration basin, clarifier, ballast addition tank, and UV disinfection. The Biomag Process includes the addition of a ballast material called magnetite to the aeration tank which becomes incorporated into the biological floc and dramatically enhances settling in the clarifier.

For the MBR Process, Tighe & Bond estimates the cost including design engineering and construction engineering to be \$5,268,200. For the Biomag Process, Tighe & Bond estimates the cost including design engineering construction engineering to be \$5,504,000. Both estimates exceed the approved budget of \$5,200,000 and do not include other costs. The 30-year life cycle cost for the MBR Process is \$8,034,157 and for the Biomag Process is \$8,061,921.

Tighe & Bond recommended the MBR Process for the new treatment plant. Tighe & Bond reported that Cambridge Water Technologies, supplier of the Biomag Process had given another town a substantial discount in the purchase of a Biomag Process. After some discussion, Fred Knight made a motion to request Tighe & Bond to request a discount from Cambridge Water Technologies and if the request resulted in a substantial discount, the Commission would meet with Tighe & Bond on October 29, 2008 to reconsider the choice of the process for the new treatment plant. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

The current discharge location for the treated wastewater is the wetlands of the Sudbury River. Tighe & Bond recommended relocation of the discharge to the Sudbury River at a

point adjacent to the Route 20 bridge. The cost of relocation is not included in the cost estimates. No action was taken on the recommendation.

The proposed site for the new plant was reviewed. Due to the shape of the parcel, there may be a problem with setbacks. David Schofield agreed to check the Town's requirements pertaining to setbacks.

The project schedule was discussed. Completion of the design is scheduled for March 9, 2009. Permitting will be completed on May 29, 2009. Bidding for construction will end on May 15, 2009 and construction will begin on May 15, 2009 and will be complete on June 10, 2010.

The subject of temporary power for the current plant was discussed. John Moynihan reported that he had obtained an emergency generator to provide electrical power until NSTAR completes the power line to the plant.. He reported that the Wayland Highway Department will not construct the temporary road as planned. John Moynihan will employ a contractor for the job. The cost of temporary power is not included in the cost estimates.

Public comment was delayed until the discussions with Tighe & Bond were complete. Prescott Baston made the following public comments:

1. Future EPA requirements should be considered when designing the plant.
2. Some sewer users could return to private septic systems if the cost of the new plant is excessive.
3. Twenty Wayland should pay for visual improvements.
4. Odor control should be paid for by Twenty Wayland because it benefits Town Center more than it benefits current users.

The following invoices were approved for payment:

AOS Operating Company (090801WAY) - \$12,839.95
Twenty Wayland (10-17-08) - \$2,423.70
Dave Starmer Disposal (9-16-08) - \$100.00
Dave Starmer Disposal (9-30-08) - \$100.00
Town of Wayland (water) - \$46.00
William R. Prendergast - \$275.00
AOS Operating Company (100801WAY) - \$10,575.50

There was no other business.

The meeting adjourned at 10:00 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

David Schofield

Fred Knight

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF OCTOBER 29, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Mark MacRae, Twenty Wayland
Ian Catlow, Tighe & Bond
Robert Peirent, Tighe & Bond
Prescott Baston, sewer user

Chairman David Schofield called the meeting to order at 7:10 PM.

During the public comment period, Prescott Baston commented on the general shape of the parcel of land designated for the new plant. The dimensions of the parcel are approximately 380 feet by 75 feet for an area of 28,625 square feet. Ian Catlow stated that the building for the new plant would have dimensions approximately 40 feet by 50 feet. The impervious area was discussed and estimated to be less than 8,800 square feet or less than 30 % of the area of the parcel. The tanks will be located in the building for ease of maintenance and for odor control. It was reported that there would be no problem with setbacks.

Prescott Baston commented that the use of the current plant benefits current users while a new plant will benefit Town Center.

Prescott Baston commented on the possibility of using a portion of the Twenty Wayland gift to the Town to offset some of the cost for current users. Twenty Wayland is the largest user. Using part of the gift to help current users would mean that 70 % would be returned to Twenty Wayland. Mark MacRae commented that Twenty Wayland would probably waive return of the user share and offered to discuss it with Twenty Wayland.

Prescott Baston commented that odor control benefits Town Center and Twenty Wayland but has little benefit for other current users.

The decision concerning the choice of treatment process between MBR and Biomag for the new plant was postponed from the meeting of October 15, 2008 to determine whether the vendor of the Biomag process might offer a substantial discount in the cost. Ian Catlow reported that the discount offered was not substantial. Tighe & Bond recommended the MBR process. David Schofield commented that there was no driving force to use the Biomag process and that the MBR process was less costly. Also, there might be a cost reduction resulting from competitive bidding.

David Schofield made a motion to accept the recommendation of Tighe & Bond to use the MBR process. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion.

Ian Catlow reviewed the technology of the MBR process.

The question of relocating the outfall from the wetland to the Sudbury River was discussed. The outfall would be located near the Route 20 bridge and the pipe would cross Twenty Wayland property for which an easement would be required. It would be desirable to install the pipe while Town Center is under construction is in process even though the pipe might not be used for four years.

Mark MacRae advised the Commission that the Town Center restaurants, Stop & Shop, and the residential units would use the wastewater plant and that the shops would use the Twenty Wayland septic system.

David Schofield made a motion to accept the location of the wastewater plant as shown on drawing C-1 dated 9/29/08 provided that Tighe & Bond and David Schofield agree that the location is suitable after discussing the location with Building Commissioner Daniel Bennett. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion.

After discussion, the next meeting was scheduled for Wednesday, December 3, 2008.

The meeting adjourned at 9:45 PM.

Respectfully submitted,

William R. Prendergast
December 3, 2008

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 3, 2008

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Ian Catlow, Tighe & Bond
Bob Peirent, Tighe & Bond
Chuck Terry, AOS
Prescott Baston, sewer user

Chairman David Schofield called the meeting to order at 7:10 PM.

Ian Catlow presented a drawing of the proposed site for the new treatment plant showing the building that will house the plant along with access roads to bring material to the plant and to remove sludge. The dimensions of the building will be approximately 53 feet by 55 feet with reinforced concrete walls one foot thick. Tanks and process equipment will be located within the building for odor control and ease of maintenance. After discussion, the Wastewater Commission confirmed that the site and layout are generally acceptable. Confirmation to Twenty Wayland was withheld pending a meeting with Town Planner Joe Laydon and Building Commissioner Dan Bennett on December 8, 2008.

Ian Catlow reported that Tighe & Bond will comply with Planning/Zoning requirements concerning the building which will have a typical New England appearance.

Ian Catlow sketched on the drawing the new location of the outfall to the Sudbury River. Easements and MHD/DEP approvals will be negotiated.

In connection with the Massachusetts Environmental Protection Agency (MEPA), Tighe & Bond is preparing an Advisory Opinion with the hope of avoiding ENF filing.

Tighe & Bond has made initial contact with the Massachusetts Highway Department (MHD) and the site meeting has been completed. MHD is involved because the new outfall will run along Route 20 to the bridge over the Sudbury River.

Ian Catlow reported that additional permits may be required after design of the new outfall is complete.

The Department of the Interior has appealed to EPA to withdraw the new permit which became effective on December 1, 2008. The appeal requests a number of changes in the permit. Tighe & Bond will contact EPA and DEP to attempt to gain insight into the appeal with the goal of determining how the appeal impacts the design of the new plant.

Tighe & Bond reported that the project schedule requires completion of 75 % of the design of the new plant by January 5, 2009.

Ian Catlow reported that the Wastewater Commission did not receive approval for a low interest loan from the State Revolving Fund. Tighe & Bond will continue efforts to secure a loan.

Chuck Terry reported that it was necessary to replace the heater in the blower room at a cost of \$1400. Fred Knight made a motion to approve the expenditure of \$1400 to replace the heater. The motion was seconded by David Schofield. The vote was 2 – 0 in favor of the motion.

Bill Prendergast distributed a financial report for FY2009 through October 2008 showing income of \$44,068.09 and expenses of \$72,816.84. It was apparent that it was necessary to generate additional income by increasing user fees. Bill Prendergast suggested a hearing date of December 30, 2008 to announce the fee increase with details to be decided later. The Commission agreed with this suggestion.

The minutes of the meetings of October 15, 2008 and October 29, 2008 were approved.

The following invoices were approved for payment:

AOS Operating Company (120801WAY) - \$9,867.49
Tighe & Bond (118561) - \$24,135.00
Dennis K. Burke (000721856) - \$799.72
Dennis K. Burke (000724539) - \$786.13
Dave Starmer Disposal, Inc (11/26/08) - \$100.00
William R. Prendergast - \$325.00

The next meeting was scheduled for Wednesday, January 7, 2009.

The meeting adjourned at 10:10 PM.

Respectfully submitted,

William R. Prendergast
January 7, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 7, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Ian Catlow, Tighe & Bond
Bob Peirent, Tighe & Bond
Chuck Terry, AOS
Prescott Baston, sewer user

David Schofield called the meeting to order at 7:05 PM.

During the public comment period, Prescott Baston commented on the cost assessment of the new treatment plant on the current system users. He presented three possible scenarios for assessing the cost. In scenario 1, the cost is assessed according to allocated capacity with the Public Library and Wayland Meadows omitted. Scenario 2 is the same as scenario 1 with the Public Library and Wayland Meadows included. In scenario 3, the cost is assessed in accordance with the quarterly billing of each user. In scenario 1, Mr. Baston's assessment would be \$28,179.00. In scenario 2, his assessment would be \$21,508.29. In scenario 3, his assessment would be \$8621.41. The assessment of the Shopping Center would be \$256,172.72 in scenario 1 and \$592,747.35 in scenario 3. All scenarios are based on the current users being assessed for 30 % of the \$5.3 million cost of the new plant. Mr. Baston stated that in the case of scenarios 1 or 2 he would leave the system and construct a septic system with leaching field.

Prescott Baston, during public comment, listed costs that benefit Town Center but provide little or no benefit to current users. He listed demolition of the old plant, odor control, the exterior of the new plant building, and temporary power for the current plant as benefiting Town Center but provided little or no benefit for current users.

Mr. Baston commented that there were sources of funding that could be used to decrease the cost to current users. Sources listed were the gift to the Town from Twenty Wayland and CPA funds. Mr. Baston stated that he would request a meeting of current users of the sewer system with the Board of Selectmen.

Ian Catlow presented drawings of the new treatment plant. He stated that, except for a few details, the design of the new plant was 75 % complete. He reviewed the drawings which showed the new plant and its location within Town Center. The design of the interior of the building which will house the various processes showed details of the equipment to be used to process the incoming wastewater. The tanks will be within the building for ease of maintenance and for odor control. The design of the new plant was scheduled to be complete by mid-March 2009.

Ian Catlow stated that a meeting with DEP had been scheduled for January 14, 2009.

Ian Catlow stated that the application for a low interest loan from the State Revolving Fund would be resubmitted. It was believed that additional funding might be available.

Ian Catlow requested that Bill Prendergast provide him with a report of the operating costs for the current plant for a period of one year.

It was reported that the prebid meeting concerning a new generator was scheduled for January 14, 2009. The generator will be used as an emergency generator for the current plant and will be used for the same purpose with the new plant.

The minutes of the meeting of December 3, 2008 were approved.

The following invoices were approved for payment:

Dave Starmer Disposal, Inc.	-	\$275.00
William R. Prendergast	-	\$225.00
Dennis K. Burke, Inc.	-	\$543.54
Dave Starmer Disposal. Inc.	-	\$525.00

The meeting adjourned at 10:10 PM.

Respectfully submitted,

William R. Prendergast
February 11, 2009

Distribution:
David Schofield
Fred Knight
Board of selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 11, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Ian Catlow

Prescott Baston, sewer user

Chairman David Schofield called the meeting to order at 5:37 PM.

During the public comment period, Prescott Baston posed a number of questions which he felt needed to be answered. The questions included the following:

1. What grace period will current users be granted if they choose to leave the system and install a Title V system?
2. Will the Wastewater Commission be responsible for the legal fees of Foley Hoag?
3. Will construction of the new plant begin several months or a year before work on Town Center starts?
4. When will betterment allocations be sent to current users?
5. Will the current users be responsible for the total cost of the new plant if Twenty Wayland declares bankruptcy?
6. What happens if the property is flipped to another owner.
7. Is it legal for Twenty Wayland to pick up capacity allocations that may be relinquished by current users?
8. What is the situation with items that benefit only Twenty Wayland?

Mr. Baston added the comment that the total cost of the new plant should include demolition of the old plant, ground cleanup, new pipe to the river, and Foley Hoag fees.

Mr. Baston commented that he had contacted Carlos Quintal of CAQ Engineering Associates, the company that had designed the small treatment plant for Greenways in Wayland. Mr. Baston reported that Mr. Quintal had commented that \$5.3 million was much too expensive for the new treatment plant. David Schofield reported that he had contacted Mr. Quintal and described the requirements for the treatment plant. Mr. Quintal recommended the MBR process for the Wayland plant. Tighe & Bond had previously recommended the MBR process which had been approved by the Commission.

Ian Catlow commented that no new NPDES permit for surface water discharge had been issued by EPA in the last 30 years. Therefore, the Wayland permit has value in that it is an NPDES permit for surface water discharge.

David Schofield asked if Twenty Wayland had financing for Town Center. He pointed out that documented evidence of financing would be required prior to construction of the new plant. Fred Knight suggested that the Commission place a hold on construction after the design is complete.

Ian Catlow reported on a meeting concerning the petitions submitted to EPA by the Department of the Interior and by a Sudbury resident. Representing the Town were Michael Tichnor, Fred Turkington, Ian Catlow, and the attorney for Foley Hoag. Attending were the petitioners, DEP, EPA, National Parks, and Fish and Wildlife. The Town offered to accept a phosphorus limit of .1 mg/l year round with a rolling 60 day average. The Town agreed to reduce the use of phosphorus on Town properties such as playing fields. The petitioners were opposed to relocating the outfall to the Sudbury River. Ian Catlow concluded that EPA had several options such as making minor changes in the permit, open the permit for public comment on changes, or to start over with a new permit. It is expected that EPA will defend the permit.

David Schofield made a motion to approve the expenditure of \$66,500 for a new generator to be used with the new plant. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion. (The generator will be used with the current plant and moved to the new plant.)

The minutes of the meeting of January 7, 2009 were approved.

Bill Prendergast distributed a financial report for FY2009 through January 2009. The report showed income of \$86,009.66 and expenses of \$118,555.51.

Bill Prendergast distributed a bank statement showing a balance of \$618,974.26 as of January 9, 2009.

Bill Prendergast distributed a report of the cost of Town Center through January 2009. The total cost was \$238,459.45 including the cost of \$115,880.00 for the design of the new treatment plant.

The Commission scheduled the next meeting for Wednesday, February 25, 2009 at 5:40 PM at the Town Building.

The meeting adjourned at 8:00 PM.

Respectfully submitted,

William R. Prendergast
February 25, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 25, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Frank Dougherty, KGI (Town Center)
Ian Catlow, Tighe & Bond
Prescott Baston, sewer user

Chairman David Schofield called the meeting to order at 5:30 PM.

Frank Dougherty reported that DEP had advised him that Town Center would require a permit to connect to the sewer system. However, DEP advised Frank Dougherty that a permit would not be issued unless water reuse or other approaches are implemented in the treatment plant design to ensure that the average monthly discharge is less than 52,000 gallons per day. DEP interprets the number 45,000 gallons per day that appears in the 1999 agreement as the average flow from Town Center whereas the Wastewater Commission interprets the number as the capacity allocated to Town Center. DEP claims that the Town oversold the capacity in the plant. DEP suggested water reuse for each building at Town Center. Frank Dougherty stated that he had advised DEP that Town Center would not be reusing water.

Frank Dougherty stated that he would submit a permit application to DEP. The application requires the approval of the Wastewater Commission prior to submitting the application to DEP.

In answer to a question, Frank Dougherty stated that the demolition of the Raytheon buildings is on hold until the permit is received.

Ian Catlow presented and reviewed a set of drawings for the new treatment plant. The drawings represented 90 % of the design of the plant. The drawings showed details of the plant including the processes, piping, and electrical wiring. Ian Catlow presented an updated cost estimate for the construction of the plant. The total estimated cost is \$4,778,198. This cost does not include design cost and the cost of miscellaneous items associated with Town Center development.

Ian Catlow stated that he prefers to leave the outfall in the wetlands because that is the least costly option and requires the fewest permits. It is expected that EPA will include a compliance schedule when they issue the new permit.

David Schofield stated that the optimum schedule to reduce construction costs is for the start of construction of the new plant to begin in August 2009.

The Discharge Monitoring Report for January 2009 was reviewed. All plant effluent parameters were met for the month. The average plant flow was 8,431 gallons per day. The maximum flow was 11,358 gallons on January 20, 2009 and the minimum flow was 5,227 gallons on January 16, 2009.

The Monthly Operations Report for January 2009 was reviewed. The report stated that temporary electrical power was available on January 12, 2009. One of the two rental generators was returned on January 22, 2009. On January 20, 2009, the Clarifier Rake Arm became jammed due to snow resulting in broken shear pin. The snow was removed and a new shear pin was installed.

The following invoices were approved for payment:

Northeastern Petroleum Service & Supply - \$700.00
Milton Cat - \$3,212.00
William R. Prendergast - \$325.00

The meeting adjourned at 8:15 PM.

Respectfully submitted,

William R. Prendergast
March 11, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MARCH 11, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Gene Roberts, Bill Prendergast
Guest: Prescott Baston, Sewer user

Chairman David Schofield called the meeting to order at 5:40 PM.

As a public comment, Prescott Baston suggested that sewer users should pay for what they use.

As a public comment, Prescott Baston quoted Charles Irving, Principal of KGI Properties, Town Center developer as stating that the gift of \$3 million from the developer could be used in any manner that the Town of Wayland chooses.

Fred Knight suggested that the amount requested from the \$3 million gift should be \$500,000. The justification is that the Town will benefit from the property taxes received from Town Center. With \$500,000 from the developer gift, the amount of new betterment to pay for the new treatment plant would be about \$13,000 for a user with a four-bedroom house.

David Schofield suggested that the Wastewater Commission prepare an article for the Fall Town Meeting approving a contribution from the Town of \$900,000 to assist in paying for the new treatment plant.

Fred Knight outlined three scenarios for the current users to pay their portion of the cost of the new treatment plant depending on the amount of the contributions from the \$3 million gift and from the Town. These scenarios are:

1. There will be no new betterment.
2. There will be a new betterment but it will be less than the original betterment.
3. There will be a new betterment that will be equal to or greater than the original betterment.

The subject of user fees was discussed. It was agreed that 80 % of the user fees should be based on fixed cost and that 20 % of the user fees should be based on variable cost. Fred Knight and Bill Prendergast suggested the following formula for computing user fees:

Quarterly user fee = (.8 x capacity + .2 x water usage) x days x rate

Bill Prendergast agreed to calculate the rate to meet the FY2010 budget when he receives the water usage for the past winter from the Water Department. The Commission agreed to discuss penalties at a future meeting.

The Commission has received information that water meters read low as they age. This would explain the reason for water meter readings decreasing while flow through the

plant remains constant. David Schofield agreed to contact the Water Department concerning new meters for current users.

Bill Prendergast advised the Commission that the contract for operating the treatment plant will expire on May 31, 2009. He offered to provide John Moynihan with a copy of the Request for Proposals used in 2003 for the current contract.

Warrant Article 4 of the Special Town Meeting of April 15, 2009 was discussed. This article provides the mechanism for the land exchange approved by the 2006 Town Meeting. The land exchange is required for the construction of the new treatment plant. The question of timing of the exchange was discussed. Bill Prendergast pointed out that the 2006 Town Meeting Article states that the exchange shall take place immediately before construction is commenced.

The minutes of the meeting of February 25, 2009 were approved.

The following invoices were approved for payment:

AOS Operating Company - (020901WAY) - \$11,677.49

Dave Starmer Disposal - (3/3/09) - \$1,076.00

William R. Prendergast - \$100.00

Bill Prendergast distributed a financial report for FY2009 showing through February 2009 income of \$128,754.24 and expenses of \$126,378.02. He pointed out that there was a quarterly user billing in January and that betterments were due to be paid with the tax bills due February 2, 2009.

Bill Prendergast distributed a report showing a bank balance of \$1,573,560.31 as of March 4, 2009. The balance includes a new loan of \$1,000,000.00 and a refund of \$18,336.00 from NSTAR.

There was no other business.

The meeting adjourned at 7:30 PM.

Respectfully submitted,

William R. Prendergast
April 14, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF APRIL 14, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Prescott Baston, sewer user
Chuck Terry, AOS Operating Company
Linda Segal, Wayland resident

Chairman David Schofield called the meeting to order at 7:05 PM.

During public comment Prescott Baston read a comment from an Email that he had received stating that Town Center may never be built. He quoted Charles Irving as stating that KGI Properties would not accept 70 % of the developer's gift of \$3 million to the Town.

Prescott Baston suggested that Town Meeting pass over the Commission's FY 2010 Capital Budget of \$400,000 until the next Town Meeting. He reasoned that the Commission would not be spending that amount in FY2010.

The Town Meeting budget article (Article 9) was discussed. The Commission decided to break the article into two motions. The first motion will pertain to the operating budget and the second motion will pertain to capital expenditure for the new treatment plant. It was pointed out that the development of Town Center has been delayed and the capital funds are not needed at present but the Commission wishes to have the entire amount of the capital budget available when construction of the new plant begins.

David Schofield reported that the Water Department has tested a number of old meters and found that they complied with specifications. The Commission had received information that water meters read low as they aged. The cost to replace a water meter is \$300. The rated life of a water meter is 20 years.

Bill Prendergast was directed to contact John Moynihan concerning the new contract for operation of the treatment plant. The current contract expires on May 31, 2009.

The Special Town Meeting land swap article (Article 3) was discussed. This article provides the mechanism for exchanging the land on which the current treatment plant is located for a parcel of land within Town center for construction of the new treatment plant. It was pointed out that the Wastewater Commission will need the ability to operate the current plant on developer property until the new plant is operational. Linda Segal pointed out that the owner of property is responsible for the condition of the property.

Bill Prendergast distributed copies of a letter to Frank Dougherty (KGI Properties) from the Massachusetts Department of Environmental Protection (DEP) in which DEP stated

that permit approval for connecting Town Center to the treatment plant was unlikely to be granted due to capacity issues at the treatment plant. DEP suggested phasing of the Town Center project or reuse of treated wastewater.

The Monthly Operations Report for February 2009 was reviewed. A new effluent chart recorder was installed at a cost of \$2,800. A total of 6,612 gallons of waste sludge was removed during the month.

The Discharge Monitoring Report for February 2009 was reviewed. All effluent parameters were met for the month. The average discharge was 8,187 gallons per day with a maximum of 12,470 gallons on February 12, 2009 and a minimum of 5,071 gallons on February 4, 2009.

Bill Prendergast distributed copies of a financial report for FY2009 through March 2009 showing income of \$129,709.74 and expenses of \$157,573.48.

Bill Prendergast distributed copies of a bank statement showing a balance of \$1,504,692.35 including a loan of \$1 million.

David Schofield reported that there appeared to be some construction activity at Wayland Meadows. As a result, a connection from the treatment plant to the boundary of Wayland Meadows property will be required.

The meeting adjourned at 9:05 PM.

Respectfully submitted,

William R. Prendergast
May 12, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 12, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Guests: Chuck Terry, AOS operating Company
Prescott Baston, Wayland resident
Linda Segal, Wayland resident

Chairman David Schofield called the meeting to order at 7:05 PM

The Discharge Monitoring Report for March 2009 was reviewed. The report shows that the monthly average for phosphorus in the discharged effluent exceeded the permit limit. The permit limit is 0.5 mg/l and the monthly average discharge was 0.61 mg/l. Corrective action has been taken by the plant operator. All other permit limits were in compliance. The average flow through the plant was 8,664 gallons per day with a maximum of 12,419 gallons on March 12, 2009 and the minimum of 4,753 gallons on March 31, 2009.

The Monthly Operations Report for March 2009 was reviewed. There was a report of ten inches of snow on March 2, 2009. The operator reported the necessity to break up the ice in the final effluent tanks. There was a report of a power outage on March 13, 2009 with the emergency generator supplying power to maintain operation of the plant. A total of 6,510 gallons of sludge was removed during March 2009.

With the current contract for operation and maintenance of the treatment plant due to expire on May 31, 2009, a new contract must be in effect on June 1, 2009. A Request for Proposals was issued and proposals were received from United Water (the current contractor), Weston & Sampson, and Whitewater. The Wastewater Commission reviewed the proposals in detail for compliance with Request for Proposals and for the technical capabilities of the companies that submitted the proposals. All proposals were found to be in compliance with the Request for Proposals. After reviewing the technical capabilities outlined in the proposals, the Commission concluded the all companies making the proposals were technically competent to operate and maintain the treatment plant. The Commission scheduled a meeting for May 20, 2009 to review the cost proposals and to select the contractor for operation and maintenance of the wastewater treatment plant.

The Commission discussed the budget of \$221,449.00 for income from user fees in FY2010. This budget will require a substantial increase in user fee billing beginning on July 1, 2009. The Commission did not reach a decision on the amount of the increase or on the formula for calculating user fees. The Commission scheduled a public hearing on user fees for June 23 and directed Bill Prendergast to place a hearing notice in the Town Crier and to post a meeting notice with the Town Clerk.

Bill Prendergast distributed a financial report for FY2009. Through April 2009, income was \$141,901.06 and expenses were \$177,710.04. He pointed out that a user billing totaling \$32,528.29 had been mailed to users in early May. The financial report showed that a total of \$446,192.23 had been spent on the new treatment plant through April 2009. He pointed out that expenses involving the new plant were being recorded in a special account and that the Commission would be reimbursed by the developer of Town Center and the current users.

Bill Prendergast distributed a bank statement showing a balance of \$1,406,615.11 as of May 11, 2009. He pointed out that \$1 million of the balance was a loan to pay for the design of the new treatment plant.

There was no other business.

The meeting adjourned at 9:40 PM.

Respectfully submitted,

William R. Prendergast
June 9, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 20, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Chairman David Schofield called the meeting to order at 6:43 PM.

The meeting was scheduled to select the operator of the wastewater treatment plant for one year beginning June 1, 2009 with two one-year options.

The Wastewater Commission received three proposals for operation of the plant. Proposals were provided by United Water (current operator), Weston & Sampson, and Whitewater. The proposals were found to be acceptable as judged by the Request for Proposals. Weston & Sampson stated that the plant would be staffed for up to three (3) hours per day, five days per week. Whitewater anticipated the time on site to be 3 hours per day. United Water did not provide an estimate an on-site time.

David Schofield contacted Whitewater and Weston & Sampson prior to the meeting. He learned that Weston & Sampson operates two other plants in Wayland and operation of the Commission's plant would fit well with Weston & Sampson's other activities in Wayland.

