



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, December 8, 2014**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

**Proposed Agenda**

*Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. The meeting likely will be broadcast and videotaped for later broadcast by WayCAM.*

- |         |      |  |
|---------|------|--|
| 6:30 pm | 1.)  | Open Meeting and Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), with the Wastewater Management District Commission, to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland |
| 7:00 pm | 2.)  | Call to Order by Chair <ul style="list-style-type: none"><li>• Announcements; Review Agenda for the Public</li></ul>   |
| 7:02 pm | 3.)  | Public Comment   |
| 7:10 pm | 4.)  | Hearing on Liquor License Violation, China Rose LLC, 15 East Plain Street  |
| 7:50 pm | 5.)  | Discussion and Potential Vote on China Rose Application for an Entertainment License   |
| 8:00 pm | 6.)  | Hearing on Liquor License Violation, Post Road Liquors, 44 Boston Post Road  |
| 8:15 pm | 7.)  | Follow-up Discussion on Class II Used Car Dealer's License, Wayland Automotive Sales Inc., 322 Commonwealth Avenue   |
| 8:25 pm | 8.)  | Approval of Renewal of Liquor Licenses, Common Victuallers Licenses, Entertainment Licenses, and Used Car Dealer Licenses  |
| 8:40 pm | 9.)  | Potential Vote to Adopt Order of Abandonment for Dudley Street   |
| 8:50 pm | 10.) | Meet with Energy Initiatives Advisory Committee to Review Proposed Solar Projects  |
| 9:10 pm | 11.) | Discussion with Treasurer/Collector Paul Keating regarding Tax Lien Program  |
| 9:25 pm | 12.) | Review FY16 Budget: Utilities  |
| 9:40 pm | 13.) | Review of Potential Zoning Articles for 2015 Annual Town Meeting   |

**BOARD OF SELECTMEN**  
**Monday, December 8, 2014**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**Proposed Agenda Page Two**

- |          |      |   |
|----------|------|---|
| 9:55 pm  | 14.) | Review and Approve Consent Calendar (See Separate Sheet)                                  |
| 10:00 pm | 15.) | Review Correspondence (See Separate Index Sheet)  |
| 10:05 pm | 16.) | Report of the Town Administrator  |
| 10:15 pm | 17.) | Selectmen's Reports and Concerns  |
| 10:25 pm | 18.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 10:30 pm | 19.) | Adjourn   |



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November 25, 2014

Ms. Daisy Jeng  
China Rose LLC  
83 Buchanan Road  
West Roxbury MA 02132-7708

## Notice of Hearing

Please be advised that you are requested to attend a hearing for a Liquor License Violation scheduled for Monday, December 8, 2014 at 7:10 P.M. at the Town Building (Selectmen's Meeting Room) located at 41 Cochituate Road, Wayland.

The hearing is for violation of the Wayland Board of Selectmen's Rules for Provision and Consumption of Alcoholic Beverages for a server not possessing a TIPS certification, failure to maintain a roster of trained personnel in an accessible place during operating hours, and for not having a manager on the premises. These violations are alleged to have occurred on November 14, 2014.

Please contact my office at (508) 358-3621 to confirm availability.

Sincerely,

Nan Balmer  
Town Administrator

cc: R. Irving, Chief of Police



# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Memorandum

12/3/2014

**To: Ms. Nan Balmer, Town Administrator**

**From: Robert Irving, Chief of Police**

**Subject: Violations of Liquor License, China Rose Restaurant**

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Please distribute to the attached documentation to the members of the Board of Selectmen prior to the China Rose Restaurant hearing on Monday 12/8/2014.

This hearing is a result of our investigation into a citizen's complaint regarding the restaurant that has resulted in the discovery of a number of violations to Rules and Regulations for the Provision of Alcoholic Beverages.

The licensee found to be in violation is:

Ms. Daisy Jeng  
China Rose Restaurant  
15 East Plain Street  
Wayland, MA 01778

[REDACTED]  
Wayland, MA 01778  
[REDACTED]

October 30, 2014

Police Chief Robert Irving  
Town of Wayland  
Public Safety Building  
Wayland, MA 01778

BY HAND

Re: China Rose

Dear Chief Irving:

Enclosed please find *Town Crier* pieces beginning this past March about the new China Rose restaurant in Wayland.

I'd ask you to make what you will of the statements contained and perhaps try to have a face-to-face meeting with Ms. Deng who the first article suggests that you were present at a Board of Selectmen's meeting with in March.

There is nothing in the original March 6th article detailing the Board of Selectmen's meeting that resonates in the letter from Mr. Mei published today.

I ask you to share my inquiring mind and concerns.

Sincerely,

[REDACTED]  
[Handwritten signature]

# TOWN CRIER

214

ISH-C-005

Thursday, March 6, 2014

www.WickedLocalWayland.com

Vol. 140, No. 10 ■ \$1.50

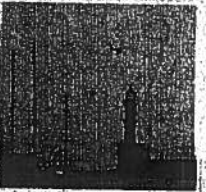
## WHAT'S INSIDE

COMMUNITY, A3



SUPPORT LATE-NIGHT

ARTS, A6



LIBRARY EXHIBIT

COMMUNITY, A15



## SELECTMEN

# Chinese restaurant to open

By Susan L. Wagner  
Staff Writer

The Board of Selectmen voted unanimously on Monday night to approve a new liquor license to China Rose LLC, which is proposing to buy the assets of the

Viva Mexican Grill at 15 East Plain St. and open a Chinese restaurant on the premises.

The purchase, explained the company's attorney Alan Kaplan, is contingent on two factors - 1) that the establishment is granted a liquor license, and 2) that

the landlord will sign a lease.

The applicant, Jaisy Deng, Kaplan explained, is an immigrant, now a U.S. citizen, who has been working in a bank for the past eight years.

"The plan is for her to quit her current job and devote

herself full-time, probably 60 hours a week, to the restaurant and in pursuit of the American dream," he said. "She is investing her entire life's savings in this."

Deng and China Rose are seeking only to substitute one entity with another.

"While the kitchen will be renovated in order to cook Asian food, there will be no other changes to the structure or seating areas of the restaurant," Kaplan said.

The restaurant currently

SEE RESTAURANT, B2

## ARTS

# Uplifting power of music



## EDUCATION

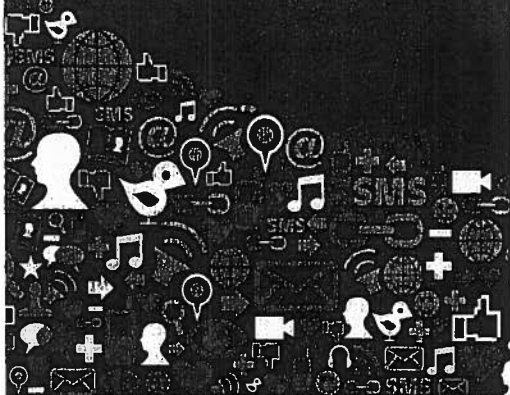
# New plans taking shape

By Susan L. Wagner  
Staff Writer

Superintendent Paul Stein recently reported to the School Committee on steps he is taking to pre-



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<http://careers.wickedlocal.com>

from the Pike, after I got my belongings and called her. When she arrived, I quickly hopped in the car as she was stopped at the red light off the exit. Immediately we heard the first boom and looked out the car windows to see what it might have been.

About 15 seconds later we heard the second boom and started to see people running away from Copley. We saw black SUVs pull out of side streets and all traffic seemed to be frozen. Immediately we drove away in the only

ful to be safe.

### Do you have a goal for a finishing time?

I am hoping to run sub-three hours. I was not able to do that last year on the course.

### Is there anything you'd like to add?

I'm excited and honored to be able to run the Boston Marathon this year.

teacher and an administrator, Stein said.

"Further, since he's been principal of Loker for some time now, he'll be familiar with all of the families who are coming in this September."

He added, "The reality is that the transition process is optimized by appointing a principal and, if I had to wait until April, it wouldn't happen. At the same time, I know some people in town would like to start from scratch and go through a whole search process. But, by the time we got to the end of that, the pool of applicants

One of the major issues are the guidelines around buffer zones, by which individual addresses may be assigned to one of two schools.

"Part of the reason for buffer zones, very candidly, is budget containment," Stein said. "And once this concept is introduced, questions arise around the criteria that are to be used in creating these zones. Essentially, these criteria have to do with the enrollment capacity of each building, the class size in each building, and - to some extent - transportation."

## RESTAURANT

From Page A1

has a capacity of 140, including 20 at the bar.

Selectman Tony Boschetto welcomed China Rose to town and said he would like to see a stable establishment at that location, just east of the intersection of Plain and Main streets.

Liquor license violations were previously found at Viva Mexican Grill, which opened in January 2010. The first, in

the spring of 2011, resulted in a one-year probation of the license. Two years later, the restaurant was found guilty of multiple violations and received a four-day suspension of its license. Appearing before the selectmen, owner Carlos Mendez said that while it "breaks my heart, I want to sell my restaurant as soon as possible."

Prior to the Mexican establishment, the location had been the site of a barbecue and then a Thai restaurant.

Selectman Steve Correia

pressed upon the applicant the fact that Wayland takes enforcement of liquor laws very seriously.

"It's really important that there's a manager on-site at all times. In the past, when we've had problems, it was usually when the manager wasn't on the premises," he said.

Kaplan said he understood this issue thoroughly, having been a restaurant server at one point in his student days.

"And this is why Deng's father will be helping her out.

He is an elderly gentleman, but he has 25 to 30 years in the restaurant business and a wealth of knowledge."

Police Chief Robert Irving said he will set up a meeting with everyone involved to explain the town's requirements and procedures regarding the serving of alcoholic beverages, including the periodic compliance checks.

Deng plans to open the new establishment in mid-May if all goes according to schedule and she's successful in obtaining other licenses.

PLEASE RECYCLE  THIS NEWSPAPER

# THE WAYLAND TOWN CRIER

An edition of  
The MetroWest Daily News

R-RT WSH\*\*C-005  
1778-3214

Thursday, September 4, 2014

Wayland.WickedLocal.com

Vol. 140, No. 36 ■ \$1.50

## WHAT'S INSIDE

COLUMN, A6



GOOD NIGHT'S SLEEP

COMMUNITY, A6



DOG SHOW

RELIGION, B3



## TOWN ADMINISTRATOR

# Ready for first day on the job

By Susan L. Wagner  
Staff Writer

Nan Balmer puts in her first day as Wayland's new town administrator on Monday and is anticipating it with a sense of buoyancy. "Wayland is a jewel," she said. "I feel very honored to be selected town

administrator and am most looking forward to being part of what I see as a very thoughtful and intelligent town government."

Balmer comes to Wayland after two years as assistant town administrator of Eastham, a community of about 6,000 people on Cape Cod. Prior to that, she held

appointed and elected positions in cities, small towns, and rural municipalities, including Harwich and Orleans, also on the Cape, as well as Reading and Robeson Township in her native Pennsylvania.

Towns on the Cape, she said, revolve around the tourist season and the

seashore, which makes municipal business different from elsewhere.

"Wayland is also taking care of really gorgeous natural resources," she noted, "but only 20 miles outside of a world-class city. Thus, the town's priorities are driven by both the natural environment and proximity

to a great city. That's pretty special."

Balmer said she doesn't know exactly why she was selected as town administrator over other candidates for the position. But during the selection process, she reported, she learned the

SEE BALMER, A10

## FUNDRAISER



## RESTAURANTS

# China Rose opens

By Susan L. Wagner  
Staff Writer

The China Rose restaurant in Wayland has been open for just over a month, and manager Jeff





Founding Event Committee Chairs Jim and Kim Pallotta at Hoedown III. COURTESY

## own to help program

(www.lovelane.org).

The highly anticipated biennial event is the premiere fundraiser for the Lovelane program. This year's theme is "Nashville - Music City, USA."

In addition to .38 Special, Hoedown VI will also include a live set from local Boston favorites French Lick, featuring Celtics team owner Wyc Grousbeck

SEE HOEDOWN, A10



Attendees at last year's hoedown included, from left, Lovelane founder Debby Sabin, Grammy Award winners Derek Trucks and Susan Tedeschi, and Founding Event Chair Kim Pallotta.

## BLIC WORKS

## cility on schedule so far

line will be installed soon. A license agreement has been sent to NStar to allow a transformer to be installed on site. The water line on River Road is pretty much finished. But, at the same time, site work does continue and there's still some paving to be done as well."

One outstanding problem, according to Wayland's former Public Buildings Director John Moynihan, who has stayed on part-time to help with the DPW

SEE FACILITY, A10



The steel structure goes up at the new Wayland Department of Public Works facility on River Road in Wayland. WICKED LOCAL PHOTO / DAN HOLMES

## Open

By Susan L. Wagner  
Staff Writer

The China Rose restaurant in Wayland has been open for just over a month, and manager Jeff Mei reports that business is good.

"We have many repeat customers and they always say 'thumbs up,' so I'm very happy," he said.

With a full wine and liquor license, China Rose is located at 15 East Main St. on the site of the former Viva Mexican Grill and Tequileria, which closed earlier this year. The establishment seats 100 in the main dining room and 20 in the bar.

The restaurant specializes in spicy Szechuan and Hunan cuisine, as well as "Chinatown-style food," which Mei describes as dishes not usually available outside large urban Chinatown restaurants in cities like Boston and New York.

The luncheon menu, served daily (except Sundays and holidays) from 11:30 to 4 p.m., features such items as family-style bean curd, Szechuan chicken with peanuts, and shrimp with lobster sauce. Ranging in price from \$7.95 to \$8.95, they come with soup (hot and sour or egg drop), white or fried rice, and a choice of spring roll, crab Rangoon, or chicken wings.

The main menu includes appetizers, soups, chicken, beef, pork, seafood, vegetable and grilled dishes, noodles, lighter fare, and selections for children.

Chef's specials run the gamut from sizzling scallops and beef to Peking duck, as well as Cheng du spicy chicken, the chef's own special recipe, Mei said.

Mei also expects to

SEE RESTAURANT, A10

Local News. Local Views.

is not just mental illness, as in all walks of life it is up in the system,

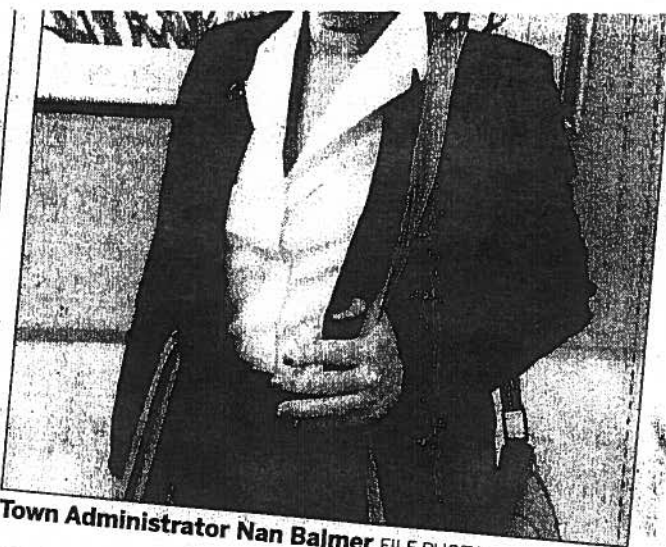
responded by did not intend to was only about alth, but added ddition is, itself, oalth problem. use to questions noting alterna-

Have praised like Solarize projects that expanded and funding. aid before that there needs to ational efforts o understand mple, going od thing to nvironmen- projects are ved in every

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building ndy for mian



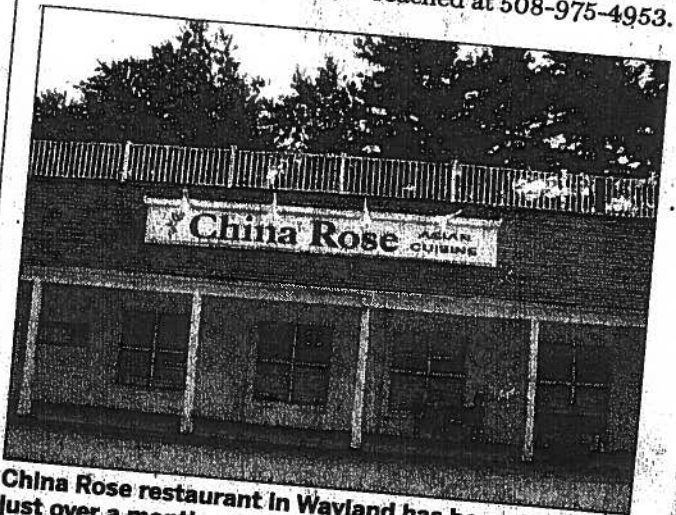
Town Administrator Nan Balmer FILE PHOTO

# RESTAURANT

From Page A1

open an on-site sushi bar in the next few months. Hours at the restaurant are Sunday to Wednesday

from 11:30 a.m. to 10 p.m., and Thursday to Saturday from 11:30 a.m. to 11 p.m. (the bar closes an hour later). Take-out and delivery are available. China Rose can be reached at 508-975-4953.



China Rose restaurant in Wayland has been open for just over a month. WICKED LOCAL STAFF PHOTOS / SUSAN L. WAGNER

# ANNOUNCING TO GO UNCHECKED

## Dr. Sheldon Schwartz

DEMOCRAT for CONGRESS

# FOR REAL ON VOTE SEPTEMBER 9

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# THE WAYLAND TOWN CRIER

An edition of  
The MetroWest Daily News

Thursday, September 11, 2014

Wayland.WickedLocal.com

Vol. 140, No. 37 ■ \$1.50

**First Father-Son**  
Wednesday, Sept. 17, the first Father-Son will be held on...  
**Jeff Baron**  
baron@gmail.com  
Questions for daughter or Tom...  
tribben@yahoo.com

**Learn about Cub Scouts**  
Cub Scouts are at that magical age where everything is new and possible and, most important, fun! They live in a world of "firsts" - first overnight...

**Touch a Truck returns**  
Touch a Truck returns! On Saturday, Sept. 20 from 10 a.m. to 1 p.m. at Wayland Middle School...

**Bank Village**  
Bank, Courtney Lavigne Dentistry, The Goddard School, UniBank, Town Center Orthodontics, Chisholm Insurance, Middlesex Savings Bank, Global Premier Soccer, Bright Horizons, Office...

**Happy Hollow**  
the creation of festive treasures and fun gifts. At Happy Hollow starting in January, the Mixed Media class will begin. Retired fifth-grade Happy Hollow teacher Conrad Gees will once...

**Wayland School Community Programs**  
Wayland School Community Programs oversees the district's site-based programs. For more information call 508-655-6403.

**Menus**  
**Antaryiddle**  
Sept. 12  
min stuffed crust  
choice of Caesar salad, olives  
**Sept. 15**  
for lunch:  
min French toast  
Jones sau-  
lumber wheels,  
ce  
**Sept. 16**  
cheese or  
whole wheat  
roasted red  
fruit cocktail  
**lay, Sept. 17**  
e hot dog on a  
eat roll, vegetar-  
s, veggie sticks  
Ranch dressing.

