

**WELLESLEY BOARD OF PUBLIC WORKS RECORDS
MAY 9, 2023**

The Wellesley Board of Public Works held a duly posted open online remote meeting beginning at 5:00 PM.

Remote participants included Chair Scott Bender, Commissioners Ellen Korpi and Jeffrey Wechsler; Director David A. Cohen; Assistant Director Jeff Azano-Brown, Town Engineer David J. Hickey, Jr.; Executive Assistant Debra Sumner; and Advisory Committee Liaison Pete Pedersen.

Chair Bender called the meeting to order at 5:01 PM.

APPROVAL OF MINUTES

Following reference to the minutes from the most recent Board of Public Works meetings proposed for approval and, upon motion duly made by Ms. Korpi and seconded by Mr. Bender, it was

VOTED: To approve the Open Session Minutes of the meetings of March 14, 2023, April 4, 2023, April 10, 2023 and April 11, 2023 as presented (2-0).

Ms. Korpi – Aye
Mr. Bender – Aye

Mr. Wechsler arrived following this vote having been taken.

Upon motion made by Mr. Wechsler and seconded by Mr. Bender, it was

VOTED: To approve the Open Session Minutes of the meeting of March 27, 2023, as presented (2-0).

Mr. Bender – Aye
Mr. Wechsler – Aye

Ms. Korpi abstained as she was not present at the meeting.

CITIZEN SPEAK

Chair Bender provided anyone participating remotely with the opportunity to speak regarding matters pertaining to the Department of Public Works. No participants attended the meeting.

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Advisory Committee Liaison Update. Mr. Bender invited Mr. Pedersen to bring any matters of interest to the Advisory Committee to the attention of the Board.

Mr. Pedersen reiterated, as conveyed in the past, that the Advisory Committee continues to be most interested in articles covered at Annual Town Meeting. For the Department of Public Works these would include interest in continued updates and/or changes to PFAS, which is on the agenda, the Stormwater Enterprise Fund, the Baler Stabilization Fund and outdoor water restrictions.

DIRECTOR'S ITEMS

Stormwater Enterprise Fund. Director Cohen conveyed that since this is the Board's first meeting since Annual Town Meeting, he took this opportunity to acknowledge the Department's proposed Stormwater Enterprise Fund was adopted with fees to be implemented in FY 2025 instead of July of 2024, as originally planned. The change in schedule will allow staff additional time to develop credit and abatement policies, as well as work with large landowners to ensure all will be prepared for the new fee when it comes online. It will also allow more time to coordinate with Town partners on setting up the billing system and related integration with MUNIS and customer service billing. Considerable work will be required to be done behind the scenes between now and next July. Mr. Cohen also acknowledged that this goal was more than 10 years in the making for the team who began the work in 2009. The project has come to fruition due to the consistent efforts of key employees including Dave Hickey, George Saraceno, Eilish Corey and our consultant Tighe and Bond. The Director expressed a deep and sincere appreciation to all for their valuable assistance in reaching this achievement.

Following a brief discussion related to questions and concerns expressed from the Board, the Director conveyed a policy will be developed for abatements and there will be opportunities for people to weigh in.

Baler Replacement Fund. Director Cohen requested that the Board consider granting authorization to expend up to \$50,000 from the Baler, Compactors and other RDF Equipment Repair Fund to cover the cost of repairs to both the baler and trash compactor number two.

The Director acknowledged that the fund is in good position for when it is needed.

Mr. Cohen conveyed it is likely that within the next five years an evaluation will need to be done to assess whether or not the unit should be replaced. The Board was in agreement that the return on investment for a replacement piece of equipment would need to be weighed against the value it is producing, especially with the market fluctuations.

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Upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That the Board of Public Works authorizes the expenditure of up to \$50,000 from the FY 2023 Baler, Compactors and Equipment Major Repair Revolving Funds for the repair of the trash compactor and baler and RDF Expense overages (3-0).

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Voluntary Outdoor Watering Restrictions. Director Cohen referred to the Town's registration to withdraw water, which has been conditioned for if and when the State declares a drought in our region, we will now be required to limit outdoor non-essential watering to one day per week.

In preparation for this possibility, the Director conveyed staff is proposing a voluntary program that will mirror the one day per week requirement. Mr. Cohen reviewed the proposed plan in detail.