United Water was eliminated from further consideration due to their high cost proposal. David Schofield reported that he had contacted the Town of Acton where Whitewater operates the Avalon Bay treatment plant. The report was that Whitewater was very knowledgeable and had done a great job. Other references for Whitewater and Weston & Sampson checked out satisfactorily. The lowest cost proposal was provided by Whitewater.

Fred Knight made a motion to accept Whitewater for a 1-year contract for operation and maintenance of the wastewater treatment plant starting June 1, 2009. The motion was seconded by David Schofield. The vote was 2-0 in favor of the motion.

The meeting adjourned at 7:25 PM.

Respectfully submitted,

William R. Prendergast
June 9, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JUNE 9, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Ian Catlow, Tighe & Bond

Bob Peirent, Tighe & Bond

Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:03 PM.

During the public comment period, Prescott Baston asked if the cost of demolition of the old plant was included in the cost estimate for the new plant. The response was that this cost will be covered with the budget addition that was approved by the most recent Town Meeting.

Ian Catlow stated that the current plant is governed by two permits. Under DEP, the new permit is in effect. Under EPA, the old permit is in effect. Ian Catlow stated that the current treatment plant can comply with the permit with the existing flow of 8,000 – 10,000 gallons per day. With flow above 20,000 gallons per day problems such as lack of redundancy, the clarifier, and the sand filter would develop. The clarifier is on its last legs. The new permit issued in September 2008 includes a copper standard that cannot be met with the current plant. Discharge to the Sudbury River is required. Also, the current plant cannot comply with the phosphorus limit of .2 mg/l. Ian Catlow commented that, due to the economy, the cost of some new plants is coming in below cost estimates.

Fred Knight recommended that the Commission should proceed with construction of a new treatment plant with the schedule to be determined.

Bob Peirent suggested that construction of the new plant and construction of a new outfall to the Sudbury River be treated as separate projects.

DEP approval of the design of the new plant is required.

The comment was made that the contractor has the option of working during the winter months.

The Monthly Operations Report for April 2009 was reviewed. On April 8, 2009, the Clarifier Rake Arm which had been removed for the winter months was reinstalled. On April 11, 2009, during a heavy rain storm, a power outage occurred. The emergency generator provided power until power was restored. Phosphorus levels have returned to normal limits. A total of 6,235 gallons of sludge was removed from the plant.

The Discharge Monitoring Report for April 2009 was reviewed. All plant effluent parameters were met for the month. The average flow through the plant was 8,759 gallons per day with a maximum flow of 13,287 gallons on April 14, 2009 and a minimum flow of 5,609 gallons on April 20, 2009.

The subject of user fees was discussed briefly. The Commission agreed that 80 % of the user fees be related to allocated capacity and 20 % of the user fees should be related to water usage.

The minutes of the meeting of May 12, 2009 were approved.

The minutes of the meeting of May 20, 2009 were approved.

Bill Prendergast distributed a financial report for FY2009 showing through May 2009 revenue of \$153,235.30 and expenses of \$202,537.35. The report showed that expenses for the new treatment plant were \$452,630.23. These expenses are recorded in a separate account and will be paid by the developer and the users.

Bill Prendergast distributed a bank statement showing a balance of \$1,386,584.04 as of June 8, 2009. This balance includes a loan of \$1 million.

There was no other business.

The meeting adjourned at 9:10 PM.

Respectfully submitted
William R. Prendergast
July 14, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JULY 14, 2009

MINUTES

In attendance: David Schofield, Fred Knight, John Moynihan, Bill Prendergast
David Boucher, Division Manager, Whitewater, Inc.
Stephen Bodurtha, Service Technician, Whitewater, Inc.
Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:10 PM.

There was no public comment.

David Boucher and Stephen Bodurtha of Whitewater, Inc. were introduced. Whitewater is the new operator of the wastewater treatment plant. Stephen Bodurtha is the principal operator of the plant. In a discussion of the current plant, Stephen Bodurtha discussed the problem of line blockage. He stated that flushing provided a temporary solution that is acceptable.

In a general discussion of new treatment plants, David Boucher stated that, in his opinion, automation was excessive in some plants. He felt that plants could be constructed with less cost with the operator performing some of the automated functions.

There was a discussion of the schedule for construction of the new treatment plant. It was determined that the bid documents could be available during the first week of August should the Commission decide to proceed immediately. John Moynihan suggested that the Commission take advantage of the depressed economy. He estimated that current construction costs were 10 – 20 % less than they were one year ago. The importance of obtaining finalized design documents so that the Commission could proceed immediately when it decides to proceed was discussed. From these documents a firm construction schedule could be established.

In response to questions surrounding when actual site work could begin, John Moynihan stated that excavation activities could start within two weeks of contractor mobilization to the site. Also, the Commission needs to obtain a set of plans for review by Frank Dougherty to provide their perspective. John Moynihan emphasized the importance of getting the project advertised. The project could be cancelled if necessary. David Schofield commented that no new information is likely to become available regarding the status of the Town Center development in the immediate future. The Commission can reject all bids. David Schofield stated, with agreement from Fred Knight, that the Commission should proceed with completing the design and permitting of the new treatment plant to provide the possibility of commencing construction at the earliest time frame the Commission may deem appropriate. John Moynihan will advertise the project

in the Federal Register in two weeks. The Commission scheduled a design review meeting for August 12, 2009.

The Monthly Operations Report for May 2009 was reviewed. Instream monitoring of the Sudbury River was commenced for 2009 as required by the old permit. The lower Ultra-Violet disinfecting unit was rebuilt using new tubes, O-rings, and gland nuts.

The Discharge Monitoring Report for May 2009 was reviewed. All plant effluent parameters were met for the month. The maximum plant flow of 16,152.7 gallons occurred on May 22, 2009 and the minimum plant flow of 5,875.4 gallons occurred on May 25, 2009. The phosphorus concentration was 0.19 mg/l.

The subject of user fees was discussed. The Commission decided on a total FY2010 billing of user fees of \$186,340 as a result of the expected decrease in the cost of professional services resulting from the cost proposed by Whitewater.

The minutes of the meeting of June 9, 2009 were approved with corrections.

The following invoices were approved for payment:

1. AOS Operating Company (070901WAY) - \$10,368.65
2. William R. Prendergast - \$200.00
3. Whitewater (001-629I) - \$2,632.50
4. Town of Wayland (Water) - \$261.80

Bill Prendergast distributed a financial report for FY2009 showing revenue of \$177,441.16 and expenses of \$227,478.16 for a deficit of \$50,037.00. Expenses for the new treatment plant were \$457,466.41.

Bill Prendergast distributed a report showing a bank balance of \$1,387,902.35 as of June 30, 2009 including a loan of \$1 million.

There was no other business .

The meeting adjourned at 9:55 PM.

Respectfully submitted,

William R. Prendergast
October 9, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF AUGUST 12, 2009

MINUTES

In attendance: David Schofield, Fred Knight, John Moynihan, Bill Prendergast
Guests: Ian Catlow, Tighe & Bond
Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:05 PM.

There was no public comment.

The design of the new wastewater treatment plant was discussed. Ian Catlow reported that the design was 90 % complete. An issue that needs to be completed is stormwater management. Ian Catlow presented an earliest possible schedule for design, permitting, and construction of the new plant. The schedule showed the earliest possible completion of design as October 19, 2009. Completion of permitting was scheduled for January 15, 2010. Ian Catlow stated that all permitting could proceed in parallel. In the construction phase, bidding was shown to begin on October 19, 2009 and finish on December 18, 2009. Construction could begin as early as December 21, 2009 with completion as early as January 14, 2011

Ian Catlow stated that the present discharge location in the wetlands could be used for startup with subsequent outfall relocation to the Sudbury River. The new draft permit allows discharge to either location provided all requirements of the permit are met.

John Moynihan reported that he is working with Town Counsel, Mark Lanza, on the contractual items relating to construction of the new plant.

David Schofield commented that comments on the design of the new plant need to be received from Frank Dougherty (Twenty Wayland) and Daniel Boucher (Whitewater).

It was noted that the land swap for land on which to construct the new plant has not been accomplished. The land swap was approved by Town Meeting and needs further details defined.

An issue that has not been completed is the easement required to install a sewer pipe across Town Center land for the purpose of connecting Wayland Meadows to the treatment plant.

The subject of user fees was discussed. The Commission agreed that 80 % of the fees should be based on capacity and 20 % of the fees should be based on winter water usage. Fred Knight agreed to calculate the individual user fees based on the 80/20 split.

The minutes of the meeting of July 14, 2009 were reviewed. David Schofield stated that some corrections were necessary and offered to send the corrections to Bill Prendergast.

The following invoice was approved for payment:

William R. Prendergast - \$150.00

The Discharge Monitoring Report for June 2009 was reviewed. All parameters were met for the month. The average plant flow was 11,669 gallons per day with a maximum of 20,091 gallons on June 26, 2009 and a minimum of 1,150 gallons on June 15, 2009.

There was no other business.

The meeting adjourned at 9:15 PM.

Respectfully submitted,

William R. Prendergast
October 9, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF SEPTEMBER 9, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Linda Segal, Wayland resident

Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:08 PM.

During the public comment period, Prescott Baston reported that he had heard a report that Wayland Meadows was seeking to remove the age limit restriction for purchasers of their residential units. The comment was made that the Commission had issued connection permit to Wayland Meadows for 48 units of elder housing at a capacity of 150 gallons per day for a total of 7200 gallons per day. With the age restriction removed, the capacity requirement would be 110 gallons per day per bedroom or a total of 10,560 gallons per day for 48 two-bedroom units.

Prescott Baston noted that official documentation was needed for the 70/30 split of costs for the new treatment plant (70 % to be paid by the Town Center developer and 30 % by the other current users).

Linda Segal commented that a settlement had been reached pertaining to the appeals of the draft permit issued by EPA/DEP. She asked if compliance would be a problem for the Commission. The response was that no problem was anticipated.

David Schofield reported that he had discussed the status of new plant design with Ian Catlow and that Ian was slightly behind schedule. Ian reported that information was slow in arriving from Twenty Wayland. David Schofield reported that value engineering of the new plant design has not happened.

The minutes of the meetings of July 14, 2009 and August 12, 2009 were approved with corrections.

The following invoice was approved for payment:

William R. Prendergast - \$225.00

Bill Prendergast reported that the financial results for August 2009 were not yet available. He stated that he would Email the results to the Commission when they became available.

The Discharge Monitoring Report for July 2009 was reviewed. All parameters were met for the month. The phosphorus value was 0.11 mg/l. The average flow through the treatment plant was 11,254 gallons per day. The maximum flow was 20,037 gallons on

July 14, 2009 and the minimum flow was 1,808 gallons on July 26, 2009. This was the first Whitewater report. It was noted that the report contained 30 pages. The typical AOS report contained 6 pages.

There was no other business.

The meeting adjourned at 8:15 PM.

Respectfully submitted,

William R. Prendergast
October 21, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF OCTOBER 14, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guest: Prescott Baston

Chairman David Schofield called the meeting to order at 7:10 PM.

During the public comment period, Prescott Baston commented that Wayland Meadows had asked the Zoning Board for approval to delete the age requirement of 55 years for the purchase of a Wayland Meadows residential unit. In addition, Wayland Meadows proposed a reduction in the number of residential units from 48 units to 32 units.

Mr. Baston asked if there was an official document certifying that Twenty Wayland would pay 70 % of the cost of a new treatment plant with the other current users paying 30 % of the cost.

Mr. Baston asked about the status of value engineering of the new plant design. He was advised that value engineering had not been accomplished.

There was no report on the status of the new treatment plant. David Schofield emphasized the need for value engineering of the design of the new plan. David Schofield commented that it would be useful to know the actual cost of constructing comparable treatment plants. He offered to contact Mark Allenwood to discuss plant design and cost.

The need for borrowing money for calendar 2010 was discussed. Prior to the meeting, John Moynihan sent a memo to the Commission recommending the amount of \$3.5 million to be borrowed for 2010 for construction of the new treatment plant. Fred Knight suggested that the Commission should not commit to borrowing for 2010 until certain conditions have been met such as documentation of the 70/30 split of the cost of the new plant with Twenty Wayland paying 70 % of the cost of the new plant and the other users paying 30 % of the cost. Fred Knight questioned the necessity for borrowing in January 2010 when the money would not be needed until at least later in 2010. The question will be forwarded to Michael DiPietro for an answer. The Commission felt that the results of the Special Town Meeting of November 17, 2009 were needed to determine the need for borrowing. The Special Town Meeting will consider a request by Twenty Wayland to amend the Memorandum of Agreement dated March 28, 2006.

It was reported that the land swap to provide land for construction of the new plant had not been accomplished.

It was reported that an easement for a sewer pipe crossing Twenty Wayland property to connect Wayland Meadows to the treatment plant had not been arranged

The minutes of the meeting of September 9, 2009 were approved with corrections.

The Discharge Monitoring Report for August 2009 was reviewed. All parameters were met for the month. The phosphorus reading was 0.09 mg/l. The average plant flow was 10,255 gallons per day with a maximum of 16,289 gallons on August 19, 2009 and a minimum of 4,326 gallons on August 16, 2009.

The following invoice was approved for payment:

William R. Prendergast - \$225.00

There was no other business.

The meeting adjourned at 8:20 PM.

Respectfully submitted,

William R. Prendergast
November 10, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF NOVEMBER 10, 2009

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Prescott Baston, Wayland resident

Linda Segal, Wayland resident

Sheilah McCarthy, sewer system user

Chairman David Schofield called the meeting to order at 7:09 PM.

During the public comment period, Prescott Baston reported that there was concern among the sewer system users about the costs that they would be required to pay. An important concern involved the cost of cleaning up the land on which the current treatment plant is located after the new plant is built and the current plant is demolished. Mr. Baston reported that some users are considering installing septic systems and leaving the wastewater system.

Mr. Baston commented on a Twenty Wayland project in Kennebunk, Maine. He reported that the project has been abandoned leaving the town with empty commercial property.

Linda Segal reported that Raytheon has scheduled a meeting for December 2, 2009 to report on the Town Center site which is former Raytheon property.

David Schofield reported that there was no change in the status of the new treatment plant. Value engineering of the design has not taken place. David Schofield will contact Mark Allenwood to discuss treatment plant design. There have been no comments from Twenty Wayland pertaining to the design of the new plant. David Schofield will contact John Moynihan concerning value engineering input from Twenty Wayland and Whitewater.

The construction schedule for the new plant was discussed. Fred Knight commented that the results of the 2009 Special Town Meeting to be held on November 18, 2009 may permit the Commission to establish a construction schedule for the new plant.

The subject of borrowing money during calendar 2010 was discussed. David Schofield pointed out that if the Special Town Meeting fails to approve Article 3 concerning an amendment to the zoning bylaws, borrowing will not be required. David Schofield pointed out that the Commission needs to see some positive action indicating that Town Center will proceed. An example of positive action would be the demolition of the existing buildings on the Town Center site.

The land swap for land on which to construct the new plant has not taken place. David Schofield will contact Mark Lanza concerning the land swap.

The easement for constructing a sewer pipe across Town Center land for the purpose of connecting Wayland Meadows to the treatment plant has not been accomplished.

The minutes of the meeting of October 14, 2009 were approved.

The following invoices were approved for payment:

Northeastern Petroleum - \$225.00

William R. Prendergast - \$200.00

Bill Prendergast distributed a financial report for FY2010 showing through October 2009 income of \$51,771.76 and expenses of \$67,697.22. The bank balance as of September 16, 2009 was \$1,332,510.73 of which \$1 million is a loan. Expenses for the new treatment plant were \$457,466.41 through September 30, 2009.

Bill Prendergast reported that KGI Properties was withholding approximately \$10,000 in user fees protesting the new structure and amount of user fees allocated to their property.

Bill Prendergast suggested that the Commission review the structure and allocation of user fees.

There was no other business.

The meeting adjourned at 8:59 PM.

Respectfully submitted,

William R. Prendergast
December 14, 2009

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 14, 2009

MINUTES

In attendance: David Schofield, Fred Knight, John Moynihan, Bill Prendergast
Ian Catlow – Tighe & Bond
Prescott Baston – Wayland resident
Anette Lewis (part time) – Wayland resident
Fred Turkington – (part time) – Town Administrator

Chairman David Schofield called the meeting to order at 7:05 PM.

During the public comment period, Prescott Baston asked if a design review of the new plant by an outside engineering company had been considered. David Schofield reported that he had spoken to Mark Allenwood about a design review. The response was that the design review could be done for about \$5,000. John Moynihan estimated that a full design review could cost about \$10,000. John Moynihan pointed to the new water treatment plant as an example of cost reduction resulting from value engineering. Ian Catlow suggested that value engineering should concentrate on the high ticket items.

David Schofield reported on the Raytheon meeting of December 2, 2009 concerning the former Raytheon property on which Twenty Wayland is planning to build Town Center.

Ian Catlow reported that the design of the new treatment plant is nearing completion. He stated that he needed a construction schedule for Town Center. John Moynihan estimated that the construction of Stop and Shop is approximately an eight month project.

David Schofield stated that a new treatment plant will be required to meet the requirements of the new permit but that the plant will not likely be built in 2010. The Commission does not have a finalized construction schedule for the new plant but has discussed scenarios that would reduce construction cost. It was reported that Stop and Shop will be the first building constructed at Town Center and that their own septic system will be used.

Ian Catlow related the actual case of a new treatment plant which had a cost estimate of \$17.5 million. Due to the depressed state of the current economy, the low bid for construction of the plant was \$14.7 million.

Fred Turkington reported that plans were in place to borrow \$3.5 million for construction of the new plant. No WWMD action was taken on this issue and both Commissioners expressed reservations about borrowing.

The planning of two meetings was discussed. The first meeting targeted for the week of January 4, 2010 would bring all interested parties together for a discussion of the scheduling of construction of Town Center. The second meeting would be the regular monthly meeting to be held on January 12, 2010. Whitewater would be invited to this meeting for a discussion of value engineering of the new plant design.

Bill Prendergast distributed a financial report showing, through November 2009, income of \$56,001.87 and expenses of \$93,996.21. He reported that he had billed approximately \$46,000 in user fees in late November.

Bill Prendergast distributed a report showing, as of December 7, 2009, a bank balance of \$1,277,562.10 including a loan of \$1.0 million.

There was no other business.

The meeting adjourned at 9:10 PM.

Respectfully submitted,

William R. Prendergast
January 12, 2010

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 12, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Ian Catlow, Tighe & Bond

David Boucher, Whitewater

Jacqueline Ducharme, Dudley Pond Association

Timothy Cornu, connection applicant

Thomas Cornu, Wayland resident

Linda Segal, Wayland resident

Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:10 PM.

Jacqueline Ducharme made presentation on behalf of the Dudley Pond Association. The objective of the Association is to preserve the integrity of Dudley Pond. She stated that the Association was thinking of transferring a parcel of land to the Commission to be used for septic purposes. The parcel contains 7.3 acres and the septic purposes would be for existing homes and not for new development.

Timothy Cornu stated that he planned to operate a car repair service at 356 Boston Post Road along with used car sales. He requested approval of a connection to the sewer system. David Schofield discussed the cost of joining the system. He estimated the Privilege Fee at approximately \$17,000. User fees would cost several hundred dollars per year. The share of the cost of the new plant would amount to several thousand dollars. These costs are in addition to the cost of making the connection. Mr. Cornu decided to investigate the possibility of providing a private septic system.

David Boucher discussed value engineering concerning wastewater treatment plants. He pointed out that the basic components are common to all treatment plants. The amount of automation varies from plant to plant. He pointed out that excessive automation removes much of the operation of the plant from the operator. Excessive automation increases the cost of the plant and makes maintenance more difficult. He used a treatment plant in Acton, MA as an example of a plant with substantial automation. He pointed out that the Acton plant had an early deadline for completion and that there was very little time available for value engineering. Mr. Boucher pointed out that the design of the new Wayland plant resembled the design of a plant in Southborough, MA which has limited automation. He pointed out that many new plants have an operator interface which includes a touch screen as does the current design.

Ian Catlow estimated the estimated the construction period for the new Wayland plant to be 14 – 16 months.

David Boucher reviewed the requirements of the new permit as they pertain to the Whitewater contract for operation of the treatment plant. The new requirements require

an increase of \$521.11 in the monthly fee. David Schofield made a motion to approve the monthly fee increase of \$521.11 the Whitewater contract. Fred Knight seconded the motion. The vote on the motion was 2 – 0 in favor.

Ian Catlow stated that John Moynihan would be handling construction insurance and that the contractor should pay the builder's risk insurance.

Ian Catlow distributed a proposed meeting agenda for a meeting involving the Commission, Town Counsel, Town Administrator, Tighe & Bond, and KGI. The purpose of the meeting is to discuss outstanding issues and informational needs related to new treatment plant project. Included in the agenda are Town Center construction schedule, land swap, easements, utility services, demolition of the existing plant, and outfall.

Demolition of the existing plant was discussed. It was clear who would pay for demolition of the existing plant.

The need for a third Commissioner was discussed. Fred Knight offered to prepare a letter to the editor of the Town Crier outlining the need and inviting interested persons to contact the Commission.

The minutes of the meeting of December 14, 2009 were approved as amended.

The following invoices were approved for payment:

- Dave Starmer disposal - \$650.00
- Organization for the Assabet River - \$792.00
- NSTAR - \$1970.84
- William R. Prendergast - \$200.00

Bill Prendergast distributed a financial report showing, through December 2009, income of \$81,649.40 and expenses of \$85,995.56. He reported that Twenty Wayland had not paid user fees of \$24,017.25 billed on November 23, 2009. He reported that the Commission had not been billed for interest on the \$1 million loan received to design the new treatment plant.

The meeting adjourned at 9:43 PM.

Respectfully submitted,

William R. Prendergast
February 9, 2010

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 9, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guest: Prescott Baston

Chairman David Schofield called the meeting to order at 7:07 PM.

During the public comment period, Prescott Baston reported that the Board of Selectmen had approved a \$3.5 million loan for the Wastewater Commission.

Prescott Baston questioned whether a current user of the system could upon leaving the system transfer his capacity to another person.

Prescott Baston questioned whether Stop & Shop planned to install their own septic system at Town Center.

David Schofield stated that the Commission should advise the Board of Selectmen that the Commission does not want the loan of \$3.5 million at the present time. The question of timing of the loan was discussed. Could the loan be received at a later time during the year? David Schofield offered to discuss the loan with Paul Keating.

At the Commission meeting of January 12, 2010, the need for a third Commissioner was discussed. Fred Knight offered to place a letter to the editor describing the need and inviting interested persons to respond. Bill Prendergast reported that an interested person, Toni Moores, had responded to Fred Turkington. Bill Prendergast reported that Toni Moores had intended to attend the meeting but illness prevented him from attending. He hopes to attend the March meeting.

The 70/30 split (Twenty Wayland pays 70 %) of the cost of the new treatment plant was discussed. The Commission concluded that confirmation of the split was required.

The status of the connection of Wayland Meadows to the sewer system was discussed. Due to the fact that the sewer pipe from the treatment plant to the boundary of Wayland Meadows property must cross Twenty Wayland property, an easement is required before the pipe can be installed.

The subject of user fees was discussed. Fred Knight made a motion to reaffirm the new method of determining user fees based 80 % on capacity and 20 % on water usage. The full text of the motion is attached along with a financial analysis. David Schofield seconded the motion. The vote was 2 – 0 in favor of the motion.

The minutes of the meeting of January 12, 2010 were approved as amended

The following invoices were approved for payment:

William R. Prendergast - \$175.00.

Bill Prendergast distributed a financial report for FY2010 through January 2010 showing income of \$86,969.24 and expenses of \$102,724.49. He pointed out that Twenty Wayland was overdue in payment of approximately \$24,000 in user fees. He stated that the next billing of user fees would occur within a few days.

David Schofield announced that the Wastewater Commission would be meeting with the Board of Selectmen on February 22, 2010. Bill Prendergast was directed to post a meeting notice for February 22, 2010 at 7:00 PM.

There was no other business.

The meeting adjourned at 8:52 PM.

Respectfully submitted,

William R. Prendergast
March 9, 2010

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MARCH 9, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Toni Moores

Prescott Baston

During the public comment period, Prescott Baston stated that he was concerned about the capacity owned by current users if some users drop out of the system with the resulting increased costs for users who remain with the system.

During discussion of the loan of \$4.5 million, Prescott Baston suggested that the Town might borrow the money from the Wastewater Commission for the purpose of avoiding an override.

Fred Knight proposed the following motion: Whereas a number of issues need to be resolved before construction of the new Wastewater Treatment Plant (WWTP) can begin, and whereas money borrowed is accruing interest paid by the users of the WWMD, the WWMDC requests of the Board of Selectmen that they consider ways to reduce the interest paid by WWMDC users. The motion was seconded by David Schofield. The vote on the motion was 2 – 0 in favor of the motion.

Fred Knight proposed the following motion: The WWMDC requests that the Board of Selectmen petition the legislature to extend the borrowing period for the WWTP from 20 to 25 years. The motion was seconded by David Schofield. The vote on the motion was 2 – 0 in favor of the motion.

Bill Prendergast was directed to forward the motions to the Board of Selectmen.

The Commission discussed the possibility of needing as much as \$2.0 million in borrowed money for calendar 2010 for construction of the new wastewater treatment plant.

Fred Knight discussed the possibility of starting construction of the new plant in calendar 2010.

The Commission agreed that the next step was for David Schofield and Ian Catlow (Tighe & Bond) to seek DEP approval of the design of the new treatment plant.

The minutes of the meeting of February 9, 2010 were approved.

The following invoices were approved for payment:

William Prendergast - \$200.00

Bill Prendergast distributed a financial report showing for FT2010 through February 2010 income of \$107,143.11 and expenses of \$136,296.60. He pointed out that payment of \$48,000 in user fees that had been billed to Twenty Wayland would have resulted in a surplus. The report showed that \$600,721.04 of the budget of \$5.6 million for the new treatment plant had been spent.

Bill Prendergast distributed a bank statement showing a balance of \$4,813,742.45 as of February 19, 2010. This balance includes a loan of \$4.5 million. And Retained Earnings of \$313,742.45.

The Commission discussed the need for a third Commissioner and suggested that the Board of Selectmen interview the two candidates for the position.

The Commission discussed the desirability of posting the meeting agenda on the Town website.

There was not other business.

The meeting adjourned at 8:35 PM.

Respectfully submitted,

William R. Prendergast
April 23, 2010.

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF APRIL 13, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guest: Prescott Baston

Chairman David Schofield called the meeting to order at 7:10 PM.

During the public comment period, Prescott Baston reported that he and other members of the Wayland Business Association had met with Town Administrator, Frederic Turkington, to discuss the benefit to the town resulting from their use of the sewer system rather than individual septic systems. Their use of the sewer system reduces the possibility of pollution of Wayland's drinking water.