**LETTER TO THE EDITOR**  
**Missing person?**  
TO THE EDITOR:  
What's the rest of the story with China Rose? On March 6, the Town Crier headlined an article about a young woman, Jaisy Deng, applying for a new liquor license "in pursuit of the American dream." She was going to quit her bank job, invest "her entire


life's savings," and "devote herself full-time, probably 60 hours a week to the restaurant."  
This was an appealing story, which the article implied compelled the Board of Selectmen to approve the application. Yet when I visited the restaurant on its opening night, there was no Jaisy Deng and the manager

referred to a man as the owner, and when prompted about a young woman owner finally said that the person we referred to was in Hong Kong on some kind of business. How does any of this fit with the original story?  
Now the Crier's Sept. 4 edition has a nice cover page story about China

Rose opening and quotes the manager Jeff Mei, but makes no mention whatsoever of the Jaisy Deng who was introduced to the Board of Selectmen as the owner when the liquor license was applied for.  
The paper's March article went to some lengths to comment on the previous owner's liquor license violations, and it seemed

that Ms. Deng's intended full-time commitment and personal investment in the project were being portrayed as central to the considerations for granting a liquor license to China Rose LLC.  
What happened to Jaisy Deng? — Steven M. Glovsky, Shaw Drive


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★ WebID 552581



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... taxation, the sellout of our  
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 ... payouts, etc.)  
 ... Suffice to say the elec-  
 ... tion is coming in just a few  
 ... days. Yes, I can tell you, I'll  
 ... be ready for some hope and  
 ... change by then. How about  
 ... you? - Alan Vogt, Loblolly  
 ... Lane

**China Rose manager responds**

TO THE EDITOR:  
 I read a letter to the editor from Steven M. Glovsky ("Missing person?" Sept. 11). The topic is missing people in China Rose!  
 I am happy to respond. I am the husband of Jaisy Deng. We own China Rose restaurant, together at 15 East Plain St. in Wayland. We have two beautiful kids, one is 21 months old and the other one is just 4 months old. On the opening day Jaisy was on vacation in Hong Kong.  
 We are hard working and super honest people and never, ever needed to lie to the Board of Selectmen to get the liquor license.

... advocates for affordable  
 ... housing in Wayland has  
 ... also written the Planning  
 ... Board to request that  
 ... the two affordable hous-  
 ... ing units remain on-site.  
 ... Every speaker to take the  
 ... microphone at the last two  
 ... Planning Board meetings,  
 ... with the exception of Ben  
 ... Stevens of Trask, has also  
 ... requested that the units  
 ... remain on-site.

We urge the Planning Board to listen to the town experts on affordable housing and not grant Trask and the Covered Bridge development the special permit for off-site housing. The Planning Board should ask Trask to take a closer look at their 30-acre development and come up with a new on-site location for the two affordable housing units, a location that is both affordable and inclusionary.

The Planning Board will most likely be voting on the special permit request at its next meeting on Thursday, Nov. 6 at 7:30 p.m. If you want your voice heard on this matter, please attend or contact the Planning Board prior to the meeting.

... and dangerous intersection  
 ... of East Plain and Rte. 30

In 2005, according to the town planner, the town passed laws that required a new development to provide one inclusionary affordable unit for every six. The new Covered Bridge Lane received approval because they promised to build two affordable housing units that would be sold to lower income families on site.

Now, for reasons virtually no one understands, the Wayland Planning Board is seriously considering approving the developers request to build a large compound of 100 percent low-income rentals across town in Cochituate, on a lot that currently hosts a single family home and septic system they do not plan to remove.

Large clusters of low-income rentals is an old idea that the inclusionary laws were meant to address, not to be cleverly skirted. Massachusetts has rejected these failed policies of the past because they do not work and create far

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I work every day at my restaurant. That is why my beautiful wife does not have to stay in the restaurant.  
 By the way, we are happy to have opened China Rose in this great town. - Jeff Mel, manager, China Rose

**Covered Bridge or 'Coveted Bridge'?**

TO THE EDITOR:  
 We find it hard to believe that Trask Development, with the support of the town planner, cannot figure out how to fit two affordable housing units into the

- Betsey Brigham and Eric Bucher, Rice Road

**Off-site housing must not be allowed**

TO THE EDITOR:  
 We are deeply concerned that the developer (Trask) of the Covered Bridge project on Rice Road is trying to shirk its obligation to provide affordable housing on-site. A few points:  
 1.) Trask is obligated to meet the affordable requirement on-site. It is our understanding that Trask's approval to develop on Rice Road was based on

more serious problems. A recent editorial in The Boston Globe ([www.bostonglobe.com/opinion/editorials/2014/07/24/new-york-poor-door-conjures-some-ugly-images/aRKCPYjbmETo-Ga4b708VVK/story.html](http://www.bostonglobe.com/opinion/editorials/2014/07/24/new-york-poor-door-conjures-some-ugly-images/aRKCPYjbmETo-Ga4b708VVK/story.html)) is one of many critical of the attempts developers make to segregate by purchase price.  
 It is imperative the Wayland Planning Board reject the Covered Bridge developers' request to remove the affordable housing from the originally approved location, or a

The map has small color-coded circles to indicate where Wayland Housing Authority and Chapter 40B properties are located, and they are mostly clustered around Cochituate Village. Within sight of 4 School St., there are four affordable housing units. Nearby on Main Street and Bent Avenue are a total of 112 units of affordable housing. Single family and duplex units of affordable housing are scattered on both Commonwealth Avenue and East Plain Street.  
 The map also reveals there is no affordable hous-



[REDACTED]  
[REDACTED]

On Nov 3, 2014, at 9:10 AM, Irving, Robert <[Chief@wayland.ma.us](mailto:Chief@wayland.ma.us)> wrote:

Hi [REDACTED]

I received your letter today. I did meet with the management of China Rose prior to their opening and explained all of the requirements expected from them in regards to their liquor license. Shortly we will be doing new compliance checks at all establishments with liquor licenses. This will include China Rose. I will also check the paperwork on the China Rose to make sure all is in order.

Thanks,

Chief I.

Robert Irving  
Chief of Police  
Wayland Police Department  
38 Cochituate Road  
Wayland, MA 01778  
508-358-1710  
508-358-1777 Fax  
FBINA Session #199

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**Irving, Robert**

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**From:** [REDACTED]  
**Sent:** Monday, November 03, 2014 11:58 AM  
**To:** Irving, Robert  
**Subject:** Re: Missing Person?

Just didn't feel right not pressing some sort of inquiry. Hopefully you will find that she is fine and the inconsistencies in the story are just that. Appreciate your attention to my concerns.

[REDACTED]

[REDACTED]

On Nov 3, 2014, at 11:24 AM, Irving, Robert <[Chief@wayland.ma.us](mailto:Chief@wayland.ma.us)> wrote:

[REDACTED]

Thanks for the clarification. We will look into it.

Chief I.

---

**From:** [REDACTED]  
**Sent:** Monday, November 03, 2014 10:30 AM  
**To:** Irving, Robert  
**Subject:** Missing Person?

Thanks Chief. I am less interested at this point with the liquor license than in concern that Ms. Deng's welfare be confirmed.

The March article talks about a young woman and her father being involved with this restaurant, and her plans to work there 60 hours a week and invest all her life savings. There is no mention of any husband or children.

The restaurant opens and there is no Jaisy Deng and the manager that first night barely had any recognition of a young woman being involved (and not as an owner) and only thought she might be in Hong Kong "on business". I do not know if that manager was this Mr. Mei or not. Now, over a month after my letter to the paper, Mr. Mei writes a letter saying Ms. Deng is his wife, they have two young children, one just born (Ms. Deng would have been 6 months pregnant when she met with the Selectmen) and that he is running the restaurant. Moreover, when her entire life savings were on the line, Ms. Deng was in Hong Kong at the time of the opening "on vacation"?

This story makes no sense as presented in the Town Crier, and I suggest that you, as Police Chief, might consider the need to be assured of Ms. Deng's personal welfare. Representations regarding the liquor license are at best a secondary concern.

Given the clear inconsistencies, I suggest that a check on Jaisy Deng's welfare is advisable.

Best wishes,



# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Memorandum

11/14/14

To: Chief Robert Irving

From: Detective Sergeant Jamie D. Berger

Subject: China Rose Restaurant

---

Chief Irving,

On Friday, November 14, 2014, at approximately 11:40am, I went to China Rose Restaurant, located at 15 East Plain Street in Wayland to speak with the manager, Ting Mao Mei, aka Jeff Mei Bo about his "TIPS" certification list as well as who is actually the manager at the restaurant.

I introduced myself to Jeff and asked him for the list of those who are "TIPS" certified to serve alcohol at China Rose. He stated that both, he and his wife, Jaisy Deng are certified. He stated that the "TIPS" list was not on the premises and that it possibly was at his home in West Roxbury.

Jeff said that his wife, Jaisy Deng, works for State Street Bank and is not at the restaurant. He went on to say that he is the only manager. I asked him why he wasn't on any of the restaurant paperwork for the alcohol license or on paperwork for the Town of Wayland, as the manager and he stated that he was not a citizen and that he was going before the Board of Selectman at the end of the month for an entertainment license and would take care of it then.

Jeff said that he has a bartender and two waitresses that are not "TIPS" certified.

Jeff said that business has been slow and that he wants to have Karaoke in the restaurant so that he "can sell more booze".

The China Rose restaurant was granted an license to serve alcoholic beverages from the Board of Selectman on 4/24/2014. According to the Board of Health, the China Rose restaurant opened on July 26, 2014.

I advised Jeff that he needs to have all staff that serve alcoholic beverages to be "TIPS" certified, that a manager needs to be on premises at all times and if he is the manager, he needs to submit a change of management to the Board of Selectman.

Additionally, when Jaisy Deng applied to The Commonwealth of Massachusetts Alcoholic Beverages Control Commission (ABCC) on her manager application in Section 2, she stated that she was the manager and would be spending sixty (60) hours per week on the licensed premises. Since the opening of China Rose, according to Jeff Mei Bo, Jaisy Deng is not on the premises. This section of the application was sworn to under the pains and penalties of perjury by Jaisy Deng on 2/10/2014.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ja D Berger". The signature is stylized and written in a cursive-like font.

Detective Sergeant Jamie D. Berger  
Wayland Police Department

Ms. Daisy Jeng  
China Rose LLC.  
83 Buchanon Street  
Boston, MA 02132

November 25, 2014

## **Notice of Hearing**

Please be advised that you are requested to attend a hearing for a Liquor License Violation scheduled for Monday, December 8<sup>th</sup>, 2014 at 7:10 P.M. at the Town Building (Selectmen's Hearing Room) located at 41 Cochituate Road, Wayland.

The hearing is for violation of the Wayland Board of Selectmen's Rules for Provision and Consumption of Alcoholic Beverages for a server not possessing a TIPS certification, failure to maintain a roster of trained personnel in an accessible place during operating hours, and for not have a manager on the premise. These violations are alleged to have occurred on 11/14/2014.

Please contact my office at (508) 358-3621 to confirm availability.

Sincerely,

Ms. Nan Balmer, Town Administrator

**LICENSE  
ALCOHOLIC BEVERAGES**

**THE LICENSING BOARD OF  
The Town of Wayland  
MASSACHUSETTS**

**HEREBY GRANTS A  
COMMON VICTUALLER  
License to Expose, Keep for Sale, and to Sell  
All Kinds of Alcoholic Beverages**

*To Be Drunk On the Premises*

To **CHINA ROSE LLC**, Jaisy Deng, Manager, on the premises at 15 East Plain Street,  
Wayland MA 01778

Restaurant consisting of kitchen, bar and dining room on first floor. Dining Area 120  
seats; bar area 20 stools/seats

This license is granted and accepted upon the express condition that the licensee shall, in  
all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the  
General Laws, as amended, and any rules or regulations made thereunder by the licensing  
authorities. This license expires December 31st, 2014, unless earlier suspended, cancelled  
or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official  
signatures this 24th day of April, 2014.

The Hours during which Alcoholic  
Beverages may be sold are from  
8:00 a.m. to midnight daily, except  
Sundays, 12:00 noon to midnight;  
holidays as directed.

LICENSING BOARD

**THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A  
CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ**



# APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Wayland

## 1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) China Rose, LLC

B. Business Name (if different) :

C. Manager of Record: Jaisy Deng

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises: 15 East Plain Street

City/Town: Wayland

State: MA

Zip: 01778

F. Business Phone: 617-320-8680

G. Cell Phone: 617-320-8680

H. Email: none

I. Website: none

J. Mailing address (If different from E.): 83 Buchanan Road

City/Town: Boston

State: MA

Zip: 02132

## 2. TRANSACTION:

- New License     New Officer/Director     Transfer of Stock     Issuance of Stock     Pledge of Stock  
 Transfer of License     New Stockholder     Management/Operating Agreement     Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual     (6) Day to (7)-Day License     Wine & Malt to All Alcohol

**IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.**

## 3. TYPE OF LICENSE:

- \$12 Restaurant     \$12 Hotel     \$12 Club     \$12 Veterans Club  
 \$12 General On-Premises     \$12 Tavern (No Sundays)     \$15 Package Store

## 4. LICENSE CATEGORY:

- All Alcoholic Beverages     Wine & Malt Beverages Only     Wine or Malt Only  
 Wine & Malt Beverages with Cordials/Liqueurs Permit

## 5. LICENSE CLASS:

- Annual     Seasonal

**6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)**

NAME: Alan Neal Kaplan, Esquire  
ADDRESS: 84 Berkshire Road  
CITY/TOWN: Newton STATE: MA ZIP CODE: 02460  
CONTACT PHONE NUMBER: 617-332-9122 FAX NUMBER: 617-244-7567  
EMAIL: snova1@aol.com

**7. DESCRIPTION OF PREMISES:**

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

The Restaurant located at 15 East Plain Street, Wayland, Massachusetts 01778, consisting of 4,365 +/- square feet.

Total Square Footage: 4,365 +/- Number of Entrances: 1 Number of Exits: 3  
Occupancy Number: 140 Seating Capacity: 120 seats & 20 stools

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

**8. OCCUPANCY OF PREMISES:**

By what right does the applicant have possession and/or legal occupancy of the premises? Final Assignment of Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n): Individual Other:

Name: William C. Roberts Phone: 781-431-7344

Address: 12 Washington Street City/Town: Wellesley State: MA Zip:

Initial Lease Term: Beginning Date January 8, 2010 Ending Date January 8, 2015

Renewal Term: 3 options Options/Extensions at: 5 Years Each

Rent: \$72,000.00 Per Year Rent: \$6,000.00 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?  
Yes  No

**IMPORTANT ATTACHMENTS( 4):**

1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

**9. LICENSE STRUCTURE:**

The Applicant is a(n):  Other :

If the applicant is a Corporation or LLC, complete the following: Date of Incorporation/Organization:

State of Incorporation/Organization:

Is the Corporation publicly traded? Yes  No

**10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

**IMPORTANT ATTACHMENTS (5):**

- A. All individuals or entities listed below are required to complete a Personal Information Form.
- B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Jaisy Deng	Manager	100%	None

\*If additional space is needed, please use last page.

**11. EXISTING INTEREST IN OTHER LICENSES:**

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  If yes, list said interest below:

Name	License Type	Licensee Name & Address
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	

\*If additional space is needed, please use last page.

**12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:**

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No  If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

**13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:**

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes  No  If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

**14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :**

**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes  No
2. Are you a Massachusetts Residents? Yes  No

**B.) For Corporation(s) and LLC(s) :**

1. Are all Directors/LLC Managers U.S. Citizens? Yes  No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes  No
3. Is the License Manager or Principal Representative a U.S. Citizen?

**C.) Shareholder(s), Member(s), Director(s) and Officer(s):**

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes  No

**15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:**

**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes  No

**B.) For Corporation(s) and LLC(s) :**

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes  No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes  No

**C.) Shareholder(s), Member(s), Director(s) and Officer(s):**

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes  No

**16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:**

A. Purchase Price for Real Property:	
B. Purchase Price for Business Assets:	\$80,000.00
C. Costs of Renovations/Construction:	\$10,000.00
D. Initial Start-Up Costs:	\$5,000.00
E. Purchase Price for Inventory:	\$0.00
F. Other: (Specify)	\$0.00
<b>G: TOTAL COST</b>	\$95,000.00
<b>H. TOTAL CASH</b>	\$95,000.00
<b>I. TOTAL AMOUNT FINANCED</b>	\$0.00

**IMPORTANT ATTACHMENTS (6):** Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

**17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):**

Personal Funds and Gifts from Family Members and Friends

\*If additional space is needed, please use last page.

**18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:**

A.

Name	Dollar Amount	Type of Financing
N/A		

\*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes  No

If yes, please describe:



**19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)**

A.) Is the applicant seeking approval to pledge the license?  Yes  No

1. If yes, to whom:

2. Amount of Loan:  3. Interest Rate:  4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock?  Yes  No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory?  Yes  No

If yes, to whom:

**IMPORTANT ATTACHMENTS (7):** If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

**20. CONSTRUCTION OF PREMISES:**

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises:  Yes  No

The Kitchen Area will be renovated in order to cook Asian Food. No other renovations to the structure or seating areas of the restaurant will be done.

21. ANTICIPATED OPENING DATE:

**IF ALL OF THE INFORMATION AND  
ATTACHMENTS ARE NOT COMPLETE  
THE APPLICATION WILL BE  
RETURNED**

**APPLICANT'S STATEMENT**

I, Jaisy Deng the  sole proprietor;  partner;  corporate principal;  LLC/LLP member

of China Rose, LLC, hereby submit this application for Liquor License (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 

Date: 02/10/2014

Title: Manager/Member



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

**MANAGER APPLICATION**

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

**1. LICENSEE INFORMATION:**

Legal Name of Licensee:  Business Name (dba):

Address:

City/Town:  State:  Zip Code:

ABCC License Number:  (If existing licensee) Phone Number of Premise:

**2. MANAGER INFORMATION:**

A. Name:  B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

**3. CITIZENSHIP INFORMATION:**

A. Are you a U.S. Citizen: Yes  No  B. Date of Naturalization:  C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

**4. BACKGROUND INFORMATION:**

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes  No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes  No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes  No

If yes, please describe:

D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

*7/9* -2007 to the present. State Street Corporation, 200 Clarendon Street, Boston, MA 02116. Position - Quality Control Administrator - ~~Tel. No. 617-662-9691~~  
 Tel. No. 617-662-9691

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature  Date



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

TEL. (508) 358-7755  
www.wayland.ma.us

## APPLICATION FOR ENTERTAINMENT LICENSE

The undersigned hereby applies for a License for an Entertainment License in accordance with the provisions of the Statutes relating thereto:

Name of Applicant (*must be an individual*): ~~China~~ ~~Rose~~ Jai'sy Deng

Name of Company: China Rose

If Business is a Corporation, Corporate Name and Officers: \_\_\_\_\_

Address: 15 E plain ST Wayland. MA 01778

Mailing Address (*if different from establishment*): \_\_\_\_\_

Email Address: JJdeng83@yahoo.com

Telephone Number: 617-817-8218 Fax Number: 508-975-4950

Description of Entertainment: \_\_\_\_\_

try to provide Karaoke on  
Thursday night - Friday night and Saturday  
night from 9:30 pm - midnight

thank you!

Signature of Applicant: Jai'sy Deng Date: 11/10/2014

**A certificate of insurance, showing evidence that the applicant has workers' compensation insurance, must be included with this completed application.**

Pursuant to Massachusetts General Laws Chapter 62C, Section 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of Massachusetts General Laws Chapter 62C, Section 49A, as follows: A person applying to any department, board, commission, division, authority, district or other agency of the commonwealth or a subdivision of the commonwealth, including a city, town or district, for a right or license to conduct a profession, trade or business or for the renewal of the right or license, shall certify upon application, under penalties of perjury, that he has complied with all laws of the commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Jaisy Reng  
Signature of Applicant (Mandatory)

033-66-5833  
Either a Social Security Number  
Or Federal Identification Number Must be Supplied

\_\_\_\_\_  
By Corporate Officer  
(if applicable)

11/10/2014  
Date (required)

***This License will not be issued unless this certification clause is signed by the applicant.***

Return this form, along with a certificate of insurance, and a check for the annual fee of \$50 made out to the TOWN OF WAYLAND, to:

BOARD OF SELECTMEN  
Wayland Town Building  
41 Cochituate Road  
Wayland MA 01778

If you have any questions, please call MaryAnn DiNapoli, Executive Assistant, Board of Selectmen, at 508-358-3621, or email [mdinapoli@wayland.ma.us](mailto:mdinapoli@wayland.ma.us).





# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

BOARD OF SELECTMEN  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

December 2, 2014

Mr. John Recco  
Post Road Liquors  
44 Boston Post Road  
Wayland MA 01778


## Notice of Hearing

Please be advised that you are requested to attend a hearing for a Liquor License Violation scheduled for Monday, December 8, 2014 at 8:00 p.m. at the Town Building (Selectmen's Hearing Room) located at 41 Cochituate Road, Wayland.