Following a review of the plan and subsequent discussion, each Board member provided feedback regarding municipal watering, exceptions, and common best practices related to outdoor watering conservation efforts. The Board requested that Director Cohen give additional thought to the matter and come back to the Board prior to recommending defined conservation measures.

Following a discussion and review of various potential scenarios, the Board proposed a gradual recommendation be made, if any, for rate payers to practice conservation measures such as reducing daily watering to two to three days per week vs. daily watering.

The Board requested that Director Cohen give the process more consideration and advise the Board of his recommendation.

DIRECTOR'S ITEMS

PFAS Update. The Director conveyed the numbers keep trending downward. Most notably, the most recent PFAS 6 sampling of the Rosemary Longfellow Treatment Plant came in at 11.3 ppt; the Wellesley Avenue Treatment Plant was 8.4 ppt and the Morses

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Pond Treatment Plant continues to be at non-detect. Mr. Cohen confirmed work continues on water system modeling for a second connection from the MWRA. Director Cohen will provide updated information at a future meeting.

Director Cohen also notified the Board that later this fall the filters at the Morses Pond Treatment Plant will need to be rebed, which entails replacing the filter media as part of the pilot project.

Code of Conduct for Municipal Employees Engaged in Official Business Relationships. Director Cohen referred to the document forwarded by Finance Director Sheryl Strother who requested the Board adopt this code upon recommendation from the Town's Auditors.

Upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That the Board of Public Works adopt the Code of Conduct for Municipal Employees Engage in Official Business Relationships, Original Date May 9, 2023. (3-0)

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Statement of Fact – Sidewalk and Curbing Replacement – Contract #23C-420-1712. Following Director Cohen's reference to the Bid Recommendation prepared by Project Manager Michael Quinn and brief discussion to acknowledge the cost comparison to last year, Ms. Korpi also inquired if anticipation for rising costs was included in the FY24 budget to cover potential increases in annual contracts. The Director replied a fluctuation in the paving prices price could potentially reduce the number of miles to be paved in a year but he was confident in the budget allocations.

Upon motion duly made by Mr. Korpi and seconded by Mr. Wechsler, it was

VOTED: That Contract #23C-420-1712 Sidewalks & Granite Curbing Installation and Replacement bid be awarded to M. Neves Inc., 78 Gridley Town Road, Dartmouth, MA 02747 for a total bid price of \$252,850.00. (3-0).

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

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Statement of Fact – Road Restoration - Hot Mix Asphalt, In-Place, Cold Planing & HMA Berm – Contract #23C-420-1713. Director Cohen referred to the bid recommendation prepared by Park & Highway Division Superintendent Elizabeth Gildae. Following a brief discussion and upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That Contract #23C-420-1713 for Road Restoration – Hot Mix Asphalt, In Place, Cold Planing & HMA Berm be awarded to the lowest bidder, P.J. Albert, Inc. Fitchburg, MA in accordance with our specifications and their bid prices as follows (3-0).

Item I: Furnish, deliver, spread and compact to grade \$86.00/ton
Hot Mix Asphalt, Class I Type I Top or Binder

Item II: Furnish, deliver, spread and compact to grade \$90.00/ton
Hot Mix Asphalt, Class I Type I Top or Binder **(Night Hours)**

Item III: Cold Plane and/or Profile Hot Mix Asphalt
Surfaces to a depth of up to 2" inches \$2.75/sy

Item IV: Cold Plane and/or Profile Hot Mix Asphalt \$3.90/sy
Surfaces to a depth of up to 2" inches **(Night Hours)**

Item V: Install HMA Berm, MassDOT Type 2 \$4.95/lf

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Statement of Fact – Surface Treatments of Hot-Mix Asphalt Roadways – Contract #23C-420-1714. Director Cohen referred to the bid recommendation prepared by Park & Highway Superintendent Elizabeth Gildae. Following a brief discussion and upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That Contract #23C-420-1714 for Surface Treatments of Hot-Mix Asphalt Roadways be awarded to lowest bidder, All States Asphalt, Inc., P.O. Box 91, Sunderland, MA 01375, in accordance with our specifications and their bid prices as follows (3-0).