Prescott Baston distributed copies of Massachusetts Schedule SC entitled Septic Credit used for claiming credit for repairing or replacing a failed cesspool or septic system. Schedule SC may be filed for income tax credit.

David Schofield reported that the Wastewater Commission would meet with the Board of Selectmen and the Town Administrator on April 26, 2010 or May 3, 2010 to discuss progress in negotiations with DEP for a connection for Twenty Wayland and other matters of interest to the Commission. David Schofield offered to contact Fred Turkington and advise the Commission of the date.

The borrowing needs of the Commission were discussed. The Commission decided to request an opinion from Town Counsel concerning the amount needed to start the project of constructing a new wastewater treatment plant.

The subject of easements needed to connect Wayland Meadows to the treatment plant. The Commission needs an easement from Twenty Wayland to install a sewer pipe across Twenty Wayland property from the treatment plant to the Wayland Meadows boundary. Wayland Meadows needs an easement from Twenty Wayland to install a sewer pipe across the access road which is Twenty Wayland property. The Commission was not aware of any request by Wayland Meadows for the easement.

The Commission decided to begin charging Wayland Meadows for user fees effective July 1, 2010. Bill Prendergast was assigned the task of determining the ownership of Wayland Meadows and to prepare a draft of a letter announcing the charging of user fees.

Bill Prendergast distributed copies of the Sewer Use Discharge Permit Application. He explained that this form is used by applicants who wish to join the sewer system. The Commission reviews the application and reaches a decision about admitting the applicant

to the system. If the applicant is admitted, the Commission issues a Sewer Use Discharge Permit which admits the applicant to the system with a specified capacity.

The Commission discussed the subject of water conservation. The Commission intends to develop a water conservation regulation. David Schofield suggested that the use of low flow toilets might be required by the regulation.

The minutes of the meeting of March 9, 2010 were approved.

Bill Prendergast distributed a financial report for FY2010. Through March 2010, Commission income was \$144,967.94 and expenses were \$139,072.48. The Commission's bank balance as of March 17, 2010 was \$4,782,782.77 of which \$4.5 million was borrowed money. As of February 28, 2010, the total spend on the new plant was \$616,731.95. The design of the new plant is approximately 99 % complete.

There was no other business.

The meeting adjourned at 8:55 PM.

Respectfully submitted,

William R. Prendergast
May 11, 2010

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 11, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast

Guests: Prescott Baston, Wayland resident

Ralph Wegener, Wayland resident

Ian Catlow, Tighe & Bond (by speaker phone)

Chairman David Schofield called the meeting to order at 7:10 PM.

Prescott Baston presented a suggested distribution of cost of the new treatment plant based partially on capacity and partially on current plant flow. The Twenty Wayland and Wayland Meadows shares of the cost were based on capacities of 45,000 and 7,200 gallons per day respectively. The share of the other users was based on current plant flow of 10,000 gallons per day. In this scenario, Twenty Wayland would pay 72 % of the cost, Wayland Meadows would pay 12 % of the cost, and the other users would pay 16 % of the cost.

Prescott Baston reported that the Wastewater Commission might be required to pay certain legal fees in connection with legal services employed to settle the appeal of the new permit by the Department of the Interior and a Sudbury resident.

Ralph Wegener reported that the business users of the sewer system had formed an ad hoc committee and had retained an attorney to discuss the cost of the new plant and the betterments that would be assigned to users. He understood that Twenty Wayland would pay 70 % of the cost of the new plant leaving 30 % of the cost for other users. He stated that the 70/30 split had been mentioned in the 2009 Town Meeting Warrant. He was attempting to locate a signed agreement pertaining to the 70/30 split.

The Articles in the 2010 Town Meeting Warrant pertaining to the Wastewater Commission were discussed and a response to potential questions was discussed.

The report of plant flow for April 2010 showed some exceptionally high plant flow numbers. The average plant flow is approximately 10,000 gallons per day. On April 1, 2010, plant flow was 61,084 gallons and on April 2, 2010, plant flow was 64,213 gallons. Plant flow did not return to normal until mid-month. There was unusually heavy rainfall at the end of March 2010. The conclusion is that non-sewage wastewater was discharged to the system. Bill Prendergast pointed out that the Rules and Regulations of the Wastewater Commission prohibit the connection of surface runoff and groundwater drains to the system. He pointed out that the Rules and Regulations provide for inspection of user premises and penalties for violation of the Rules and Regulations.

The subject of user fees was discussed. The Commission expects that there will be a small increase in user fees for FY2011. Wayland Meadows has not been assessed user fees because there is no sewer connection from the treatment plant to Wayland Meadows boundary. In order to make the connection across Twenty Wayland property, an easement

is required. Twenty Wayland has stated that they will not grant an easement until they receive their DEP connection permit.

A public hearing is required to announce fees and charges for FY2011. The Commission decided that the date of the hearing would be June 22, 2010 and directed Bill Prendergast to place a legal notice in the Town Crier.

Whitewater reported problems at the treatment plant. The aeration header piping is rotting at the water line and leaking air. The Commission agreed that David Schofield would direct Whitewater to make the necessary repairs.

Ian Catlow reported to the meeting by speaker phone. He reported that DEP considered the use of the former septage disposal facility for additional discharge as a viable concept. Mr. Catlow noted that Article 17 in the 2010 Town Meeting warrant proposed that Wayland acquire Sudbury's interest in the septage facility.

Mr. Catlow reported that DEP is reviewing the plans for the new treatment plant. He stated that there might be an issue with the Conservation Commission pertaining to the outfall.

Mr. Catlow anticipated that bid requests for the new plant would go out in mid June 2010 with a contract to be issued in mid August 2010 with construction to begin in early September.

The minutes of the meeting of April 13, 2010 were approved.

Bill Prendergast distributed a financial report for FY2010. Through April 2010, income was \$181,537.58 and expenses were \$156,336.42. He reported that the favorable surplus resulted from debt interest being approximately \$33,000 less than the budget for debt interest. New plant cost through April 2010 was \$622,766.07. The bank balance as of March 17, 2010 was \$4,782,782.77 of which \$4.5 million was borrowed.

There was no other business.

The meeting adjourned at 9:40 PM.

Respectfully submitted,

William R. Prendergast
June 9, 2010

Distribution:
David Schofield
Fred Knight
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JUNE 9, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Bill Prendergast
Ian Catlow, Tighe & Bond
Twenty Wayland: Frank Dougherty, Tony Deluca, Andy Rockette
Town Administrator: Frederic Turkington
Town Counsel: Mark Lanza
Board of Selectmen: Michael Tichnor, Thomas Fay
Director of Public Buildings: John Moynihan
Wayland residents: Anette Lewis, Prescott Baston

Chairman David Schofield called the meeting to order at 7:05 PM.

This meeting was actually two meetings. The first meeting consisted of a discussion of wastewater issues with Twenty Wayland. The second meeting was the regular monthly meeting of the Wastewater Commission.

The only wastewater issue discussed by Twenty Wayland was the 80/20 split of user fees between capacity and water usage. Beginning with FY2010, the Wastewater Commission decided that 80 % of the total user fees would be based on capacity and that 20 % of the total user fees would be based on winter water usage. With a large capacity (45,000 gallons per day) and current zero water usage, Twenty Wayland maintained that basing their user fees on 80 % of their capacity was unfair. Twenty Wayland would prefer a number lower than 80 % (such as 70 %) which would save them money. After considerable discussion, the Commission left the split at 80/20.

The subject of charging Wayland Meadows for user fees was discussed. David Schofield stated that Wayland Meadows would not be charged user fees until an easement is available to make the connection to the treatment plant. Mark Lanza reported that he had received a letter from Wayland Meadows stating that they had connected to the treatment plant. The Commission was not aware of the connection. Bill Prendergast reported that the Commission had not received a Board of Health certificate for the connection.

The regular monthly meeting of the Commission opened with public comments. Anette Lewis commented on legal fees. She reported that \$90,000 had been expended on legal fees in 2009. She commented that it may be illegal to take funds from the Commission. She commented that she does not want Wayland taxpayers to pay the Commission's legal fees. She commented that the Commission can use eminent domain to secure the easement for connecting Wayland Meadows to the treatment plant.

The Commission decided to hold the annual hearing on user fees on June 22, 2010 at 7:00 PM. Bill Prendergast was directed to post notices in the Town Crier and at Town Building.

Bill Prendergast reported that approximately \$30,000 in legal fees had been charged to the Commission's expenses. The legal fees pertained to the appeal of the new permit by the Department of the Interior and a Sudbury resident. Mark Lanza stated that the fees could be charged to the Commission. Bill Prendergast reported that there was no provision in the FY2011 budget for legal fees.

Ian Catlow reported that he and John Moynihan met with DEP concerning the design of the new plant. Ian reported that DEP felt that they design was comprehensive but that DEP had a few issues. Ian stated that he hoped to receive a letter within a week from DEP outlining the issues.

John Moynihan outlined the schedule for the new plant. The request for bids will appear in the Central Register on July 14, 2010 and in the Town Crier on July 15, 2010. Bids will be due on August 26, 2010 and the construction contract will be in place by September 30, 2010. Completion of construction will require 14 – 16 months.

David Schofield reported plant problems had not been corrected and that Whitewater was working to coordinate the repairs.

Ian Catlow asked about plans for demolition of the current plant. The response was that plans are not yet in place.

Bill Prendergast distributed a financial report for FY2010 through May 2010 showing income of \$195,383.69 and expenses of \$188,808.42.

There was no other business.

The meeting adjourned at 8:50 PM.

Respectfully submitted,

William R. Prendergast
July 14, 2010

Distribution:
David Schofield
Fred Knight
Shawn Fennelly
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JUNE 22, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Shawn Fennelly, Bill Prendergast

Guests: Frank Dougherty, Twenty Wayland

Prescott Baston, Wayland resident

Anette Lewis, Wayland resident

Linda Segal, Wayland resident

Chairman Davis Schofield called the meeting to order at 7:15 PM.

The meeting was scheduled as a hearing to decide and announce to sewer system users fee schedule for FY2011.

During the public comment period, Frank Dougherty discussed capacity issues. He stated that Twenty Wayland would not pay for user fees for a capacity of 45,000 gallons per day if DEP approved a capacity less than 45,000 gallons per day.

During the public comment period, Anette Lewis discussed legal fees that had been charged to the Wastewater Commission. She pointed out that the legal fees pertained to the appeal of the Commission's new permit and that the appeal was settled in October 2009. She questioned the purpose of the current legal fees and the amount yet to be charged to the Commission. She expressed concern that the total amount appeared to be unknown. She expressed concern that the taxpayers of Wayland might be responsible for some of the legal fees.

David Schofield reviewed the options for user fee rates for FY2011. The options were:

1. Keep the rates the same as the rates for FT2010.
2. Increase the rates by 15 %.
3. Increase the rates by 30 %.

David Schofield made a motion to keep the user fee rates for FY2011 the same as the rates for FY2010. The motion was seconded by Fred Knight. The vote on the motion was 2 – 0 in favor of the motion.

David Schofield made motion to close the hearing. The motion was seconded by Fred Knight. The vote on the motion was 2 – 0 in favor of the motion.

The meeting adjourned at 8:00 P.M.

Respectfully submitted,

William R. Prendergast
July 14, 2010

Distribution:

David Schofield

Fred Knight

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF AUGUST 11, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Shawn Fennelly, Bill Prendergast
Linda Segal, Wayland resident
Prescott Baston, Wayland resident

Chairman David Schofield called the meeting to order at 7:30 PM.

In a letter to the Commission dated August 7, 2010, Prescott Baston questioned the amount of the betterment assessed in 2000. The betterment was based on capacity and frontage. The question involves the term frontage. Mr. Baston explained that his frontage on the street is 164 feet and his frontage on the sewer line is 26.75 feet. Using the sewer line frontage, the betterment would be \$7,379.93 less than the betterment that was assessed using the street frontage. Bill Prendergast referred to a letter dated May 31, 2000 from Mark Lanza to Lana Carlsson-Irwin. The letter included the final version of the order of sewer betterment assessments and showed the sewer capacity and street frontage calculations. Mr. Lanza used the term street frontage making it very clear that frontage is street frontage, not sewer line frontage. Mr. Baston's betterment was calculated correctly in 2000 using his street frontage of 164 feet.

Linda Segal asked about the status of the negotiations with Twenty Wayland. No information was available. Ms. Segal stated that she hoped the final result of the negotiations would be suitable for all parties.

The allocation of sewer capacity to Wayland Meadows was discussed. The allocation was based on 48 two-bedroom units of elder housing at 150 gallons per day per unit for a total of 7,200 gallons per day. With the age restriction removed, the maximum number of units that could be built with a total capacity of 7,200 gallons per day would be 33 two-bedroom units.

There was no information available on permitting of the new plant. David Schofield agreed to contact Ian Catlow of Tighe & Bond to determine the status of DEP approval of the design of the new treatment plant.

Bill Prendergast read a report from John Moynihan on the construction schedule for the new treatment plant. Mr. Moynihan's report stated that notice of the request for bids will appear in the Federal register on August 18, 2010 and that a legal notice will appear in the Town Crier on August 19, 2010.

General bids for the construction of the plant will be due at 3:00 PM on September 23, 2010. Filed sub-bids will be due at 3:00 PM on September 9, 2010. The construction contract will be awarded to the lowest bidder by October 23, 2010.

Fred Knight asked if demolition of the current plant will be part of the contract. An answer was not available.

Fred Knight asked if electrical power would be available to operate both the current plant and the new plant simultaneously. David Schofield agreed to ask John Moynihan about intermediate and permanent power.

No report was available concerning the status of the Commission's water conservation regulations.

The subject of charging Wayland Meadows user fees was discussed. The Commission decided to charge user fees when a sewer line across Twenty Wayland property can be installed. David Schofield offered to contact the Wayland DPW Water Division to determine Town water usage by Wayland Meadows.

Bill Prendergast distributed and discussed the final financial report for FY2010. For the fiscal year, income was \$211,673.40 and expenses were \$214,240.13 for a deficit of \$2,566.73.

Bill Prendergast distributed a bank statement for FY2010. At the end of FY2010, the bank balance was \$4,750,375.38 of which \$4.5 million is borrowed for new plant construction leaving \$250,375.38 representing Retained Earnings.

There was no old business or new business.

The meeting adjourned at 8:48 PM.

Respectfully submitted

William R. Prendergast

Distribution:

David Schofield

Fred Knight

Shawn Fennelly

Board of selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF SEPTEMBER 22, 2010

MINUTES

In attendance: David Schofield, Fred Knight, Shawn Fennelly, John Moynihan, Bill Prendergast

Guests: Prescott Baston, Wayland resident
Frank Dougherty, Twenty Wayland
Linda Segal, Wayland resident
Rose Hattabaugh, non-resident
Craig Hattabaugh, non-resident

Chairman David Schofield called the meeting to order at 7:30 PM.

Rose Hattabaugh and Craig Hattabaugh appeared before the commission to discuss a plan for Rose Hattabaugh to open a small scale bakery in a vacant portion of the property at 310 Boston Post Road. Craig Hattabaugh described the proposed bakery which would be called Sweet Rose Bakery. There would be no customer seating. The bakery would be open six days per week. The cooking equipment would be small scale commercial equipment similar to a high end home kitchen. 1 – 2 employees would be working at any time. The question of wastewater capacity was discussed but no decision was reached. The property which can house three businesses was allocated capacity of 215 gallons per day when capacities were allocated in 2000.

John Moynihan reported that the general bids for construction of the new treatment plant are due on September 23, 2010 with the bid opening also taking place on September 23, 2010. Mr. Moynihan expects to award the construction contract during the week of November 11, 2010. Construction is expected to require 14 months for completion. The Wastewater Commission scheduled a meeting for October 6, 2010 to accept the low bidder.

The Wastewater Commission reviewed the request by Tighe & Bond for a contract amendment amounting to \$59,800 to perform services not included in the original scope of services. Services listed in the request were Fire Suppression System Design, Demolition, Plan Review, Contamination Assessment & Planning, and WWTP Elevation Change. After discussion of the request, the Commission felt the Fire Suppression System Design should have been part of the original contract. David Schofield will contact Tighe & Bond to discuss the issue. Approval of the request was postponed until the next Commission meeting.

Frank Dougherty presented Twenty Wayland's application to DEP for a connection permit for a capacity of 28,000 gallons per day with another application in August 2011 for the remaining capacity of 17,000 gallons per day. David Schofield, as Chairman of the Commission, refused to sign the application. He stated that he wished to protect the

Commission from liabilities. David Schofield stated that he was no longer able to carry out the Chairman's responsibilities as he wished and made a motion to appoint Fred Knight as Chairman of the Commission. Shawn Fennelly seconded the motion. The vote was 3 – 0 in favor of the motion. Fred Knight was appointed Chairman of the Wastewater Commission.

Fred knight made a motion to approve and sign Twenty Wayland's application for a DEP connection permit. Shawn Fennelly seconded the motion. The vote was 2 – 1 in favor of the motion. Fred Knight signed the application.

Bill Prendergast distributed a financial report for FY2011 showing through August 2010 income of \$43,314.87 and expenses of \$36,641.36.

The meeting adjourned at 9:55 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF OCTOBER 6, 2010

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast

Guests: Prescott Baston, resident

Linda Segal, resident

John Moynihan

Fred Turkington (by telephone)

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

During the public comment period, Prescott Baston asked if Twenty Wayland could veto the allocation of capacity in the wastewater system. Also, Mr. Baston commented on an article for the November Special Town Meeting. This article would rescind the authorized debt of \$27,000 intended to connect Town Building to the wastewater system. He wondered if Town Building was planning to give up their allocated capacity of 3,000 gallons per day.

John Moynihan reported on issues pertaining to the construction of the new wastewater treatment plant. He expects the land swap to take place before the second week of November 2010. Town Counsel Mark Lanza will draw up details of the land swap. He stated that Twenty Wayland has two pump stations to pump wastewater from Town Center to the treatment plant. Mr. Moynihan stated that there is sufficient electrical capacity to operate both the current plant and the new plant simultaneously. He expects to sign the construction contract no later than November 23, 2010.

John Moynihan reported that Waterline Industries submitted the lowest bid for the construction contract. The bid was \$4,135,604.00. Shawn Fennelly made a motion to award the construction contract to Waterline Industries. The motion was seconded by David Schofield. The vote on the motion was 3 – 0 in favor of the motion. John Moynihan stated that he would sign the contract the day after the land swap became effective. Mr. Moynihan estimated the total project cost for the new plant at \$5,195,784.00.

The Commission discussed the need for an easement from Twenty Wayland to connect Wayland Meadows to the treatment plant. Bill Prendergast reported that he had received a call from Brian Card of Brendon Properties, owner of Wayland Meadows. Mr. Card stated that Wayland Meadows was connected to the treatment plant and that he had been responsible for making the connection. John Moynihan offered to check whether the connection had been made.

With Fred Turkington on the telephone, the Commission discussed a letter dated June 9, 2010 to Adam Kahn (Commission attorney) from Charles N. Le Ray (Twenty Wayland

attorney) proposing a settlement agreement between Twenty Wayland and the Commission. The Commission objecting to the following conditions proposed in the agreement:

1. The flow limit of 1670 gallons per day for Wayland Meadows until Twenty Wayland receives approval for capacity of 45,000 gallons per day.
2. Until Twenty Wayland receives approval for capacity of 45,000 gallons per day, the Commission will not issue any sewer connection permits to existing or new users or allow any existing user to increase capacity allocation.

The subject of billing Wayland Meadows for user fees was discussed. Bill Prendergast suggested a billing plan. In his plan, Wayland Meadows will be billed user fees based only on capacity. As housing units are sold, capacity will be transferred from Wayland Meadows to the unit owner who will be billed based on capacity (220 gpd for a two-bedroom unit) and water usage. The suggested starting time for the billing procedure is January 2011.

Discussion of water conservation was postponed until the next meeting.

The contract amendment requested by Tighe & Bond was discussed. Approval of the request was postponed until John Moynihan discusses the request with Ian Catlow of Tighe & Bond.

Fred Knight reported that he had been advised by Fred Turkington that the Wastewater Commission would not be dissolved until the new plant is completed.

Bill Prendergast distributed a copy of a preliminary FY2012 budget showing income and expenses of \$485,375. The increase of \$207,035 over the FY2011 budget is due to debt service for the loan to build the new treatment plant. The debt service will be paid for by an increase in user fees or by user betterments.

Fred Knight reported that it is necessary for Commission members to take the examination for the new open meeting law.

The meeting adjourned at 9:22 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF NOVEMBER 10, 2010

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly (by telephone), Bill Prendergast

Guests: Prescott Baston, Anette Lewis, John Moynihan

Chairman Fred Knight called the meeting to order at 8:30 PM.

During the public comment period, Prescott Baston asked if Wayland Meadows is connected to the treatment plant. John Moynihan confirmed that Wayland Meadows is connected.

John Moynihan reported that the Town had met with Frank Dougherty of Twenty Wayland to discuss details of the land swap that is required to provide land for the new treatment plant. He reported agreement with the details.

John Moynihan reported that the new plant will use the current outfall for discharge of treated wastewater to the wetlands adjacent to the Sudbury River.

John Moynihan reported that notice of award for construction of the new plant has been sent to the successful bidder. He will send copies of the contract to the contractor to be signed. The construction schedule remains at 14 months.

Anette Lewis asked about the deadline for having the new treatment plant in operation. The response was that the deadline for meeting the permit requirements with the new plant is September 2012.

Fred Knight reported that DEP had requested evidence that treatment plant flow is 50 % of capacity.. He stated that he would produce slides that would show clearly that, over a period of 10 years, flow averages 50 % of capacity. The comment was made that, in Spring 2010, during periods of heavy rainfall there was evidence that users were sending rainwater to the sewer system in violation of the Rules and Regulations of the Commission.

A request from Tighe & Bond for a contract amendment in the amount of \$59,800.00 for work beyond the scope of the contract was discussed. David Schofield made a motion to approve the contract amendment for the amount of \$59,800.00. The motion was seconded by Shawn Fennelly. The vote was 3 – 0 in favor of the motion.

Water conservation was discussed briefly. David Schofield commented that he preferred the word “shall” instead of the word “should” in the regulations.

The question of dissolving the Wastewater Commission was discussed. The conclusion was that the Department of Public Works (DPW) could handle the responsibilities of the Commission. The Commission planned on placing an article dissolving the Commission in the warrant for Annual Town Meeting. A meeting with the Board of Selectmen was planned for December..

The meeting adjourned at 9:40 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 8, 2010

MINUTES

In attendance: Fred Knight, Shawn Fennelly, Bill Prendergast

Guests: John Moynihan

Prescott Baston

Linda Segal

Chairman Fred Knight called the meeting to order at 7:32 PM.

There was no public comment.

The land swap for building the new treatment plant was discussed. John Moynihan reported that two meetings had been held and that the land swap would be complete by December 15, 2010. The parcel identified on the Town Center drawings was accepted and approved by the Board of Selectmen. John Moynihan reported that the question of easements had been resolved.

John Moynihan reported that Waterline Industries, the low bidder for construction of the new plant, had agreed to hold their price for 30 days beyond the 60-day limit for awarding the contract. A draft agreement is under review by Twenty Wayland. John Moynihan stated that if the land swap is complete on December 15, 2010, the contract will be signed on December 16, 2010. The contractor will provide monthly progress reports.

The Commission reviewed a letter dated November 9, 2010 to Fred Turkington from the Department of Environmental Protection (DEP). The letter stated that Twenty Wayland will submit a sewer connection permit application for 45,000 gallons per day. The letter requires WWMDC to provide design plans and specifications for the construction of a sewer connection from the treatment plant to the septage facility. John Moynihan suggested that the Commission obtain a cost estimate for the design but not complete the design.

The Commission reviewed two documents concerning water conservation. One document was a set of regulations prepared by Adam Kahn of Foley Hoag.. The other document was a set of guidelines for everyday use prepared by Bill Prendergast after he consulted the towns of Natick, Framingham, and Wellesley about their guidelines for water conservation. The Commission directed Bill Prendergast to combine the documents into a single document.

The Commission discussed the subject of dissolving the Wayland Wastewater Management District Commission. Fred Knight reported that he had discussed the procedural requirements with Mark Lanza. Mark Lanza will prepare an article for Town

Meeting requesting the State Legislature to repeal the Act that created the Commission and to create an Act incorporating the Commission's responsibilities into the Department of Public works. The Commission will meet with the Board of Selectmen on December 13, 2010 to discuss the change.

The Commission discussed the assignment of user fees to Wayland Meadows. The Commission concluded that Wayland Meadows should be assigned user fees effective with the next billing and using the same formula to calculate the user fees that is used for the other users of the sewer system. Shawn Fennelly made a motion to assign user fees to Wayland Meadows effective with the next billing. The motion was seconded by Fred Knight. The vote was 2 – 0 in favor of the motion. Bill Prendergast was directed to include Wayland Meadows in the next user billing.

The meeting adjourned at 9:20 PM.

Respectfully submitted,

William R. Prendergast

Distribution:
Fred Knight
David Schofield
Shawn Fennelly
Board of Selectmen

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 19, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast, John Moynihan
Guest: Prescott Baston

Chairman Fred Knight called the meeting to order at 7:34 PM.

There was no public comment.

John Moynihan reported that the land swap for the new treatment plant is proceeding. He reported that Mark Lanza stated that the land swap should be complete in a week or two. The completion date for construction has been extended 30 days. The Wayland Assessor's office is appraising the land. John Moynihan will issue a notice to proceed to the contractor with ground breaking taking place in February. During construction, John Moynihan will bring contractor invoices to the Wastewater meeting for approval. A preconstruction meeting will be scheduled with John Moynihan and Ian Catlow (Tighe & Bond) attending along with the contractor.

In January, the Wastewater Commission will receive a new loan for \$5 million with a term of 20 years to pay for the new plant. Due to timing of the loan and the construction schedule, debt service on the new loan will be required in FY2012 while new betterments to pay for the loan will not start until FY2013.

Concerning dissolving the WWMDC, Mark Lanza has prepared an article on the subject for presentation at the Annual Town Meeting. A meeting of the WWMDC and the DPW is scheduled for January 31, 2011 to discuss the transfer of WWMDC responsibilities to the DPW.

Water conservation was discussed briefly. The Commission directed David Schofield to review the regulatory portion with Dan Bennett. Water conservation will be reviewed at the next WWMDC meeting.

John Moynihan discussed a side agreement made with Twenty Wayland. If the current buildings are used instead of building Town Center, the Wastewater Commission will pay for a pump station which will be required due to raising the new treatment plant. If construction of the pump station is done by Twenty Wayland, the Commission will pay Twenty Wayland instead of paying a contractor.

John Moynihan stated that the latest cost estimate for the new treatment plant is \$5.1 million.

The meeting adjourned at 9:35 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

.