The hearing is for violation of Massachusetts General Law, Chapter: 138 Section 34, regarding: Sale of Liquor to Underage Persons and for violation of the Wayland Board of Selectmen's Rules for Provision and Consumption of Alcoholic Beverages for a server not possessing a TIPS certification, and for not have a manager on the premise. These violations are alleged to have occurred on November 25, 2014.

Please contact my office, at (508) 358-3621 to confirm availability.

Sincerely,

  
Nan Balmer  
Town Administrator

cc: R. Irving, Chief of Police



# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



## Memorandum

ROBERT IRVING  
CHIEF OF POLICE

12/1/2014

**To: Ms. Nan Balmer, Town Administrator**

**From: Robert Irving, Chief of Police**

**Subject: Violations of Liquor License**

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On Tuesday, November 25<sup>th</sup>, detectives from the Wayland Police Department conducted compliance checks of all Wayland liquor license holders, using a twenty year old male and female. Post Road Liquors failed the compliance check and sold a six-pack of Coors Light beer to the underage male.

Based on this investigation, the licensee is believed to be in violation of their liquor license because they sold alcohol to an underage person as documented in the attached report. In addition, the server was not TIPS certified as required by the town's Rules and Provisions Regarding the Sale of Alcoholic Liquor. I respectfully request that the Board of Selectmen schedule a hearing in accordance with Chapter 138: Section 64 of the Massachusetts General Laws to hear evidence of these charges, and that the licensee be given notice of this hearing so they may be heard.

The licensee found to be in violation is:

Mr. John Recco  
Post Road Liquors  
309 Boston Post Road  
Wayland, MA 01778

RECEIVED

DEC - 1 2014

Board of Selectmen  
Town of Wayland

Wayland Police Department



Incident Number: 2014000011942

File No: N/A

38 Cochituate Road  
Wayland, MA 01778  
(508) 358-4721

Dispatch Incident Number: 2014000013964

Print Date: November 26, 2014

Printed By: jberger

# Incident Report

Incident Information										
Occurred On/From	Day of Week	Date	Time	Occurred To	Day of Week	Date	Time	Reported On	Date	Time
	Tues	11/25/2014	5:57:26PM		Tues	11/25/2014	5:57:26PM	→	11/25/2014	5:57:26PM
Reported As PD-Investigation P:011942			Incident Type - Primary PD-Investigation			Arresting Officer				
Incident Address 38 COCHITUATE ROAD, WAYLAND, MA 01778						Reporting Officer Det. Sergeant Jamie Berger (71JB)				
Sector NORTH		Stat. Area		Sub Stat. Area		Census Tract		Landmark		
Business Name N/A				Incident Types - Other				Action Taken Logged		

Related Incident Summary			
Incident No.	Date	Nature	Notes
No Related Incidents reported for Incident #: 2014000011942			

# Wayland Police Department



38 Cochituate Road  
Wayland, MA 01778  
(508) 358-4721

Incident Number: 2014000011942

File No: N/A

Dispatch Incident Number: 2014000013964

Print Date: November 26, 2014

Printed By: jberger

## Incident Report

### Associated Businesses Summary

Type	Name	Primary Phone #	Secondary Phone #
Other	Sperry's fine wine	N/A	N/A
Address:: 87 ANDREW AVENUE, WAYLAND, MA 01778			
Other	TAKARA RESTAURANT	N/A	N/A
Address:: 15 ELISSA AVENUE, Wayland, MA 01778			
Other	Local, The (Restaurant)	N/A	N/A
Address:: 11 ANDREW AVENUE, WAYLAND, MA 01778			
Other	PRIME BAR & GRILL	(508) 358-2400	N/A
Address:: 131 BOSTON POST ROAD, WAYLAND, MA 01778			
Other	WAYLAND VARIETY AND DELI	(508) 358-7790	N/A
Address:: 70 BOSTON POST ROAD, WAYLAND, MA 01778			
Other	COACH GRILL RESTAURANT	(508) 358-5900	N/A
Address:: 55 BOSTON POST ROAD, WAYLAND, MA 01778			
Other	WAYLAND WINE + SPIRITS	(508) 545-1815	N/A
Address:: 302 COMMONWEALTH ROAD, WAYLAND, MA 01778			
Other	VILLA RESTAURANT	(508) 653-8570	N/A
Address:: 124 EAST PLAIN STREET, WAYLAND, MA 01778			
Other	Dudley Chateau	(508) 655-0100	N/A
Address:: 20 CREST ROAD, Wayland, MA 01778			
Other	DONELAN'S MARKET	(508) 653-5881	N/A
Address:: 177 COMMONWEALTH ROAD, WAYLAND, MA 01778			
Other	LAVIN'S LIQUOR STORE	(508) 653-8771	N/A
Address:: 330 OLD CONNECTICUT PATH, WAYLAND, MA 01778			
Other	J.J. MCKAY'S RESTAURANT	(508) 651-3758	N/A
Address:: 171 COMMONWEALTH ROAD, WAYLAND, MA 01778			
Other	WATER LILY	(508) 358-2288	N/A
Address:: 309 BOSTON POST ROAD, WAYLAND, MA 01778			
Other	China Rose Restaurant	(508) 975-4953	N/A
Address:: 15 EAST PLAIN STREET, WAYLAND, MA 01778			
Offender	POST ROAD LIQUORS	(508) 358-4300	N/A
Address:: 44 BOSTON POST ROAD, WAYLAND, MA 01778			

### Involved Officers

Officer Title	Officer Name	Officer Type	Division
Det. Sergeant	Jamie Berger	Reporting Officer	Detective Division
Det. Sergeant	Jamie Berger	Responding Officer	Detective Division

### IBR/UCR Offenses

Offense Number	IBR Type	Chapter	Section	Statute ID / IBR Type Description
No Incident Offenses Recorded for Incident #: 2014000011942				

### Complaint Charges

Seq #	Chapter	Section	Name (Last, First, MI)	Description of Offense
No Complaint Offenses Recorded for Incident #: 2014000011942				

# Wayland Police Department



38 Cochituate Road  
Wayland, MA 01778  
(508) 358-4721

Incident Number: 2014000011942

File No: N/A

Dispatch Incident Number: 2014000013964

Print Date: November 26, 2014

Printed By: jberger

## Incident Report

Vehicle Info					
Reg Plate - State (Year)	Vehicle Year, Make, Model	VIN	Primary Color	Second Color	Insurance Co.
No Vehicle Info Recorded for Incident #: 2014000011942					

Property
No Property Info reported for Incident #: 2014000011942

Citations					
Citation No	Code	Date	Status	Statute	Description
No Citations reported for Incident #: 2014000011942					

Permits					
Permit No	Type	Issue Date	Expire Date	Status	Issued To/Notes
No Permits recorded for Incident #: 2014000011942					

Narratives for Incident Number 2014000011942 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Det. Sergeant Jamie Berger (71JB) Division: Detective Division

Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
11/26/2014 07:18	Alcohol Compliance Checks	Det. Sergeant Jamie Berger (71JB)	Open	Det. Sergeant Jamie Berger	11/26/2014

On Tuesday, November 25, 2014, I conducted underage alcohol compliance checks of all licensed liquor establishments with in the Town of Wayland with the exception of Sandy Burr Country Club and Wayland Country Club, which were both closed and Bertucci's that had a 20 minute wait time for a table.

During these compliance checks, I sent an individual(s) under 21 years old into each establishment where they attempted to purchase alcohol without showing identification.

These individuals, male and a female were aged 20. All liquor establishments did not sell alcohol to the individuals except Post Road Liquors, 44 Boston Post Road at 6:32 p.m.

At approximately 6:32 p.m., I sent in the 20 year old male to Post Road Liquors to obtain alcohol. Shortly after sending him into the store, he emerged with a 6pk of Coors Light that he had paid \$6.10 for. I entered into the store and spoke with an employee Victoria Sands. I advised her that she had sold alcohol to an underage individual without asking for identification. Sands apologized and stated that she must have been busy and didn't check identification.

I advised Sands that a report would be prepared and forwarded to the licensing authority, the Board of Selectman as well as Chief Robert Irving.

All other liquor establishments passed the compliance check.

Respectfully Submitted,  
Detective Sergeant Jamie D. Berger  
Wayland Police Department

Signature - Reporting Officer

Signature - Reviewing Officer



## Memorandum

11/28/14

To: Chief Robert Irving

From: Detective Sergeant Jamie D. Berger

Subject: Post Road Liquors

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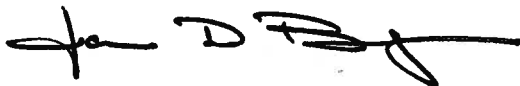
Chief Irving,

On Friday, November 28, 2014, I had received a fax from Michael O'Connell, owner of Post Road Liquors. The fax was a list of all employees including their hire dates and TIPS certification date. Listed on this list was Victoria Sands, the employee who sold alcohol to an underage individual during the Alcohol Compliance checks on Tuesday, November 25, 2014.

According to the employee list supplied, Sands was hired on 1/6/2013 and has not been TIPS certified. She was also terminated on Tuesday, November 25, 2014 after the compliance check.

Attached please find the fax from Michael O'Connell.

Respectfully Submitted,



Detective Sergeant Jamie Berger

Upper Falls  
LIQUORS

Post Road  
LIQUORS

Auburndale  
WINE & SPIRITS

To: Detective Sgt. Jamiz Berger  
From: Post Road Liquors  
Mike O'Connell, Sr.

Seargeant:

My bookkeeper just updated Post Roads' roster and included Victoria's name. I apologize for our tardiness. More importantly I apologize for our irresponsibility and employee blunder! It is unacceptable in our organization and keeps us up at night. We spent a lot of money on technology to help us — that is worthless if the cashier does not ask! If you have any questions call — anytime 617 694-4507. If I don't answer right away I will call right back. (This is our busiest day of the year.) Thank you.

Mike O'Connell

NAME	D.O.B	POS	TRAIN	DATE VALID	DATE EXP	DATE HIRE	LAST 4 SS
M.F.O'CONNELL	Mar-54	OWN	CAMPBEL	10/09/2012	10/09/2015	06/01/1979	2341
JOHN RECCO	Oct-53	OWN	CAMPBEL	10/16/2012	10/16/2015	06/01/1979	6357
WM MCDERMOTT	Nov-43	MGR.	CAMPBEL	10/09/2012	10/09/2015	09/01/1973	7162
DAVE RECCO	Apr-82	MGR.	CAMPBELL	10/09/2012	10/09/2015	06/16/2001	5000
J. LINNEHAN	Sep-30	CLERK	TIPS	10/13/2012	10/13/2015	01/01/1956	6102
B.WYMAN	Jan-55	CLERK	CAMPBEL	10/16/2012	10/16/2015	09/01/1980	9500
M. CLARK	Sep-79	A. MGR	CAMPBEL	10/09/2012	10/09/2015	02/01/1997	7551
B.TORPEY	Aug-72	A.MGR	CAMPBEL	10/09/2012	10/09/2015	04/07/2011	7868
T. CONDON	Jul-84	CLERK	CAMPBEL	10/16/2012	10/16/2015	10/07/2010	2101
R. MATHER	Jan-90	CASH	CAMPBEL	10/16/2012	10/16/2015	08/20/2012	3917
B. KULTGEN	Oct-82	CASH	CAMP	10/09/2012	10/09/2015	09/27/2011	0916
R. OLIVER	Apr-64	CASH	CAMP	10/09/2012	10/09/2015	11/06/2009	6667
N. MARTINELLE	Nov-78	WINE	TIPS	10/14/2014/	10/13/2017	08/12/2014	2361
N. O'CONNELL	May-55	ASST.	TIPS	10/14/2014	10/13/2017	08/12/2014	6258
V. SANDS	Sep-53	CASH				01/06/2013	9029

Terminated.



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

*P. Previous  
Violation*

FREDERIC E. TURKINGTON JR.  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

BOARD OF SELECTMEN  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN  
MICHAEL L. TICHNOR  
WILLIAM D. WHITNEY

July 9, 2008

Mr. John Recco  
Post Road Liquors  
44 Boston Post Road  
Wayland, MA 01778

## Decision of the Board of Selectmen Liquor Violation Hearing, July 8, 2008

For allowing the sale of alcohol to an underage person on June 18th, 2008.

The liquor license for Post Road Liquors, 44 Boston Post Road, Wayland, is hereby suspended for a period of one day, on July 14th, 2008. No alcoholic beverages may be offered for sale on that date. The liquor license of Post Road Liquors is also placed on probation for a period of two years, commencing on July 9, 2008 and ending on July 9, 2010. During the period of probation, any violation of Massachusetts Liquor Laws, Chapter 138, or the rules supplement for "Provisions and Consumption of Alcoholic Beverages" will result in an automatic penalty of five days suspension of the liquor license for each separate violation.

Frederic E. Turkington Jr.  
Town Administrator

cc: Robert Irving, Chief of Police  
Alcohol Beverage Control Commission

DATE: MONDAY DECEMBER 8, 2014  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: **FOLLOW-UP TO BOARD DISCUSSION ON CLASS II WAYLAND AUTOMOTIVE AUTO DEALERS LICENSE – POSSIBLE BOARD RESPONSE**

Because the Board on Monday will consider approval of calendar year 2015 Board issued Class II auto sales licenses, the Board requested information on whether the licensees are in compliance with their licenses. Since the summer of 2014, the Building Commissioner made site visits to all licensed used car dealerships in Wayland to check for the licensees' compliance with the license condition regarding the number of cars permitted for sale at each location. While reviewing compliance, it was determined by the Building Commissioner that Class II used car dealer licenses were issued without required zoning approval.

At Wayland Automotive, 322 Commonwealth Road, the Building Commissioner consistently found more than five cars on the lot and internet photos of 40 cars for sale, apparently taken on the lot. The dealer informed the Board that some of the cars on the lot are cars for repair, not sale. The dealer stated he would request a license for more than 5 cars.

The matter was reviewed with Town Counsel who will be present Monday to advise the Board. The following potential Board Action was discussed for approval of all Class II Used car Dealer's License:

**That the Board consider approval of the Class II Used Car Licenses with the conditions that:**

- 1. If required by the Building Commissioner, the licensees will apply within 30 days for a special permit from the Zoning Board to operate or increase the number of vehicles sold on their premises.**
- 2. That all cars offered for sale be clearly marked, "For Sale".**



# MEMORANDUM

**To:** Nan Balmer, Town Administrator  
**From:** MaryAnn DiNapoli  
**Date:** December 5, 2014  
**Re:** 2015 Licensing

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**The following liquor licenses are ready for approval for 2015:**

---

Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Liquor License On Premise All Alcoholic
Broomstones Inc.	1 Curling Lane	Liquor License, Club, All Alcoholic
Coach Grill (BBRG TR LLC)	55 Boston Post Road	Liquor License On Premise All Alcoholic
Donelan's Supermarkets Inc.	177 Commonwealth Road	Liquor License Package Store Wine & Malt
Dudley Chateau of Cochituate Inc.	20 Crest Road	Liquor License On Premise All Alcoholic
Lavins Inc. of Wayland	330 Old Connecticut Path	Liquor License Package Store All Alcoholic
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Liquor License On Premise All Alcoholic
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Liquor License On Premise Wine & Malt
New Sandy Burr Inc.	103 Cochituate Road	Liquor License On Premise All Alcoholic

---

Post Road Liquors Inc.	44 Boston Post Road	Liquor License Package Store All Alcoholic
Primebar Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Liquor License On Premise All Alcoholic
Sperry's Fine Wine Brew and Cigars (Eastbrook Inc.)	87 Andrew Avenue	Liquor License Package Store Wine & Malt
Takara Japanese Restaurant (Zheng Group Inc.)	15 Elissa Way	Liquor License On Premise All Alcoholic
The Villa Inc.	48 East Plain Road	Liquor License On Premise All Alcoholic
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Liquor License On Premise Wine & Malt
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Liquor License On Premise All Alcoholic
Wayland Variety and Deli Corporation	70 Boston Post Road	Liquor License Package Store Wine & Malt
Wayland Wine and Spirits (P & P Liquors Inc.)	302 East Commonwealth Rd	Liquor License Package Store All Alcoholic

**The following Common Victuallers Licenses are ready for approval for 2015:**

Baypath Elder Services (Meals on Wheels)	33 Boston Post Road Marlborough MA	Victualler License
Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Victualler License
Coach Grill (BBRG TR LLC)	55 Boston Post Road	Victualler License
Dudley Chateau of Cochituate Inc.	20 Crest Road	Victualler License

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Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Victualler License
Liberty Pizza (MC&G Pizza Inc.)	116 Main Street	Victualler License
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Victualler License
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Victualler License
New Sandy Burr Inc.	103 Cochituate Road	Victualler License
Panera Bread Bakery-Café (Panera LLC)	21 Andrew Avenue	Victualler License
Primebar Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Victualler License
Starbucks Coffee Company	44 Main Street	Victualler License
Spice 'n Pepper (Aprileileen Corporation)	236 Boston Post Road	Victualler License
Takara Japanese Restaurant (Zheng Group Inc.)	15 Elissa Way	Victualler License
The Villa Inc.	48 East Plain Road	Victualler License
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Victualler License
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Victualler License
Wayland Pizza House	336 Boston Post Road	Victualler License

---

**The following Entertainment Licenses are ready for approval for 2015:**

Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Entertainment License
The Local Restaurant of Wayland dba The Local	11 Andrew Avenue	Entertainment License
Primebar Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Entertainment License
Starbucks Coffee Company	44 Main Street	Entertainment License
The Villa Inc.	48 East Plain Road	Entertainment License

**The following Sale of Second-Hand Articles Licenses are ready for approval for 2015:**

Almaari Jewelers	65 Andrew Avenue	Sale of Second Hand Articles
MetroWest Precious Metals LLC	241 Boston Post Road Suite 5	Sale of Second Hand Articles
Michelle's Jewelry Boutique	310 Boston Post Road	Sale of Second Hand Articles

**The following Auto Dealer Licenses are ready for approval for 2015:**

Cook's Automotive (Lloyd J. Cook, President)	338 Boston Post Road	Sale of Used Vehicles II
Herb Chambers of Wayland Inc. dba Aston Martin Boston, dba Bentley Boston, dba Rolls- Royce Motor Cars of New England, dba Herb Chambers Lamborghini of Boston, and dba Herb Chambers Maserati	533 Boston Post Road	Sale of Used Vehicles I

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International Auto Works Inc.	118 Main Street	Sale of Used Vehicles II
Shepard's Service (Mark Shepard)	268 Boston Post Road	Sale of Used Vehicles II
Stephen Jones dba State Road Auto Body	292 Boston Post Road	Sale of Used Vehicles II
Wayland Automotive Sales (Richard Devlin)	322 Commonwealth Avenue	Sale of Used Vehicles II
Wayland Imports (Glenn B. Schwartz)	70 Boston Post Road	Sale of Used Vehicles II
Wayland Mobil (E & J Service Station LLC)	315 Commonwealth Road	Sale of Used Vehicles II

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**ABANDONMENT AND RELEASE OF**  
**DUDLEY STREET, WAYLAND, MASSACHUSETTS**

The Town of Wayland, a municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 41 Cochituate Road, Wayland, Massachusetts 01778, for consideration of one and no/100 dollar (\$1.00), hereby abandons and releases to Dennis J. Berry of Wayland, Massachusetts, as Personal Representative of the Estate of Helen F. Berry late of 37 East Plain Street, Wayland, Middlesex County, Massachusetts, under Middlesex County Probate and Family Court Docket No. MI14P3652EA, and to James F. Trierweiler and Kathleen M. Trierweiler, husband and wife, as tenants by the entirety, both of 43 East Plain Street, Wayland, Middlesex County, Massachusetts 01778, and to their respective heirs, successors and assigns, all of the Town's right, title and interest in and to the land comprising Dudley Street in said Wayland extending between East Plain Street and Center Street, containing 9,000 square feet, more or less, as shown on the plan entitled "Plan of Cochituate Park Owned by Ward C. Meagher" dated June, 1915, prepared by W. W. Wight, C.E., which plan is recorded with the Middlesex South Registry of Deeds in Plan Book 235, Plan 20.