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| Item 1: | Furnish, deliver, prepare site and install Single Stone Seal on Hot-Mix Asphalt as directed at various job sites in Wellesley. | \$3.60/SY |
| Item 2: | Furnish, deliver, prepare site and install Double Stone Seal on Hot -Mix Asphalt | \$6.05/SY |
| Item 3: | Furnish, deliver, prepare site and install 10% Asphalt Rubber Surface Treatment on Hot-Mix Asphalt as directed at various job sites in Wellesley. | \$4.50/SY |
| Item 4: | Furnish, deliver, prepare site and install 20% Asphalt Rubber Surface Treatment on Hot-Mix Asphalt as directed at various job sites in Wellesley. | \$6.05/SY |

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Statement of Fact - Microsurfacing Treatments of Hot Mix Asphalt Roadways – Contract #23C-420-1715. Following Director Cohen’s review of the bid recommendation prepared by Highway Division Superintendent Beth Gildae and upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That Contract #23C-420-1715 for Microsurfacing Treatments of Hot-Mix Asphalt Roadways be awarded to lowest bidder, Indus, 825 Granite Street, Braintree, MA 02184, in accordance with our specifications and their bid prices as follows (3-0):

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|--------|---|-----------|
| Item 1 | Furnish, delivery prepare site and install Single Lift HiMA (6% SBS) Microsurfacing Treatment on Hot-Mix Asphalt as directed at various job sites in Wellesley. | \$4.74/SY |
| Item 2 | Furnish, deliver, prepare site and install double Lift HiMA (6% SBS) Microsurfacing Treatment of Hot-Mix Asphalt as directed at various job sites in Wellesley. (3-0) | \$9.45/SY |

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

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Statement of Fact - Hot Mix Asphalt, Picked Up – Contract #23S-420-1716.

Following Director Cohen's review of the bid recommendation prepared by Highway Division Superintendent Elizabeth Gildae and upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That Contract 23S-420-1716 for Hot Mix Asphalt, Pick-Up be awarded to the lowest responsible and responsive bidder, in accordance with our specifications and their bid prices as follows (3-0).

Item I (Regular Season): T.L. Edwards, Inc., Avon, MA \$ 75.45/ton

Item II (Winter Season): T.L. Edwards, Inc., Avon, MA \$109.00/ton

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Budget Reallocation Request, FY2023. Following the Director's review and reference to a memorandum prepared by Assistant Director Azano-Brown with a detailed explanation for this request related to the RDF's Expense shortfall.

Upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was

VOTED: That the Board of Public Works approves the transfer of Positive Expense budget balances in Engineering, Highway and Park to offset the deficits in RDF not to exceed \$150,000 (3-0).

Ms. Korpi – Aye
Mr. Wechsler – Aye
Mr. Bender – Aye

Recycling & Disposal Facility (RDF) Update. Director Cohen provided an update on solar paneling recycling. Mr. Cohen conveyed it is his understanding there is one company in United States that recycles these units thoroughly and appropriately. A detailed description is now included in the RDF's app. Currently, to dispose of used solar panels to be recycled, residents must make special arrangements with the RDF in advance. The units will be stockpiled at the RDF and shipped when a full load has been collected. The plan is for a fee of \$20 per panel to be passed off through the collections. The vendor is finding the majority of solar panels still have life and the goal is to repurpose them in the United States.

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Other recent RDF activities included partnering with Wellesley Wonderful Weekend Events including food waste recycling in addition to providing assistance with general recycling efforts. As an FY24 Goal, Mr. Cohen conveyed RDF Superintendent Manzolini will be creating infrastructure at events to help encourage increased recycling efforts.

Ongoing events taking place at the Facility include resuming Paint Recycling the first Thursday of each month and operation of the Reusables Area Tuesday through Saturday. The limited hours will expand if more volunteers join the effort.

Household Hazardous Waste Products Collection and Document Shredding will be held on Sunday June 4. The baler is back up and running since the main ram has been repaired by DPW staff members including Fleet Maintenance welder Bill Stevens and RDF Supervisor Shawn Vann who coordinated the extensive effort, as well as resolving an electrical issue.

Statement of Fact Activity. The Director referenced the purchase of concrete T-Walls for the Transfer Haul Building.

Water & Sewer Financial Statements. The Director referred to the statements for the month of February combined with a cover memo prepared by Christopher Cusack highlighting high cash positions, in both Water and Sewer which he conveyed are attributable to the volume of water sold last summer and last year's rate increase. Mr. Cohen confirmed the revenue will be used to fund ongoing costs. It was noted that the MWRA water use continues to be on the high side.

Mr. Wechsler acknowledged that unbilled water has been trending downward. It was confirmed that over 95% of the meter replacements have been installed.