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 9, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Bill Prendergast
Guest: Prescott Baston

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

During the public comment period, Prescott Baston suggested the installation of a flow meter to monitor the flow of wastewater from Town Center to the treatment plant. David Schofield recommended that the Commission retain ownership of the meter.

John Moynihan was unable to attend the meeting but provided a written report for the meeting. He reported that the land taking for the new plant was approved by the Board of Selectmen and that Mark Lanza had filed papers with the Land Court on Tuesday afternoon (February 8, 2011).

John Moynihan reported that he along with representatives of Tighe & Bond met with Waterline Industries, the contractor for the new plant, to discuss construction schedules, bonds and insurance, and other project related paper work. Waterline intends to mobilize on site beginning on February 14 and to begin layout and clearing the site next week.

John Moynihan reported that Waterline had submitted an invoice in the amount of \$138,843.45 for their bonds and insurance. David Schofield made a motion to authorize the payment \$139,843.45 to Waterline for their bonds and insurance. The motion was seconded by Fred Knight. The vote on the motion was 2 – 0 in favor of the motion.

It was reported that the new loan of \$5 million would be available on February 10.

DEP required that Twenty Wayland place a legal notice in a local newspaper. DEP intended to issue a connection permit to Twenty Wayland after the expiration of the legal notice and after any public comments are resolved.

The Commission reviewed water conservation and decided that two documents were required – guidelines and regulations. The Commission directed Bill Prendergast to include a copy of the guidelines with the next user billing.

Prior to the meeting, Fred Knight distributed a report on the meeting of January 31, 2011 concerning dissolving the WWMDC and transferring duties and responsibilities to the Department of Public Works (DPW). Fred Knight, Mark Lanza, and Bill Prendergast attended the meeting with DPW. Mark Lanza provided a map showing the location of WWMDC facilities including the location of the new treatment plant. There was no reluctance on the part of DPW to take on the duties of WWMDC. Don Ouellette of DPW

stated that wastewater should be part of DPW. There was a discussion of the activities of Bill Prendergast concerning sending user bills, financial monitoring, agendas, minutes, and administrative details. Also discussed were interaction with DEP and rate-setting.

The FY2012 budget was reviewed. The total amount for income and expenses is \$561,175.00. David Schofield made a motion to change two items within the budget (the operating expenses and surcharge) without changing the totals. The motion was seconded by Fred Knight. The vote on the motion was 2 – 0 in favor of the motion.

Bill Prendergast distributed a listing of the individual quarterly billing for all users of the system. The total quarterly billing is \$50,802.47. He reported that he had billed Wayland Meadows as directed by the Commission.

The meeting adjourned at 8:45 PM.

Respectfully submitted,

William R. Prendergast

Distribution:
Fred Knight
David Schofield
Shawn Fennelly
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MARCH 9, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast

Guests: John Moynihan, Prescott Baston, Anette Lewis, Fred Turkington (Part time)

Chairman Fred Knight called the meeting to order at 7:30 P.M.

Christopher D'Antonio appeared before the Commission in connection with his property at 73 Pelham Island Road. An office building is located on the property. Mr. D'Antonio stated that he is considering the demolition of the present building and replacing it with a residential building with 12 one-bedroom units. He stated that he would like to connect the new building to the sewer system. The Commission made no comment concerning his request. David Schofield pointed out that, in order to be considered for connection to the sewer system, he would be required to demonstrate to the Board of Health that he could dispose of the wastewater in the absence of the Wastewater Commission. He was advised to discuss his potential project with the Board of Health.

Prior to the meeting, the Commission received a draft of a proposed Construction and Reimbursement Agreement. The agreement would involve Twenty Wayland and the Wastewater Commission. The draft of this proposed agreement was discussed at the meeting. Under the agreement, the Commission would make several payments to Twenty Wayland and to Raytheon in connection with the new wastewater treatment plant. The estimated maximum cost of \$150,000 for a pump station was questioned. The pump station would be required in connection with the new plant if Twenty Wayland elects to use all or part of existing buildings which are now serviced by a gravity system. The agreement payment of \$50,000 to Raytheon. Also included is a payment of \$39,000 for redesigning the Town Center sewer system and for additional construction costs.

David Schofield asked if raising the elevation of the new plant would produce the need for Twenty Wayland to pump to the new plant or was pumping already needed for the original elevation. No answer was available.

John Moynihan reported that construction activities for the new plant have been started. The snow has been removed and the site is being prepared for construction. He reported that he was meeting with the contractor on March 10. He will bring contractor invoices to wastewater meeting for payment approval.

Bill Prendergast reported that the loan of \$5.0 million for construction of the new plant had been received and deposited in Commission accounts.

Fred Knight reported that an article was being prepared for Town Meeting approval for dissolving the Commission and transferring responsibility for Commission activities to the Department of Public Works.

A discussion of water conservation was deferred until the next meeting. Bill Prendergast reported that he had divided water conservation into two documents. One document contains guidelines and the other document contains regulations.

The final FY2012 budget was reviewed. Total income and expenditures for FY2012 are \$561,175.00.

Bill Prendergast distributed two financial documents. One document listed the management activities of the Commission. He pointed out that this account no longer included borrowed funds as had been the case. The balance as of March 9 was \$800,626.42 which represents Commission cash. The other account includes only financial activities relating to construction of the new plant. The balance as of March 9 was \$4,322,802.57. Bill Prendergast pointed out the amount of approximately \$680,000 that was paid from Commission funds for design of the new plant has been repaid to the Commission from the \$5.0 million loan.

The meeting adjourned at 9:35 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF APRIL 6, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast, John John Moynihan, Fred Turkington, Ian Catlow (Tighe & Bond)
Guests: Frank Dougherty, Twenty Wayland
Prescott Baston, Linda Segal, John Dyer (Wayland residents)

Chairman Fred Knight called the meeting to order at 7:33 PM.

Frank Dougherty reviewed a proposed agreement between Twenty Wayland and the Wayland Wastewater Management District Commission (WWMDC). The proposed agreement is known as the Construction and Reimbursement Agreement.

The proposed agreement states that if Twenty Wayland elects to use the existing buildings when the new treatment plant is ready for operation, Twenty Wayland will purchase and install a pump station at maximum cost of \$150,000 to WWMDC. David Schofield asked why an estimated maximum cost is stated in the agreement since WWMDC would pay for the pump station. Ian Catlow estimated maximum cost of the pump station to be \$105,000. The pump station would be required because the elevation of the new plant is higher than the elevation of the current plant and gravity feed would not work. The agreement states that, once construction is completed and operational, the pump station and a 20-foot wide easement shall be conveyed to WWMDC.

In order to accommodate the new plant, it will be necessary to redesign the Town Center sewer system. Under the agreement, WWMDC will pay \$14,000 for the redesign and \$25,000 for additional construction costs.

Under the agreement, WWMDC shall reimburse Twenty Wayland for monitoring, sampling, and discharge volume reporting costs associated with the wastewater discharge for the Wayland Town Center Project allowing Twenty Wayland to discharge sewage to the existing plant or the new plant that are specifically related to measurement of actual flows from the Wayland Town Center Project unless all existing and future WWMDC users are required to monitor, sample, and report discharge volumes with a comparable level of detail.

The agreement includes the estimated amount of \$50,000 in Raytheon costs to be paid by WWMDC.

During the discussion of the proposed Construction and Reimbursement Agreement, Fred Knight stated the Wastewater Commission was not prepared to sign the agreement at this meeting.

Frank Dougherty reported that the first building to be constructed at Town Center would be Stop & Shop. He commented that residential housing was becoming increasingly valuable.

Frank Dougherty reported that DEP would hold a public hearing concerning the connection permit for Town Center. The original permit proposed by DEP would have limited the capacity to 28,000 gallons per day. The currently proposed permit would increase the capacity to 45,000 gallons per day.

Fred Knight stated that Twenty Wayland user bills would be discussed at the next meeting of WWMDC.

Ian Catlow provided photographs of the construction site for the new plant. The photographs show that the concrete slab is in place. The contractor was scheduled to start building the walls on April 7, 2011.

John Moynihan requested approval to pay a bill from Waterline Industries for the amount of \$139,913.86. David Schofield made a motion to pay the bill. The motion was seconded by Shawn Fennelly. The vote on the motion was 3 – 0 in favor of the motion.

The Commission scheduled a public hearing for June 8, 2011 at 7:30 PM on user fees and water conservation. Bill Prendergast was directed to publish the required notices.

The Commission discussed final preparations for the Annual Town Meeting. Article 18 requests approval to dissolve the Commission and transfer duties to the Board of Public Works.

The question of requiring properties with failed septic systems to connect to the sewer system was discussed. The Commission decided to refer the question to Town Counsel for a legal opinion.

Bill Prendergast distributed a bank statement showing, as of the date of the meeting, a cash balance of \$811,695.12. He distributed a statement for new treatment plant. The balance was \$4,183,959.12 including interest of \$2,196.38. Therefore, the amount spent on the new plant was \$818,237.20.

Bill Prendergast distributed the income and expense report for FY2011 through February 2011 showing income of \$152,706.59 and expenses of \$188,166.35.

The meeting adjourned at 10:05 PM.

Respectfully submitted

William R. Prendergast

Distribution:
Fred Knight
David Schofield
Shawn Fennelly
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MAY 19, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast,
John Moynihan, Ian Catlow (Tighe & Bond)

Guest: Frank Dougherty, Twenty Wayland
Daniel Dain, Twenty Wayland Attorney
Prescott Baston, Wayland Resident
Anette Lewis, Wayland Resident
Linda Segal, Wayland Resident
Ralph Wegener, Wayland Resident
Twenty additional Wayland residents

Chairman Fred Knight called the meeting to order at 7:40 PM.

During the public comment period, Fred Knight read a letter from Ralph Wegener. In the letter, Mr. Wegener stated that he and other users of the sewer system needed a clear understanding of the various options being considered for allocating costs of the new treatment plant and any other matters that would add cost to the operation of the plant and to the users. Fred Knight advised Mr. Wegener to attend the hearing on June 8, 2011 which will discuss fees, rates, and charges.

Anette Lewis commented on the Twenty Wayland sewer connection permit and on the 1999 agreement that the Town would provide to Twenty Wayland sewer capacity of 45,000 gallons per day.

Linda Segal commented on the proposed Construction and Reimbursement Agreement between Twenty Wayland and the Wastewater Commission.

Under new plant construction, Ian Catlow provided large photographs showing the construction site and the progress. He stated that quality control testing of concrete and steel was under way and that the project was on schedule for completion within 14 months from the start of construction.

Daniel Dain made a presentation on behalf of Twenty Wayland. The presentation dealt with user fees and the 1999 agreement to provide Twenty Wayland with 45,000 gallons per day of sewer capacity. Mr. Dain pointed out that, in 2009, the Wastewater Commission changed the formula for calculating user fees. The change resulted in an increase in Twenty Wayland's assessment of more than \$50,000 per year according to Mr. Dain. He stated that, additionally, the Town and the Commission agreed in 1999 not to charge Twenty Wayland for any costs associated with providing wastewater services for others. Mr. Dain stated that considering both the governing statute and the parties' contract, the formula will not stand if challenged in court and that Twenty Wayland is prepared to do so.

Mr. Dain quoted from several letters from Twenty Wayland and letters from Town Counsel, Town Administrator, Board of Selectmen, and the Wastewater Commission. He refers to the 1999 agreement to provide capacity of 45,000 gallons per day to Twenty Wayland and asks the question "How much has been provided to date?" His answer is zero. Mr. Dain states that the formula for calculating Twenty Wayland user fees should be based on capacity of not more than 28,000 gallons per day.

Mr. Dain states "We could go straight to litigation." He states "Through litigation, Twenty Wayland will press its argument that the Commission has committed an unfair practice in its charges to Twenty Wayland and that the Commission is liable for attorney's fees and multiple damages."

Mr. Dain distributed copies of the exhibits that he used during his presentation. Included were letters from which he quoted, agreements, and portions of Massachusetts law.

Frank Dougherty stated that with the issuance of the DEP connection permit construction of Town Center would begin during the summer of 2011. In response to a question about the necessity of pumping, Mr. Dougherty described the Town Center pumping system.

John Moynihan presented an invoice in the amount of \$111,731.45 from the contractor for the new plant. David Schofield made a motion to approve payment of the invoice. The motion was seconded by Shawn Fennelly. The vote on the motion was 3 – 0 in favor of the motion.

Bill Prendergast distributed a financial report for FY2011 through April 2011. The report showed income of \$179,111.90 and expenses of \$198,718.38.

Bill Prendergast distributed a bank statement showing, as of May 9, 2011, a balance of \$807,201.05.

During the public comment period, Anette Lewis asked about the amount of the loan for construction of the new treatment plant. She was advised that \$5.6 million had been approved and that the amount of the loan was \$5.0 million.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

William R. Prendergast

Distribution:
Fred Knight
David Schofield
Shawn Fennelly
File

WWMDC Agenda for 19 May 2011

- 7:30 – Public comment
- ➔ 7:40 – Update on construction of new treatment plant
- 7:55 – ~~Ralph Wegener – discussion of user fees~~ **Delay until 8 June**
- 8:15 – Twenty Wayland – discussion of user fees
- 8:50 – Twenty Wayland – Construction/Reimbursement Agreement
- 9:15 - Hearing June 8, 2011 on user fees and water conservation
- 9:35 – Financial report
- 9:50 – Regular business, minutes
- 10:15 – Public Comment
- 10:30 – Adjourn

May-19-11

WWMDC

1

Wayland, Massachusetts

WWTP Construction Update

May 19, 2011

Presented By:

Ian Catlow, P.E., Project Manager

Progress Work



Wall Pour In Progress



Steel & Form Work



Quality Control Testing



Steel Prior to Inspection

Tighe&Bond

Schedule and Risks

■ Schedule

- Project on Schedule
- Weeks 1-4
 - » Set Elevated Slab Steel
 - » Pour Slab Concrete
- Weeks 5-8
 - » Wall Masonry
 - » Site Work
 - » Metal Stairs

■ Construction Risks

- Emergency Generator
 - » Fire Rated Enclosure Required
- Bathroom
 - » Applying for Plumbing Board Variance to Allow Single Bathroom

Tighe&Bond

WWMDC Agenda for 19 May 2011

- 7:30 – Public comment
- 7:40 – Update on construction of new treatment plant
- 7:55 – ~~Ralph Wegener – discussion of user fees~~ **Delay until 8 June**
- ➔ 8:15 – Twenty Wayland – discussion of user fees
- 8:50 – Twenty Wayland – Construction/Reimbursement Agreement
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- 9:35 – Financial report
- 9:50 – Regular business, minutes
- 10:15 – Public Comment
- 10:30 – Adjourn

May-19-11

WWMDC

5

Wayland Wastewater Management District Costs

Treatment plant costs	2008		2009		2010
	actual		actual		budgeted
1. Fixed costs					
Professional services	\$89,849		\$99,115		\$41,283
Debt service	\$29,167		\$28,919		\$29,000
Electricity	\$20,634		\$49,715		\$22,749
Capital	\$12,770		\$15,000		\$20,000
Minor Maintenance	\$4,426		\$7,171		\$1,625
Outside services	\$3,347				\$3,868
Phone, fax, alarm	\$2,560		\$2,600		\$2,822
Office supplies	\$820		\$1,000		\$904
TOTAL	\$163,573		\$203,520		\$122,251
2. Variable costs (variable with flow)					
Lab supplies and service	\$13,845		\$14,000		\$1,000
Sludge removal	\$6,375		\$7,013		\$7,714
Chemicals	\$4,875		\$5,119		\$5,375
TOTAL	\$25,095		\$26,131		\$14,088
Interest on borrowing	\$0		\$0		\$50,000
Grand Total	\$188,668		\$229,651		\$186,340
Fixed costs as % of grand total	86.70%		88.62%		89.67%

- Use of charging 80% of operating cost based on capacity (fixed costs) is substantiated based on treatment plant costs detailed here.

May-19-11

WWMDC

6

WWMDC Agenda for 19 May 2011

- 7:30 – Public comment
- 7:40 – Update on construction of new treatment plant
- 7:55 – ~~Ralph Wegener – discussion of user fees~~ **Delay until 8 June**
- 8:15 – Twenty Wayland – discussion of user fees
- ➔ 8:50 – Twenty Wayland – Construction/Reimbursement Agreement
- 9:15 - Hearing June 8, 2011 on user fees and water conservation
- 9:35 – Financial report
- 9:50 – Regular business, minutes
- 10:15 – Public Comment
- 10:30 – Adjourn

May-19-11

WWMDC

7

Construction/Reimbursement Agreement

- **Section 2 discusses the circumstance in which the Town Center is not built and the office building remains.**
 - In this case, the WWMDC is being asked to pay up to \$150k to the Developer in order to connect the existing office buildings up to the new WWTP.
- **Section 3 discusses the connection of utilities to the new WWTP under two different circumstances.**
 - If the new TC infrastructure is ready, then the WWMDC is liable for costs to connect the new WWTP.
 - If the new WWTP is ready earlier, then the WWMDC is liable for the cost of altering the utilities.
- **Section 4, the long section, considers the case where the TC proceeds and 20W installs the redesigned pumping system**
 - \$14k for design + \$25k for construction.
 - WWMDC to pay Raytheon up to \$50k for their costs incurred during the connection process.
- **Section 5 has to do with insurance.**
- **The other sections seem to be procedural matters.**

May-19-11

WWMDC

8

WWMDC Agenda for 19 May 2011

- 7:30 – Public comment
- 7:40 – Update on construction of new treatment plant
- 7:55 – ~~Ralph Wegener – discussion of user fees~~ **Delay until 8 June**
- 8:15 – Twenty Wayland – discussion of user fees
- 8:50 – Twenty Wayland – Construction/Reimbursement Agreement
- ➔ 9:15 - Hearing June 8, 2011 on user fees and water conservation
- 9:35 – Financial report
- 9:50 – Regular business, minutes
- 10:15 – Public Comment
- 10:30 – Adjourn

Factors Affecting FY2012 WWMDC Budget

- Operating costs continue to be less with new contractor (Whitewater)
- Original betterments continue
- Borrowing for new Waste Water Treatment Facility completed
 - Finance Director deemed the borrowing climate best
 - WWMDC agrees to borrow for 20 years
 - New betterments cannot be charged until WWTF completed
 - Certified retained earnings applied as budget offset
 - Surcharge for FY2012 required
- Bottom line
 - Operating cost will be greater for FY2012
 - Effectively, payments for the new WWTF start in FY2012
- Mitigation
 - For next couple years, more retained earnings will be used to offset betterment cost
- Town Meeting passed budget for FY2012 (see next slide)

Wayland Wastewater Management District FY2012

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION			
FY2012 BUDGET			
INCOME	Account	Approved FY2011	Requested FY2012
CATEGORY			
Receipts	42105	232,170.00	203,210.00
Old betterment			
Principal	47501	24,180.00	24,180.00
Interest	47502	12,090.00	10,881.00
New betterment			
Principal	47501		
Interest	47502		
Bank interest	48210	8,400.00	2,400.00
Retained Earnings			200,000.00
Surcharge			120,504.00
Penalties	41750	1,500.00	
Total		278,340.00	561,175.00
Expenses			
Prof. Services	52101	70,000.00	70,000.00
Operating expenses	52151	68,000.00	68,000.00
Maint./repair	52115	10,000.00	10,000.00
Capital enpenses	58504	0.00	0.00
Old debt			
Principal	59100	25,990.00	23,518.00
Interest	59150	4,350.00	6,657.00
New debt			
Principal	59100		175,000.00
Interest	59105	100,000.00	208,000.00
Other			
Total		278,340.00	561,175.00
William R. Prendergast February 10, 2011			

10% decrease in operating cost

Continuing original betterments

Use of certified retained earnings

Required surcharge due to new loan interest and principal

First year of principal and interest for new WWTP bond

Tentative Agenda for 2011 June 8 Hearing

- **Status of WWMD funds**
- **Loan for new Waste Water Treatment Facility (WWTF)**
- **Next year's budget**
- **Users' fees and surcharge for FY2012**
- **Look ahead to FY2013-FY2015**
- **Future**

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JUNE 8, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, Bill Prendergast, John Moynihan

Guests: Frank Dougherty (Twenty Wayland)
Linda Segal (Wayland resident)
Anette Lewis (Wayland resident)
Prescott Baston (Wayland resident)

Chairman Fred Knight called the meeting to order at 8:45 PM.

During the public comment period, Prescott Baston distributed spread sheets pertaining to user fees. Using the current user fees, he calculated the water usage rate with the entire fee supported by only water usage. The rate varied from user to user. He was advised that user fees were calculated using a combination of capacity and water usage. He was assured that the same rates applied to all users.

John Moynihan reported that construction of the new treatment plant was proceeding according to schedule. John Moynihan presented an invoice from Waterline Industries, contractor for the new plant, in the amount of \$216,733.95. Shawn Fennelly made a motion to approve payment of the invoice. The motion was seconded by David Schofield. The vote on the motion was 3 – 0 in favor of the motion.

The location of the outfall pipe from the new plant was discussed. The Commission agreed that the pipe should go to the Sudbury River. John Moynihan stated that he would work out the details of the pipe location with the contractor. He pointed out that permission to take the pipe to the river would be required from the Massachusetts Highway Department and from the Wayland Conservation Commission.

Town Center pump station #3 was discussed. John Moynihan pointed out that the new plant was not designed for gravity flow from the users to the plant. He pointed out that WWMDC would benefit by owning the pump station. With the higher elevation of the new plant, current users might experience difficulty getting their wastewater to the new plant. Legal action on the part of users might result. By owning the pump station, these potential problems would be avoided for an amount of \$39,000. Shawn Fennelly made a motion to approve the expenditure of \$39,000 for ownership of pump station #3. The motion was seconded by Fred Knight. The vote on the motion was 2 – 1 in favor of the motion.

Fred Knight: Yes

Shawn Fennelly: Yes

David Schofield: No

David Schofield made a motion to pay the amount of \$14,000 for the pump station immediately with payment of the remaining \$25,000 upon completion of the new plant.

The motion was seconded by Shawn Fennelly. The vote on the notion was 3 – 0 in favor of the motion.

The minutes of Commission meetings of January 19, 2011, February 9, 2011, March 9, 2011, and April 6, 2011 were reviewed. Copies of the minutes with corrections were given to Bill Prendergast for updating. Shawn Fennelly made a motion to approve these minutes with corrections. The motion was seconded by David Schofield. The vote on the motion was 3 – 0 in favor of the motion.

The Commission scheduled the continuation of the hearing on rates, fees, and charges for Wednesday, July 20, 2011 at 7:30 PM at the Wayland Town Building. Bill Prendergast was directed to publish the required notice in the Wayland Town Crier.

Fred Knight distributed two spreadsheets showing user fees for all users. One spreadsheet listed the user fees with Twenty Wayland's fees calculated using capacity of 45,000 gallons per day. On the second spreadsheet, fees were calculated with capacity of 28,000 gallons per day for Twenty Wayland.

The Commission's budget for FY2012 includes a surcharge of \$120,504.00. The Commission decided to add 25 % of the surcharge to each quarterly user invoice for FY2012. The amount for each user will be based on capacity.

The Commission scheduled the August meeting for Wednesday, August 3, 2011.

Bill Prendergast distributed a financial report for FY2011 through May 2011. The report showed income of \$185,218.42 and expenses of \$214,050.05. He reported that the bank statement and the statement of new plant finances were not yet available through May 2011. He stated that he would advise the Commission when he received the statements. He commented that Twenty Wayland owed approximately \$75,000 in user fees and interest.

During the public comment period, Mike Lowery commented on the reuse of treated wastewater by Town Center.

Although an executive session was not originally scheduled for this meeting, the chair requested one due to the release of the DEP permit on 7 June 2011. This release provided new information concerning potential litigation by Twenty Wayland. A handwritten entry to the agenda posted in Town Building was made in the daytime of 8 June 2011 and a revised agenda was posted on the Town website before the meeting.

At 10:00 PM, Shawn Fennelly made the following motion: I move that the Wastewater Management District Commission go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the Commission. The motion was seconded by David Schofield. The roll call vote was 3 – 0 in favor of the motion.

David Schofield: Yes

Shawn Fennelly: Yes

Fred Knight: yes

At 10:45 PM, David Schofield made a motion to return to open session. The roll call vote was 3 – 0 in favor of the motion.

The meeting adjourned at 10:45 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JULY 13, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, John Moynihan, Bill Prendergast

Guests: Anette Lewis, Wayland resident
Linda Segal, Wayland resident
Prescott Baston, Wayland resident

Meeting location: Wayland Town Building

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

During the public comment period, Linda Segal asked about grants to help pay for the new treatment plant. John Moynihan reported that WWMDC had been unable to secure a grant. He commented that there were some costs associated with a grant if a grant had been approved.

John Moynihan reported that construction of the new treatment plant is on schedule. He presented several photographs showing the current stage of construction. He reported that total cost through June 30, 2011 was 18 % of the estimated cost of constructing the plant. He stated that permission from the Massachusetts Highway Department would be required for the location of the outfall pipe.

John Moynihan requested approval of the Commission to pay a contractor invoice in the amount of \$143,271.40 in new plant construction costs. Shawn Fennelly made a motion to approve payment of the invoice. David Schofield seconded the motion. The vote on the motion was 3 – 0 in favor of the motion.

The minutes of WWMDC meetings of June 8, 2011, May 19, 2011, December 8, 2010, November 10, 2010, October 6, 2010, and September 22, 2010 were reviewed and corrections and additions were made. Fred Knight made a motion to approve these minutes with corrections and additions. Shawn Fennelly seconded the motion. The vote was 3 – 0 in favor of the motion. Bill Prendergast was directed to make the corrections and additions.

The Commission rescheduled the August 2011 meeting from August 3, 2011 to August 17, 2011.

The Commission scheduled a hearing on the FY2012 user surcharge for September 7, 2011 at 7:30 PM. Posting in the Town Crier is required.

The Commission received a copy of a complaint not yet filed with the Office of the Attorney General by George Harris, Wayland resident and former Selectman. He states in the complaint that this is a complaint that the Wayland Wastewater Management District Commission violated the Open Meeting Law, G L c 30A, sections 18 – 25, when a quorum improperly convened an executive session at its meeting of June 8, 2011. Fred Knight distributed an agreement proposed by Mark Lanza to resolve the complaint. The terms of the agreement are:

1. The WWMDC admits that it did not comply with the requirements of the Open Meeting Law in failing to give timely public notice of its anticipated executive session to discuss strategy with respect to potential litigation by Twenty Wayland, LLC.
2. The WWMDC corrects the 6/8/2011 meeting minutes and agrees to keep accurate minutes in the future, and
3. The WWMDC agrees to comply with the Open Meeting Law when entering executive sessions in the future.

Fred Knight made a motion to approve the terms of the proposed agreement. The motion was seconded by Shawn Fennelly. The vote was 3 –0 in favor of the motion.