This release and abandonment was authorized by vote of the 1964 Wayland Annual Town Meeting under Article 22 of the warrant therefor, an attested copy of which is recorded herewith.

In Witness Whereof the said the Town of Wayland has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by its duly authorized Board of Selectmen this 8<sup>th</sup> day of December, 2014.

TOWN OF WAYLAND, by:

Joseph F. Nolan, Chairman

Anthony V. Boschetto

Mary M. Antes

Edward J. Collins

Cherry C. Karlson

its Board of Selectmen

Approved as to form.

Mark J. Lanza, Town Counsel

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 8th day of December, 2014, before me, the undersigned notary public, personally appeared Joseph F. Nolan, Anthony V. Boschetto, Mary M. Antes, Edward J. Collins and Cherry C. Karlson proved to me through satisfactory evidence of identification, which was personal recognition, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, as Selectmen of the Town of Wayland,

Mark J. Lanza, Notary Public  
My Commission Expires: 1/29/2021



① PARCEL IDENTIFICATION NUMBER

--- DENOTES FLOOD PLAIN

TOWN OF WAYLAND



SCALE  
1" = 50'



Andrews Survey & Engineering, Inc.  
 Land Surveying - Civil Engineering - Site Planning

P.O. Box 243, 304 Main Street  
 Wayland, Massachusetts 01981-0243  
 Tel: 978-929-8877 Fax: 978-979-5289

This drawing and the design are property of Andrews Survey & Engineering, Inc. and shall not be altered or treated in whole or in part without the express written permission of Andrews Survey & Engineering, Inc. Copyright © 2014

**OWNER OF RECORD:**  
 JAMES R. & HELEN F. BERRY  
 37 EAST PLAIN STREET  
 WAYLAND, MA 01778

**WAYLAND ASSESSORS INFORMATION:**  
 MAP 51B, PARCEL 068

**WAYLAND ZONING INFORMATION:**  
 ZONE: R20  
 MINIMUM AREA: 20,000 S.F.  
 MINIMUM FRONTAGE: 120'  
 SETBACKS: FRONT 30', SIDE 15', REAR 30'  
 FROM CENTERLINE OF RIGHT OF WAY: 55'

**DEED REFERENCE:**  
 BK. 7856, PG. 546

**PLAN REFERENCES:**  
 P.B. 235, PL. 20  
 PLAN 662 OF 1970  
 PLAN 677 OF 1970  
 L.C. PLAN 32314A

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR NEW WAYS ARE SHOWN.

GRAPHIC SCALE



CAD FILE	... \dwg\2014-304 61X.dwg
DRAWN BY	BJA
CHECKED BY	BJA
DATE	DECEMBER 1, 2014
PROJECT NO.	2014-304
PLAN NO.	M-2706

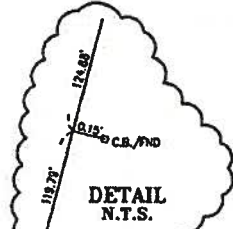
TITLE

**PLAN OF LAND**  
 OF  
**37 EAST PLAIN STREET**  
 IN  
**WAYLAND, MA**  
 OWNED BY  
**ESTATE OF HELEN BERRY**

**EAST PLAIN STREET**  
 (PUBLIC - VARIABLE WIDTH)



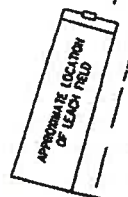
MAP 51B, PARCEL 069  
 N/F OLIVER M. & PAULINE AHEARNE  
 BK. 43298, PG. 234  
 P.B. 235, PL. 20



MAP 51B, PARCEL 070  
 N/F PAUL & DALIA BERGOTAS  
 INSTRUMENT #07051  
 P.B. 235, PL. 20



MAP 51B, PARCEL 068  
 16,000± S.F.  
 0.27± ACRES  
 TOTAL AREA INCLUDING  
 FORMER PORTION OF DUDLEY  
 STREET = 16,000± S.F.  
 0.37 ± ACRES



CENTER STREET  
 (40' WIDE)

NOTE: DUDLEY ROAD WAS ABANDONED BY ARTICLE 22 OF THE 1984 WAYLAND TOWN MEETING REFERENCE IS ALSO MADE TO M.G.L. CHAPTER 183, SECTION 5B.

LEGEND	
NOW OR FORMERLY	N/F
DRILL HOLE	D.H.
SQUARE FEET	S.F.
FOUND	FD
IRON PIPE	Ø I.P.
CONCRETE BOUND W/D.M.	Ø C.B.
CHAIN LINK FENCE	—
WIRE FENCE	—





PLAN OF COCHITUATE PARK  
 OWNED BY WARD C. MEAGHER  
 SCALE 1"=50' JUNE 1915 W.B.M.C.E.

SOLE AGENTS - DANNARS - GILLETTE



# Proposed Solar Arrays on Wayland Lands & Buildings

- LOI with Ameresco signed June 2014 to evaluate potential sites
- Ameresco to provide preliminary estimated savings, based on current proposed projects
- 4 sites passed: DPW bldg; Middle School canopies; HS canopies, Town offices canopies
  - 6 other sites considered & rejected
- Project structure:
  - No capital or ongoing costs required of Town
  - Ameresco builds, finances, & owns solar arrays on leased Town Property
  - Ameresco sells solar power to Town under 20 yr. Power Purchase Agreement
  - Town sells power to utility for billing credits – creating net savings
  - Town Meeting vote required on PPA & lease.
- Town committees & staff review & approving final designs
- Wayland will hire owners rep to review contract and designs
- Ameresco has strong solar track record

# Ameresco

Solar PV Presentation for the  
Board of Selectmen  
Town of Wayland, MA

December 8, 2014



**AMERESCO**   
Green • Clean • Sustainable



# Town of Wayland Sites Evaluation

Site	Pros	Questions	Project Status
<b>Sites INCLUDED in project scope</b>			
New DPW Facility	<ul style="list-style-type: none"> <li>• Large metal roof</li> <li>• Roof structure good</li> </ul>	<ul style="list-style-type: none"> <li>• Protection from roof leaks</li> </ul>	<ul style="list-style-type: none"> <li>• Use S-5 clamps</li> </ul>
Town Offices Parking Lot	<ul style="list-style-type: none"> <li>• Large parking area</li> </ul>	<ul style="list-style-type: none"> <li>• Potential flood plain issues</li> <li>• Plowing and snow safety</li> </ul>	<ul style="list-style-type: none"> <li>• Design with rain gutters for water and ice management</li> </ul>
Middle School Canopy	<ul style="list-style-type: none"> <li>• Limited tree shading</li> <li>• Resiliency design</li> </ul>	<ul style="list-style-type: none"> <li>• Plowing and snow safety</li> </ul>	<ul style="list-style-type: none"> <li>• Design with rain gutters for water and ice management</li> </ul>
HS Canopy	<ul style="list-style-type: none"> <li>• Large open parking area</li> </ul>	<ul style="list-style-type: none"> <li>• Plow and snow safety</li> </ul>	<ul style="list-style-type: none"> <li>• Design with rain gutters for water and ice management</li> </ul>
<b>Sites considered and eliminated from project scope</b>			
Old DPW Facility Parking	<ul style="list-style-type: none"> <li>• Flat land</li> </ul>	<ul style="list-style-type: none"> <li>• Trees shading</li> <li>• Town alternative land uses</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated per Town</li> </ul>
Happy Hollow Well	<ul style="list-style-type: none"> <li>• Under utilized land</li> </ul>	<ul style="list-style-type: none"> <li>• Tree clearing Required</li> <li>• Board of Health concern</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated per Town</li> </ul>
HS Leach Field	<ul style="list-style-type: none"> <li>• Open, unused field</li> </ul>	<ul style="list-style-type: none"> <li>• Set backs from leach field</li> <li>• Adjacent to HS baseball field</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated per town</li> </ul>
HS Roof	<ul style="list-style-type: none"> <li>• Flat roof</li> </ul>	<ul style="list-style-type: none"> <li>• Shading: roof units &amp; trees</li> </ul>	<ul style="list-style-type: none"> <li>• Failed shading review</li> </ul>
Middle School	<ul style="list-style-type: none"> <li>• Flat roof, with few roof to obstructions</li> </ul>	<ul style="list-style-type: none"> <li>• Insufficient structural reserve roof capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Failed structural review</li> </ul>
Landfill	<ul style="list-style-type: none"> <li>• Under utilized land</li> </ul>	<ul style="list-style-type: none"> <li>• Steep slopes</li> <li>• Few flat areas</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated due to topography</li> </ul>



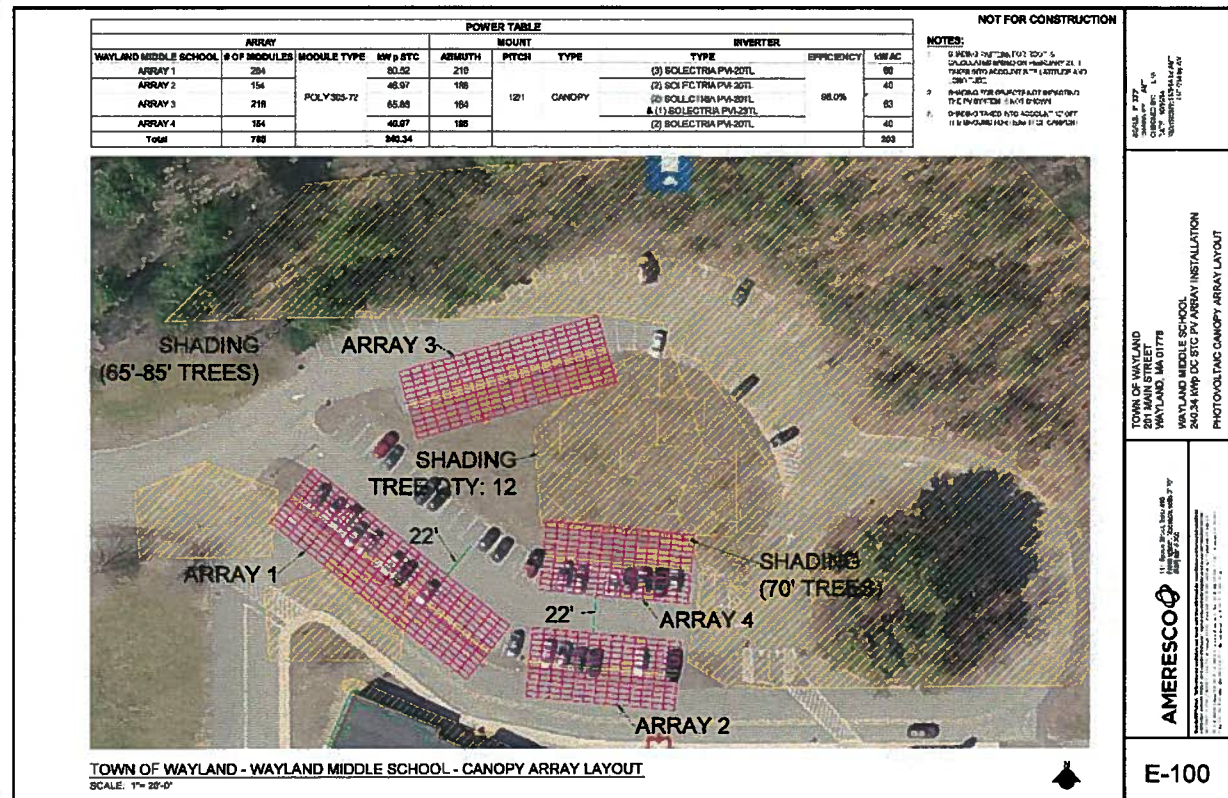
# Preliminary Project Scope

<b>Wayland Solar PV: Proposed Sites</b>				
Site	Install Type	Tilt Angle	System Capacity (kW_DC)	Estimated First Year Production (kWh)
DPW Facility	Metal roof	5	223.82	261,601
Town Offices Carport	Elevated Canopy	12/1	228.75	273,928
Middle School Carport	Elevated Canopy	12/1	240.34	289,675
High School Canopy	Elevated Canopy	12/1	668.26	799,888
<b>Total</b>			<b>1,361.2</b>	<b>1,625,092</b>

# Wayland Middle School Carport: 240.34 kW\_DC

## Design Considerations:

- Clearance for snow removal equipment, fire trucks, and school buses
- Maintains all existing parking spaces
- L-Shape canopy design holds snow, includes gutters to channel rain and snow melt
- Vertical posts installed over median or at head of parking area
- Outside of wetland buffer areas





# Wayland Middle School Carport: 3D Renderings





# Wayland Middle School Carport: 3D Renderings





# Wayland Middle School Carport: 3D Renderings

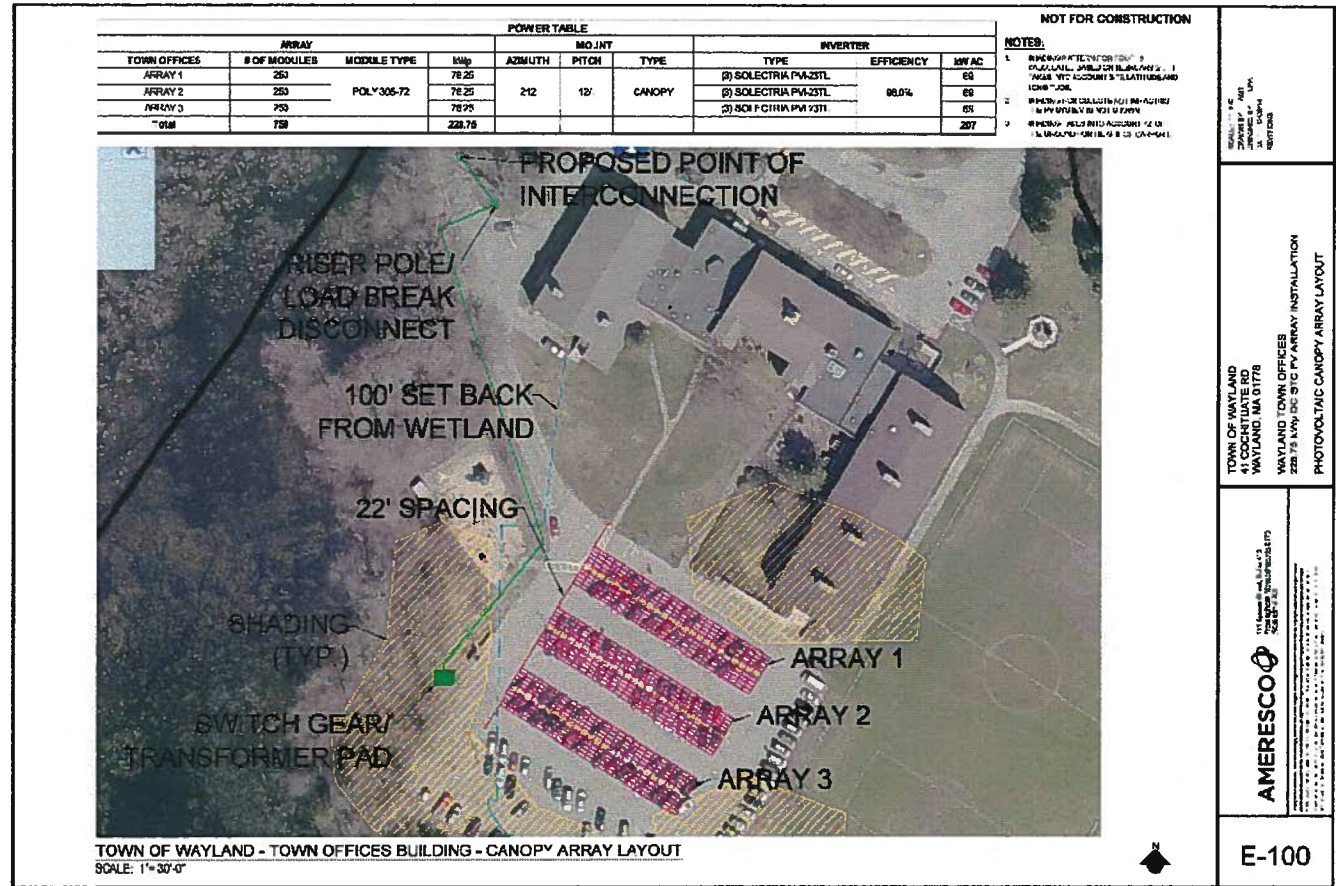




# Town Offices Carport: 228.75 kW\_DC

## Design Considerations:

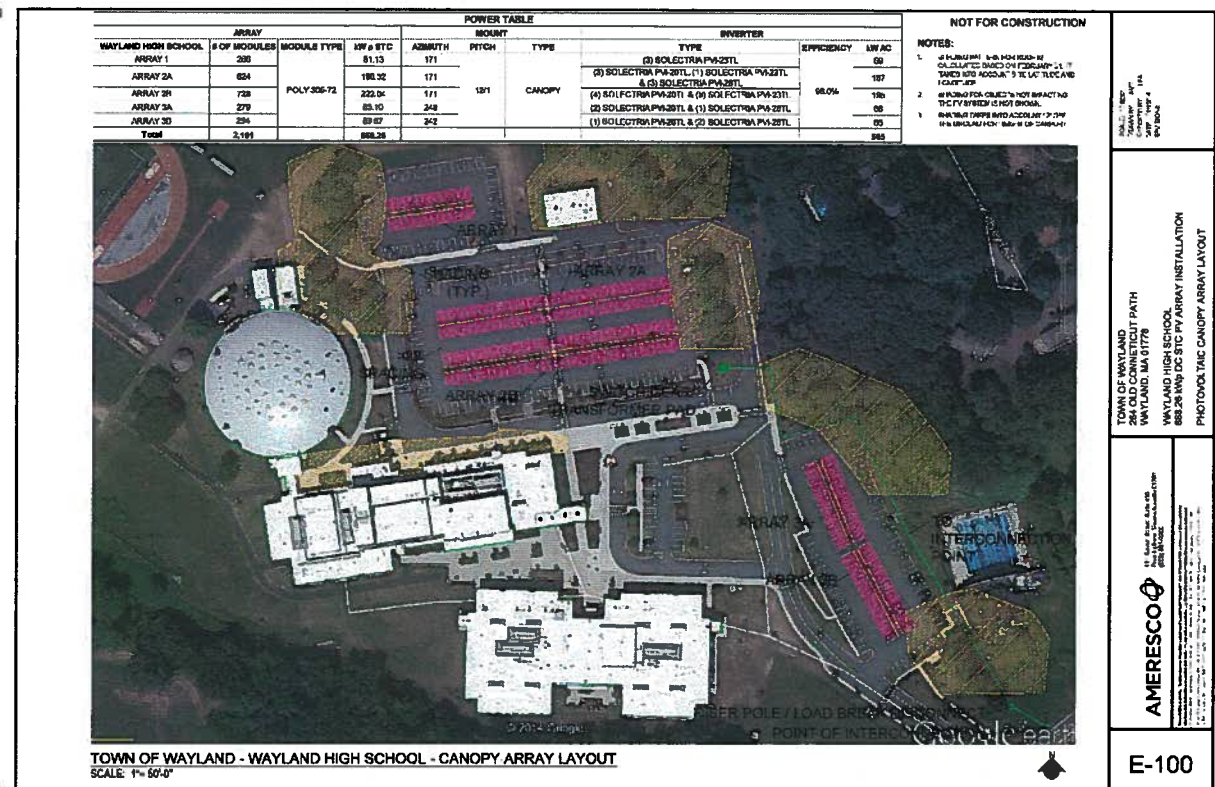
- Clearance for snow removal equipment and fire trucks
- L-Shape canopy design holds snow, design includes gutters to channel rain and snow melt
- Maintains all existing parking spaces



# Wayland High School Carport: 668.02 kW\_DC

## Design Considerations:

- Clearance for snow removal equipment, school buses, and fire trucks
- Y and L- Shape canopy designs hold snow, design includes gutters to channel rain and snow melt
- Utilizes median strip for vertical posts and incorporates existing storm water run off plan and rain gardens for drainage
- Maintains all existing parking spaces