Water & Sewer Rates. Director Cohen referred to the memorandum prepared by Assistant Director from Jeff Azano-Brown recommending a 4% increase in the rates partially due to MWRA assessments. Following a brief discussion, it was decided a Board Meeting would be scheduled in early June for the single purpose of conducting a Public Hearing to provide rate payers with an additional opportunity provide feedback. The Public Hearing will be followed by the regularly planned BPW Meeting on Tuesday, June 13, at which time the new proposed rates will be reviewed and voted upon to become effective July 1, 2023.

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Environmental Working Group (EWG). Director Cohen conveyed to the Board he wished to address a question that had arisen during the 2024 Annual Town Meeting related to Wellesley's tap water quality. He referred specifically to concerns expressed by Town Meeting Member Tamara Sielecki-Dzurdz.

An extensive discussion ensued between the Board and the Director regarding the concerns expressed related to how the Town of Wellesley drinking water's statistics compare to the EWG's standards. Mr. Cohen conveyed that EWG promotes standards different from the Mass Department of Environmental Protection (MA DEP).

Mr. Cohen referenced an MWRA Press Release dated March 9, 2022 related to this topic in which the MWRA refers to EWG's reporting of data collected by water systems that is already reported to the Mass Department of Environmental Protection and published for the community.

Mr. Cohen conveyed an important item of note is that ten of the thirteen compounds listed are disinfection by-products from the chlorination or chloramination process used to kill bacteria, viruses and other microorganisms that cause disease and immediate illness. The Director confirmed these chlorination disinfection by-products are serving an important purpose in the system. In the absence of chlorination, more serious illness would likely result. Mr. Cohen also referenced a compilation of data found on the EWG website for several nearby communities.

Chair Bender referred to the comparison table included showing how other communities and how they compare to EWG's Guidelines.

Director Cohen emphasized both the MWRA and the Wellesley Water Division are committed to protecting the public health with high quality drinking water. He explained that thousands of tests are taken and hundreds of thousands of dollars are invested in infrastructure improvements each year to ensure that supplied water meets all state and federal standards.

In closing, Director Cohen reemphasized the importance of noting that the Town of Wellesley consistently meets all the regulatory standards and Department of Environmental Protection (DEP) guidelines to meet compliance requirements. He reconfirmed DEP does a great deal of work to protect public health and the Department of Public Works will continue to follow DEP's program. He also expressed an equal amount of confidence in the MWRA, which he referred to as this region's gold standard for water quality.

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Mr. Wechsler also acknowledged a second inquiry received at Annual Town Meeting related to fluoride exposure from the tap water, and suggested more follow-up could continue on this subject in the future. Director Cohen conveyed that the Department's dosing of fluoride is directed by the Board of Health. Mr. Cohen acknowledged this community-wide question comes up from time to time and, again, confirmed all regulations are in compliance.

In conclusion, the Board thanked Director Cohen for providing a comprehensive overview related to the Environmental Work Group concerns, as well as proposed responses to the inquiries discussed.

Monthly Report. The Director notified the Board that the Monthly Report was not available to include in this Board package but would be distributed in the near future.

Water Management Act. Director Cohen conveyed that as discussion of other business has concluded, he requested that the Board convene Executive Session to discuss potential litigation related to the Water Management Act.

At 6:55 PM Chair Bender requested a motion that the Board vote to convene an Executive Session for the purpose of discussing strategy with respect to litigation as he declared that having an Open Session Meeting may have a detrimental effect on the litigating position of the Town.

At 6:56 PM upon motion duly made by Mr. Wechsler, who then polled the Board to enter Executive Session under MGL Chapter 30A §21A, Exemption Number 3 and invited David Cohen, David Hickey, Jeff Azano-Brown and Debra Sumner to join as the Chair had declared that having such discussions in Open Session would have a detrimental effect on the Town's position.

Ms. Korpi – Aye
Mr. Bender – Aye
Mr. Wechsler – Aye

Upon exiting Executive Session, the Board will return to Open Session for the sole purpose of adjourning the meeting.

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ADJOURNMENT

Upon motion duly made by Ms. Korpi and seconded by Mr. Wechsler, it was unanimously,

VOTED: To adjourn (3-0).