Fred Knight: Yes

David Schofield: Yes

Shawn Fennelly: Yes

The Commission prepared for the public hearing on July 20, 2011 at 7:30 PM on its schedule of fees, rates, and charges. At the hearing, the Commission will discuss:

1. Rates based on Twenty Wayland capacity of 28,000 gallons per day and capacity of 45,000 gallons per day.
2. Commission funds
3. The loan of \$5.0 million to pay for the new treatment plant.
4. Next year's budget
5. User fees and surcharge for FY2012

Bill Prendergast reported that the final financial report for FY2011 was not available.

During the public comment period, Anette Lewis requested and received an explanation of the calculation of user fees.

At 10:00 PM, Shawn Fennelly made the following motion: I move that the Wastewater Management District Commission go into executive session pursuant to Massachusetts General Laws Chapter 30A, section 21 (a) (3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the Commission. The motion was seconded by David Schofield. The roll call vote was 3 – 0 in favor of the motion.

David Schofield: Yes

Shawn Fennelly: Yes

Fred Knight: Yes

Fred Knight announced that an executive session was necessary to discuss potential litigation by 20W concerning operating expenses and betterments and that discussion in open meeting would jeopardize the legal position of the WWMDC. Joining the WWMDC members and executive officer were Joe Nolan, Tom Fay, Mark Lanza, and Fred Turkington via telephone. Fred Knight announced that the WWMDC would return to open session following the executive session only to adjourn the WWMDC meeting.

The meeting adjourned at 11:17 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Shawn Fennelly

Board of Selectmen

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF AUGUST 24, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Shawn Fennelly, John Moynihan, Bill Prendergast
Ian Catlow, Tighe & Bond
Anette Lewis, Wayland Resident
Prescott Baston, Wayland Resident

Meeting location: Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

Ian Catlow presented several photographs showing the current construction status of the new wastewater treatment plant. The drawings showed that the insulation and sheathing were complete. One of the photographs showed sandblasting for tank lining. Ian reported that equipment for the plant was due to arrive in early September. He reported that construction was on schedule. Ian showed on the photographs the location of the outflow pipe and the easements. He drew the location of the inflow pipe.

John Moynihan reported that all utilities for the plant and for Town Center will be underground.

John Moynihan presented for approval an invoice of \$110,309.25 from Waterline Industries and an invoice of \$54,771.52 from Tighe & Bond for the new plant. David Schofield made a motion to approve these invoices for payment. Fred Knight, David Schofield, and Shawn Fennelly voted in favor of the motion.

John Moynihan presented Wastewater Treatment Plant Budget Summary which showed a Waterline Industries contract amount of \$4,135,000.00 with a balance to complete amount of \$3,274,596.64 and a Tighe & Bond contract amount of \$339,200.00 with a balance to complete of \$137,426.99.

Fred Knight reported that DEP is reluctant to give Twenty Wayland a connection permit for the full capacity of 45,000 gallons per day that was granted under the 1999 agreement. DEP has issued a connection permit to Twenty Wayland for capacity of 28,000 gallons per day under Phase 1. Twenty Wayland wishes to prove that they have access to capacity of 45,000 gallons per day.

Ian Catlow has developed a plan whereby the average daily plant discharge would be increased from the current permit limit average of 52,000 gallons per day to an average daily limit of 104,000 gallons per day. To accomplish this increase, he would use a leaching field adjacent to Town Building. The leaching field would be used only if

necessary to accommodate an increased flow. Fred Knight suggested that he could write a letter to DEP to determine if they are amenable to the use of a leaching field. David Schofield made a motion authorize Fred Knight to prepare a letter to DEP to determine if DEP is amenable to the use of the leaching field. Shawn Fennelly seconded the motion. The motion was approved with Fred Knight, David Schofield, and Shawn Fennelly voting in favor of the motion.

The minutes of Commission meetings of May 11, 2010, June 9, 2010, June 22, 2010, August 11, 2010, and July 13, 2011 were reviewed and corrections were made. Shawn Fennelly made a motion to approve the corrected minutes. David Schofield seconded the motion. The vote was 3 – 0 in favor of the motion with Fred Knight, David Schofield, and Shawn Fennelly voting in favor of the motion.

Preparation for the hearing of September 7, 2011 on the FY2012 surcharge to be assessed on system users was discussed. The Commission decided that the surcharge would be assessed in equal amounts as an addition to the user fees on the next three billings in FY2012. The amount for each user will be based on capacity. The surcharge will not be assessed to Town Building and the Public Safety Building.

Bill Prendergast distributed a final financial report for FY2011. The report showed income of \$170,692.39 and expenses of \$224,652.49 for a deficit of \$53,960.10. He reported that the deficit was due to the failure of some users to pay user fees.

Bill Prendergast distributed a financial report for FY2012 showing income of \$7,806.39 and expenses of \$29,602.86 through July 2011.

The meeting adjourned at 9:15 PM.

Respectfully submitted,

William R. Prendergast

Distribution:
Fred Knight
David Schofield
Shawn Fennelly
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF October 19, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, John Moynihan

Absent: Bill Prendergast

Guests: None

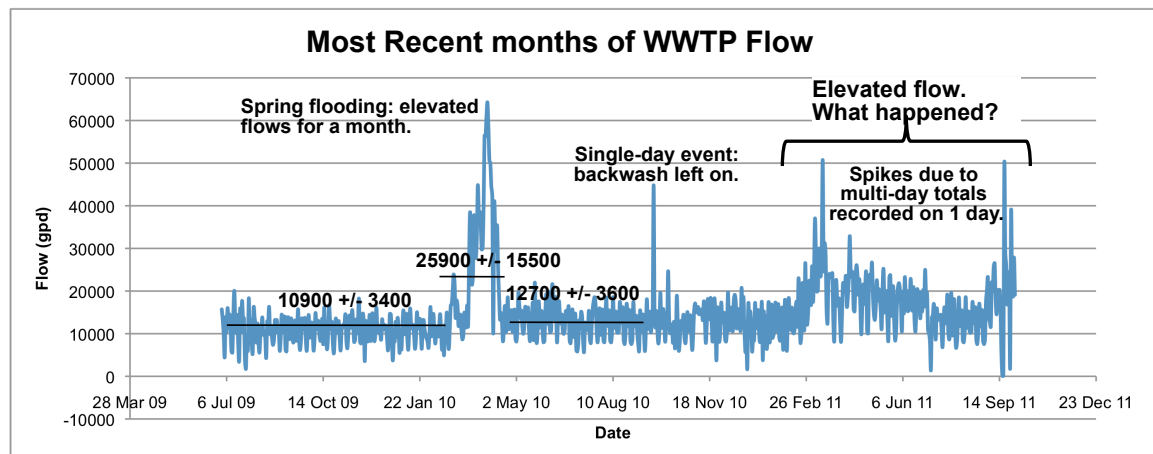
Meeting location: Wayland Town Building, Large Hearing Room

Chairman Fred Knight called the meeting to order at about 7:40 PM.

There was no public comment.

There were two topics for discussion at this special meeting of the WWMDC.

1. Evaluation of proposal and potential approval for hydro-geo study and permitting of leaching field at the Town Building to provide more capacity for effluent from the WWTP. This is to motivate the DEP to increase the allocation of capacity for the Town Center to 45,000 gpd using an alternative ground-water-discharge proposal. For background, see the White Paper in the documents section of the web site:
http://www.wayland.ma.us/Pages/WaylandMA_BComm/Wastewater/Documents/2011-08-DEPWaylandWWMDCWhitePaper.pdf. Note that the amount of proposed capacity is unknown at this time and will be determined after the hydro-geo study is complete.
2. Discussion of the situation of increased flow in the system over the past couple years as noted in the diagram. Up until the flooding of the Spring of 2010, daily



fluctuations were small. There was a slight increase (+1800 gpd average) in daily flow after the flooding. Then in February 2011 large increases started to occur. After February 2011, daily totals have been ranged up to 29,000 gpd. Of importance is the average flow over 3-12 months, depending on what period DEP

deems relevant to our operation with respect to increasing 20W's permitted capacity. There is a need to understand the origin of the significant increases since Feb 2011.

The Tighe & Bond proposal for the proposed leaching field at the Town Building has three tasks shown below.

TABLE 1
Fee Breakdown

Task	Labor Fee	Expenses	Total
1. Discharge Feasibility Evaluation	\$6,400	\$500	\$6,900
2. Hydrogeologic Evaluation	\$18,200	\$8,000	\$26,400
3. Groundwater Discharge Permit Application	\$2,600	--	\$2,600
TOTAL			\$35,900

Before discussing the details of the proposal from Tighe & Bond in item 1, discussion centered on finding an explanation of the increased flows over the past couple years, especially since February, 2011. John Moynihan explained that the increase was not due to the Public Safety Building, whose basement floor drain is actually connected to the wastewater pipe. John explained that water from the basement drain would only contribute if the basement floor was flooded, which has not occurred since April 2010. Thus, we should look elsewhere for an explanation of increased flows. The commissioners made suggestions for the cause(s) of the increases, but no cause could be definitely stated. John suggested that adding a flow meter to each user's outflow pipe was the only way to determine for certain the origin(s) of the extra flow. Flow meters are presumed to be costly (no estimates were available) and could be paid for using retained earnings or as an extra assessment.

The difficulty with this increased flow is that the addition of flow from 20W, assumed to be 50% of the 45,000 gpd capacity per Title V foundation, might put us over the 80% limit that DEP is going to apply to our new permit. Reasoning went like this. DEP might require that if our aggregate flow exceeds 80% of the current permit of 52,000 gpd average annualized flow, the new leaching field would have to be built at significant cost. There is no estimate yet, but the field's cost is assumed to be in the \$750k to \$1M range. Thus, in order to avoid the costly field construction, we need to stay below 41,600 gpd (80% of 52,000 gpd) averaged over 90-365 days, the averaging time range mentioned by DEP in initial conversation with them. With our previous flow (pre-2010 spring) of 11,000 gpd plus 22,500 gpd from 20W, the total would be 33,500 gpd, and we would still be under this limit. If the new level of ~20,000 gpd was added to the 22,500, the total might exceed 41,600 gpd and trigger the building of the leaching field. In summary, the WWMDC wants to proceed with the engineering design of the new leaching field in order to motivate DEP to grant the remainder of flow from 20W, but the WWMDC is wary that if flows remain at their current level, due to unknown causes, the leaching field will have to be built at significant cost to users.

In order to keep moving forward on the engineering design and, in parallel, consider how to deal with the mysterious increased flows, two decisions were made.

Motion by David Schofield, seconded by Sam Potter: Approve tasks 1 and 2 of the Tighe & Bond proposal but not the permitting of the new field with DEP (task 3). These are

1. Preliminary Site Evaluation: approved at a cost of \$6,900.
2. Hydrogeologic Evaluation: approved at a cost of \$26,400.
3. Groundwater Discharge Permit Application: not approved due to the WWMDC wanting to revisit the question of permitting before going to DEP.

Vote 3-0 in favor.

Motion by Sam Potter, seconded by David Schofield: Have Fred Knight and David Schofield investigate independently the purchase and installation of flow meters on all the WWMD users and report back to next WWMDC meeting (2011 Nov 9).

Vote 3-0 in favor.

Because of Bill Prendergast's absence, there were no minutes to approve.

The meeting adjourned at about 8:50 PM.

Respectfully submitted,

Fred Knight

Distribution:

Fred Knight

David Schofield

Sam Potter

Board of Selectmen

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF NOVEMBER 9, 2011

MINUTES

In attendance: Fred Knight, Sam Potter, David Schofield, Bill Prendergast

Guests: Anette Lewis, Wayland resident

Prescott Baston, Wayland resident

Location of meeting: Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

Prescott Baston commented that it might be possible that there was inflow of rainwater from the Public Safety Building.

Prescott Baston commented on the non-payment of user fees by Twenty Wayland. Bill Prendergast reported that Twenty Wayland had recently paid approximately \$103,000.00.

Fred Knight showed a graph of flow through the wastewater treatment plant. From July 2009 through January 2010 the average flow was 10,900 gallons per day with small daily variations. During the Spring of 2010 with Spring flooding, a peak flow exceeding 60,000 gallons was recorded. The excess flow may have come from the Public Safety Building. It was apparent that there was flow other than normal wastewater. The flow from February 2011 through September 2011 showed large variations. It was noted that, if the average flow reaches 40,000 gallons per day, the need for additional disposal will be triggered.

Tighe & Bond is preparing a proposal for a leaching field at Town Building. A message from John Moynihan reported that the WWMDC is not required to competitively bid this work. The cost of preparing the proposal is \$35,900.

The Commission discussed the possibility of monitoring individual user discharge to the system. The cost for individual flow meters for user monitoring was estimated to be \$3000 - \$4000 per meter.

The possibility of a financial penalty being assessed to users who discharge other than normal wastewater was discussed. An example of prohibited discharge is rainwater from a flooded basement. David Schofield made a motion to assess a penalty up to \$2,000 per violation for violating WWMDC regulations pertaining to discharge to the system. Sam Potter seconded the notion. Fred Knight, David Schofield, and Sam Potter voted in favor of the motion. There were no votes against the motion.

David Schofield made a motion to allow Chairman Fred Knight to draft a letter to users explaining the penalty for prohibited discharge to the system. Sam Potter seconded the

motion. Fred Knight, David Schofield, and Sam Potter voted in favor of the motion. There were no votes against the motion.

The minutes of the meeting of October 19, 2011 were reviewed. Fred Knight made a motion to approve these minutes. David Schofield seconded the motion. The vote was 3 – 0 in favor of the motion.

Bill Prendergast reported that, as of October 11, 2011, the remaining balance of the \$5.0 million loan to pay for the new treatment plant was \$2,235,268.74.

Bill Prendergast reported that the Commission's bank balance as of October 11, 2011 was \$803,973.83. The recent payment of approximately \$103,000 by Twenty Wayland was not included in the balance.

Bill Prendergast distributed a budget report for FY2012 through October 2011. The report showed income of \$36,620.78 and expenses of \$50,459.26.

The meeting adjourned at 9:10 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Sam Potter

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 7, 2011

MINUTES

In attendance: David Schofield, Sam Potter, John Moynihan, Bill Prendergast

Guests: Anette Lewis, Wayland Resident

Linda Segal, Wayland resident

Prescott Baston, Wayland resident

Ian Catlow, Tighe & Bond

Location of meeting: Wayland Town Building

Acting Chairman David Schofield called the meeting to order at 7:35 PM.

Anette Lewis requested copies of all Wastewater contracts. John Moynihan reported that copying of the contracts was in process.

Ian Catlow reported some very preliminary observations concerning a possible leaching field adjacent to Town Building. He used maps and drawings to illustrate the observations. He reported relatively high groundwater at 2.5 to 3.5 feet below the ground surface. Based on test results, he listed potential issues that could impact leachfield feasibility:

1. The shallow depth to groundwater would result in mounding of a proposed leachfield.
2. DEP regulations require designers to perform percolation testing on the soil stratum that is expected to receive the proposed discharge.
3. DEP regulations require 4 feet of native material capable of passing a percolation test.

Mr. Catlow emphasized that the observations were preliminary and that about one month would be required to complete the study. He suggested another possibility for disposal of treated wastewater. The wastewater might be discharged by means of irrigation of the playing fields.

An engineer from Tighe & Bond reported on the status of construction of the new treatment plant. Most of the exterior work is complete. Equipment is being installed. Some painting has been completed. Testing will begin by the end of January 2012.

Jon Moynihan presented two contractor invoices for payment approval. The amount of the invoices was \$204,327.23 from Waterline for construction and \$21,376.46 from Tighe & Bond for construction administration. Sam Potter made a motion to approve payment of the invoices. David Schofield seconded the motion. The vote was 2 – 0 in favor of the motion.

The water problems of the Public Safety Building were discussed. John Moynihan reported that there were three sump pumps in the basement of the Public Safety Building. He stated that the plumbing code requires a connection from these pumps to a sewer.

David Schofield suggested a discussion of the Public Safety Building water problems with the Board of Selectmen.

The problem of unauthorized discharge of storm water to the sewer system was discussed. David Schofield made a motion to authorize the monitoring of wastewater flow discharged from Wayland Commons properties at a cost not to exceed \$10,000. Sam Potter seconded the motion. The vote was 2 – 0 in favor of the motion.

Under water conservation, David Schofield offered to discuss the subject with Dan Bennett and report at the next meeting.

The minutes of the meeting of November 9, 2011 were approved with corrections. The minutes of the meeting of September 7, 2011 were reviewed and corrections were suggested. A vote could not be taken because there was not a quorum of Commissioners who attended that meeting. Approval was deferred until the next meeting.

Bill Prendergast distributed a financial report showing a bank balance of \$939,465.82 as of December 5, 2011. He pointed out that no loan money was included in this balance. Loan money is reported in separate reports.

The meeting adjourned at 10:03 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight

David Schofield

Sam Potter

Board of Selectmen

File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF DECEMBER 21, 2011

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast

Guests: Anette Lewis, Wayland resident

Prescott Baston, Wayland resident

Location of meeting: Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

Prior to the regular meeting a hearing on illegal use of the wastewater system was scheduled. The meeting notice and a letter concerning illegal use of the system was mailed to all users prior to the meeting. Fred Knight discussed the proposed penalty of a civil fine of \$2000 for each illegal use of the system. None of the system users attended the meeting. At 7:44 PM, Sam Potter made a motion to close the hearing. David Schofield seconded the motion. The vote was 3 – 0 in favor of the motion.

The Commission discussed the problem of illegal use of the wastewater system. Illegal use includes the discharge of storm water to the system. Sump pumps and basement floor drains could be the source of illegal use of the system. The Commission decided to inspect user facilities for the presence of sump pumps and floor drains and the route of discharge from the sump pumps and floor drains. David Schofield agreed to search for a plumber or other person to perform inspection of user facilities. The Commission will advise users by letter concerning the inspection and the date of inspection. David Boucher of Whitewater has agreed to provide a report of the amount of discharge to the sewer system over a period of 30 days from the Wayland Commons housing development.

The Commission postponed a discussion of the operating cost of the new treatment plant until a report is received from Ian Catlow of Tighe & Bond.

A review of the water problems at the Public Safety Building was postponed due to the absence of John Moynihan.

Fred Knight reported on the study by Tighe & Bond of the possibility of using the playing field adjacent to Town Building for a leaching field to increase the capacity of the treatment plant. With an increase in capacity, Twenty Wayland could request from DEP an increase in the permitted discharge from Town Center from 28,000 gallons per day to 45,000 gallons per day.

The subject of water conservation was discussed. David Schofield reported that Dan Bennett has not received from Twenty Wayland an application for a water permit for Town Center. The Commission's Water Conservation Regulations were reviewed. David

Schofield suggested an amendment to the regulations. After some discussion, David Schofield made a motion to approve the amended regulations. Sam Potter seconded the motion. The vote was 3 – 0 in favor of the motion.

The minutes of the meeting of September 7, 2011 were reviewed. David Schofield made a motion to approve the minutes. Fred Knight seconded the motion. The vote on the motion was 2 -,0 in favor of the motion. (Note: Sam Potter was not a member of the Commission on September 7, 2011.)

The minutes of the meeting of December 7, 2011 were reviewed. Fred Knight made a motion to approve the minutes with corrections. Sam Potter seconded the motion. The vote was 3 – 0 in favor of the motion.

Bill Prendergast distributed two financial reports. The first report showed a bank balance of \$942,255.30 as of December 20, 2011. The second report showed a balance of \$1,764,047.90 remaining from the loan of \$5.0 million for construction of the new treatment plant. The date of the balance was December 12, 2011.

At 9:05 PM, David Schofield made a motion to go into executive session:

I move that the Wastewater Management District Commission go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the Commission.

Sam Potter seconded the motion. The chair declared that discussion of strategy in open meeting with respect to litigation between Twenty Wayland, LLC and the Commission and the Town of Wayland over sewer use charges as filed in court may have a detrimental effect on the litigating position of the Town.

The roll call vote was 3 – 0 in favor of the motion.

David Schofield: Yes

Sam Potter: Yes

Fred Knight: Yes

The chair invited Executive Director Bill Prendergast to attend to record minutes of the discussion.

At 9:30 PM, Fred Knight made a motion to end the executive session. Sam Potter seconded the motion. In a roll call vote, Fred Knight, David Schofield, and Sam Potter voted to end the executive session.

On the return to open meeting, the meeting adjourned at 9:35 PM.

Respectfully submitted,

William R. Prendergast

Distribution:

Fred Knight
David Schofield
Sam Potter
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF JANUARY 11, 2012

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast

Guests: Anette Lewis, Wayland resident

Cherry Karlson, FinCom

Linda Segal, Wayland Resident

Location of meeting: Wayland Town Building

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

7:30 1. Public comment, none, Linda recording meeting

7:35 2. FY2013 budget with Cherry Karlson, and hearing on next year's budget for 8 Feb 2012

Discussion of budget with Cherry Karlson

- Question of whether \$175k is too little on income side; fudge is use of retained earnings
- Verified the new debt interest and principal
- Question of whether old debt is calculated properly
- Possible disagreement between MUNIS and our sheet: line item of \$15k

7:57 3. Construction update and approval of invoices:

- Construction is 65% complete.
- Waterline has not paid for temporary electric service, permanent electric service submitted to NStar \$5,600 due from Waterline, coordination mtg electricity primary route will just be to edge of our property, so utilize it ultimately when installed by 20W
- Gas service needed to heat new WWTP. We tell Nat'l Grid what we need; they decide how to give us what we need.
- Invoice #2: T&B hydrological study: \$5,310, through 2011-11-26, Schofield move; Potter seconds; vote 3-0, approved
- Invoice #1: T&B professional services, new construction, through \$12,705.50 2011-10-30 through 2011-11-26 \$209,054 of the total \$339,200 Potter moves; Schofield

- second; vote 3-0, approved
 - Invoice #3: Waterline invoice #10, through 2011-11-30, reviewed by John and Ian, \$204,327.23 \$4.136M; balance \$1.035M Discussion: warranty 1 year from substantial completion. Schofield moves; Potter second; vote 3-0, approved
- 8:16 4. Letter to DEP: conservation measures and excess flow;
- Knight will put draft on the web site,
 - Mark Lanza to review before sending
- 8:19 5. Capacity increase, leaching field (Town Building); we will include appendix of Ian's update in the minutes
- 8:20 6. Flow meter input from Wayland Commons,
- Cooperation from Giblin for pump specification. Whitewater to start monitoring.
- Preparation for inspections during the week of 23-27 January 2012
- Discussed draft report form, written by Schofield
 - There are interested vendors.
 - Schofield to pursue and select a vendor.
 - Price needs to be under \$10k.
- 8:34 7. Discussion and approval of any ATM articles;
- none
- 8:35 8. Approval of minutes from previous meetings, if any
- 2011-12-21: "building fitouts" replace "water permits" in last paragraph on first page
 - Knight moves; Potter seconds; vote 3-0, approved
- 8:40 9. Financial report, if any; none
- 8:41 10. Calendar: upcoming meetings
- Regular meeting: 2012-02-08,
 - invite Ian Catlow from T&B,
 - includes budget hearing to discuss and make final approval of budget
- 8:43 11. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any,
- none
- 8:43 12. Public comment
- Anette Lewis: all costs need to be included in WWMDC, including John Moynihan's time, She suggests a current

year transfer and within budget in the future

- Linda Segal: suggestion that notion for John Moynihan's time be discussed with BofS before ATM warrant is finalized

8:54 13. If needed, executive session to discuss litigation,

- none

8:54 14. Adjourn

- Schofield moves, Potter seconds; vote 3-0, approved

On the return to open meeting, the meeting adjourned at 8:54 PM.

Respectfully submitted,

Fred Knight

Distribution:

Fred Knight

David Schofield

Sam Potter

Board of Selectmen

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On Wed, Jan 11, 2012 at 4:18 PM, Ian B. Catlow

<IBCatlow@tighebond.com<mailto:IBCatlow@tighebond.com>> wrote:

Fred, et. al.:

On Monday and Tuesday of this week T&B staff oversaw the development of eight borings at the Town Offices site. All borings were developed as monitoring wells. Five of these borings are located at the north end of the soccer field, while the remaining three are located to the east of the baseball diamond, surrounding the existing septic system leachfield.

Our geologist has not finished writing up his boring logs yet, but I can offer the following generalized observations:

- Groundwater Depth – Groundwater was typically encountered approximately 5 ft below ground surface (BGS) during drilling. This is similar to observations made during our prior test pit work at the site.
- Overburden Depth – Across the site we encountered up to 10 feet +/- of sand and gravel overburden which was underlain by a sandy silt layer that we previously

encountered in our test pit work. Using the drill rig, we probed this sandy silt layer at several locations and confirmed that its depth exceeds 4-6 ft. We opted not to go deeper than this because we believe that this layer is acting as a relatively impermeable barrier to vertical groundwater movement. If our borings had shown the silt layer to be less than 2-4 feet in thickness, with additional coarse grained deposits beneath, then we would have advanced deeper borings on the idea that the silty material could perhaps be removed to improve infiltration capacity at the site. Since the silt layer exceeds 4 feet at all of the sites where we evaluated it, we concluded that deeper explorations would not yield higher discharge capacities in a cost effective manner.

The above observations are in line with expectations given the previous test pit excavation work at the site. Over the next week we intend to perform the following additional steps to confirm viability and/or develop a capacity estimate:

- Develop Wells – We will be pumping the installed wells to remove installation related sediments and then confirming stabilized groundwater depths.
- In-situ conductivity Testing – We will be performing in-well hydraulic conductivity testing to determine how quickly groundwater moves through the aquifer, and ultimately how much of a groundwater mound would be generated by a new groundwater discharge at the site.
- Groundwater Mounding Estimate – Once we have analyzed the hydraulic conductivity data obtained through well testing and other means, we will develop an estimate of the groundwater mound generated by the discharge. This will define soil import requirements for a mounded system and allow us to estimate system costs.
- DEP Coordination – Concurrent with these efforts we are trying to keep DEP apprised of our progress so that they understand the conditions that we have encountered. We will be seeking, at a minimum, their informal buy in on any design concept before we recommend it to the Town.

Feel free to email me with additional questions as they come up and I will continue to provide informational updates as we learn more from the field program.