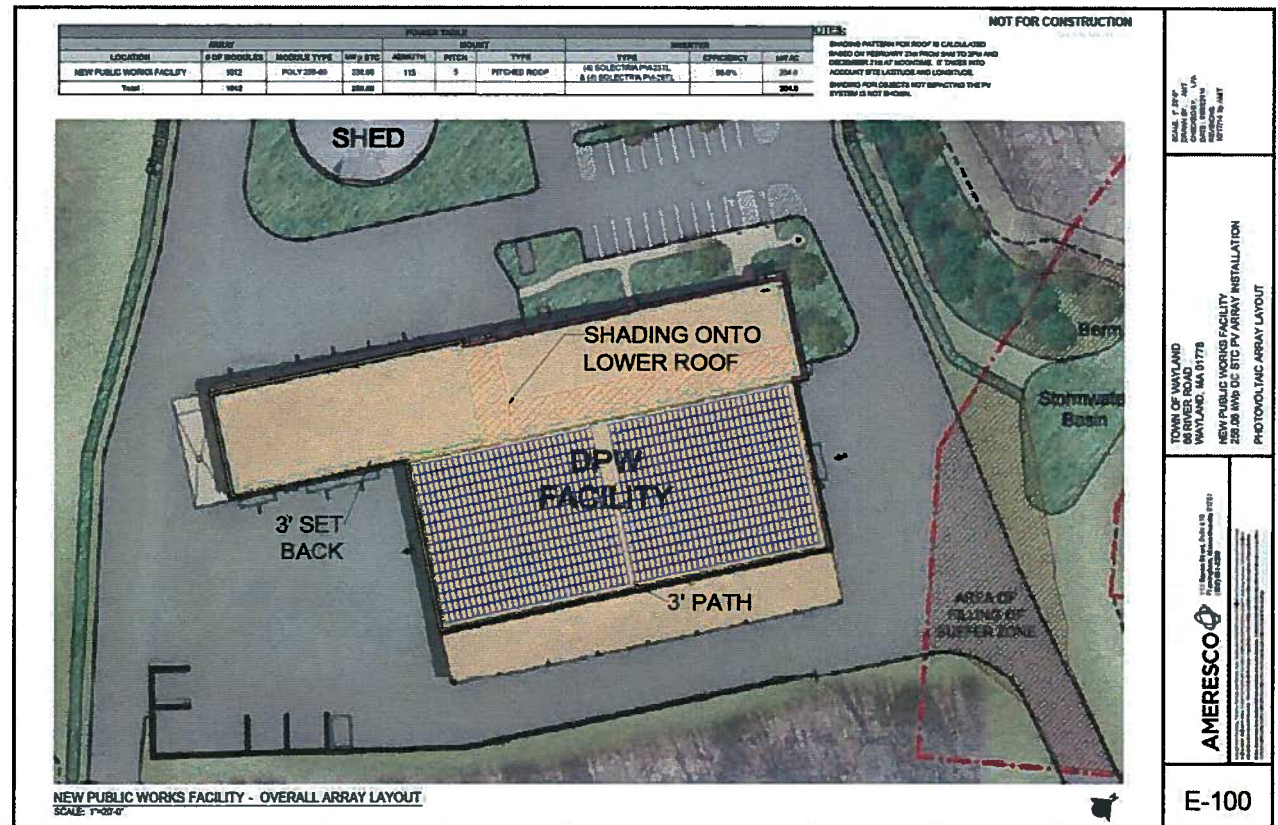




# DPW Facility: 258.06 kW\_DC

## Design Considerations:

- Roof contractor approval for warranty
- Clamp design does not penetrate metal roof
- Inverter located in attic or as specified by DPW

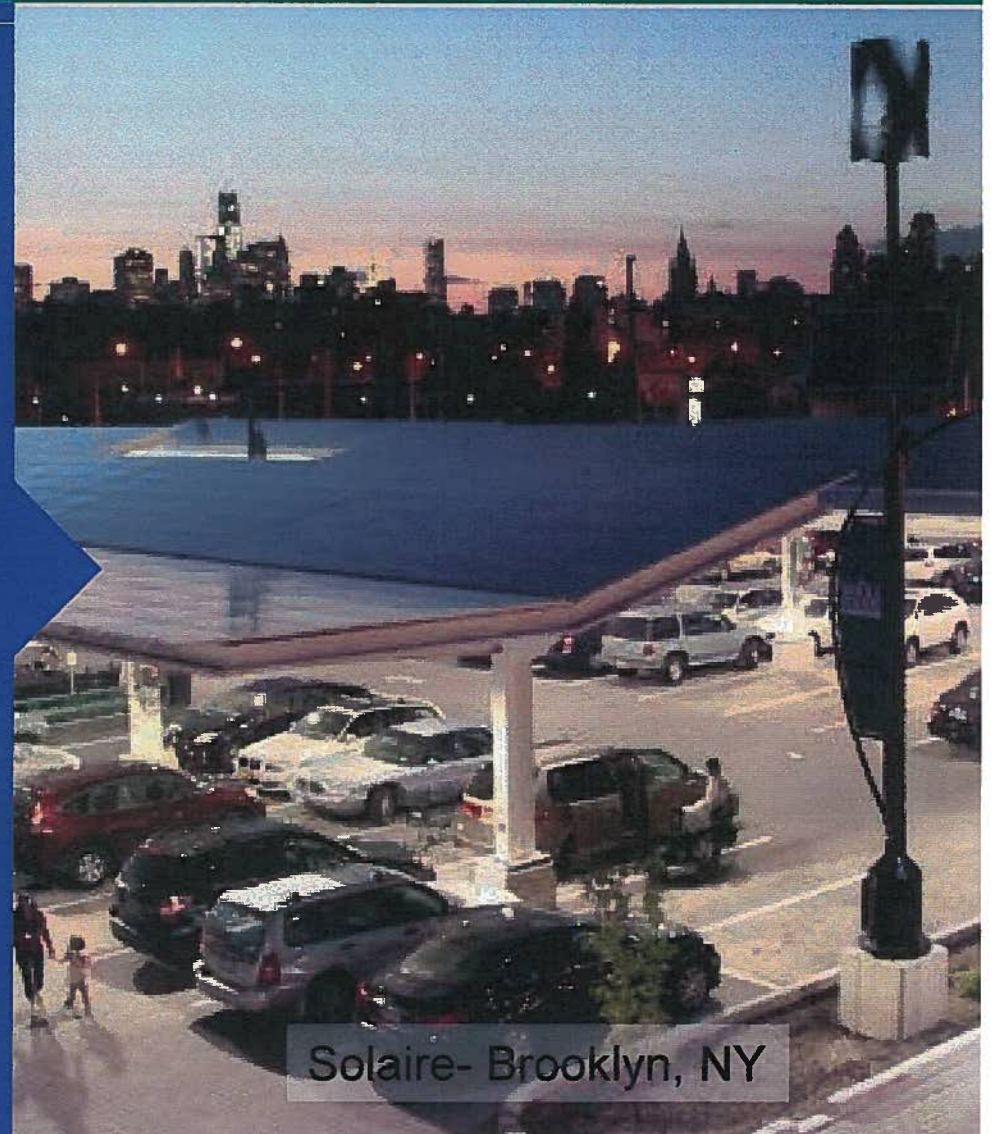




## Proposed Schedule

- 30% Design and Interconnection Application Finished (Ameresco): *Dec 30, 2014*
- PPA and Lease Agreement Negotiated (Ameresco & Town): *Jan- Mar 2014*
- Warrant Article Submittal for Town Meeting *January 2015*
- Committee & Boards Approvals *March 2015*
- Town Meeting PPA / Property Tax Approval (Town): *April 2015*
- PPA Execution (Ameresco and Town): *April 2015*
- Start of Construction: *June 2015*
- Commercial Operation: *September 2015*

# Discussion



Solaire- Brooklyn, NY



DATE: DECEMBER 8, 2014  
TO: BOARD OF SELECTMEN  
FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST  
RE: TAX TITLE SALE

**BOARD ACTION REQUESTED:**

**DISCUSSION AND INPUT OF PROPOSAL TO SELL TAX TITLES AT PUBLIC AUCTION ACCORDING TO MASSACHUSETTS GENERAL LAWS CHAPTER 60 §52**

**BACKGROUND:**

The Town holds Tax Titles of thirty-nine (39) properties for non-payment of real estate taxes, and anticipates an additional twenty-three (23) properties in January. This represents approximately \$2.1 Million in uncollected tax revenue.

**ALTERNATIVES:**

Two alternatives for collecting unpaid real estate taxes are:

- Property foreclosure
- Tax Title sale at public auction

**Property foreclosure**

The foreclosure process is lengthy. Between 2008 and 2010 the town initiated foreclosure on two properties resulting in the collection of \$200,000 in tax revenue. However, the process took 12 – 18 months. There is capacity to foreclose on one or two properties per year.

**Tax Title sale at public auction**

Many municipalities are successfully collecting unpaid real estate taxes by selling Tax Titles. Tax Title sales are conducted according to Massachusetts General Laws Chapter 60 §52, which provide for the treasurer of any city or town holding one or more Tax Titles to assign and transfer such Tax Titles to the highest bidder after a public auction. All taxes, with interest, and all other charges of any balance of said taxes are collected at the time of the auction, unless these fees have been paid in full before the auction date.

The effect of this sale is to transfer the Tax Title currently held by the Town to a third party (Assignee) who will pay the Town the amount owed, after which the property owner is required to pay the third party. This procedure is similar to a bank assigning a mortgage to a new holder who then receives all payments.

Please note that any Assignee of a Tax Title has no right to possession of the real estate until the Massachusetts Land Court has entered a Judgment of Foreclosure of the Right of Redemption.

## PROPOSAL:

The Treasurer is proposing to hold a Tax Title Auction in spring 2015 and anticipates collecting \$2.1 Million in unpaid real estate taxes in Fiscal Year 2015.

### **Process**

- Hold public presentation to inform public, raise awareness and solicit input
- Evaluate properties for eligibility
- Identify needs of property owners (work with other Town departments such as Council on Aging)
- Plan for and offer resources to owners in need
  - Payment plans
  - Deferral
  - Social services
- Notify property owners prior to sale (a series of notices over several months)
- Advertise Tax Title sale
- Conduct auction
- Notify owners of new Tax Title holder

## FISCAL IMPACT

Holding a Tax Title auction is expected to generate additional tax revenue of \$2.1 Million in Fiscal Year 2015. Alternatively, foreclosing on individual properties will bring in unpaid tax revenue over a number of years.

### **Property foreclosure**

No unpaid tax revenue generated in Fiscal Year 2015. Collecting an estimated \$100,000 to \$200,000 per year.

### **Tax Title sale at public auction**

Tax Title revenue of \$2.1 Million collected in Fiscal Year 2015. There is a potential for the Town to receive a premium if several bidders are interested.



# TOWN OF WAYLAND

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BOARD OF SELECTMEN  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSPEH F. NOLAN

## MEMORANDUM

To: NAN BALMER

From: BEN KEEFE

Date: December 4, 2014

Subject: Municipal Utilities Budget FY16

As directed I have reviewed the Municipal Utilities Budget for FY16. The following are my recommendations and comments concerning object codes 53101 through 53106:

53101 - Heating Oil - \$0

The last fuel oil burning furnace (Library) will be replaced this spring as part of the ESCO project.

53102 - Natural Gas - \$125,000

Increased FY14 dollars by contracted price change, 11.8% increase in FY15 and an 11.9% increase in FY16, plus a 10% margin for unexpected conditions. I used FY14 dollars because it was a relatively severe heating season and FY15 data is not complete.

53103 - Electricity - \$260,000

Increased FY14 dollars by contracted price change, 11.5% in FY15 and no increase in FY16, plus a 10% margin for unexpected conditions. I used FY14 dollars because it was a relatively severe heating season and FY15 data is not complete.

53104 - Telephone - \$90,000

This line item has been tracking just below \$90K for several years.

53105 - Water - \$18,000

Annual usage and costs have fluctuated greatly last several years but still below previous budget amounts. \$18,000 should cover expected conditions and costs.

53106 - Wastewater - \$36,000

Annual costs have steadily increased at an accelerating rate. This estimate is based on continuing cost increases. I will continue to investigate causes for the increases and may adjust if required.

Total FY16 utilities budget is \$529,000 as compared to FY14 actual of \$451,335 and FY15 budget of \$567,665

KK

Zoning Bylaw Revision list

Number	Section of By-Law	Title	Comments	Additional Comments	Sponsor
1	1002.1.7,1106.1,1302.1,1406.8	Sidewalk Construction, Reconstruction or substantial alteration	Written 5 different ways in the Bylaw. Issue on interpretation	On the Warrant for Spring Town Meeting of 2014 and was Postponed Indefinitely	Planning Board
2	506.8.1	Landscape buffer	No minimum distance required from Commercial to residential	On the Warrant for Spring Town Meeting of 2014 and was Postponed Indefinitely	Planning Board
3	New Overlay District	Specimen Tree Overlay Protection District	Protect the cutting of 5 or more trees. Need opinion from Counsel if enforceable to Public Utility Companies?	On the Warrant for Spring Town Meeting of 2014 and was passed over	Residents/Oakhill neighborhood
4	198-804, 901.1.1,901.1.2	Home Occupation	Issue was raised by resident on a recent case		Zoning Board of Appeals
5	198:401.5 and 6	Non conforming lots and structures	Develop more standards to qualify for Teardowns		Zoning Board of Appeals
6	104 Definition	Building Heights	Concern of lot grading and filling beyond existing grade		Resident
7	104	FAR Floor Area Ratio	Concern regarding size of home on small lots		Resident
8	Article 16	Aquifer Protection provision	How to apply zone 1 with more protection		Planning Board
9	Accessory uses	gas station retail uses			Economic Development Committee
10	Dog Kennels	Changes in state law that affect the Bylaw			ZBL Recodification
11	Agriculture	Provisions regulating agricultural uses should be reviewed.	Consistent with G.L. c.40,§3.		ZBL Recodification
12	Article 15A	Wireless Communications			ZBL Recodification
13	505.1.1	Signage	Alteration,Repair and Replacement of existing non conforming signs	On the Warrant for Spring Town Meeting of 2014 and was Postponed Indefinitely	Design Review Board/Planning Board

**TOWN ADMINISTRATOR'S REPORT**  
**FOR THE WEEKS ENDING DECEMBER 5, 2014**

**DEPARTMENT HEAED MEETING**

At the monthly Department Head meeting we began a discussion of goals for the departments and town organization – The emphasis of this initial discussion was on Information Technology.

**SOLAR PROJECT**

Land use department heads reviewed and made comment on the proposed solar projects. Two items of note were whether it was necessary to fill the gaps between solar panels to prevent dripping and ice and the financial model / calculation of public benefit.

**ATM SCHEDULE**

Staff is continuing to work on the detailed ATM schedule – If it's ready, it will be handed out Monday night.

**FUTURE AGENDA ITEMS**

Right now the Board is scheduled to meet 12/15. Meetings between 12/15 and 1/5/15 will be called at the discretion of the Chair. Potential agenda items for 12/15 include:

1. COA / Community Center – Preliminary Report
2. FY 14 Audit – Meet with Independent Auditor and Audit Committee
3. Request of OPEB Committee for Special Counsel to consider Trust Documents
4. Review Requested Changes to PMBC Charge
5. FY 16 Budget - Review Health Insurance and New Personnel Requests
6. Use of Tablets for Board Electronic Board Packets





NAN BALMER  
TOWN ADMINISTRATOR  
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[www.wayland.ma.us](http://www.wayland.ma.us)

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
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## BOARD OF SELECTMEN

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EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, December 8, 2014**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

## CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Eagle Scout Award, Letter of Commendation, for Allen Horine, Troop 1 Cochituate Boy Scout
3. Vote the Question of Approving the Minutes of July 28, 2014, August 11, 2014, September 8, 2014, and September 23, 2014
4. Vote the Question of Approving for Release the Executive Session Minutes of August 26, 2013 (with redactions), April 8, 2014, June 23, 2014 (with redactions), and July 38, 2014 (with redactions)



## DiNapoli, MaryAnn

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**From:** Laurel Whitehouse <laurel.whitehouse@gmail.com>  
**Sent:** Tuesday, December 02, 2014 5:30 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** Request for a letter of commendation

Hi MaryAnn,

I am writing to request a letter of commendation for a Troop 1 Cochituate Boy Scout who has earned Eagle Scout rank. His name is:

**Allen Horine** (note spelling of Allen)

Allen's Eagle Scout service project was to design and build two rolling storage carts for percussion equipment and a band director podium for the Sudbury Valley New Horizons Band. This band is composed of adult musicians who have not played their instruments since high school or college and who wanted to get back into music. They travel to nursing homes and local events to play for residents and brighten their days. The project took a team of eleven over 132 hours to complete.

Thanks for your help on this,

Laurel Whitehouse  
Troop 1 Cochituate Advancement Coordinator



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JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes July 28, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator/Human Resources Director John Senchyshyn

**A1. Call to Order by Chair** Chair J. Nolan called the open meeting of the Board of Selectmen to order at 6:30 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public.

**A2. Enter into Executive Session Pursuant to MGL Chapter 30A, Section 21a (3), to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission, and potential Litigation by a Group of Wastewater Management District Users, as Threatened by their Lawyer; and Pursuant to MGL Chapter 30A, Section 21 a(2) to Discuss Contract Negotiations regarding New Town Administrator Nan Balmer** At 6:35 p.m., J. Nolan moved, seconded by E. Collins, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management District users, as threatened by their lawyer; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(2) to discuss contract negotiations regarding the new Town Administrator Nan Balmer. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management District users, as threatened by their lawyer; and discussion of contract negotiations regarding the new Town Administrator Nan Balmer, will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by Wastewater Management District Commission member Sam Potter. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:20 p.m.

**A3. Public Comment** Nancy Carapezza, 233 Boston Post Road, urged the Board to be reasonable in making wastewater decisions. She said she joined the system in 1999, and with the betterment coming this year, she will have paid over \$100,000 into the system. She said Wayland is at an unusually high rate.

**A4. Meet with Town Moderator Dennis Berry to Discuss 2014 Annual Town Meeting and Potential Date for 2015 Annual Town Meeting** The Board was joined by Town Moderator Dennis Berry to discuss town meeting issues. J. Nolan noted there was no action to take on a Fall town meeting. He said the Board expected to set the date for the spring 2015 Annual Town Meeting in the next few weeks and noted the dates of Easter Sunday, Passover and school vacation. D. Berry said he was interested in the quality of the meeting,

and suggested that the articles be well-prepared. He said the Board has the option of rejecting articles and does not have to grant every request. He said he is considering a Moderator's forum to answer questions in advance, and he said he plans to take a serious look at revising the Moderator's Rules. T. Boschetto agreed that the date should be set soon so people can make plans. The Board commented on the previous town meetings. J. Nolan said electronic voting hasn't seemed to save time. D. Berry talked about the possibility of dividing items in the budget, making changes to reconsideration, and making more use of the abbreviated debate. C. Karlson said some updates need to be made in procedures, especially in regard to petitioners' articles. In regard to scheduling, she said it may be difficult if meeting goes into May. J. Nolan suggested a shorter time for discussion of articles; for example, reducing it from 60 minutes to 40 minutes. J. Senchyshyn noted that the town is looking for a timekeeper.

