



Waites Pond Task Force

Richard Johnston, Cedar Meadow Pond
Watershed District, MA Congress of
Lake and Pond Assoc (COLAP)
James Nicas, Sargent's Pond & Dam
Ruth Kaminski, Storm Water Management
Facilitator – Town lake and pond liaison
Thomas Wood, Highway Superintendent

Meeting held Monday February 9, 2009
Castle Restaurant 3:30 p.m.

**Present; Dick Johnston, Jim Nicas, Ruth
Kaminski and Tom Wood.**

Dick Johnston called the meeting to order at 3:30.

The first item of business was to vote on the Waites Pond Task Force mission statement. On a motion by Ruth Kaminski which was 2nd by Jim Nicas said mission statement (attached hereto) was approved and so voted unanimously.

A general discussion was held regarding Prindle Pond in Charlton which has a similar number of residents to Waites Pond and is also experiencing a potential dam breach.

Manchaug Pond in Sutton and Millbury was also discussed as this is a 260 acre great pond enhanced to over 350 acres and a filing has occurred to breach to 50 acres.

Ruth is formulating a state-wide email list of those concerned with similar dam issues.

Another pond in West Brookfield that is state owned was also discussed as it too will be eliminated as a pond.

Jim Nicas discussed the issue with the state changing the criteria for dams to comply. First it was the 100 year storm then it was changed to the 500 year storm which made the cost associated with compliance for dam safety skyrocket out of control.

Tom Wood discussed briefly the expressed concerns for the endangered or threatened wildlife i.e. a particular turtle.

Ruth discussed her conversations with the Blackstone River Watershed Association (BRWA) members as it related to cooperation with Waite's Pond issues. It was felt by those present that the BRWA or even the National Corridor would not be a

viable resource for funding or assistance based on preliminary contact and discussions.

Dick handed out the draft WPTF action plan.

He said that the portion regarding the BRWA needs adjusting but basically the plan was appropriate otherwise. All were in favor of said plan. Ruth will scan for minutes.

The Fuss and O'Neill Engineering study proposal draft was also distributed to those in attendance. The cost for this study which needs to be done ASAP for compliance is roughly \$37,000. Ruth will scan the report for minutes.

Tom Wood said that he has a request in for discovery of whether Chapter 90 funds could be used for this purpose thus eliminating a town meeting vote and time associated.

Dick distributed the DCR letter of non compliance received by the town which was distressing to those present. Ruth will scan and send with minutes.

All felt that due to the fact that the letter was sent to the Brick City Mill who is not the owner of the dam and thus valuable compliance time passed that the town of Leicester should be allowed to wait for Town Meeting action and then on to town meeting of 2010 for further action whatever appropriate.

Dick is meeting with the Director of Dam Safety for the Commonwealth, William Salomaa, to discuss these issues in hopes of benefitting the town time wise.

Goal one is for him to realize the error in the mailing. Goal two is to allow funding of phase II engineering to be pushed to town meeting 2009 and 2010 town meeting for action on engineering report that would be forthcoming.

Dick also is seeking a copy of the 1998 study called Phase I. But, the state requires that in order to give such a copy a state attorney must be present. The coordination of this event has been problematic but is coming to a close.

The list of abutters to Waites Pond has been formulated in label format. A draft meeting notice was distributed and will be finalized for distribution. Tom Wood will get the envelopes stuffed and mailed. Ruth will do the printing and legal posting. 3 people were identified from the abutter list to "get the ball moving". Tom Wood will do initial contact of these 3.

Ruth also volunteered to handle the article insertion, if required, for town meetings.

The September 2008 original date for action was discussed.

Water quality testing was discussed. Jim Nicas will check with a person he knows that does water quality testing and bring comments back to the WPTF next meeting.

Ruth will supply maps she knows of that can be used for dept analysis comparisons.

It was felt that the Conservation Commission needs to be involved in this effort and Ruth said she would discuss this on the 12th with Glenda at the Storm Water meeting.

Ruth also said that volunteers have come forward to help in sampling etc.

Ruth will copy the old Waite's Pond data and information from the landfill reports and send to the group.

General discussions were also held such as many landowners feel "why should a private land owner be forced to comply if city and town dams are not in compliance?".

Ruth was concerned that a lot of water bodies will be lost in Central and Western Massachusetts and when the issue arises for a lake or pond east of 495 there will miraculously be funds found to fix that dam.

Jim discussed the different kinds of dams and sleuth gates with a general discussion about the mechanism in the Waites pond dam. Dams were built differently in the days gone by and they were built to withstand unbelievable conditions. It was felt that the Waites Pond dam sleuth worked about 11 years ago and quite possibly could be fixed to work easily.

Another pond in Becket Massachusetts was discussed as well. Dick spoke to that group recently. They are experiencing \$500 a day in fines.

The entire group present felt that they had to "keep the process moving" and we would not get in that situation "hopefully".

With no further business to come before the meeting adjournment took place at 5:15 p.m.

Respectfully submitted,

Ruth Kaminski

CC: WPTF; T. Clerk, BOS, T.A.