-Ian

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF FEBRUARY 8, 2012

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast
Guests: Anette Lewis, Wayland resident, Woody Baston, Wayland Resident, John Moynihan, Buildings Director, Ian Catlow, T&B
Location of meeting: Wayland Town Building

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

- 7:30 1. Hearing on next year's budget
- Slides; see web site
 - Anette Lewis comment: rates need to be specified. (I said they are the same as last year)
- 7:50 2. Public comment
- Anette Lewis: all charges for WWMDC work done by public officials need to be paid by WWMDC
- 8:05 3. Construction update and approval of invoices
- Invoices from Waterline:
 - Change order #1 \$67,647.99, list of items to be attached, 1.6% of total job, comes out of contingency, i.e., the funds are available
 - Invoice #12: \$329,258.39, all approved by Ian and John
 - Construction is 85% complete.
 - Discussion of review of the change orders
 - Motion to approve change orders: Sam moves, David seconds, vote:3-0
 - Motion to approve invoice #12: David moves, Sam seconds, vote: 3-0
 - Update from Ian on Construction: (see attached pictures)
 - 900' of outfall pipe installed, 6" diameter. From Conservation Commission, idea to reuse existing outfall pipe for 20W, but 20W does not want this

due to potential contamination issues from under existing pipe (36" diameter) WWMD thinks that leaving pipe is okay, so there needs to be a credit for Waterline contract, another change order.

- Interior and odor-control piping, fine screens and associated piping, Sludge and equalization pumps and piping
- Interior and exterior stairways, odor control system, RAS/WAS (Return and Waste Activated Sludge) pumps and piping, permeate pumps and piping
- UV disinfection system and piping, membrane chemical cleaning process piping, heating systems installation, HVAC/Air Handling unit installation
- Need gas hook-up from National Grid. Route is from Rt 27 on easement from Land Swap. If the gas is not available within a month, there could be a construction delay.
- Temporary electric to be installed in next month
- Start-up contingent on gas and electricity connections.

- 9:40 4. Letter to DEP: conservation measures and excess flow
- Still need to have Town Counsel review, then submit
- 8:30 5. Capacity increase, leaching field (Town Building), update from T&B
- Two Town office discharge locations, see map attached
 - Site A on soccer field, east end, south of TB, impermeous silt layer starts ~10' below grade, in general drainage from the soccer field area flows on top of silt layer to river (west). Two costly (load cell and dewatering) discussed but not to be implemented, discussion with DEP (Chris Stevens, hydrologist)
 - Site B south, location of current leaching field, idea would be to put TB on the WWMD system and use the area for leaching field, ~15000 gpd with new leaching field in same area, discussion about enlarging the field to get more capacity. Desire is to get 17,000 gpd to make up for the perceived shortfall from 20W, 45,000-

28,000 gpd.

- Site C (new) north or NW from new WWTP, have to understand impact of being in Zone II (near Baldwin Pond wells). DEP wants two criteria: outside 2-year travel time to well, outside zone of contribution of the well (tributary to well under severe pumping conditions) See information on Wellhead Protection plan that indicates that capture zone for Baldwin extends only southern part of Cow Common. More options need discussion. Conservation Commission has possible restrictions.
- Motion to approve remainder of contract with T&B provided positive agreement from Town Counsel and concurrence of chair. Estimate: \$3500. (David moves, Sam seconds, vote: 3-0)
- Final topic of letter from Ian to 20W on utility coordination issues. Peat Moss encountered in laying new outfall pipe. Peat Moss above depth of outfall pipe. Request from 20W issue a blanket certification of no contamination due to our laying the outfall pipe. Letter written from Ian to 20W to deny issuing a certification. Discussion about whether WWMDC should have been involved here.

9:40 6. Inspections and flow meter readings from Wayland Commons

- Butler, Roger Millet, 25 properties inspected, 5 not inspected, no discovery of reconfigurations of plumbing, report includes two problems
 - Public Safety building has floor drains connected, evidence for continued flooding in basement
 - State Road Auto Body has a leaky pump container and water is flowing into sewer from it.
- David to contact 5 other users to convince them they need to let the inspector enter.
- Motion to pay Butler for initial inspections: \$40 x 25 users + \$20 x 5 users = \$1100. (David moves, Sam seconds, vote: 3-0)
- Motion to have State Road Auto Body repair system via letter from WWMDC. They need to fix the leak and

- send receipt, or else turn off access to WWMD (Sam moves, David seconds, vote: 3-0)
 - Motion to have chair discuss remedies for Public Safety Building floor drains disconnected from WWMD.
- 10:00 7. Approval of minutes from previous meetings
- 11 Jan 2012 approved (Sam moves, David seconds, vote: 3-0)
- 10:05 8. Financial report, if any.
- None
- 10:05 9. Calendar: upcoming meetings
- March monthly, 14 Mar 2012
- 10:05 10. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any
- None
- 10:05 11. Public comment
- None
- 10:05 12. If needed, executive session to discuss litigation
- None
- 10:06 13. Adjourn
- Motion (Sam moves, David seconds, vote: 3-0)

Respectfully submitted,
Fred Knight

Distribution:
Fred Knight
David Schofield
Sam Potter
Board of Selectmen
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WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF MARCH 14, 2012

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast

Guests: Anette Lewis, Wayland resident, Woody Baston, Wayland Resident, John Moynihan, Buildings Director

Location of meeting: Large Hearing Room, Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

7:36 1. Public comment

- Woody: Is the Public Safety drain necessarily attached to sanitary sewer? Do we need a floor drain? Discussion about what is needed. Discussion about capping the PS floor drain. What is impact? Two floor drains (mechanical room and sprinkler system). Is there a non-permanent capping option?
- Woody: Wayland Pizza new store in Grafton; might close Wayland Pizza---a possibility.
- John: FEMA/MEMA grant application to alleviate marsh behind the Library using a drainage system starting behind the library, then under 27 to south of The Depot, and then under Rt 20 to west of the Town Building.

7:55 2. Construction and approval of invoices: an invoice from Tighe and Bond for services related to the site evaluation and Hydro study (\$16,000) of the field area next to the Town Building. Do we want to charge this off as a project related cost or pay for it out of retained earnings or a operating line item?

- Construction update from Ian (see attachment). Meeting on gas service and telephone; resolution soon.
- Invoice from Waterline #13, \$247,932.61. Total of 87%. Retainage still \$73k. Balance to finish ~\$642k plus retainage. Motion to authorize payment (made by Sam, David second, 3-0)

8:08 3. Letter to DEP: conservation measures and excess flow

- No action

8:09 4. Capacity increase, leaching field (Town Building), update from John Moynihan.

- T&B have prepared a permit application. Before the meeting, Sam requested and obtained a paper copy of the application filled out by T&B that would be submitted to DEP. No other copy was available. DEP fee is \$9,200 to review the application.
- Discussion of what is contained in the permit application. WWMDC feeling that wording needs to be less definitive.
- Is there a need to include the owner, the Town of Wayland, in the permit application?
- Further discussion about what to do. Possibilities include informal discussion between T&B and DEP, 20W intentions about lawsuit, T&B plan, leaching field cost, cost to run pipe from WWTP to field, cost to connect TB to WWMD.
- David's comments that we still need to complete the inspections and determine the source(s) of the excess flow since spring 2010. David volunteers to work with Roger Maillot. Motion to authorize up to a total of \$4999, including the \$1100 already paid, to complete all investigations of excess flow (made by Sam, David second, vote 3-0)
- Need complete plans from T&B before filing permit.
- Motion to wait for T&B plans to be completed, have WWMDC discussion, and then have discussion with Board of Selectmen concerning all issues related to proposed new leaching field at the TB (made by Sam, David second, vote 3-0)
- Motion to require that we review the permit to DEP for the leaching field before it is submitted. (made by Fred, Sam, second, vote 3-0)
- Motion to pay, pending approval to spend from FY2012 budget, an invoice from Tighe and Bond for services related to the site evaluation and Hydro study, \$16,000, of the field area next to the Town Building (made by

Wayland WWMDC Minutes

- Fred, Sam second, vote 3-0)
 - Anette: Do we need a current year transfer at ATM to pay for this study by T&B? Fred to check with Mike DiPietro.
- 9:00 5. Inspections for 20 Wayland construction
 - Good engineering practice recommends hiring professional services to inspect pump station #3 and connection to plant.
 - Suggestion to use T&B or Taylor and Howard. Both firms under current engineering contracts. John to contact Fred Turkington.
- 9:10 6. Flow meter readings from Wayland Commons
 - No update
- 9:11 7. Further discussion of capping floor drains in Public Safety Building
 - Motion to have Facilities Director consider legally capping drains in the Public Safety Building and to cap them if legal (made by Sam, David second, vote 3-0)
- 9:19 8. Financial report, if any.
 - Bank account as of 9 Mar 2012: \$638,420.57, decrease due to loan payment of \$328,463.44, first of 20 payments on the \$5M bond.
 - Capital report on WWTP construction; balance of \$1,135,819.59 on \$5.4M borrowed.
- 9:28 9. Approval of minutes from previous meetings, if any
 - Approved 8 Feb 2012 (made by David, Fred second, vote 2-0, Sam absent temporarily)
- 9:29 10. Calendar: upcoming meetings
 - Selectmen joint meeting, TBD
 - Next WWMDC will be before BoS joint meeting
- 9:29 11. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any
 - None
- 9:29 12. Public comment
 - Anette: Discuss with T&B the Permit Application.
- 9:36 13. If needed, executive session to discuss litigation
 - None
- 9:36 14. Adjourn
 - Fred, Sam second, vote 3-0.

Respectfully submitted,
Fred Knight

Distribution:
Fred Knight
David Schofield
Sam Potter
Board of Selectmen
File

Attachment from Ian Catlow, T&B, email:

Ian B. Catlow <IBCatlow@tigebond.com> **Wed, Mar 14, 2012 at 4:17 PM**
To: "fred@knightway.org" <fred@knightway.org>, "Wbillp80@aol.com" <Wbillp80@aol.com>, "Schofield, David" <dschof@verizon.net>, Sam Potter <Mako71wt@gmail.com>, "Moynihan, John" <jmoynihan@wayland.ma.us>, Mark Lanza <mjlanza@comcast.net>
Cc: "Turkington, Frederic" <fturkington@wayland.ma.us>, "Fay, Tom" <Tfay@bsctrialattorneys.com>

Fred:

Sorry I'm getting a response over so close to the meeting but I've provided a brief update on open issues below.

Construction Progress:

Over the last month Waterline has completed nearly all of the mechanical work inside the WWTP building, including the following notable systems:

- Fire Suppression – Sprinkler heads and piping have been installed throughout the facility.
- Temporary Electric – The plant now has a temporary electrical service installed that is adequate to startup and run the facility. Ultimately we will transition to a permanent service when Twenty Wayland installs the new electrical service to their site.
- Mechanical Systems – Waterline has completed piping work on all process equipment within the building and they had Ovivo (their process equipment vendor) on site Tuesday to perform a pre-startup check out of equipment. The vendor will be producing a list of items for Waterline to complete before we can initiate wet testing of the equipment. T&B has begun punch list generation for Waterline to address and we expect to continue this process over the next 2-3 weeks.

Wayland WWMDC Minutes

- Outfall – Roughly 800 linear feet of the new outfall has been completed between the new WWTP and the 100 ft wetland buffer near route 20. Waterline was waiting on Conservation Commission approval to work within this area as well as a state highway access permit. They now have both items and plan to complete trench excavation and directional drilling under route 20 within the next 2-3 weeks.

Significant items that still need to be completed at the plant include:

- Startup Testing – Nearly all systems at the plant still require electrical startup and wet testing. We expect that this will occur once the new outfall is complete and a gas service is installed to the plant.
- Painting – There is still a significant amount of painting that must be completed both inside and outside of the plant. The painter has been waiting for good weather to complete this work and I suspect it will be done over the next month.
- Site Work – Finished grading, paving and landscaping still need to be completed at the site, and by contract the paving portion can not be completed until at least May 1st due to temperature concerns. I would expect the bulk of this work to be completed in late April/May.
- Utility Services – We are still waiting on gas and telephone service connections to the plant. At the last meeting I reported that we were waiting on Twenty Wayland to authorize our access to easements. Today, we met with Frank Dougherty to coordinate these issues and it appears that we have a path forward. I will be resolving some minor conflicts between our telephone and gas conduits while he plans to evaluate some beneficial electrical alignment changes. I'm optimistic that these will be resolved in the next week and we will be able to schedule service connections.

Groundwater Discharge Permitting

Based on the Commission's direction at the last meeting, we have been working to complete the groundwater discharge permit application for a 17,000 gpd system at the Town offices. Our work is nearly complete and we are presently only waiting on some groundwater quality data to complete the report. I expect this data by Monday at the latest and we hope to submit the application by the middle of next week. John has an application form for the Commission to either sign or authorize him to sign this evening.

Please feel free to email me with questions or call if the need arises.

Wayland WWMDC Minutes

-lan

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 22 MARCH 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Guests: Woody Baston, Wayland Resident, John Moynihan,
Facilities Director, Ian Catlow, Tighe & Bond
Location of meeting: Selectmen's Room , Wayland Town Building

Chairman Fred Knight called the meeting to order at 7:35 PM.

7:35 1. Public comment
None

- 7:35 2. Discussion of permit application
- Draft permit application (see <http://www.wayland.ma.us/Pages/WaylandMABComm/Wastewater/Documents/2012-03-22-MeetingDocuments/>)
 - Who is applying: Town of Wayland or WWMDC or both?
 - Who should sign the application, depending on who is applying?
 - Go over the draft application.
 - Significant uncertainty about ramifications of approving the application.
 - Questions include (at least)
 - Who is applying for the permit: Town/BOS or WWMDC or both?
 - What is the WWMDC obligated to fund given this permit application?
 - If we are required to build this leaching field, who will pay for it and how will it be funded?
 - Does funding it require TM vote? Does this depend on whether borrowing is required?
 - What are the legal steps that are to be taken wrt the 20W suit?
 - Too many unresolved questions to sign permit or agree to sign tonight.
 - No printed copy of the permit in final form available.

Wayland WWMDC Minutes

8:45 3. Adjourn

Respectfully submitted,
Fred Knight

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Fred Knight
David Schofield
Sam Potter
Board of Selectmen
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WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 28 MARCH 2012

MINUTES

In attendance: David Schofield, Fred Knight by phone, Sam Potter,
Bill Prendergast

Guests:

Location of meeting: Selectmen's Room ,Wayland Town Building

David Schofield called the meeting to order at 8:35 PM.

- 8:30 1. Public comment
- None
- 8:35 2. Executive session to discuss litigation
- Discussion of options for BoS
- 8:50 4. The Selectmen join executive session
- DEP meeting report from Mark Lanza
 - Options concerning funding of main and field
 - Selectmen outside of room
 - Motion to authorize David or Fred to sign agreement for settlement and application permit to DEP.
- 10:45 5. Adjourn

Respectfully submitted,
Fred Knight

Distribution:
Fred Knight
David Schofield
Sam Potter
Board of Selectmen
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 18 April 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Absent: David Schofield
Guests: Woody Baston, Anette Lewis, Mark Lanza for items
6 and 8
Location of meeting: Selectmen's Room ,Wayland Town Building

Fred Knight called the meeting to order at 7:35 PM.

7:35 1. Public comment

- Woody Baston pointed out wiring in front of his house, toward his house from the sidewalk. He showed photos of the backhoe discovering the wiring, 13 Apr 2000.
- Woody Baston pointed out that \$400k in inspection funds may be available for 20W development
- Anette asked about the source of payment for the TB leaching field engineering and reiterated her concern about paying out of the construction account. The risk is that the Town may need to cover the expenses.
- Woody Baston asked about the surcharge.

7:45 2. Alternative leaching fields and Signing of permit application

- Approval to sign permit was given previously. Agreement between chair of Board of Selectmen and chair of WWMDC that the following stipulations are valid:
 1. That no interactions between the Town of Wayland and DEP on waste water matters will occur in the future without first having consultation and obtaining concurrence with the WWMDC chair, absent routine or housekeeping matters. This includes both initiation of correspondence and responses. We make this request to make sure that WWMDC knows about and agrees with DEP interactions from now on.
 2. That no borrowing obligation to the WWMDC occur or be contemplated without the consent of the

WWMDC.

3. That no monies, except in emergency situations, be spent that will be charged to the WWMDC unless the WWMDC has approved them.

- 7:50 3. Update on inspections.
- No update on inspections because of David Schofield's absence.
 - Motion to amend previous motion for fines due to excess flow by stating that a period of 45 days be allowed before the fine is assessed. Moved by Sam, second by Fred, vote 2-0.
- 7:55 4. Approval of minutes
- Motion to approve without changes the minutes of the last meetings on 2012-01-11, 2012-02-08, 2012-03-14, 2012-03-22, 2012-03-28. Sam moves, Fred seconds, vote 2-0.
- 8:00 5. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 8:24 6. Report on legal proceedings
- Mark Lanza summarizes the suit against the Town by 20W. Summary judgement hearing occurred; opposition was presented. Expectation that the judge will read material from both sides. Four counts: sewer capacity, refund of previous fees,
- 8:05 7. Public comment
- Anette commented on the need to clarify T&B contract conditions.
- 8:30 8. Executive session to discuss litigation
- **MOTION TO GO INTO EXECUTIVE SESSION**
 - **MOVER (Sam):** I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.
 - **CHAIR:** Is there a second to the motion to enter into executive session?

- The Chair declares that discussion of strategy with respect to pending potential litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.
 - CHAIR: Roll call vote. Mr. Potter. Aye. Chair votes aye. Motion passes 2-0.
 - CHAIR: The Board invites Mark Lanza, Town Counsel, to attend and Executive Director Bill Prendergast to attend to record minutes of the discussion. The Board will return to open session for the sole purpose of adjourning in approximately 30 minutes.
 - Motion to exit executive session. Fred moves, Sam seconds, vote 2-0.
- 9:15 9. Open session in case action results from executive session
- No action based on executive session.
- 9:20 10. Adjourn
- Motion. Sam moves. Fred seconds, vote 2-0.

Respectfully submitted,
Fred Knight

Distribution:
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David Schofield
Sam Potter
Board of Selectmen
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Executive session minutes:

1. Discussion of payment for the TB leaching field engineering
2. Discussion of litigation

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 9 May 2012

MINUTES

In attendance: Fred Knight, David Schofield, Bill Prendergast
Absent: Sam Potter
Guests: Woody Baston, Anette Lewis, Linda Segal
Location of meeting: Planning Office ,Wayland Town Building

Fred Knight called the meeting to order at 7:35 PM.

- 7:35 1. Public comment
- Linda Segal is audio recording the meeting.
 - Woody Baston asked about the surcharge amounts.
 - Woody Baston asked about comments on page 7 of the court filing concerning 2004 minutes.
 - Anette asked about court document filings.
 - Anette asked about billing for various financial filings.
 - Anette asked whether types of funding of the TB leaching field had been considered.
 - Linda agrees with Anette's comments on funding of the TB leaching field.
 - Linda asks about effects of increased water use in the future and how the WWMDC will respond.
- 7:52 2. Update on construction and transition to new WWTF
- Copy Ian's report and my questions. See attachment.
 - Finances: Munis report differs from Ian's reported amt spent.
 - Fred forgot to bring the invoices that John Moynihan sent him this afternoon. No action on these, but the WWMDC plans to approve them at next meeting.
- 8:15 3. Update on inspections: letter to State Road Auto Body
- David says he will draft some details on what State Road Auto Body needs to do. Then we can send the letter.
- 8:18 4. Solving the excess flow problem
- David will discuss with inspector about completing inspections.
 - Still no explanation of increased flow, which continues

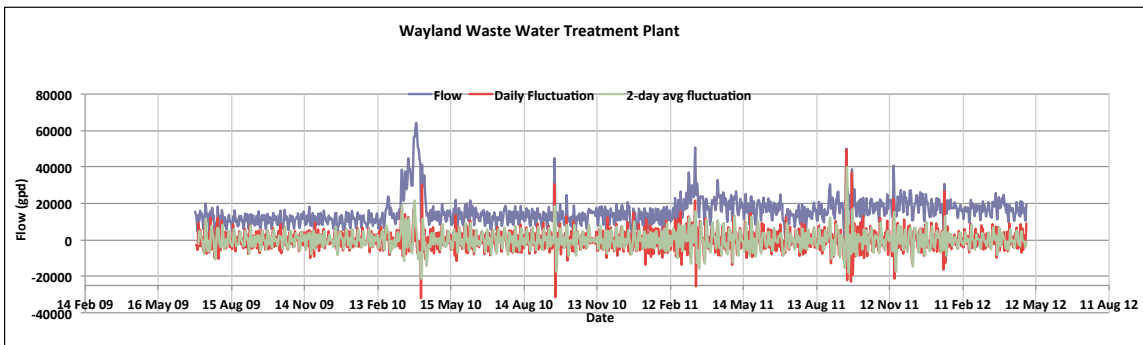
- based on current reports. The plot shows the last three years of reported flow.
- David wonders about calibration of the flow meter(s) at the WWTP? These can be checked. Fred will ask Whitewater. Note added after meeting: John Moynihan had the meter checked to verify good calibration in March, 2012. There has been no significant change in readings since the calibration check.
- 8:31 5. Dudley Pond area for June meeting
- Bill comments that the WWMDC considered Dudley Pond in ~2004. David and Fred were not involved at that time.
- 8:33 6. Approval of minutes
- Motion to approve by David, second Fred, vote 2-0.
- 8:37 7. Financial Report
- Balance as of \$622,545 as of end of April, 2012, compared with \$809,230 as of 12 April 2011.
 - Desire to get reports in electronic format to add to minutes. Bill will check on this.
 - Bill found an invoice in the WWMDC mail box in the TB from Mark Lanza for services, assumed to be related to litigation. Linda comments that further explanation of billing hours was common when she served on the Board of Selectmen. No action.
- 8:42 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- Old Collins Market, at 21 Cochituate Road, now an office building wants to connect, which is their privilege because they have always been members of the WWMD.
 - Woody's comments: on many aspects, see notes attached
- 9:02 9. Public comment
- None
- 9:03 10. Adjourn
- David moves to adjourn, second Fred, vote 2-0.

Respectfully submitted,
Fred Knight

Distribution:

Fred Knight,
David Schofield,
Sam Potter,
Board of Selectmen,
Web site,
File

Item 4: Plot of flow



Item 8: Woody Baston’s notes on connecting to the WWMD system
WWMDC Hookup Check List

1. The property owner and the WWMDC need to decide on the location for the connection to the sewer system. This is important to the property owner as it will affect the placement of his grinder pump as well as the plumbing and electrical work that will need to be done within the property owner’s structure.
2. It is the property owner’s responsibility to purchase the equipment; the grinder pump and the tank.
 - a. There are two choices, an exterior location or an interior location.
 - b. The pump and the tank are different for each location. The exterior tank and pump are longer and thinner while the interior equipment is shorter and wider.
 - c. When purchasing the equipment, it would be wise for the property owner to inquire as to a service arrangement since the equipment will need to be serviced from time to time.
3. The property owner will need to engage the services of an excavation contractor. A trench will need to be dug from the WWMDC hookup to the structure for the pipe and if the tank and pump are to be located outside, an area will need to be excavated into which the tank can be placed.
4. The excavation contractor will be needed, in most cases, to disable, fill in, or remove the old septic system.

Wayland WWMDC Minutes---DRAFT

5. The property owner will need a plumber to reroute the waste pipe from its current outflow to the tank whether it is an interior or an exterior tank. The flow to the tanks will need to be a gravity flow. The flow from the tank to the WWMDC connection does not need to be a gravity flow as the grinder pump will push the waste from the tank into the system.
6. The property owner will need an electrician to hard wire the grinder pump.
7. The property owner will need to secure all appropriate permits.

Item 2: Ian Catlow's email message before the meeting, Fred's questions, and Ian's replies. See next pages.



fred knight <fred.knightway@gmail.com>

agenda for next wednesday's WWMDc meeting

Ian B. Catlow <IBCatlow@tigebond.com>

Wed, May 9, 2012 at 2:41 PM

To: "fred@knightway.org" <fred@knightway.org>

Cc: William Prendergast <billp26@hotmail.com>, Sam Potter <Mako71wt@gmail.com>, "Schofield, David" <dschof@verizon.net>, "Moynihan. John" <jmoynihan@wayland.ma.us>, Mark Lanza <mjlanza@comcast.net>, "Turkington, Frederic" <fturkington@wayland.ma.us>, "DiPietro, Michael" <mdipietro@wayland.ma.us>

Responses below...

From: Fred Knight <fred@knightway.org> [mailto:fred.knightway@gmail.com]

Sent: Wednesday, May 09, 2012 2:28 PM

To: Ian B. Catlow

Cc: William Prendergast; Sam Potter; Schofield, David; Moynihan. John; Mark Lanza; Turkington, Frederic; DiPietro, Michael

Subject: [SPAM] Re: agenda for next wednesday's WWMDc meeting

Importance: Low

Ian,

Thanks for the update. I appreciate it. A few points.

1. There is no invoice that we have seen from Waterline. Have you and John approved the \$83k+ for payment. I do not even know if we will have a quorum (2) for tonight's meeting. [\[IBC\]](#) I forwarded to John earlier today so I suspect that he is still reviewing the pay req.
2. How much more time, after electricity and gas are connected, is needed to get the new WWTF running? [\[IBC\]](#) I suspect that we need 4-6 weeks after gas installation to complete plant startup and testing. During switchover from old WWTP to new WWTF, how much time is needed? [\[IBC\]](#) Once we start taking flow from the existing plant we should be essentially up and running. I would expect a few bumps in the road during the first month or so as instrumentation and equipment are optimized by most of these plants are typically meeting permit within a week or so. Who will orchestrate this switchover? [\[IBC\]](#) We can coordinate with your operator closer to the time. Please advise on your schedule to select a new operator if the current operator's contract expires soon.
3. Is there an obligation by the town to keep Waterline able to move forward? Are there deadlines related to the gas and electric utilities to respond? [\[IBC\]](#) There is some language in the contract that essentially says that the contractor controls the site and the schedule. If this is not the case then the contractor could make a claim to the owner for costs associated with a delay that is out of his control. The amount of money that he could ask for is based on his costs to carry bonds, insurance, and other construction facilities (trailer, temp electrical service, etc.). Waterline has not made a claim in this regard yet.
4. Have you heard anything from DEP? [\[IBC\]](#) No, but I'll try to check in with them in the next day or so.