**A5. Interview Applicants and Potential Vote for Two Members of Finance Committee for Terms to Expire on June 30, 2017** Thomas Abdella, Inna Kisseleva-Deeley, Anette Lewis, Seth Roman, and David Watkins appeared before the Board to interview for appointment to the Finance Committee. D. Watkins said he has a background in real estate and he was the financial manager of a \$35 million business. He said he can help in modeling efforts, and has created software for federal government accounting; he also served on the Economic Development Committee. A. Lewis said she is a 35-year resident, and has held appointed and elected positions. She said she is very detail-oriented and is a regular attendee of Town Meeting. She has both operational and administrative experience, and has attended all but two Finance Committee meetings over the last two years. S. Roman said he has been a resident since 2005, and has served as a Fiduciary for twenty years. He said he brings an outside opinion and intellectual flexibility. T. Abdella said he has served the town as both an appointed and elected official. He is the Secretary to the Budget Committee at Wellesley College, and controls the budget for an architectural organization. He said you can control costs but not revenue, and he will bring context to the numbers; he said that once every five to ten years, he feels the town needs to zero-base the budget. I. Kisseleva-Deeley said she came to Wayland from Russia in 2012. She works in accounting doing tax work. She has not attended town meeting due to her schedule, but felt it is her duty to contribute to the community; she said the town needs to make changes, and balance the priorities between needs and fiscal constraints. The Board discussed whether the applicants could make the time commitment, their opinions of free cash, and their ability to work as a successful member of a team. T. Boschetto noted that the Town of Weston received the GFOA's (Government Finance Officers Association) Distinguished Budget Presentation Award for its FY14 budget award, and said that Wayland needs to improve its budgeting. J. Nolan said the Board will consider appointments later in the evening.

**A6. Interview Applicants and Potential Vote for Two Members of Personnel Board for Terms to Expire on June 30, 2018 and June 30, 2019** Miranda Jones, Deborah Cohen, and Mary Ellen Castagno appeared before the Board to interview for appointment to the Personnel Board. M. Jones said she has been a resident since 1991, has worked for the Attorney General on Fair Labor Standards, and has worked in private practice for labor and employment law. She said she represents large construction contractors in collective bargaining efforts. D. Cohen said she served as a member of the Personnel Board from 1995 to 2000, and served on several other boards and committees. She is a labor employment attorney, and she drafted the first employment handbook for Wayland. M. Castagno said she is a nurse, with experience in unions and management. She said she served on labor management committees and participated in peer interview processes. She noted that her son is a Wayland Police Officer, and that the Ethics Commission did not see it as a conflict. T. Boschetto asked what policy issues the Board should address. D. Cohen noted the accrued sick leave policy, better communication, and consolidation of school and town positions. M. Castagno said there should be better collaboration with other committees. M. Jones said the town should evaluate its labor costs in terms of comparable towns. The Board discussed the need for confidentiality, the Open Meeting Law, and the candidates' ability to make the time commitment. M. Antes asked how they

would approach a request for new employee. M. Castagno said the department must submit a justifiable plan, and M. Jones said the town must qualify the positions available within the collective bargaining agreement and take a more global approach. E. Collins asked who should draft employment contracts, and participants said it should be a collaborative effort.

**A7. Discussion and Potential Vote to Approve the ESCO Contract** The Board was joined by Anne Harris and Ellen Tohn of the Energy Initiatives Advisory Committee, and Harold Meyer of Ameresco. R. Mercier said the ESCO contract has been reviewed and approved by the Town Counsel. E. Tohn said the town has received two grant awards: \$250,000 in the second round of the Green Community funding to invest in ESCO, and a second grant of technical assistance for a solar energy project to provide backup battery power at the Middle School. J. Nolan congratulated the committee on its work. T. Boschetto asked if the contract locked the town into a scope of services, and expressed concern that the Board does not yet have a full understanding of its facility planning. E. Tohn said the work will be phased in order that the town building will be addressed at the end of the contract. T. Boschetto asked if there are provisions in the contract to modify the scope of services. H. Meyer said that no town is ever clear on the long-term viability of every project. T. Boschetto asked what protection was in the contract for the town, as there is no opportunity to amend the scope of services. R. Mercier said the town can issue a partial notice to proceed, leaving out the town building until the Board issues an opinion for that specific project to proceed; he said the rest of the contract will remain the same. T. Boschetto says it is not explicitly stated. E. Collins asked if there was language in the contract to track the savings. H. Meyer said Ameresco issues quarterly and annual reports. J. Nolan asked if the contract is recommended by the Energy Initiatives Advisory Committee, the Town Counsel and the Town Administrator. R. Mercier said yes. T. Boschetto moved, seconded by E. Collins, that prior to a notice to proceed on the library and the town building, the Board of Selectmen must be notified and must issue approval. There was no vote. J. Nolan said he did not want to jeopardize the grant, and he was comfortable with the library upgrades. He said he would support the motion in regard to the town building, and C. Karlson agreed. T. Boschetto moved, seconded by E. Collins, that prior to a notice to proceed on the town building, it must be presented to the Board of Selectmen for review and approval, notwithstanding any other provision of the agreement. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson moved, seconded by M. Antes, to authorize the Interim Town Administrator to sign the ESCO contract on behalf of the Board of Selectmen, subject to the prior motion. YEA: M. Antes, C. Karlson, J. Nolan. NAY: T. Boschetto, E. Collins. ABSENT: none. ABSTAIN: none. Adopted 3-2. E. Tohn said there will be a working session of the Energy Initiatives Advisory Committee to address the ESCO projects on September 10, and invited Board members to attend.

**A8. Update on Finance Committee's Long Range Plan Meeting** C. Karlson and M. Antes provided the Board with an overview of the recent Long Range Planning meeting. C. Karlson said approximately thirty people attended, and participants identified preliminary long-range efforts. She said the involvement of the Board of Selectmen includes identifying efficiencies in government and structure, how town-owned land is used, and the cost of healthcare and benefits. M. Antes said there was confusion about the process which needs to be addressed. C. Karlson said there will be a Finance Committee meeting on long range planning on September 17, 2014. T. Boschetto said he will follow this issue as the Finance Committee is part of his portfolio.

**A12. Selectmen's Reports and Concerns** The Board discussed the appointments to the Finance Committee. T. Boschetto said he would support A. Lewis and D. Watkins. C. Karlson said S. Roman's background was similar to D. Watkins, and noted that A. Lewis would need to balance her advocacy with her involvement in the process. J. Nolan said his choices were T. Abdella and D. Watkins. M. Antes expressed

concern that while A. Lewis was qualified, she was not always amenable to compromise, and the smooth working of the committee is important. She said her choices were D. Watkins and T. Abdella. E. Collins said A. Lewis was his first choice and T. Abdella was his second choice. T. Boschetto said he had been chastised for not compromising, but noted for the record that the Board of Selectmen does not compromise either. T. Boschetto moved, seconded by E. Collins, to appoint Anette Lewis and David Watkins to the Finance Committee for terms to expire on June 30, 2017. YEA: T. Boschetto, E. Collins. NAY: M. Antes, C. Karlson, J. Nolan. ABSENT: none. ABSTAIN: none. Motion fails, 3-2. E. Collins moved, seconded by T. Boschetto, to appoint Anette Lewis and Tom Abdella to the Finance Committee for terms to expire on June 30, 2017. YEA: T. Boschetto, E. Collins. NAY: M. Antes, C. Karlson, J. Nolan. ABSENT: none. ABSTAIN: none. Motion fails, 3-2. M. Antes moved, seconded by C. Karlson, to appoint Tom Abdella to the Finance Committee for a term to expire on June 30, 2017. YEA: M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto, E. Collins. Adopted 3-0-2. C. Karlson moved, seconded by M. Antes, to appoint David Watkins to the Finance Committee for a term to expire on June 30, 2017. YEA: M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto, E. Collins. Adopted 3-0-2. The Board discussed the appointment to the Personnel Board. T. Boschetto moved, seconded by C. Karlson, to appoint Miranda Jones to the Personnel Board for a term to expire June 30, 2019. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson moved, seconded by M. Antes, to appoint Deborah Cohen to the Personnel Board for a term to expire June 30, 2018. YEA: M. Antes, C. Karlson, J. Nolan. NAY: E. Collins. ABSENT: none. ABSTAIN: T. Boschetto. Adopted 3-1-1.

**A9. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by E. Collins, to approve the revised consent calendar. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Review Correspondence (See Separate Index Sheet)** The Board reviewed the correspondence of the last two weeks. E. Collins noted the Massachusetts Municipal Association newsletter item opposing state legislation to strip cities and towns of the site review of wireless facilities. E. Collins moved, seconded by M. Antes, that the Board of Selectmen draft a letter to the Speaker of the House to oppose any attempt to pass S. 2183 or any amendment to the Senate's economic development bill that would strip cities and towns of the ability to regulate wireless antennas, and to execute the letter on behalf of the Board of Selectmen. YEA: M. Antes, T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: C. Karlson. Adopted 4-0-1. T. Boschetto said, in regard to the letters from the Glezen Lane residents, that the parties should be brought together for a discussion; E. Collins agreed. J. Nolan asked the Acting Town Administrator to get an opinion from Town Counsel as to how to proceed. Mike Lowery, 120 Lakeshore Drive, suggested contacting the League of Women Voters to act as moderator. In response to the request from the MetroWest Visitors Bureau for applicants to the Arts, Music and Food Truck Festival in September, M. Antes volunteered to contact Wayland groups.

**A11. Report of the Interim Town Administrator** R. Mercier updated the Board on cash reconciliation, the Department of Environmental Protection decision, and upcoming meeting agendas. The Board thanked R. Mercier for his service to the town.

**A12. Selectmen's Reports and Concerns** T. Boschetto provided an update on a meeting regarding the Minuteman Regional school. M. Antes noted a leak in the Cochituate Village apartments.

**A13. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** J. Nolan said, "I know of none."

**A14. Adjourn** There being no further business before the Board, E. Collins moved, seconded by C. Karlson, to adjourn the meeting of the Board of Selectmen at 11:35 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the July 28, 2014, Meeting**

1. None.

**Items Included as Part of Agenda Packet for Discussion During the July 28, 2014 Board of Selectmen's Meeting**

1. Email of 7/14/14 from Town Moderator Dennis Berry to Robert Mercier, Interim Town Administrator, re: Request to Meet with Board of Selectmen
2. Résumés of Applicants to Finance Committee
3. Résumés of Applicants to Personnel Board
4. Energy Services Agreement by and between Town of Wayland and Ameresco, Inc.



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## BOARD OF SELECTMEN

MARY M. ANTES  
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EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes August 11, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived 6:42 p.m.), Cherry C. Karlson, Joseph F. Nolan

**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator/HR Director John Senchyshyn

**A1. Call to Order by Chair** Chair J. Nolan called the meeting of the Board of Selectmen to order at 6:32 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public.

**A2. Enter into Executive Session pursuant to MGL Chapter 30A, Section 21a(3) to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town and its Wastewater Management District Commission; Pursuant to MGL Chapter 30A, Section 21a(2), to Discuss Contract Negotiations regarding New Town Administrator Nan Balmer; Pursuant to MGL Chapter 30A Section 21a(6) to Discuss the Septage Meeting with Sudbury (Re: Value of Real Estate/Disposition)** At 6:34 p.m., J. Nolan moved, seconded by C. Karlson, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a (3), to discuss strategies with respect to pending litigation between Twenty Wayland, LLC and the Town and its Wastewater Management District Commission; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to conduct a strategy session in preparation for negotiations with nonunion personnel; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (6) to consider the purchase, exchange, lease of value of real property. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town and its Wastewater Management District Commission, and the discussion of contract negotiations regarding the new Town Administrator Nan Balmer; and the discussion of the septage meeting with Sudbury (re: value of real estate/disposition) will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: E. Collins. ABSTAIN: none. Adopted 4-0. Chair J. Nolan invites attendance by members of the Planning Board, Interim Town Administrator Robert Mercier, and Acting Town Administrator/Human Resources Director John Senchyshyn. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 8:50 p.m.

**A3. Announcements** J. Nolan read a statement in response to an editorial by George Harris, 8 Holiday Road, in the Wayland Town Crier regarding the hiring of Town Administrator Nan Balmer. Police Chief Robert Irving appeared before the Board for the swearing in of Police Officer Timothy Henderson.

**A4. Public Comment** Nancy Carapezza, 233 Boston Post Road, reiterated her hope for a more transparent process by the Wastewater Management District Commission regarding the use of surcharges or betterments. She said that if the surcharges are totaled, they are in the six-figure range; she also discussed the cost of betterments with a five percent interest rate over twenty years. She noted that the residents in 40B units are receiving the same bills, and the Board of Selectmen needs to provide an abatement process. She asked for

Board leadership and guidance on the issue. Gretchen Dresens, 155 Main Street, abutter to the Finnerty's property, said she has attended three Planning Board meetings regarding the land court ruling and its effect on the town. She said the issue is for the land court to resolve, not the Planning Board.

**A5. Town Counsel Update on Hammond Way** Town Counsel Mark Lanza appeared before the Board to provide an update on the Hammond Way issue. He distributed a copy of the Land Court Plan from 1946 for lots 1, 2, 3 and 8A and 8B, which showed the land owned by the developer and a strip of land designated as "way." He said it is a public way, which has been privately used for years. He also noted it is significant that a "way" is a street under the bylaw, which causes setback issues under the zoning bylaws, and this is registered land, with clear title and boundaries. He said he advised the Planning Board to include Condition 30, and at that time, March 2013, it was defined as a private way. In the fall 2013, the landowner closed it to the public. Due to the status change in 2013, the owner of lot 4 has the unrestricted use of the way. The Land Court judge asked to hear from Town Counsel on July 29, 2014. M. Lanza said the town does not have a real property interest, but it has a regulatory interest. The subdivision control law went into effect in 1953, but the original plan for the "way" goes back to 1929. He said the control of the property comes under zoning. The issue before the Land Court is whether it will remain a "way" or become an easement; if it is ruled an easement, the issue is resolved. T. Boschetto asked when the decision is due. M. Lanza said if no other issues arise, it could be two months; however, if there are additional issues and appeals, it could take up to a year. E. Collins said the Planning Board continued its meeting until September 23, although the court meets on September 30. M. Lanza said the town is in a strong position if the September 23 meeting is delayed. J. Nolan said the Board of Selectmen is not a party to this issue. M. Lanza said the town is prohibited from snow plowing if the property is declared a "way," but said there are no grounds for the town to intervene.

**A6. Discussion with Town Counsel Regarding Glezen Lane** The Board was joined by Town Counsel Mark Lanza to discuss the Glezen Lane traffic issue. J. Nolan said the Board of Selectmen has received numerous inquiries about the mitigation measures, but cannot respond because the town is a party to the case. M. Lanza explained that after the Master Special Permit for the town center was approved, thirteen residents appealed the decision which led to the lawsuit. The residents were seeking traffic mitigation. For the agreement to become enforceable, the Board of Selectmen and the Board of Public Works became parties, with the result that a court judgment was signed by all parties in July 2008. M. Lanza said that the Board can listen to residents' concerns, and discuss a potential modification of the judgment with the thirteen plaintiffs. However, there is no recourse without the plaintiffs' agreement. T. Boschetto asked if the discussion must take place in an open meeting; M. Lanza said yes, there is no threatened litigation. C. Karlson asked if hearings were held; M. Lanza said no, the negotiations were private. J. Nolan asked if the Board of Selectmen can provide a venue to hear concerns. M. Lanza said yes, and suggested including the Board of Public Works. T. Boschetto moved, seconded by E. Collins, to encourage the Board of Selectmen to facilitate the discussion involving the judgment and traffic mitigation on Glezen Lane. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A7. Police Chief Traffic Issues** Police Chief Robert Irving joined the Board to discuss traffic issues. He said that in 2005, a traffic problem was created by motorists using Thompson Street as a cut-through due to the traffic lights installed at Oak Street. He said speed bumps and speed zones were installed; he said that although the count is down slightly, it may be a result of the limited enrollment at Loker School. He also said the road is too narrow to support two-way traffic, and requested that the traffic be directed one-way for a trial period. M. Antes moved, seconded by E. Collins, to make Thompson Street one way, in an eastbound direction, from Loker Street to Rice Road, for a six-month period, at which time the situation will be reassessed. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.



R. Irving addressed the traffic problem at East Plain Street/Commonwealth Road/School Street. He expressed concern over the high accident rate and the overall safety of the area. A study was undertaken by Kevin Dandrade of TEC Engineering, and three options were presented. At a meeting of the Board of Public Works in July 2014, the Board approved a one-month temporary change in the traffic pattern as per Option One. T. Boschetto and J. Nolan expressed interest in pursuing Option Three. The Board discussed the designated park land and monument at the intersection, and said a permanent plan will likely require an act of legislature. R. Irving said the temporary option will be channelized with Jersey barriers, and will be in place for approximately a month for evaluation; the only cost will be the purchase of signs. He said he will be meeting with local business owners to discuss the need to mitigate potential traffic through their parking lots, and access by delivery trucks. T. Boschetto said the town should pursue the best option first (option three), as there are residents and children at risk. George Bernard, 103 East Plain Street, said a good friend was killed crossing School Street, and urged the Board to at least try Option One. J. Nolan asked for more information from TEC Engineering and the Board of Public Works. Linda Segal, 9 Aqueduct Road, said the Historical Commission should also be included.

**A8. Interviews – Audit Committee** Inna Kisseleva-Deeley appeared before the Board to interview for an appointment to the Audit Committee. She described her background and interest in finance. T. Boschetto thanked her for applying, and asked her to serve with enthusiasm and help foster change. C. Karlson encouraged her to review past audits online. C. Karlson moved, seconded by M. Antes, to appoint Inna Kisseleva-Deeley as the representative of the Board of Selectmen to the Audit Committee for a term to expire on June 30, 2017. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A9. Interview –River’s Edge Advisory Committee** Robert Morrison appeared before the Board to interview for an appointment to the River’s Edge Advisory Committee. He described his background, and said he looked forward to making the most of the town land. C. Karlson asked if he did any other volunteer work; he said he is on the Cultural Council. M. Antes moved, seconded by E. Collins, to appoint Robert Morrison to the River’s Edge Advisory Committee as member at-large for a term to expire upon the final disposition of said land by sale, lease or otherwise. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. E. Collins expressed concern about appointing Jerome Heller to the committee without an interview and the Board agreed to schedule an interview with him at the next meeting.

**A10. Review and Approve Consent Calendar (See Separate Sheet)** T. Boschetto moved, seconded by E. Collins, to approve the revised consent calendar. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A11. Correspondence** The Board reviewed the week’s correspondence. C. Karlson noted the state did not approve the special speed request for Stonebridge Road. The Board discussed taking a position on ballot question one in the November state election; while J. Nolan expressed support, it was the sense of the Board not to take a position. E. Collins asked for an update on the public records request of Linda Segal to the Planning Board.

**A12. Report of the Town Administrator** R. Mercier discussed the fall agenda schedule, including a meeting with State Legislators on September 15, the budget schedule, the Finance Committee meetings in September, the legal fee survey, and the Ameresco meeting.

**A13. Selectmen's Reports & Concerns** M. Antes described the upcoming MetroFest to the Board. She said the organizers are looking for cultural, historic and artistic presentations that represent Wayland, and there is a \$500 entry fee. C. Karlson moved, seconded by E. Collins, to authorize Mary Antes to pursue participation in the MetroFest on September 20, 2014. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes said the Council on Aging is sponsoring a meet and greet for candidates for the state house and senate. The Board discussed items for future agendas, including a Glezen Lane forum and preparation of the 2015 Annual Town Meeting schedule. M. Antes and C. Karlson discussed holding office hours. E. Collins asked that the Board consider requesting funds from the Community Preservation Committee for the housing trust.

**A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** J. Nolan said "There are none."

**A15. Adjourn** There being no further business before the Board, C. Karlson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 10:20 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the August 11, 2014, Meeting**

1. A copy of the Land Court plan in 1946 presented by Town Counsel Mark Lanza including Lots 1, 2, 3 and 8A and 8B, owned by developer, and Strip of Land designated "Way"

**Items Included as Part of Agenda Packet for Discussion During the August 11, 2014 Board of Selectmen's Meeting**

1. Memorandum of 8/6/14 from Police Chief Robert Irving to Robert Mercier, Interim Town Administrator, re: Thompson Street
2. Memorandum of 8/6/14 from Police Chief Robert Irving to Robert Mercier, Interim Town Administrator, re: East Plain Street/Commonwealth Road/School Street
3. Résumé of Inna Kisseleva-Deeley, DPA, MST, Applicant to the Audit Committee
4. Résumé of Robert B. Morrison, Applicant to River's Edge Advisory Committee
5. Résumé of Jerome Heller, Applicant to River's Edge Advisory Committee



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## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes September 8, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer, Acting Town Administrator/Human Resources Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli

**A1. Call to Order by Chair** Chair J. Nolan called the open meeting of the Board of Selectmen to order at 6:30 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public. He announced that the Board will hold a public forum on the Glezen Lane issue on September 15 at 8:30 p.m., and M. Antes said there will be a reception for the new Town Administrator, Nan Balmer, on September 15 at 4:30 p.m. in the Town Building. J. Nolan reminded the public that the State Primary Election will take place on September 9. The Board thanked John Senchyshyn for his work as Acting Town Administrator, and greeted Nan Balmer as the new Town Administrator.