Mr. Wechsler – Aye

Ms. Korpi – Aye

Mr. Bender – Aye

The meeting adjourned at 7:11 PM

Respectfully submitted,

DocuSigned by:

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Jeffrey Wechsler
Secretary

DISCUSSION ITEMS
WELLESLEY BOARD OF PUBLIC WORKS REMOTE ONLINE MEETING
MAY 9, 2023
5:00 PM

A. CALL TO ORDER

B. APPROVAL OF BPW MEETING MINUTES. Board to review the Open Session minutes of the meetings of March 14 and March 27 and April 3, April 4, April 10 and April 11, 2023. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

C. CITIZEN SPEAK

D. ADVISORY COMMITTEE LIAISON UPDATE. Mr. Pedersen to be invited to bring any information to the attention of the Board and Staff. **NO BOARD ACTION REQUIRED.**

E. DIRECTOR'S ITEMS

F. PFAS UPDATE. Director to refer to most recent activity related to this matter. **NO BOARD ACTION REQUIRED.**

G. CODE OF CONDUCT FOR MUNICIPAL EMPLOYEES ENGAGED IN OFFICIAL BUSINESS RELATIONSHPS. Director to review proposed Code of Conduct with the Board. **BOARD APPROVAL, VOTE AND SIGNATURES REQUIRED.**

H. STATEMENT OF FACT – SIDEWALK & CURBING REPLACEMENT AND INSTALLATION – CONTRACT #23C-420-1712. Director to refer to bid recommendation prepared by Project Manager Michael Quinn. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

I. STATEMENT OF FACT – ROAD RESTORATION – HOT MIX ASPHALT OVERLAY, COLD PLANING & HMA & HMA BERM – CONTRACT #23C-420-1713. Director to refer to bid recommendation prepared by Highway Division Superintendent Elizabeth Gildae. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

J. . STATEMENT OF FACT – SURFACE TREATMENTS OF HOT-MIX ASPHALT ROADWAYS - CONTRACT # 23C-420-1714. Director to refer to bid recommendation prepared by Highway Division Superintendent Elizabeth Gildae. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

K. STATEMENT OF FACT – MICROSURFACING TREATMENTS OF HOT MIX ASPHALT ROADWAYS – CONTRACT #23C-420-1715. Director to refer to bid recommendation prepared by Highway Division Superintendent Elizabeth Gildae. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

L. STATEMENT OF FACT – HOT MIX ASPHALT, PICKED UP – CONTRACT #23S-420-1716. Director to refer to bid recommendation prepared by Highway Division Superintendent Elizabeth Gildae. **BOARD APPROVAL AND SECRETARY SIGNATURE REQUIRED.**

M. USE OF THE RDF BALER REPAIR FUND. Director to refer to the Baler, Compactors and other RDF Equipment Repair Fund Expenditure Request. **BOARD VOTE REQUESTED.**

N. BUDGET REALLOCATION. Director to refer to Budget Reallocation Request, FY 2023. **BOARD APPROVAL AND VOTE REQUESTED.**

O. RECYCLING & DISPOSAL FACILITY UPDATE. Director to provide update on recent activity at the Facility. **NO BOARD ACTION REQUIRED.**

P. STATEMENT OF FACT ACTIVITY REPORT. Director to reference the report reflecting listing of purchases. **NO BOARD ACTION REQUIRED.**

Q. WATER & SEWER ENTERPRISE FUND FINANCIAL STATEMENTS. Director to refer to the financial statements for the month of February 2023. **NO BOARD ACTION REQUIRED.**

R. WATER & SEWER RATES. Director to review projected Water & Sewer rate increases. **BOARD FEEDBACK REQUESTED.**

S. ENVIRONMENTAL WORKING GROUP (EWG) FOLLOW UP DISCUSSION. Director to review memorandum and related attachments. **BOARD FEEDBACK REQUESTED.**

T. VOLUNTARY OUTDOOR WATERING RESTRICTIONS. Director to review the proposed plan. **BOARD FEEDBACK REQUESTED.**

V. EXECUTIVE SESSION. Director to request Board convene Executive Session to discuss legal action related to the Water Management Act, only to adjourn. **BOARD APPROVAL REQUIRED.**

FYI

DEP NERO /Drinking Water Program – DBPR Monitoring for 1st Quarter 2023.

Memorandum of appreciation from Town Meeting Member Michael D'Ortenzio, Jr. for consideration of his Stormwater Enterprise Fund amendment at last session of 2023 Annual Town Meeting.