5. Can we call you tonight? Number? **[IBC]** I'm available after 8 at 508-735-0065.

Thanks,
Fred

On Wed, May 9, 2012 at 10:28 AM, Ian B. Catlow <IBCatlow@tighebond.com> wrote:

Fred, et. al.:

Here's some updates on the project:

- New Outfall Update – Over the last month or so we received final approval from the Army Corps of Engineers to complete the outfall work within the river bank. The directional drilling work under Route 20 and into the river was subsequently completed without incident. We are now waiting on Waterline and their subcontractor to complete the outfall pipe between stations 2+50 and 8+00 (550 LF +/-). This work is anticipated to be complete within the next couple weeks but Waterline could not provide a specific date. All wetland permits were in hand prior to execution of this work and we are continuing with our ongoing compliance efforts that support these permits (ie. weekly inspections of control measures, reporting, etc.)
- WWTP Update – All work at the WWTP has been suspended pending installation of the gas and electrical service connections. Waterline does not want to start the plant without gas service because it runs the heating system and we agree with this approach. They are also holding off on all site work until these new buried utilities can be installed at the site. Once the utilities are installed, Waterline will finish the remaining grading, landscaping, paving, and painting work at the site. The utility connections are in limbo due to Twenty Wayland's failure to finalize agreements with NSTAR and Nat Grid. Details on both services follow:
 - Nat Grid Gas Service – We have furnished utility layout plans to TW in accordance with the land swap agreement and Frank is now responsible for executing an access agreement with Nat Grid which confirms our easement status. Once he sends this authorization to Nat Grid we have been told that it will be about two weeks until they can install the new gas line. John and I have been asking Frank to sign this agreement with Nat Grid several times a week for over a month now. Frank has said he will sign it, but has not delivered. I left him another voice mail today and asked Sarkis Sarkisian to remind him during a meeting that they have scheduled for today. Hopefully this will cause some action.
 - NSTAR Electric Service – We have coordinated our electric service location with NSTAR and TW however this service connection is also tied up with Frank. TW believes that the size of their service connection is somewhat increased by the need to provide capacity for the WWTP. Frank had previously stated that he would estimate this added cost by looking into the specific cost of conduits and conductors along "B Street". The ball is in his court to provide this cost estimate and he will not be authorizing NSTAR to proceed until we have agreement on this. As above, we have been asking for this cost sharing arrangement pretty regularly but have not received a response.

- Old Outfall and WWTP Demolition – All demolition activities are on hold pending resolution of the utility issues summarized above and the subsequent startup of the new WWTP.
- Pump Station #3 – Over the last month we observed the installation of the Pump Station #3 wet well structure and portions of the force main. Leak testing was successfully performed on the wet well several weeks ago and the force main was pressure tested late yesterday. We are still waiting on test results for the force main. We have not been notified of sewer collection system installation or testing for TW's gravity sewers at this point in time.
- Project Finances – This month Waterline invoiced the WWMDC for \$83,125.00. This fee is almost entirely associated with the outfall work performed this month. This brings the project total spent to date to \$3,747,699.79, or 89% complete. The remaining fee is sufficient to complete the outstanding items outlined above.

Please let me know if there are any follow up questions to this summary.

-Ian

From: Fred Knight <fred@knightway.org> [<mailto:fred.knightway@gmail.com>]

Sent: Wednesday, May 09, 2012 6:17 AM

To: Ian B. Catlow

Cc: William Prendergast; Sam Potter; Schofield, David; Moynihan, John; Mark Lanza; Turkington, Frederic; DiPietro, Michael

Subject: Re: agenda for next wednesday's WWMDC meeting

Ian,

A combination of materials sent to the WWMDC on the status and near-term future of the WWTF and a call tonight might suffice. I am in the office except for 10:30-1pm today.

I would appreciate knowing where we stand on completion of the construction, testing, the outfall, pump station #3 and its connections both input and output, the decommissioning of the old pipe to the wetlands, the utilities, the switchover to the new WWTF, and the demolition of the old WWTP.

I would also like to have an accounting of our finances, but I presume others need to handle that. I would like to know where we stand with your charges though.

Thanks,
Fred

On Wed, May 9, 2012 at 5:26 AM, Ian B. Catlow <IBCatlow@tighebond.com> wrote:

Fred,

It appears that I'm double booked tonight and I was wondering if we could catch up by phone ahead of the meeting in lieu of my attendance. Alternately, I might be able to have somebody cover for me. Please let me know if a call is acceptable and when we could talk.

Sorry for the late notice on this.

Ian

On May 4, 2012, at 4:26 PM, "Fred Knight <fred@knightway.org<mailto:fred@knightway.org>>" <fred.knightway@gmail.com<mailto:fred.knightway@gmail.com>>" wrote:

Ian,

Thanks. I will assume that you will come armed with information!

Cheers,

Fred

On Fri, May 4, 2012 at 2:55 PM, Ian B. Catlow <IBCatlow@tighebond.com<mailto:IBCatlow@tighebond.com>> > wrote:

I should be able to make it.

-Ian

From: Fred Knight <fred@knightway.org<mailto:fred@knightway.org>> [mailto:fred.knightway@gmail.com<mailto:fred.knightway@gmail.com>]

Sent: Friday, May 04, 2012 1:33 PM

To: Moynihan. John

Cc: Wbillp80@aol.com<mailto:Wbillp80@aol.com>>; Ian B. Catlow; Sam Potter; Schofield, David

Subject: Re: agenda for next wednesday's WWMDC meeting

John,

Is there any way that you can attend ours for a period to report on the WWTF status? I have not heard from Ian. Are there not bills to be paid? I think that 20-30 minutes would be sufficient. We can arrange the agenda to accommodate you if that helps.

Thanks,

Fred

On Fri, May 4, 2012 at 11:09 AM, Moynihan. John <jmoynihan@wayland.ma.us<mailto:jmoynihan@wayland.ma.us>> wrote:

Fred, I already have a meeting scheduled that night that I must attend.

John

From: Fred Knight <fred@knightway.org<mailto:fred@knightway.org>> [mailto:fred.knightway@gmail.com<mailto:fred.knightway@gmail.com>]

Sent: Friday, May 04, 2012 10:37 AM

To: Wbillp80@aol.com<<mailto:Wbillp80@aol.com>>; Moynihan, John; Ian B. Catlow

Cc: Sam Potter; Schofield, David

Subject: agenda for next wednesday's WWMDC meeting

John and Ian,

WWMDC will meet next Wednesday, 9 May 2012. Since we are approaching the time when the new WWTF will be in test and then coming on line, I would like a report on where we are and where we are going. Can you attend the meeting and provide status, schedule, and information? Thanks.

Bill,

Here's my list of topics. Any more?

Thanks,
Fred

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Fred Knight, fred@knightway.org<<mailto:fred@knightway.org>>, 508 358 0834<<tel:508%20358%200834>>

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Fred Knight, fred@knightway.org<<mailto:fred@knightway.org>>, 508 358 0834<<tel:508%20358%200834>>

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Fred Knight, fred@knightway.org<<mailto:fred@knightway.org>>, 508 358 0834

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Fred Knight, fred@knightway.org, 508 358 0834

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Fred Knight, fred@knightway.org, 508 358 0834

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 13 June 2012

MINUTES

In attendance: Fred Knight, David Schofield, Sam Potter, Bill Prendergast

Absent:

Guests: Woody Baston, Anette Lewis, Mike Lowery, Bob Goldsmith

Location of meeting: Selectmen's Office, Wayland Town Building

Fred Knight called the meeting to order at 7:33 PM.

7:35 1. Public comment

- Woody says that Sarkis wants money to help WWTF leaching field at TB. He is appearing before Historic District Commission for sidewalk from depot to new entrance to Town Center. Need to rebuild culvert under road (\$75k) and complete sidewalk. Grant application to be made for a range of projects..
- Woody: How will 45,000 gpd for Town Center be allocated among businesses?
- Anette: Does Town Center need a permit? She thinks yes.
- Woody: Has there been any Public Safety Building action to plug floor drains?
- Woody: Any action on utilities for Town Center? Ian says no; more details below.

7:45 2. Update on construction and transition to new WWTF

- Ian's update on utilities. Estimate 3-4 weeks to connect electricity. Gas access is more problematic. No easement permission for gas line from 20W. Complication is that multiple parcels require multiple easements while agreement states one parcel. After this is resolved, 8 weeks before gas company (Ngrid) will start work. Need gas for heating in cold weather.
- Plant remains a month away from completion, requiring electricity, but not gas until cold weather, to start up.

- Construction bid includes \$30k for gas connection. If temporary propane connection, might exceed this amount. Note that we are pproaching deadline (Sep 2012) to implement new DEP permit.
 - Motion to have Sam explore means of getting new WWTF completed before the DEP permit deadline. Fred moves, David seconds, passes 3-0.
 - See slides on outfall installation. Completed directional drilling under Rte 20. Completed trenching and run of pipe back to the new WWTF
 - Commissioning new plant will occur, even using the temporary electricity. Budgeted money in this year's budget for this.
 - John Moynihan wants to push forward with WWTF completion. Sam will be helping to get easement issues ironed out.
- 8:15 3. Waste water issues in Dudley Pond area, from Mike Lowery and Bob Goldsmith
- Referring to Chap 461, the legislative act that created WWMD, WWMDC is charged with WW management for entire town.
 - Report on Dudley Pond; see report and slides on the web site. Desire to reduce Phophorus and Nitrogen input. Aggregated septic systems, shared by residences, might be helpful, especially on the east side of the Pond.
 - Attempt to quantify contributions to phosphorus load from septic systems. Scoring using weights.
 - Desire to reduce input of nitrogen and phophorus by adding special systems, reducing flow away from Pond, and other means.
- 9:14 4. Update on inspections: letter to State Road Auto Body
- David reports on inspections; reports given to Bill Prendergast.
 - David will send summary spreadsheet to Fred.
- 9:15 5. Solving the excess flow problem
- Nothing new here
- 9:33 6. Approval of minutes
- Motion to approve minutes of 9 May 2012 by David, second Sam, vote 3-0.

- 9:37 7. Financial Report and billing issues
- Balance as of \$579,283 as of end of 31 May 2012, compared with \$809,230 as of 12 April 2011.
 - 20W has not paid for 3 quarters; with interest 20W \$151,512
 - \$801,369 remains from \$5.4M borrowing.
 - Motion to pay outstanding construction bills of ~\$83,000 assuming chair agrees. Motion David, second Sam, vote 3-0
- 9:40 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 9:42 9. WWMDC composition
- David leaving at the end of June 2012. No new member yet.
- 9:43 10. Calendar: upcoming meetings and events
- Expected mtg on 11 Jul 2012
 - DEP permit must be finalized in Sep 2012
- 9:45 11. Public comment
- Anette: should say what litigation is for in reason for executive session (added below)
- 9:48 12. Executive session to discuss litigation with respect to 20W.
- Sam Potter: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town and the Commission with Twenty Wayland, LLC.
 - CHAIR: Is there a second to the motion to enter into executive session? Schofield: I second the motion.
 - The Chair declares that discussion of strategy with respect to pending potential litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.
 - CHAIR: Roll call vote. Mr. Schofield. Aye. Mr.

Wayland WWMDC Minutes

Potter. Aye. Chair votes aye. Motion passes.

- CHAIR: The Board invites Executive Director Bill Prendergast to attend to record minutes of the discussion. The Board will return to open session for the sole purpose of adjourning.
- Role call vote to exit executive session: Mr. Schofield. Aye. Mr. Potter. Aye. Chair votes aye. Motion passes.

10:14 13. Adjourn

Respectfully submitted,
Fred Knight

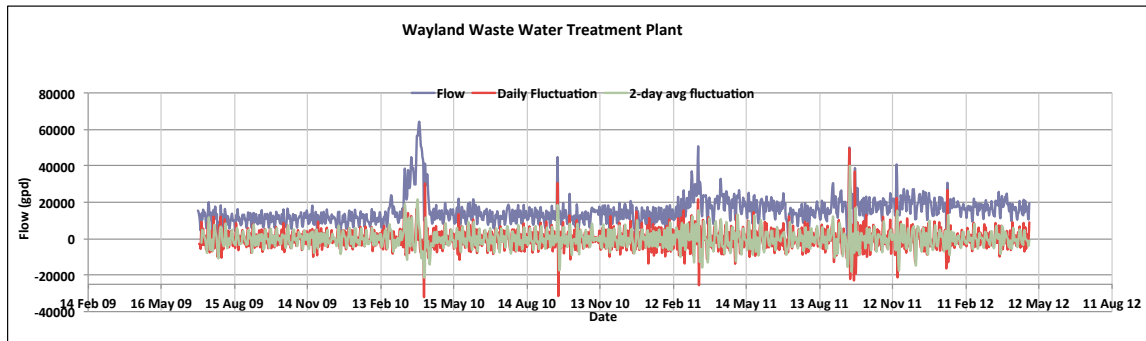
Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

Item 2: Construction update. See 2012-06-13-ConstructionUpdate.

Item 3: Dudley Pond discussion. See report and charts.

Item 5: Plot of flow



WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 11 July 2012

DRAFT MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast

Absent:

Guests: Woody Baston, Molly Upton, Ryan Pavlica

Location of meeting: Senior Center, Wayland Town Building

Fred Knight called the meeting to order at 7:33 PM.

- 7:33 1. Public comment
- Molly Upton made comments on Wayland Commons, as presented at the Selectmen's Meeting on 9 July 2012
- 7:40 2. Update on construction and transition to new WWTF
- Ryan Pavlica, T&B resident engineer
 - Contractor doing painting and outfall work (flow dissipation structure)
 - Ovivo did a survey of their MBR system, so contractor is now responding to Ovivo comments
 - Utility work on site: electricity, telephone, and optical fiber.
 - Gas installation still not done. All easements signed. National Grid is working on legal issues.
 - Ovivo is scheduled to return and begin startup on 31 July 2012.
 - Finances: \$4.1M original contract. \$68k change order. Expect final accounting to be near \$4.3M. Details to be given at next meeting.
- 7:57 3. New contract for operation
- 12 Jul 2012 walkthrough of plants for potential bidders
 - 26 Jul 2012 bids are due
- 8:00 4. Solving the excess flow problem: old and new information
- Chair still needs to send a letter to State Road Auto BODy
- 8:03 5. Billing issues
- Discussion of water usage; need winter water usage from Water Dept.
- 8:15 6. Approval of minutes

Wayland WWMDC Minutes

- Motion to approve minutes as amended by Sam Potter, 2nd Chair, vote 2-0.
- 8:27 7. Financial report
- Bank balance as of 28 June 2012 is \$572,038.
 - Unpaid bills total about \$200k.
 - Balance one year ago was \$783,746.
 - Working on FY2012 close-out. Expect deficit due to unpaid bills from users, esp. Twenty Wayland.
- 8:30 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 8:30 9. WWMDC composition: new member needed
- No action
- 8:31 10. Calendar: upcoming meetings and events
- 8 Aug 2012 regular meeting
 - 12 Jul 2012 bidder walkthrough
 - 26 Jul 2012 bids due for operation.
- 8:32 11. Public comment
- None
- 8:35 12. Executive session to discuss litigation
- See motion below
- 8:52 13. If needed, open session in case action results from executive session
- None
- 8:52 14. Adjourn

Respectfully submitted,
Fred Knight

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 07 Aug 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast

Absent:

Guests: Woody Baston, Linda Segal, Ian Catlow, John Moynihan, Anette Lewis after 8:10

Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 7:36 PM.

7:36 1. Public comment

- Woody on MOA with Wayland Commons wonders to what extent they can expand beyond their current 7200 gpd total capacity allowed. Linda recalls a proposal to build to the north and possibly switch parts dumping into the WWTP. John says they are building north of the entrance road.

7:46 2. Update on construction and transition to new WWTF

- Ian reports few changes from last meeting in July.
- Electrical conduit comes from Rte 20 via NStar connection along A Street; could be ready in one month. Paving from Rte 27 is completed. Fire Department has named the roads; 183 Elisa Ave is the WWTF.
- Gas easements have cleared legal; now awaiting install--- 6 to 8 weeks. Buried gas line through pipe laid under B Street =Elisa Ave. Presume gas by end of September; it is needed only for heating.
- Possible (but doubtful) clear-water test in 1 week as initial testing of the new WWTF with DEP witnessing. Ian thinks that his might be premature given the gas situation. System checkout is needed before clear-water test is completed.
- WWMDC should also determine new operating contract operator before clear-water test.
- Still need permanent power to pump station #3.
- Attention needs to be given to switchover method from

- old WWTP to new WWTF.
 - May 2012 requisition from Waterline, through 31 May 2012: \$28,961.70 Motion to approve by Potter, second by Knight, vote 2-0. (See attached cover sheet.)
 - June 2012 requisition from Waterline, through 30 June 2012: \$93,558.82. Motion to approve by Potter, second by Knight, vote 2-0. (See attached cover sheet.)
 - Suggestion from John Moynihan for an amendment to Tighe & Bond's contract to shift funding from SRF application part of the contract to contract administration part of the contract. We will consider this at the next meeting.
- 8:15 3. New contract for operation
- 12 Jul 2012 walkthrough of plants for potential bidders was held. John did not need to answer any questions in writing to all bidders.
 - Two proposals received by the 26 Jul 2012 deadline: Weston and Sampson (operator of WHS plant) and Whitewater (current WWTP operator).
 - Proposal to interview both candidates on 5:30 and 6:00 on Tuesday, 14 Aug 2012. Questions to be submitted from Ian Catlow. Qualifications to be judged based on an evaluation sheet. Then review cost bids.
 - Need coordination of old and new operators (in case there is a change) at the time of switchover.
- 8:51 4. Solving the excess flow problem: old and new information
- Chair presented a final draft letter, which needs to be sent via certified mail. Chair will call State Road Auto Body before the letter is sent.
- 8:57 5. Billing issues
- Discussion of water usage; winter water usage from Water Dept. Some of the Wayland Commons properties are using over 50% of their allocations. Fred to compute new billing information for Bill.
- 9:10 6. Approval of minutes
- Motion to approve minutes by Sam Potter, 2nd from Chair, vote 2-0.
- 9:12 7. Financial report
- Bank balance as of 13 July 2012 is \$548,577.

- Unpaid invoices total about \$360k.
 - Balance on 11 Jan 2012 was \$945,329.
 - FY2012 close-out shows \$58,470 less income than expenses. The difference between income (\$302,704) and expenses (\$560,764) is ~\$200,000 more, which our ATM budget showed to be paid from retained earnings.
- 9:22 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 9:22 9. WWMDC composition: new member needed
- No action
- 9:24 10. Calendar: upcoming meetings and events
- 14 Aug 2012 meeting to interview operator applicants
 - Sep 2012 date uncertain; Sam to check with EDC
- 9:28 11. Public comment
- Woody mentions that the deadline for the transition to the new WWTF is soon (1 Sep 2012?). Does the WWMDC need to contact DEP?
 - Anette wonders about who will sign the operating contract for the renewal.
- 9:34 12. Executive session to discuss litigation
- See motion below
 - Roll call vote to exit executive session
- 9:42 13. If needed, open session in case action results from executive session
- None
- 9:42 14. Adjourn
- Potter moves, Knight seconds, vote 2-0.

Respectfully submitted,
Fred Knight

MOTION TO GO INTO EXECUTIVE SESSION

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of

Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

CHAIR: Is there a second to the motion to enter into executive session?

The Chair declares that discussion of strategy with respect to pending litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.

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

CHAIR: The Board invites Executive Director Bill Prendergast to attend to record minutes of the discussion. The Board will return to open session for the sole purpose of adjourning.

Attachments: invoices moved to be paid

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
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File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 14 Aug 2012

MINUTES

In attendance: Fred Knight, Sam Potter
Absent: Bill Prendergast
Guests: John Moynihan
Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 5:40 PM.

- 5:40 1. Public comment
- None
- 5:40 2. Interview with Weston & Sampson.
- John Bocchino, president of W & S Services
 - Peter Kolokithas, operations manager
 - Bob Poillucci, operator of the WHS plant
- 6:05 3. Interview with Whitewater
- Dave Boucher, operator of current WWTP
 - Jeremiah Murphy, operator of current WWTP
- 6:30 4. Discussion
- Whitewater had the much stronger presentation, including extensive experience with Ovivo Membrane BioReactor (MBR) plants in MA and start-up of those plants. Many more specifics were given by Whitewater, including relevant examples for working with Ovivo cooperatively to solve problems at other plants. W & S had no experience with Ovivo MBR plants. Whitewater is the obvious preferred operator based on experience with Ovivo. Also, their passion came through in working to use the most cost-effective solutions to problems with the current plant (e.g. aerator, flow monitoring, blockage removal).
 - WW Cost: ~\$43k + \$4k startup
 - WS Cost: ~\$40k + \$3k startup
 - Slightly lower cost of W&S does not outweigh our preference for Whitewater
- 6:43 5. Motion to select Whitewater as operator by Sam, second by

Wayland WWMDC Minutes

Fred, vote 2-0

- Decision is based on discussion above.

6:45 6. Motion to enable Town Administrator to enter into contract with Whitewater on behalf of WWMDC for one year of operation with up to two 1-year renewals by Sam, second Fred, vote 2-0

- John will check with Town Counsel on the appropriateness of the motion text.
- If the text is not appropriate, then there might need to be another WWMDC meeting early next week.

6:50 7. Adjourn

- Potter moves, Knight seconds, vote 2-0.

Respectfully submitted,
Fred Knight

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 11 Sep 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Absent:
Guests: Woody Baston, Linda Segal from 7:44 to 8:15, John Moynihan from 8:11 to adjournment
Location of meeting: Second Floor Small Conference Room, Wayland Town Building

Fred Knight called the meeting to order at 7:35 PM.

- 7:35 1. Public comment
- Woody comments on potentially large flow from Russell's Garden Center. Fred reports that quarterly water usage for Russell's varies tremendously, and their input is not the cause of our higher-than-pre2010 flows.
- 7:36 2. Solving the excess flow problem: old and new information
- No comments other than the Russell's Garden Center is not the solution to the overflow problem. They are going to separate their water meters for irrigation vs. in-building use, so we will use only 100% of their in-building use in the future.
- 7:40 3. Billing issues
- Fred and Bill compute new billing information based on water from water department. Send bills soon; they are later than usual.
- 7:46 4. Approval of minutes from 2012-08-07 and 2012-08-14
- Moved by Sam, second Fred, passed 2-0.
- 7:52 5. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 7:54 6. WWMDC composition: new member needed
- No action
- 7:56 7. Calendar: upcoming meetings and events
- 2 Oct 2012, Tuesday: scheduled for next meeting since Fred will be gone on the 9 Oct 2012.

- 8:00 8. Public comment
- Linda: Are legal bills being paid? We do not know.
 - Linda: What is the status of the testing for an excess leaching field at the TB? Completed for an area near the current leaching field for the TB.
 - Woody: What is the status of the Wayland Commons septic? Can the 40B units be charged full for wastewater? Unsure; no plans to charge them differently. Where are the 40B units? Scattered in site.
- 8:11 9. Executive session to discuss litigation
- See motion below
 - Roll call vote to exit executive session
- 8:47 10. New operator from plant
- John: Contract is signed, and Whitewater is continuing to operate the plant and to move to the new WWTF.
- 8:49 11. Update on new WWTF construction
- Trying to get Waterline back to the construction site to complete testing of the WWTF and move the generator from the old WWTP to the new WWTF.
 - National Grid has not given permission to install gas lines for new WWTF. John Moynihan gave them a week to schedule the installation of the gas line. The gas line is needed for hot water at the new WWTF.
 - NStar still has not installed the transformer for permanent power. The temporary power will suffice for the start-up period, presumed to now be in mid October 2012.
- 9:23 12. If needed, open session in case action results from executive session
- None
- 9:23 13. Adjourn
- Potter moves, Knight seconds, vote 2-0.

Respectfully submitted,
Fred Knight

MOTION TO GO INTO EXECUTIVE SESSION

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws

Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

CHAIR: Is there a second to the motion to enter into executive session?

The Chair declares that discussion of strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.

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

CHAIR: The Board invites Executive Director Bill Prendergast to attend to record minutes of the discussion. The Board will return to open session for the sole purpose of adjourning.

Attachments: invoices moved to be paid

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 16 Oct 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Absent:
Guests: Woody Baston, John Moynihan to 8:00, Linda Segal
from 7:37
Location of meeting: Selectmen's Room, Wayland Town Building

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

- 7:30 1. Public comment
- None
- 7:30 2. Update on construction and transition to new WWTF
- Waterline requisition #18: \$40,067.19 reviewed by Ian and John
- Motion to approve by Sam, second Fred, vote 2-0.
- Generator being moved on Thursday, temporary generator for old WWTP
 - Underground electric service installed
 - Gas line almost ready for turn on
 - Certificate for occupancy after heat turn-on and plumbing inspection
 - Schedule: seed plant on 23 Oct 2012, Ovivo on site, Scadda system on line (operational software)
 - Permission to release letter from Ian Catlow on the process for the transfer of pump station #3 to town.
 - Summary: on line by end of the next week.
 - Switch over of forced main to the pump station #3
- 7:55 3. New contract for operation
- Whitewater under new contract
 - Whitewater will work with Waterline to seed and check-out the new WWTF
- 8:00 4. Solving the excess flow problem: old and new information
- State Road Auto Body pump was repaired in Mar 2012 and verified by the Board of Health
 - Overall flow into the WWTP remains higher than

- before the 2010 flooding
 - Consider some more correlation time scales: monthly and compared to ground water elevation. Linda Segal to check about injection of water at Raytheon site
- 8:05 5. Billing issues
 - Question: when does the \$175,000 get paid from 20W to Town/ WWMDC?
- 8:15 6. Approval of minutes
 - Motion by Sam to approve, second by Fred, vote 2-0.
- 8:16 7. Reports: Financial report, annual town report, etc.
 - New WWTF balance is \$538,783. Remaining payments to Waterline are ~ \$330,000.
 - Bank balance for WWMDC \$501,019.
- 8:20 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
 - None
- 8:21 9. WWMDC composition: new member needed
 - No applicants
- 8:22 10. Calendar: upcoming meetings and events
 - Next regular meeting on Tuesday, 13 Nov 2012, normal date
- 8:23 11. Public comment
 - Linda: Can there be a tour of the new WWTF?
- 8:27 12. Executive session to discuss litigation; see below.
 - Motion per below by Sam, second by Fred, roll call vote 2-0: Sam Potter Yes, Fred Knight Yes.
 - Roll call vote to exit executive, vote 2-0: Sam Potter Yes, Fred Knight Yes.
- 8:38 13. If needed, open session in case action results from executive session
 - None
- 8:40 14 Adjourn

Respectfully submitted,
Fred Knight

MOTION TO GO INTO EXECUTIVE SESSION

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss

Wayland WWMDC Minutes

strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

CHAIR: Is there a second to the motion to enter into executive session?

The Chair declares that discussion of strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.

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

CHAIR: The Board invites Executive Director Bill Prendergast to attend. The Board will return to open session for the sole purpose of adjourning in under 30 minutes.

Attachments:

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 13 Nov 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast

Absent:

Guests: Woody Baston, John Moynihan to 8:15, Linda Segal, Anette Lewis

Location of meeting: Selectmen's Room, Wayland Town Building

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

7:30 1 Public comment

- Woody asks whether there has been movement for 20W to bill outstanding bills. Fred indicated that discussion had occurred, including payment of interest.
- Linda asks whether there has been further communication with the DEP concerning the proposed leaching field at the TB and whether the system will be mounded. Mounded, yes, but there was uncertainty about the height of the mound.