**A2. Enter into Executive Session Pursuant to MGL Chapter 30A, Section 21a (3), with the Wastewater Management District Commission, to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland; and to Discuss Strategy with Respect to a Pending Action regarding the Glezen Lane Judgment** At 6:41 p.m., J. Nolan moved, seconded by E. Collins, to enter into executive session with the WMDC pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland; and to discuss strategy with respect to a pending action regarding the Glezen Lane Judgment. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission, and potential litigation regarding the Glezen Lane judgment, will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 8:00 p.m.

**A3. Public Comment** Nancy Carapezza, 233 Boston Post Road, said the deadline for wastewater betterments has come and gone, and decisions need to be made. She reviewed a list of betterment charges and noted the impact of the cost on residents. She asked the Board to be creative and find a solution to the issue. Bob Goldsmith, 235 Concord Road, and Co-Chair of the Surface Water Quality Committee, submitted his committee's suggestions for the potential use of the \$2.5 million in the state bond bill. Alice Boelter, 106 Lakeshore Drive, said the application for a MassWorks grant should have been made available for other projects in town. J. Nolan said the application was open to all departments. Barbara Holtz, 11 Spring Hill

Road, asked that the town address the issue of overgrowth blocking the street signs. Todd Boulay, son of Margaret Boulay of 65 Edgewood Road, expressed concern about construction at 63 Edgewood Road. He cited a lack of notification regarding the appeal process, uncontrolled runoff, and noncompliance with the height restrictions. E. Collins said zoning violations should be brought to the attention of the Building Inspector. The Board asked N. Balmer to follow up. Michael Lowery, 120 Lakeshore Drive, and Chair of the Board of Public Works, submitted his board's recommendations for the potential use of the \$2.5 million in the state bond bill.

**A4. Presentation by Town Planner Sarkis Sarkisian on MassWorks Grant** Town Planner Sarkis Sarkisian appeared before the Board to discuss the town's MassWorks grant application. He said that MassWorks is a consolidation of state grants for the purpose of providing infrastructure for the creation of jobs, growth and housing, administered by the Office of Housing and Economic Development. He said the application request is for \$1.7 million to provide water and sewer to the River's Edge project, and funds for a bike trail. The Board discussed the effect of the additional water and sewer use on the capacity of the town, the effect on the operating costs, and the accuracy of the numbers in the submission. T. Boschetto questioned who would absorb the additional cost if the actual cost is higher; S. Sarkisian said it would be the responsibility of the developer. J. Nolan asked if there was any risk in submitting the application. T. Boschetto said the information should have been provided to the Board in a more timely manner; he said that if the grant is not well thought out and rejected, it could jeopardize the future chances of the town. E. Collins said the Board was asked to support a grant application it had not seen. T. Boschetto said he would not give his approval, as the Board has an obligation to follow appropriate processes and allow for public input. J. Nolan asked S. Sarkisian if the application has been sent and received, and if, in his opinion, it was ready for submission; S. Sarkisian said yes. He said some components are not shovel-ready, but the zoning by right is in place. T. Boschetto said in his opinion, it is a grant submission for an idea, not a project. C. Karlson asked who would benefit from the funding; S. Sarkisian said the town would use the funds to provide water and sewer, and would be reimbursed by the developer. J. Nolan said department heads are hired for their expertise in making a grant application. T. Boschetto said it is the Board's responsibility to ensure the process is executed properly. C. Karlson said that the Board needs to stay on top of the current issues. J. Nolan said it is a standard procedure to work with the state to maximize the potential for grant funding. There was no motion to withdraw the grant application. Rebecca Stannizzi, Chair, Economic Development Committee, said she is awaiting approvals for short tasks that could be done for the River's Edge project in the meantime.

**A5. Consideration of Framingham MassWorks Grant** J. Senchyshyn presented the Board with a request from the Town of Framingham and Roy MacDowell, developer of the Danforth Green project, to support their MassWorks Grant application. M. Antes expressed disappointment that the Danforth Green project only included ten percent affordable housing. C. Karlson moved, seconded by M. Antes, to authorize the Town Administrator to write a letter of support for the Town of Framingham's MassWorks Grant application to widen and reconstruct Riverpath Drive for the benefit of the Danforth Green development project. YEA: M. Antes, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto. Adopted 4-0-1.

**A6. Interview Applicants and Potential Vote to Appoint Not More Than Nineteen Members of Cultural Council for Staggered Terms to Expire June 30, 2016, and June 30, 2017** Kara Brewton, Barbara Holtz, Nasser K (Khadjenoori), Robert B. Morrison, Brenda S. Ross and Jonathan F. Saxton appeared before the Board to interview for appointment to the Cultural Council. Matthew Ludwig and Anjali Gupta Stevenson were not available. Participants discussed their backgrounds and interest in serving on the Council. E. Collins said the town is fortunate in its volunteers, and C. Karlson said she was pleased with the interesting balance of talents. C. Karlson moved, seconded by M. Antes, to appoint Kara Brewton, Barbara

Holtz, Nasser K (Khadjenoori), and Matthew Ludwig to the Cultural Council for terms to expire on June 30, 2016. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson moved, seconded by M. Antes, to appoint Robert B. Morrison, Brenda S. Ross, Jonathan F. Saxton, and Anjali Gupta Stevenson to the Cultural Council for terms to expire on June 30, 2017. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A7. Review and Potential Vote to Establish Council on Aging/Community Center Advisory Committee Charge** The Board reviewed a draft charge for the Council on Aging/Community Center Advisory Committee Charge. The Board considered the request of Betsy Soule, Chair of the Council on Aging, to have an additional member represent the senior population, and the potential conflict of interest from a member of the Finance Committee. J. Senchyshyn said the committee has no budget authority and therefore no conflict with the Finance Committee. M. Antes suggested the possibility that the center could raise revenue through rental of the space. J. Nolan asked if the charge was sent to the Recreation Commission; Frank Kraisin, Recreation Commission, said the commission was fully in support of the committee. T. Boschetto moved, seconded by M. Antes, to approve the charter as drafted, with the following amendments: add the potential for generating revenue in phase one, and add the submission of a draft warrant article seeking further study and feasibility funding to the Board of Selectmen at the conclusion of its work. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A8. Discussion and Potential Setting of Date for 2015 Annual Town Meeting** The Board reviewed two potential dates, April 9 and April 30, for the 2015 Annual Town Meeting. The Board requested a draft copy of the entire schedule for each option. T. Boschetto said he prefers the later date, as it provides more time for preparation. J. Senchyshyn advised that the calendar for the budget process is not yet complete. J. Nolan said that local sports events should also be considered. C. Karlson suggested a bylaw change to address the process of petitioners' articles. E. Collins asked that the Board clarify the purposes of the various meetings held before the Annual Town Meeting. T. Boschetto asked that the Board be given sufficient time to study the issues and make a decision. The Board agreed to review the issue again at the September 29 meeting.

**A9. Appoint Designees of Boards/Committees to the River's Edge Advisory Committee** M. Antes moved, seconded by C. Karlson, to appoint William Steinberg to the River's Edge Advisory Committee as the representative of the Finance Committee for a term to expire upon the final disposition of said land by sale, lease or otherwise. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Review and Approve Consent Calendar (See Separate Sheet)** T. Boschetto moved, seconded by C. Karlson, to approve the consent calendar. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A11. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. M. Antes reviewed the request for candidates for the upcoming Metropolitan Area Planning Council (MAPC) elections; she said Wayland has never submitted a candidate.

**A12. Report of the Town Administrator** J. Senchyshyn advised the Board that Facilities Director John Moynihan has cut his duties back to include only the oversight of the new DPW garage project and the management of the ESCO project. He said the major difficulty this creates is the inability to complete the capital budgets by the September 15 date. He said he hopes to have the budgets ready for the meeting of

September 29. The Board discussed the role of the Permanent Municipal Building Committee in the construction of the DPW garage. T. Boschetto asked for background information on the report that the town was being sued by a contractor on the DPW garage project. The Board discussed the September 27 Lovelane charity event to be held on Lincoln Road. T. Boschetto said there is a conservation restriction on the land being used for the event, and a member of the Conservation Commission had asked him to get permission from the Board of Selectmen to provide legal counsel to the Conservation Commission. The Board discussed the necessity of providing approval. M. Antes said she was at the Conservation Commission meeting when the issue was discussed, and Town Counsel Mark Lanza was present. She said M. Lanza was going to contact the Trustees of the property to see what action they are willing to take to comply with the conservation restriction, and he would report back to the Conservation Commission on Wednesday morning, September 10. She said the Commission acknowledged that the event is a violation of the conservation restriction, but they do not want to stop the event; she said they might consider asking for a declaratory judgment that the trustees must abide by the conservation restriction. T. Boschetto expressed concern that the event was much bigger than what was portrayed to the Board. C. Karlson said that the event planners had made every effort to contact the appropriate boards and commissions to ensure compliance, and it was the responsibility of the town to advise them of any restrictions. She also noted the planning of the event pre-dated the signing of the conservation restriction. E. Collins disagreed; he said it was the responsibility of the landowner to notify the event planner. Mike Lowery, 120 Lakeshore Drive, said the Town Counsel is already consulting on the case and has received a thorough description of the event. J. Senchyshyn said the Board does not need to give Town Counsel permission to consult with the Conservation Commission; permission is only necessary to proceed with a court action. J. Nolan said he would be opposed to the filing of an injunction against a charitable event, and he would prefer that the parties come to an amicable resolution. T. Boschetto said the Conservation Commission needs counsel to draft a notice to the trustees to protect the town's interest. J. Nolan suggested waiting until the Conservation Commission meets on September 10, and then bringing the issue back before the Board at its meeting of September 15 if necessary. T. Boschetto moved, seconded by E. Collins, that the Board give permission for the Town Counsel to work with the Conservation Commission to take whatever action is necessary to enforce the conservation restriction and protect the town, and if the Conservation Commission wants to pursue court action, they must make a further request to the Board. C. Karlson asked if this request was being made on behalf of the Conservation Commission. T. Boschetto said no, he is making the motion as a personal request. M. Antes said the Conservation Commission did not vote to make the request. YEA: T. Boschetto, E. Collins. NAY: C. Karlson, M. Antes. ABSENT: none. ABSTAIN: J. Nolan. Motion fails, 2-2-1. M. Lowery said the Conservation Commission requested that Town Counsel communicate directly with the trustee regarding the conservation restriction. Linda Segal, 9 Aqueduct Road, said she was not aware if the Town Counsel had provided a response to the Conservation Commission yet. J. Nolan suggested that the Conservation Commission make a formal request to the Board at its meeting of September 10, if necessary. C. Karlson said it should be made clear that there is no intention to limit their access to town counsel. T. Boschetto disagreed; he said the Board clearly voted against a motion to allow access to Town Counsel. J. Senchyshyn clarified the income to WayCAM as per the Board's request from the previous meeting. He said the Board of Public Works expressed concern that an appointment of a member of their board to the River's Edge Advisory Committee was a conflict of interest, and asked to appoint a designee instead. M. Lanza had advised that the charge did not allow for a designee, and there was no conflict of interest.

**A13. Selectmen's Reports and Concerns** C. Karlson said the Energy Initiatives Advisory Committee has received its third grant. She said they have scheduled a meeting on September 10 to create a template to track ESCO savings, and she asked T. Boschetto to attend. M. Antes updated the Board on the actions of the Municipal Affordable Housing Trust Fund Board. L. Segal noted that she had found the bylaw regarding the use of Town Counsel, and acknowledged that a request for Town Counsel needs to be done in writing.



**A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

J. Nolan said, "I know of none."

**A15. Adjourn** There being no further business before the Board, M. Antes moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:37 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the September 8, 2014, Meeting**

1. Recommendations for Water/Wastewater Improvements from the Surface Water Quality Committee, September 5, 2014
2. Email of 9/5/14 from Ford Spalding, Chair of the Minuteman School Building Committee, re: Building Project and New Committee Members

**Items Included as Part of Agenda Packet for Discussion During the September 8, 2014 Board of Selectmen's Meeting**

1. MassWorks Grant Application submitted by the Town of Wayland for Water and Sewer Infrastructure
2. Executive Summary, Town of Framingham Seeks \$1 Million Grant from MassWorks
3. Massachusetts General Laws Chapter 10, Section 58, Local and Regional Cultural Councils
4. Résumés of Applicants to the Cultural Council
5. Résumés of Applicants to the Economic Development Committee
6. DRAFT Council on Aging/Community Center Advisory Committee Charge



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## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

### Board of Selectmen Meeting Minutes September 23, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli

**A1. Call to Order by Chair** Chair J. Nolan called the open meeting of the Board of Selectmen to order at 6:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public.

**A2. Public Comment** Frank Krasin, 76 Edgewood Road, said there should be signalization at the intersection of East Plain Street, School Street, and Commonwealth Road.

**A3. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by E. Collins, to approve the revised consent calendar. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A4. Enter into Executive Session Pursuant to MGL Chapter 30A, Section 21a (3), with the Wastewater Management District Commission, to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland** At 6:41 p.m., J. Nolan moved, seconded by C. Karlson, to enter into executive session with the Wastewater Management District Commission pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, Town Administrator Nan Balmer, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes for the sole purpose of adjourning.

The Board returned to open session at 7:21 p.m.

**A5. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
J. Nolan said, "I know of none."

**A6. Adjourn** There being no further business before the Board, E. Collins moved, seconded by C. Karlson, to adjourn the meeting of the Board of Selectmen at 7:24 p.m. YEA: T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the September 23, 2014, Meeting**

1. None

**Items Included as Part of Agenda Packet for Discussion During the September 23, 2014 Board of Selectmen's Meeting**

1. None



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

FREDERIC E. TURKINGTON JR.  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

BOARD OF SELECTMEN  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

## CONFIDENTIAL

**Board of Selectmen  
Meeting Minutes  
Executive Session  
August 26, 2013**

**Attendance:** Tony V. Boschetto, Edward J. Collins, Steven J. Correia (left at 7:42 p.m.), Douglas J. Leard  
**Also Present:** Town Administrator Fred Turkington, Assistant Town Administrator/HR Director John Senchyshyn, Police Chief Robert Irving, and Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 6:32 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: T. Boschetto, E. Collins, S. Correia, D. Leard. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing (1) strategy with respect to collective bargaining negotiations with the Wayland Firefighters Association; (2) mid-term bargaining with the Wayland Police Association; and (3) strategy with respect to Twenty Wayland, LLC, v. Town of Wayland and Wayland Wastewater Management District Commission as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:** J. Senchyshyn reviewed the issue of the use of dashcams by the Police Department and the response of the police union. He said the request for capital funding for the dashcams was made before bargaining with the police union, and has subsequently become the subject of numerous negotiating sessions. He noted that the Personnel Board had agreed to include Special Counsel Liz Valerio on the bargaining team. He reminded the Board that on February 25, 2013, it was the consensus of the Board to install the dashcams and continue negotiations. The Police Union then filed a prohibitive practice charge, and a hearing will be scheduled sometime in February or March 2014, with a decision from the Labor Relations Board expected in October 2014. J. Senchyshyn asked the Board if the town would like to go to mediation, and noted any decision is non-binding. It was the sense of the Board to enter mediation. R. Irving said the cameras have been installed, training was provided, and changes were made to policy. J. Senchyshyn said the union has not asked for compensation, but has expressed concern about the audio recordings from the cameras. T. Boschetto asked how the success of the dashcams would be determined. R. Irving said they provide evidentiary data, accountability to citizens, and increased officer safety. R. Irving left the meeting at 6:47 p.m.

[REDACTED]

[REDACTED]



By motion of E. Collins, seconded by S. Correia, by roll call vote, it was unanimously voted to exit executive session at 7:01 p.m. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the August 26, 2013 Meeting**

1. None



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

JOHN SENCHYSHYN  
ACTING TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

BOARD OF SELECTMEN  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
JOSEPH F. NOLAN

## CONFIDENTIAL

Board of Selectmen  
Meeting Minutes  
Executive Session  
April 8, 2014

**Attendance:** Tony V. Boschetto, Edward J. Collins, Steven J. Correia (arrived 7:00 p.m.), Joseph F. Nolan  
**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator John Senchyshyn, Selectmen Elect Mary Antes and Cherry Karlson

**Purpose:** The session was called at 6:50 p.m. in the Wayland High School Field House, by a unanimous roll call vote of the Board (YEA: T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 3-0) as permitted by Massachusetts General Laws Chapter 30A, Section (a)(2) to discuss negotiations with respect to an employment contract with a non-union employee (Town Administrator) as a discussion of this matter in an open meeting may have a detrimental effect on the bargaining position of the Town.

**Discussion:** J. Senchyshyn updated the Board on the negotiations with William Jones regarding the Town Administrator position; he said the town has not received a response. The Board discussed whether to reach out to W. Jones, and T. Boschetto said he would contact him to express the Town's interest. The Board approved T. Boschetto making contact with W. Jones, and also instructed J. Senchyshyn to contact Municipal Resources Inc. for a backup plan.

By motion of J. Nolan, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 7:10 p.m. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

### Items Distributed for Information and Use by the Board of Selectmen at the April 8, 2014 Meeting

1. None





# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

ROBERT MERCIER  
INTERIM TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
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BOARD OF SELECTMEN  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## CONFIDENTIAL

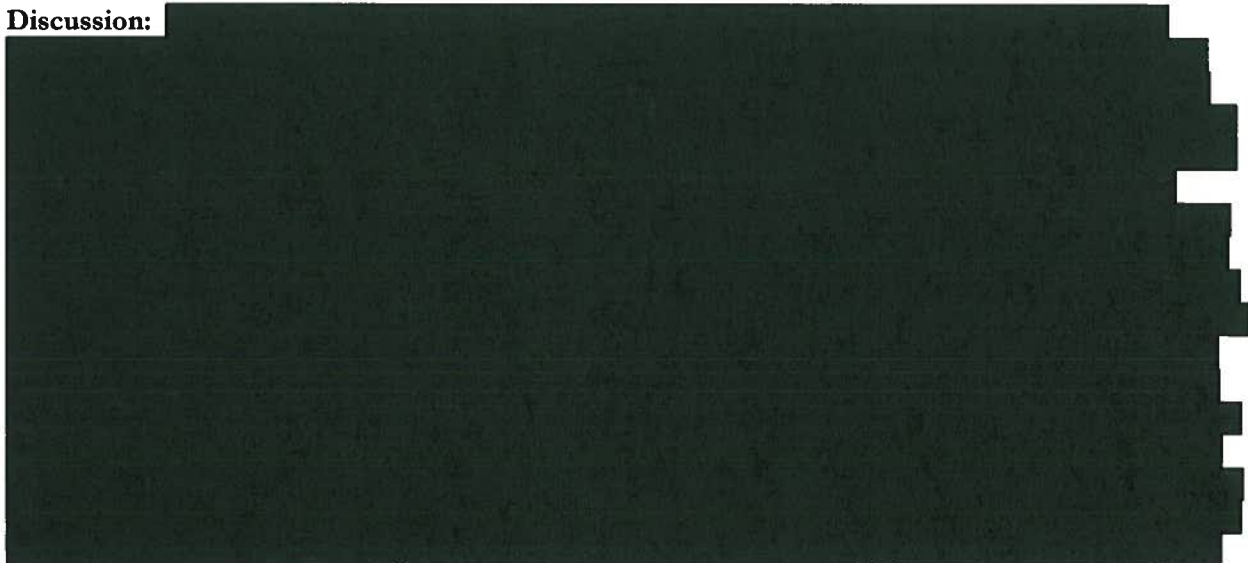
**Board of Selectmen  
Meeting Minutes  
Executive Session  
June 23, 2014**

**Attendance:** Mary M. Antes (arrived 6:45 p.m.), Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan

**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator/Human Resources Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli, members of the Wastewater Management District Commission (Fred Knight, Sam Potter, and Rick Greene), Town Counsel Mark Lanza, and Administrative Assistant Cindy Cincotta

**Purpose:** The session was called at 6:30 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management District Users, as threatened by their lawyer and (2) discuss collective bargaining strategy pertaining to contract negotiations with the Wayland Food Services Association (WFSA) as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:**



[REDACTED]

Members of the Wastewater Management District Commission (Fred Knight, Sam Potter, and Rick Greene), Town Counsel Mark Lanza, and Administrative Assistant Cindy Cincotta left the meeting at 7:55 p.m.