7:35 2. Update on construction and transition to new WWTF

- Week of 29 Oct 2012: seeding of the new WWTF with outside wastewater
- 5 Nov 2012: new piping from Wayland Commons to outside manifold at new WWTF attached
- 7 Nov 2012: tie into old sewer line via SMH#7, to Pump Station #3, to new WWTF
- Currently: new plant operating by WhiteWater
- Next week: meeting about demolition with John, WhiteWater, Waterline, and Tighe & Bond
- Motion #1: Sam move, Fred second, vote 2-0: The WWMDC accepts custody of Pump Station #3 as shown on Specification "Section 11301 - Submersible Pump Station, prepared by RJ O'Connell & Associates dated 8/26/11" because the WWMDC hereby determines that it was constructed in accordance with the specifications set forth in the Land Exchange

Agreement between the Town and Twenty Wayland, LLC dated 19 October 2011 and is now operating.

- Motion #2: move Fred, second Sam, vote 2-0: The WWMDC approves payment of \$25,000 to 20W per the Land Swap Agreement dated 19 Oct 2011 for the pump station #3, provided that 20W pays outstanding balance due to WWMDC.
- John reports that Tighe & Bond sent a letter to DEP to update the plant situation. Action: Fred will add this to the web site.
- Motion #3: Fred move, Sam second, vote 2-0: The WWMDC accepts provisions of the Land Exchange Agreement dated 19 Oct 2011 for 7.(2)(a) SMH#7 connection to Pump Station #3 and 7.(2)(c) Pump Station #3 to new WWTF, provided written approval from Town Counsel. Action: Fred to include written approval in these minutes.
- Requisition #1: Sam move, Fred second, vote 2-0: Approve billing from Waterline Industries through 30 Sep 2012 for \$52,416.25. Note: ~\$89k retainage remaining assuming ~\$370k for demolition of old WWTP.
- Requisition #2: Fred move, Sam second, vote 2-0: Approve billing from Tighe & Bond through 29 Sep 2012 for \$12,877.27. Note: ~\$50k retainage remaining, which is sufficient for demolition of old WWTP.
- John reported that he has just received a change order from Waterline Industries. The amount needs to be reviewed by John for approval at next meeting and includes revised utilities, response to new code for tamper and flow switches and heat detectors, temporary water service, lighting, and extra cost for pavement. The request is for \$47,511. If reviewed and approved, the remaining money in bonds would be small but still more than zero. A quick estimate was (4.5% of \$4.1M less ~\$100k less this request or \$37k).

8:15 3. DEP interaction and NPDES permit application

- Bill received, sometime in the last two weeks. A letter from EPA giving details of the NPDES application,

Wayland WWMDC Minutes

- which is due in June 2013. Attach this.
- DEP is requiring more engineering design for the TB leaching field. Question from Anette: Where will funds come from?
- 8:16 4. Solving the excess flow problem: old and new information
- No new information
- 8:16 5. Billing issues
- None
- 8:16 6. Approval of minutes
- Motion by Sam to approve, second by Fred, vote 2-0.
- 8:17 7. Reports: Financial report, annual town report, etc.
- Bill presented budget information (Should find a way to include it in these minutes). Balance from \$5.4M of bonds is \$539,021.86 as of 13 Nov 2012. Balance in account \$501,126.27 as of 13 Nov 2012.
- 8:20 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 8:20 9. WWMDC composition: new member needed
- No applicants
- 8:20 10. Calendar: upcoming meetings and events
- Next regular meeting on Tuesday, 11 Dec 2012, normal date
- 8:21 11. Public comment
- Sam had to go to another meeting.
 - Anette: Were the conservation measures ever posted to the web site? Fred will check on this.
 - Anette: Are there connection permits for 20W businesses and Wayland Commons condo owners? 20W businesses are not the same as an office building. DEP gives the permission to connect to a sewer; the WWMDC gives the permission to discharge. Please refer to the WWMDC regulations pp 8, 9, 11, 17.
- 8:30 12. Executive session to discuss litigation; see below.
- None
- 8:30 13. If needed, open session in case action results from executive session
- None
- 8:30 14. Adjourn

Wayland WWMDC Minutes

Respectfully submitted,
Fred Knight

Attachments:

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 11 Dec 2012

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Absent:
Guests: Anette Lewis, Ian Catlow of T&B until 8:30, Fred
Turkington, Tom Sciacca, Mark Lanza for
Executive Session
Location of meeting: Large Hearing Room, Wayland Town Building

Fred Knight called the meeting to order at 7:34 PM.

- 7:34 1. Public comment
- Anette on TB leaching fields, issues of cost, land control, and removal of septic system necessitating operational charges to the Town, use of the land by WWMDC. Comments on ACO: not required by law so needs explanation in open session for fiscal impact on users. Who is WWMDC rep on FinCom? Need to have a current-year transfer at ATM for \$35k for hydro-geo study.
- 7:40 2. Update on construction and transition to new WWTF, including details on how the transition went, an explanation of the start-up activities at the new plant, and some indication of the range of data that can be available from the new plant, especially flow (Ian)
- During first week of operation (7-13 Nov 2012) went into compliance. Good.
 - Post-Thanksgiving pumping from old WWTP to empty its tanks.
 - Permanent electrical service in place, underground from Rt 27. Temporary poles still need to be removed.
 - Generator in place. Moved from old WWTP. Needed service. Need to have operator keep generator in working order; programmed test run should be part of a weekly routine.

- Seeding and plantings put in, but they may need updating in the spring.
 - Demolition being permitted and checked for asbestos testing.
 - Old outfall pipe is being removed. No existing roadways on top of outfall pipe.
 - Will the new WWTP be operating 6 months before the end of the year? Want “beneficial use” in place before the end of 2012 to allow charging betterments for FY2014. Probably need an engineering letter to this effect.
 - Pump station is working, and operators have all necessary documentation and training for maintaining it.
- 7:55 3. DEP interactions and NPDES operating permit application. There are two areas here.
- Approval of hydro-geo study from DEP on 26 Nov 2012; letter from DEP. The amount for permitting application will be on the order of \$5000, above the \$35000 already spent for the hydro-geo study.
 - Still estimating \$800k-\$900k for piping and leaching field if constructed.
 - There needs to be a draft plan for applying for the new NPDES permit. Can attack this in January 2013
- 8:10 4. Solving the excess flow problem: old and new information.
- Show plots of flow over time.
 - Ian presents a correlation of 2011 flows with ground water levels that were measured in Cochituate. Some other comments that 2010 was quite snowy before the rain-induced Spring 2010 flooding.
 - Sam thinks that he can visit other users whose systems were not inspected in January 2012, in the hope of finding the sources and thus reducing excess flows.
- 8:30 5. Billing issues
- Two billings occurred in early November for 2 quarters: Apr-Jun 2012 and Jul-Sep 2012. New bills were sent for the first time to Wayland Commons condo owners.
 - Both bills had operational charges and the second had

Wayland WWMDC Minutes

- the surcharge as well.
 - These bills were unexpected from the Wayland Commons owners. I received telephone calls asking for explanation.
 - Water is billed to the condo association. Why should we bill individual owners? Instead, we should bill the condo association. Need to check into this.
- 8:35 6. Approval of minutes
- Motion by Sam to approve, second by Fred, vote 2-0.
 - Note that the \$25,000 to be paid to 20W for pump station #3 (under Land Swap Agreement) requires that 20W is up to date on their payments. (Note after meeting: 20W argues that according to land swap agreement, we cannot hold up this payment.)
- 8:43 7. Reports: Financial report, annual town report, etc.
- Balance of \$596,455.83 after \$113,146.79 paid very recently by 20W
 - Draft budget has significant errors. Need budget hearing in January. How much in advance do we need a legal notice?
- 8:49 8. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 8:50 9. WWMDC composition; third member needed
- No candidates
- 8:55 10. Calendar: upcoming meetings and events
- Next regular meeting on Tuesday, 8 Jan 2013, normal date; unless we have to delay due to having a hearing for setting rates.
- 8:56 11. Advertisement for new Executive (or Assistant) to WWMDC
- Advertisement on Town Web site
 - 1 interested person so far
 - Leave open for another month
- 9:00 12. Public comment
- Anette says that Wayland Commons needs a permit under our regulations.
- 9:05 13. Executive session on litigation; see motion below. This deals with the impact of the ACO on litigation.
- 10:05 14. Open session and any action resulting from executive session

Wayland WWMDC Minutes

- None

10:05 15. Adjourn

Respectfully submitted,
Fred Knight

Attachments:

Financial information: account balance and construction balance
Charts shown at meeting

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 14 Dec 2012

MINUTES

In attendance: Fred Knight, Sam Potter
Absent:
Guests: Anette Lewis, Molly Upton, Woody Baston, John Moynihan, Ian Catlow
Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 8:35 AM.

- 8:37 1. Public comment
- Anette: Why are we using BRP WP 81 rather than BRP WP 85? Ans: Ian says DEP says this is the one they want.
 - Woody: What are the capacities to be used in calculating betterments? Discussion follows. Woody wants the total capacity to be understood.
- 8:45 2. Discuss and approve BRP WP 81 – General Permit for Small Wastewater Treatment Facility Wayland, Massachusetts.
- Introduction: This application to MassDEP is part of our initiative to get the remaining allocation permitted for 20W. The MassDEP granted them a permit for their 45000 gpd in two phases. The first is for 28000 gpd and is allocated to businesses and condos in the first phase of the development at the Town Center. The second, totaling 17000 gpd, is to be approved when the WWMDC satisfies MassDEP that the entire aggregate capacity for all users of the WWMDC can be disposed of. This application is for a ground water discharge on the property near the Town Building to supplement the surface water discharge to the Sudbury River.
 - Discussion about the contents of the application. Suggestions from Fred on changing some wording.
 - Motion by Sam: WWMDC authorizes the WWMDC chair to sign the ground water discharge permit once Town Counsel has reviewed the document and provided

any changes are reviewed by Town Counsel. Second by Fred, vote 2-0.

- 8:54 3. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- Discussion of WWMDC needing to approve piping to and from Pump Station #3
 - Fred to issue a letter to 20W, as moved in the November 2012 WWMDC monthly meeting.
- 9:02 4. Public comment
- Molly: Is there a plan to add meters on users? How will betterments be charged? Ans: Meters are not planned due to cost (Est \$2000/user), but we are considering temporary meters in some locations.
 - Woody: How will flows from Wayland Commons and 20W be monitored? Ans: Wayland Commons pumping station run time and 20W water meters.
 - Anette: Who are parties in ACO? Ans: ACO is being negotiated. Will there be a refined cost estimate for construction of forced main and leaching field? Ans: Piping cost and construction of the leaching field are estimated to be in the range \$800k to \$900k. Who controls the land where leaching field will be placed? Where are the funds coming from to pay for the leaching field?
 - Woody: Does estimated cost of leaching field include repaving? Ans: Estimated cost includes restoration of roadway and sidewalk.
 - Ian: For grinder pumps in the outside, there could be influx of ground water from the gravity feed from the house into the E-1 (container for grinder pump) or leak in the E-1. For inside grinder pumps, there could be sump pump dumping into wastewater system.
 - Anette: Has 20W been shown our water conservation restrictions?
 - Ian: Maybe confirm this with water department inspections. Coordinate with John Moynihan.
- 9:27 5. Adjourn

Respectfully submitted,

Wayland WWMDC Minutes

Fred Knight

Attachments:

To be attached

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 8 Jan 2013

MINUTES

In attendance: Fred Knight, Sam Potter, Bill Prendergast
Absent:
Guests: Anette Lewis, Woody Baston, Linda Segal, Molly Upton (after 7:45), Mark Lanza (after 8:40)
Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 7:33 PM.

7:33 1. Public comment

- 7:32 Woody: Whole Foods shopping center sold for \$6M. Q: Can there be more allocation for wastewater? Q: Flow from Bertucci's and Stop & Shop? Ans: Initial flows seem reasonable.
- Linda: DEP letter about mounding of the leaching field. How much mounding? Ans: need to study plans more, but there is mounding on plans.
- Linda: When were the last legal bills paid by WWMDC? Ans: None that Fred remembers.
- Anette: Wonders what the meaning of "the impact of the ACO on litigation" is on the executive session item?
- Anette: Continued comments on relationships in 20W suit.

7:55 2. Interview of finalist for WWMDC Assistant Position

- Advertisement on Town web site for about 6 weeks
- Interviewed two candidates
- Interviewers: John Senchyshyn, Fred Knight
- Offered position to Ira Montague
- Ira accepted the position
- Fred Knight, Bill Prendergast, and Patricia Lemon will work with Ira Montague

8:00 3. Update on construction and transition to new WWTF

- New WWTF operating well.
- Demolition of old WWTP in process
- Linda: Is there any exploration of underground the old WWTP?
- Three invoices need to be approved (See attached).
 1. \$16,508 to Waterline Industries, motion to approve payment by

Wayland WWMDC Minutes

- Sam, second Fred, vote 2-0
2. \$16,000 to Tighe & Bond for hydro-geo study, motion to approve payment by Sam, second Fred, vote 2-0
 3. \$6,370.42 to Tighe & Bond for construction administration, motion to approve payment by Sam, second Fred, vote 2-0
- 8:07 4. DEP interactions and NPDES operating permit application.
- Sam thinks that we should increase the NPDES permit to more than 52k gpd
 - Sam thinks we should submit application as soon as possible
 - Start process and update next month
- 8:10 5. Solving the excess flow problem: old and new information.
- Update on flow: no big change since new WWTP came on line (7 Nov 2012) but fewer fluctuations.
 - Fred needs to give notes on inspections to Sam
- 8:15 6. Articles for 2013 Annual Town Meeting: Transfer WWMDC functions to DPW?
- No appetite to submit article
- 8:16 7. Billing issues
- Condos at Wayland Commons have received bills. Many questions asked by owners. Need to make further adjustments due to changes in condo connections to WWMDC vs. private sewer for Wayland Commons
 - How should the Wayland Commons condos be billed? Maybe we bill the condo association. Bills will have to be altered anyway.
 - 20W wants to have us charge the businesses directly. Sam will discuss with Frank Dougherty.
- 8:25 8. Approval of minutes
- Two sets of minutes for 11 Dec 2012 and 14 Dec 2012, motion for approval by Sam, second by Fred, vote 2-0
- 8:30 9. Annual Budget and Reports: Annual budget, Financial report, annual town report, etc.
- Draft budget shown. Still has errors. Needs work. See attached.
- 8:37 10. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- None
- 8:37 11. WWMDC composition: new member needed
- No action
- 8:37 12. Calendar: upcoming meetings and events, including hearings.
- Return to second Wednesday of each month to avoid Planning Board

Wayland WWMDC Minutes

conflict

- Next meeting will include rate hearing. Oops, cannot do that because we need a public notice 30 days in advance.
- Next meeting date is 13 Feb 2013

8:40 13. Executive session on litigation; see motion below. This deals with the impact of the ACO on litigation.

14. Open session and any action resulting from executive session

- None

9:05 15. Public comment

- None

Respectfully submitted,
Fred Knight

Attachments:

To be attached

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

MOTION TO GO INTO EXECUTIVE SESSION

MOVER: I move that the Wastewater Management District Commission enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges, if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

CHAIR: Is there a second to the motion to enter into executive session?

The Chair declares that discussion of strategy with respect to litigation between Twenty Wayland, LLC and the Commission and / or the Town of Wayland over sewer use charges as stated in open session of the Commission on May 19, 2011 in an open meeting may have a detrimental effect on the litigating position of the Town.

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

CHAIR: The Board invites Executive Director Bill Prendergast, Town Counsel Mark Lanza, Town Administrator Fred Turkington (if present). The Board will return to open session to adjourn only in approximately 25 minutes.

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 13 Feb 2013

In attendance: Fred Knight, Sam Potter, Ira Montague, John Moynihan

Absent:

Guests: Anette Lewis, Woody Baston, Cherry Karlson, KGI: Frank Dougherty, Anthony DeLuca, Kristen Wagner, Kim Simmons

Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 7:32 PM.

Note that some items were taken out of anticipated order.

7:32 1. Public comment

- Woody: TC article on BoH on prohibition of floor drain output into wastewater system.
- Woody: Any update on inspections? Ans. None. Fred to give forms to Sam after meeting.
- Woody: Any update on the allocation method for betterments? Ans: It will be based on capacities and the amounts are not determined completely, but the baseline to be assumed by the WWMDC is what is currently used for charging.
- Anette: What will budget format in ATM warrant? Ans. See discussion on item 8.

7:35 2. Discussion with 20W about billing

- Introductions
- Operating Charges: proposal to charge by building. Only two businesses are single businesses, each in a building. These two, Stop&Shop and Panera, will be billed separately. All other buildings will be billed to KGI using water readings from the Town's Water Dept.
- Betterments: Two parcels before 12/31/2012. One has 25,464 gpd capacity; the other has 19,536 gpd. As of 12/31/2012, there are many parcels, only 3 of which will have capacity.
 1. Parcel 7: 17000 gpd
 2. Lot 2-1: 2,536 gpd
 3. Lot 1-1: 25,464 gpdBetterments will be charged for these three parcels. Action: 20W to

give addresses for billing to WWMDC.

- Try to get the current bill for Oct-Dec 2012 allocated based on water usage for the two open businesses. Action: WWMDC (Ira and Fred) to compute charges.
- 30-day comment period is about to start. Which publication date signifies the start of the 30-day period? Need to check on this. John M. will check with DEP.
- When is substantial completion of the project? Discussion about what constitutes completion to start the clock for payment by 20W of the \$175,000 gift. Need to determine this; ask Mark Lanza.
- Fred needs to generate an acceptance letter based on WWMDC action in previous meeting.
- Mention of other items on list from 20W.
- Some discussion of the need to pay 20W \$25,000 for acceptance of the pump station.
 - Motion to approve the payment of \$25,000. Fred moves, Sam seconds, vote 2-0

- 8:45 3. Update on construction and transition to new WWTF
- Covered under previous discussion with 20W
 - There is no Certificate of Occupancy yet.
 - Plant has been operating since 7 Nov 2012.
 - Invoice from contractor, Waterline Industries, #20 for October 2012 in amount of \$50,707.82. Motion to approve. Sam moves, Fred seconds, vote 2-0.
- 8:50 4. DEP interactions and NPDES operating permit application.
- John to contact Tighe & Bond about what is needed.
- 8:54 5. Solving the excess flow problem: old and new information.
- No new information
 - Note that Fred is to give previous inspection forms from Jan 2012 to Sam so that he can contact other owners.
- 8:56 6. Billing issues
- For next period, Jan-Mar 2013, we will correct previous billing issues.
 - These bills will be issued in Apr 2013.
 - What does the agreement with Wayland Commons state about billing?
- 8:58 7. Approval of minutes
- Motion to approve by Sam, Fred seconds, vote 2-0.
- 8:20 8. Annual Budget and Reports: Annual budget, Financial report, annual town report, etc.

- See slide 13 for the proposed annual budget.
 - Operating expenses of \$118,400 can be broken down into utilities, including new gas bill, and generator contract. Overlap of WWTP and WWTF needs to be allocated. More electricity from NSTAR is being used on the new WWTF.
 - What about \$15,000 for administrative back charge to Town?
 - What about assistant's charges?
 - Possibly eliminate contingency of \$15,000? Possibly increase it to \$20,000? Leave as is.
 - What about insurance? Part of Town's master plan.
 - What about legal bills? Ira to request clarification here.
 - What about NPDES permit submittal?
 - Action: John and Ira to add itemization and combine into line items for the ATM warrant. This is needed for the ATM warrant. Deadline is 25 Feb 2013.
- 9:10 9. Topics not reasonably anticipated by the chair 48 hours in advance of the meeting, if any.
- Correspondence needs addressing. We will add this to our agendas in the future.
- 8:56 10. WWMDC composition: new member needed
- None
- 9:04 11. Calendar: upcoming meetings and events, including hearings.
- Have to reschedule the hearing because of incorrect date (tonight) in published notice.
 - 27 Mar 2013 is new proposed date.
 - This will be the Mar 2013 meeting date.
- 9:05 12. Public comment
- Anette: Quarterly billing? Yes.
 - Anette: What is our reserve? Why did Sam say it was \$0 earlier. Ans: potential commitment, still pending due to litigation.
 - Anette: more discussion on making sure we have published rates 30 days prior to hearing
- 9:10 13. Executive session on litigation; see motion below. This deals with the impact of the ACO on litigation.
- None
- 9:10 14. Open session and any action resulting from executive session
- None
- 9:20 15. Adjourn
- Motion by Sam second by Fred, vote 2-0.

Wayland WWMDC Draft Minutes

Respectfully submitted,
Fred Knight

Attachments:

To be attached, charts from this meeting

Distribution:

Fred Knight,
Sam Potter,
Board of Selectmen,
Web site,
File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 27 Feb 2013

In attendance: Fred Knight, Sam Potter, Ira Montague

Absent:

Guests: Anette Lewis, Woody Baston, *

Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 7:32 PM.

7:32 1. Public comment

- Woody Baston questioned betterments as applied to Wayland Commons, the existence of a nearby leaching field and portion Twenty Wayland will pay towards the cost. Sam Potter assured Woody that Twenty Wayland would pay its' fair share. Mr. Baston also asked about missing address numbers in the condo complex and how the billing would be effected for units which became age restricted or under affordable housing designation.
- Anette Lewis complemented the board on the revised budget adding that the detail added was very helpful. Ms. Lewis suggested a number of additional line items to be added including asset balance, surface water testing fees and NPDES permit renewal charge.

7:55 2. Discussion of FY2014

- Discussion proceeded concerning accuracy of the draft 2014 budget, the addition of new line items including surfacing water testing fees, the NPDES permit renewal charge, and the forth coming gift of \$175000 from Twenty Wayland upon completion of the new plant.
 - Motion to approve budget as amended and to allow chair to consult with Fincom to determine if the \$175000 should be included in the budget by Sam Potter. Seconded by Fred Knight.
 - Motion to approve passed 2-0

8:25 3. Reviewed warrant of schedule of bills payable.

- Motion to approve by Sam. Seconded by Fred Knight.
- Motion to approve passed 2-0

8:35 4. Ajourn

Respectfully submitted,

Ira Montague

Distribution: Fred Knight, Sam Potter, Board of Selectmen, Web site, File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 20 March 2013

In attendance: Fred Knight, Sam Potter, Ira Montague

Absent:

Guests: Anette Lewis, Woody Baston, Frank Normandin*

Location of meeting: Selectmen's Room, Wayland Town Building

Fred Knight called the meeting to order at 7:32 PM.

- 7:32 1. Public comment
- Woody Baston asked if anyone had meet with Wayland Commons to find out what units, if any, had been connected to their private leaching field. Fred Knight answered that 13 units had been connected and that the outstanding billing issues were being addressed. Sam Potter suggested the hiring of Patricia Lemmon to help correct outstanding billing issues.
- 7:55 2. Discussion of the FY2014 budget presentation slides and key topic points for the hearing scheduled for 3-27-13, including the 2014 budget, operation budget, betterment schedule and user rates. It was agreed that a notice of the hearing would be mailed to all users to assure awareness of the hearing.
- 8:25 3. Reviewed warrant schedule of bills payable. Unauthorized "extra charges" on the White Water invoice were questioned and a decision to hold back payment on these was agreed to until White Water could substantiate them.
- Motion to approve by Sam. Seconded by Fred Knight.
 - Motion to approve passed 2-0
- 8:45 4. Ajourn

Respectfully submitted,

Ira Montague

Distribution: Fred Knight, Sam Potter, Board of Selectmen, Web site, File

WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 01 April 2013

In attendance: Fred Knight, Sam Potter, Ira Montague
Location of meeting: School Committee Room, Wayland Town Building

Fred Knight called the meeting to order at 7:40 PM.

- 7:40 1. Hearing FY2014 WWMDC budget
- Fred began over view of WWMDC budget figures, costs associated with building the new plant, specific break out numbers for operating and capital expenses, and the calculation process for system users. Round table discussion began on the possibility of reducing by refinancing the rate on the new plant bond and impact this would have on system users.
- 8:05 2. Discussion betterments
- Betterment calculation and long term rates were discussed. Round table discussion began concerning implications of excess water “leakage” into the system, upwards of 10,000 gallons a day, how this impacts future system costs including the possible need to build an additional leaching field on Town Building property. An overview of how payment of this field would be accomplished and where monies for the study and design of this system were budgeted. It was agreed that an outside contractor would be hired to investigate this excess flow.
 - Sam provided an overview of the capacity issues as it relates to the Town, WWMDC, and DEP. A review of the existing lawsuit between the town and Twenty Wayland was discussed but much of the details are privileged having been restricted to executive session.
Further detail discussion of user contractual betterment obligations and those implications was agreed necessary and Mark Lanza will be invited to opine further on this issue.
- 8:55 3. Reviewed warrant of schedule of bills payable.
- Motion to approve by Sam. Seconded by Fred Knight.
 - Motion to approve passed 2-0
- 9:01 4. The board requested that the process begin to pay Twenty Wayland the \$25,000 amount agreed to in the development agreement signed by the Board of Selectmen. Ira agreed to discuss what is necessary to address this obligation with the town administrator.
- 9:15 5 Adjourn

Respectfully submitted,
Ira Montague

Distribution: Fred Knight, Sam Potter, Board of Selectmen, Web site, File

MINUTES
WAYLAND WASTEWATER MANAGEMENT DISTRICT COMMISSION

MEETING OF 17 April 2013

In attendance: Fred Knight, Sam Potter, Ira Montague
Location of meeting: School Committee Room, Wayland Town Building
Sign-in sheet attendees: Woody Baston, Ian Catlow, Linda Segal, Molly Upton

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

- 7:30 1. DEP interactions and NPDES operating permit application
- Ian Catlow from Tigh and Bond was present to speak about the NEDES permit application progress and the firms proposal to seek an additional flow rate increase of at least 17,000 gallons per day. Mr. Catlow's firm will base its appeal to the DEP on the fact that the increase in flow will not result in an increase of pollutant load to the Sudbury River. This additional scope of work for Tigh and Bond is not to exceed \$5300.
 - Motion to approve proposal by Sam. Seconded by Fred Knight.
 - Motion to approve passed 2-0
- 8:05 2. Solving the excess flow problem: old and new information.
- Discussion concerning undocumented excess flow in the system and where it might be coming from continued from last meeting. Ian Catlow suggested checking all individual users pumps and drains before high ground water level recedes. It was decided to contact Roger Millet from Butler to conduct home system inspections in search of leaks and water entry.
- 8:55 3. Other issues:
- Woody Baston commented that he believed the four new homes being constructed on River Rock Way were outside the discharge capacity approved for the housing development. Ira and Woody agreed to meet with Jay Abelli, the town's building inspector, and get his understanding of he situation.
 - Ira addressed the topic of the \$25,000.00 payment to Twenty Wayland for the completion of the wastewater treatment facility. He has spoken to Mark Lanza about preparing the necessary paperwork and will file the warrant accordingly.
 - Next meeting will be posted for May 15.
- 9:15 5 Adjourn

Respectfully submitted,
Ira Montague

Distribution: Fred Knight, Sam Potter, Board of Selectmen, Web site, File