J. Senchyshyn advised the Board that the School Committee has agreed to approve the contract for the Wayland Food Services Association (WFSA). He said the Memorandum of Agreement includes personal days, reimbursements for uniforms, and a 3-year increase of .05 the first year, and 1.5 for the two subsequent years. He said the MoA is for three years instead of the four-year contract offered the teachers union,

[REDACTED]

C. Karlson moved, seconded by T. Boschetto, to authorize John Senchyshyn to support the contract for WFSA as presented as the representative of the Board of Selectmen. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

By motion of C. Karlson, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 8:00 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the June 23, 2014 Meeting**

[REDACTED]



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

ROBERT MERCIER  
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BOARD OF SELECTMEN  
MARY M. ANTES  
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CHERRY C. KARLSON  
JOSEPH F. NOLAN

## CONFIDENTIAL

Board of Selectmen  
Meeting Minutes  
Executive Session  
July 28, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator/Human Resources Director John Senchyshyn, Wastewater Management District Commission member Sam Potter

**Purpose:** The session was called at 6:35 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland, LLC, and the Town of Wayland and the Wastewater Management District Commission, and potential Litigation by a Group of Wastewater Management District Users, as Threatened by their Lawyer; and Pursuant to MGL Chapter 30A, Section 21 a(2) to Discuss Contract Negotiations regarding New Town Administrator Nan Balmer as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:**

Sam Potter left the meeting at 7:05 p.m.

J. Nolan and J. Senchyshyn advised the Board of their conversations over the past week with Nan Balmer regarding her employment contract as Town Administrator. The Board reviewed several items of discussion, including wages, deferred compensation, and the separation clause. The Board considered a point of difference regarding a car allowance, and discussed N. Balmer's request for a two year no-cut clause. M. Antes moved, seconded by C. Karlson, to authorize an annual salary of up to \$137,000 and a two-year guarantee to be included in the employment contract for Nanette Balmer to serve as the Town Administrator. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

By motion of T. Boschetto, seconded by C. Karlson, by roll call vote, it was unanimously voted to exit executive session at 7:15 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the July 28, 2014 Meeting**





NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**LIST OF PUBLIC DOCUMENTS PROVIDED  
TO THE BOARD OF SELECTMEN FROM  
NOVEMBER 27, 2014, THROUGH AND  
INCLUDING DECEMBER 4, 2014,  
OTHERWISE NOT LISTED AND INCLUDED  
IN THE CORRESPONDENCE PACKET FOR  
DECEMBER 8, 2014**

### **Items Distributed To the Board of Selectmen – November 27-December 4, 2014**

1. Email of 12/1/14 from Linda Segal to Board of Selectmen re: Raytheon Info Meeting This Week December 3, 2014
2. Email of 12/2/14 from Douglas Goddard, Permanent Municipal Building Committee, to Board of Selectmen re: Meeting with Board to Discuss Charge

### **Items Distributed for Information and Use by the Board of Selectmen at the Meeting of December 1, 2014**

1. Email of 12/1/14 from Jean Milburn to Linda Segal re: Raytheon Info Meeting This Week December 3, 2014
2. Revised Powerpoint Presentation from Board of Assessors re: Fiscal Year 2015 Tax Classification Hearing
3. Tax Rate Recapitulation Fiscal Year 2015
4. Department of Revenue Information Guideline Release, Overlay and Overlay Surplus

### **Items Included as Part of Agenda Packet for Discussion During the December 8, 2014 Board of Selectmen's Meeting**

1. Memorandum of 12/3/14 from Robert Irving, Chief of Police, to Nan Balmer, Town Administrator, re: Violations of Liquor License, China Rose
2. Application for Entertainment License, China Rose
3. Memorandum of 12/1/14 from Robert Irving, Chief of Police, to Nan Balmer, Town Administrator, re: Violations of Liquor License, Post Road Liquors
4. Memorandum of 12/8/14 from Nan Balmer, Town Administrator, re: Follow-up to Board Discussion on Wayland Automotive Auto Dealers License
5. Memorandum of 12/4/14 from MaryAnn DiNapoli, Executive Assistant, re: 2015 Licensing
6. Abandonment and Release of Dudley Street, Wayland
7. Proposed Solar Arrays on Wayland Lands and Buildings
8. Memorandum of 12/8/14 from Elizabeth Doucette, Financial Research/Analyst, re: Tax Title Sale
9. Memorandum of 12/5/14 from Ben Keefe, Facilities Director, re: Municipal Utilities Budget FY16
10. Town Administrator's Report, December 8, 2014





NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, December 8, 2014**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

## CORRESPONDENCE

### Selectmen

1. Public Comment, West Plain Street and Old Connecticut Path
2. Letter of 11/25/14 from Surface Water Quality Committee to Alessandra Kingsford, re: Thank You for Contribution
3. DPW Director's Report, November 25, 2014
4. Monthly Report, Animal Control, November 2014
5. Monthly Report, Fire Department, November 2014

### Conservation Commission

6. Determination of Applicability, 12/1/14, from Brian Monahan, Conservation Administrator, re: 35 Jeffrey Road

### Minutes

7. Finance Committee, October 27, 2014
8. Local Emergency Planning Committee, June 24, 2014, December 2, 2014
9. Board of Public Works, November 19, 2014

## DiNapoli, MaryAnn

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**From:** Terrence Kane <tk119@aol.com>  
**Sent:** Monday, November 24, 2014 12:17 PM  
**To:** Selectmen  
**Subject:** Intersection of West Plain st. and Old Conn Path

Who designed all the new changes that have been done there. I was behind a trailer truck last thursday at the end of West Plain and he was taking a left on to Old Conn Path to go towards Framingham. He could not make the turn cause it is too tight and had to back up half way thru and try again, thus blocking the entire site. There is a new island there that should not be there towards the Framingham side,,, makes the road way too narrow! Also when coming from Framingham to take a right on to west plain it is now almost 90 degrees as opposed to a rounder turn in the past. I'm no engineer but it seems like it was way better in the past!!



## DiNapoli, MaryAnn

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**From:** Kadlik, Stephen  
**Sent:** Wednesday, November 26, 2014 11:16 AM  
**To:** Bill McDonald  
**Cc:** BoPW; Balmer, Nan; Smith, Vinnie; Irving, Robert; Selectmen  
**Subject:** RE: Tuesday's horror show at West Plain & Old Conn. Path. - 2 More thoughts!!!!

There is someone there but not at the towns expense and the pole is being moved as I write this again this is not the Town's project.

Stephen F. Kadlik III  
DPW Director  
Town of Wayland  
41 Cochituate Road 01778  
Phone 508-358-3678  
Cell 508-294-2496  
Fax 508-358-3679

---

**From:** Bill McDonald [mailto:wmcdona@advocatesinc.org]  
**Sent:** Wednesday, November 26, 2014 11:12 AM  
**To:** Kadlik, Stephen  
**Cc:** BoPW; Balmer, Nan; Smith, Vinnie; Irving, Robert; Selectmen  
**Subject:** RE: Tuesday's horror show at West Plain & Old Conn. Path. - 2 More thoughts!!!!

One, Maybe we should spend some money and have someone there at critical times.

Two, People are going to get hurt or die if that Tel. Pole is not moved!!!!!!!!!!!!!!

---

**From:** Kadlik, Stephen [mailto:skadlik@wayland.ma.us]  
**Sent:** Wednesday, November 26, 2014 10:52 AM  
**To:** Bill McDonald  
**Cc:** BoPW; Balmer, Nan; Smith, Vinnie; Irving, Robert; Selectmen  
**Subject:** RE: Tuesday's horror show at West Plain & Old Conn. Path. - Message is from an unknown sender

As you know this is not a Town project it is being constructed by the Danforth Development Contractors and have been dealt with this morning strongly voicing my dissatisfaction on what happened last evening they were not to have been on the road after 5pm I gave them strict orders to finish the paving project on Monday between the hours of 8:30 to 5pm and to have adequate detours set up along with Police details. My apologies for your frustration.

Stephen F. Kadlik III  
DPW Director  
Town of Wayland  
41 Cochituate Road 01778

Phone 508-358-3678  
Cell 508-294-2496  
Fax 508-358-3679

---

**From:** Bill McDonald [<mailto:wmcadona@advocatesinc.org>]  
**Sent:** Wednesday, November 26, 2014 10:43 AM  
**To:** Kadlik, Stephen  
**Cc:** BoPW; Balmer, Nan; Smith, Vinnie; Irving, Robert; Selectmen  
**Subject:** Tuesday's horror show at West Plain & Old Conn. Path. - Message is from an unknown sender

I'm a Richard Rd. resident, work 2.5 miles away from my home and spent an hour and 15 minutes within 600 yards of my front door.

My frustration was like everyone's. My big Issue is the HEALTH and SAFETY risks that were taken with this extremely poor planning.

Please review, deal with, and avoid this risk in the future.

Thanks  
Bill McDonald

**Important Warning:** This message is intended only for the use of the person or entity to which it is addressed and may contain information that is confidential, the disclosure of which is governed by applicable law. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, the disclosure, copying or distribution of this information is strictly prohibited. If you have received this message in error, please forward it to Advocates Chief Compliance Officer at: [CCO@advocatesinc.org](mailto:CCO@advocatesinc.org). Thank you.

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# Town of Wayland Massachusetts

November 25, 2014

Ms. Alessandra Kingsford  
14 Glen Road  
Wayland, Massachusetts 01778

Subject: Contribution to the Wayland Surface Water Quality Committee

Dear Ms. Kingsford,

The Wayland Surface Water Quality Committee (WSWQC) thanks you very much for your contribution of \$100, in regards to the committee's work on the Mill Pond. Our committee has been charged by the Board of Selectmen with oversight over the water bodies in our town, with several ponds explicitly mentioned, including the Mill Pond. However, we heretofore had been working on the larger ponds, with an occasional discussion about what might be done on some of the smaller ponds. I believe that it took your letter to us in the summer of 2013 to make us take a closer look at the Mill Pond.

Since then, we've cleared the debris around the spillway and made a partial repair to the dam. We are also looking at other ways to maintain and enhance the pond, since a very nice place like the Mill Pond is quite an asset to the town. You may be interested to know that in 1936 the town meeting accepted the pond area as a gift, to be known as the Adams Park.

In regards to your contribution, the WSWQC decided to deposit your check in a gift account maintained by the Conservation Commission for special funding of things such as Eagle Scout Projects. The money will be earmarked, if possible, for something that concerns the Mill Pond.

Regards,

Tom Largy, WSWQC

cc: Brian Monahan, Conservation Commission  
Nan Balmer, Town Administrator

RECEIVED

DEC 1 2014

Board of Selectmen  
Town of Wayland



# DPW Director's Report

November 25, 2014

## Project Updates

- Status update: Parkland & Charles Intersection Reconfiguration
- Status update: Old Connecticut Path & West Plain Street Intersection
- Status Update: Route 30 / East Plain Street / School Street Intersection
- Status Update: Library Drainage
- Status Update: Happy Hollow Access Road
- Status Update: Route 20 Water Main Replacement
- Proposed Tata & Howard Capital Efficiency Report

**The DPW has performed work of routine nature plus the following**

## Highway Division

- End of season grading of all dirt roads
- Brush cut Oxbow Meadows including pathways
- Paved walkway into Town Beach
- Repaired / rebuilt 4 catch basins
- Worked with Tighe & bond to map library / depot drainage
- Received delivery of two Mack Trucks for DPW operations

## Park Division

- Poured cemetery foundations
- Continued to construct new block wall at Town Beach

## Water Division

- Temporarily shut down water main for Five Oaks Construction at Old Conn Path & West Way
- Delivered 'Water Off' notices to residents on Old Conn Path for contractor installing 3 gate valves
- Temporarily shut off water at 224 Old Conn Path
- Removed seasonal meters at all sites except the high school snack building
- White Water tested backflows at plant and well locations
- Rebuilt KOH pump #2 at the treatment plant
- Repaired leaking/split piping on KOH pump #2 discharge side
- Painting at Chamberlain Well
- Replaced neutralization tank KOH check valve
- Rebuilt Happy Hollow sodium hypo probe
- Installed rebuilt Yamada CIP sodium hypo pump
- Rebuilt chlorine residual analyzer probe

## Transfer Station Division

- Through November 24, sold 2002 Full Stickers. Of those, 1239 were paid by check (62%), 718 were paid by credit card on-site (36%), and 45 were purchased online (2%).
- Through November 24, sold 185 Recycle Only Stickers. Of those, 133 were paid by check (72%) and 52 (28%) were paid by credit card.
- Construction continues, the wall has been completed and they are now working to install all the compactor units.

**TOWN OF WAYLAND  
ANIMAL CONTROL SUMMARY REPORT  
NOVEMBER, 2014**

**TOTAL NUMBER CALLS HANDLED**

**66**

---

# Complaint Calls	6
# Lost Dog Calls	5
# Lost Cat Calls	3
# Other Cat related calls	1
# Animal / Wildlife Calls	2
# Miscellaneous Calls	42

**TOTAL # ANIMALS PICKED UP**

**1**

Total # not licensed  
Total # dogs not claimed  
# still in dog officer custody  
#surrendered to Humane Shelter  
# other

**TOTAL # HUMAN BITE CALLS**

**TOTAL # ANIMAL -> ANIMAL BITE CALLS**

**1**

10 Day Quarantine Order -Human Bite	Issued =	Released = 1
10 Day Quarantine Order -Animal->Animal Bite	Issued = 1	Released = 1
45 Day/6 Month Quarantine Orders	Issued = 1	Released = 1

**TOTAL # CITATIONS ISSUED**

# No license citations  
# Leash Law/Dog not under owner control  
# Other Offense  
# Court summons processed

Submitted by:  
Jennifer A. Condon  
Animal Control Inspector/Officer

(4)



# Wayland Fire Department

Public Safety Building  
38 Cochituate Road  
Wayland, MA 01778



Vincent J. Smith  
Chief of Department  
Email: [vsmith@wayland.ma.us](mailto:vsmith@wayland.ma.us)

Business Phone 508-358-7951  
Chief's Office 508-358-6910  
Business Fax 508-358-6920

## Monthly Report to the Town Administrator November 2014

### Wires Calls and Carbon Monoxide Calls

This month, we responded to 7 CO calls and 9 "wires down or damaged" calls. Both seem to be weather-related due to starting heating systems for the first time this season and windy, rainy weather that brought down many trees and branches.

### Uniquely Wayland?

On November 2<sup>nd</sup>, I received a telephone call from "a student at the high school" who wanted to borrow some fire department coats for a drama production. I explained that we did retain some old coats that they are welcome to borrow. Lt. Gemelli, who is our quartermaster, had a difficult time giving directions to the student and his teacher so they could look at the coats and borrow what they needed. After several failed attempts to describe the location of the Public Safety Building, it was determined that the teacher and student would be coming from Wayland, Michigan. It was then suggested they contact the Wayland Michigan Fire Department. For those of you with inquiring minds....there are 7 towns in the United States named Wayland!

### Transformer Move

On the night of November 2, a large transformer was moved by a special truck and roving utility crews from the old Sealtest plant on Route 126 in Framingham, up route 126 to Wayland Center, and then along Route 20 West to the electrical substation just over the town line. On the previous night, the transformer made its way from the Framingham rail yards to Sealtest. The WFD had checked the route well beforehand and determined that neither fire alarm cables nor the town's fiber optic computer cable would need to be moved as the large load moved underneath. Telephone, cable, and electrical wires did need to be moved. This was quite a project, considering the load weighed in excess of 250 tons!

### Fireplace Carbon Monoxide

After receiving a call about carbon monoxide alarms sounding on Indian Dawn, the home was metered and a significant amount of CO was found, but no one was suffering any symptoms of CO poisoning. Fans were set up to clear the home of the dangerous gas. The resident reported using the fireplace the night before and having trouble with the damper and flue. After an initial CO alarm, they vented the house themselves, but the CO continued to rise until the later alarm was set off. They were advised to have the damper and flue checked before using the fireplace again.

### **Natural Gas Smell – In Church and School**

On November 5th, the smell of natural gas was reported in the Celebration International Church and the Veritas School at Loker Street and Route 30. The smell was noted, but according to our meters, it had not reached a dangerous level. The gas company arrived on the scene and found a pilot light out on one of the kitchen stoves. There was no damage.

### **Retired Member's Deaths**

Two retired members of the Wayland Fire Department passed away in November. Members were honored at the funeral home and the cemetery by off duty Wayland Firefighters in an honor guard formation.

Firefighter/ E.M.T. Philip "Phil" McGonagle, retired, (age 79) died on November 9<sup>th</sup>. He lived in Wayland for 37 years and was on the Wayland Fire Department for 32 years.

Captain/E.M.T. Richard Morris, retired, (age 73) died on November 21<sup>st</sup>. He lived in Wayland for many years and was with the Wayland Fire Department for more than 35 years.

### **Honoring the Veterans and Public Safety Employees**

The on-duty Fire and Police crews responded to the Wayland High School where the half-time show honored Veterans and Public Safety Employees. Thanks to the Wayland High School for a very nice ceremony. We appreciate being honored with the Veterans.

### **Missing Adolescent – Weston Estates**

On November 20<sup>th</sup>, a 14 year old boy was reported to be missing in the Wayland portion of Weston Estates. The Police Department, Fire Department, a tracking dog from Waltham, the State Police (ground and air support) all participated in the search. After a lengthy search with no results, the search was terminated. At approximately 6:45 AM, the child was located outside, at another home in Weston Estates. Although the weather was cold, the boy was dressed appropriately and seemed to suffer no ill effects. He was taken to the hospital to be checked.

### **Assistance to the Sudbury Fire Department**

On November 20<sup>th</sup>, the Sudbury Fire Department responded to a house fire on Boston Post Road near the Route 20 greenhouses. The ladder truck and Captain Buentello's crew responded and assisted with extinguishment, salvage, and overhaul. There was significant damage to the 2<sup>nd</sup> floor of the home. There were no injuries, but the family's cat perished in the blaze.

### **Candle Causes Structure Fire**

On November 21, we responded to a Draper Road home where a man had placed a burning candle on a wooden mantle (without a fire resistive support) and forgot about it. Before leaving the home, he returned to the living room to look for his keys where he found the candle had damaged the mantle and the wall behind. He opened the wall to check for extension before calling for help, but upon our arrival we used our thermal imaging camera to look "inside" the wall and found that we needed to open the wall a little more to chase some hot spots. The fire caused about \$6,000. in damage.

### **CERT Graduation**

Throughout the months of September, October and November, we participated in the training class for new Community Emergency Response Team members. Several towns participated and the WFD provided instructors for many of the classes. Thanks to Captain Dan Buentello, Firefighter Todd Winner, Deputy Chief David Houghton, Firefighter/Paramedic Lex Wheeler and others who helped with the class. On November 24, the class graduated with honors!



Photo credit: Marie Royea

### **Carbon Monoxide and Smoke Exposure With Injury**

On November 25<sup>th</sup>, we were called to a White Pine Knoll home where two residents were feeling ill after lighting the fireplace with the damper closed. Smoke and carbon monoxide entered the home. Both complained of symptoms related to CO and smoke exposure. The couple was taken to the hospital to be checked.

### **Emergency Vehicle Operator Course**

On November 25, the last of the Emergency Vehicle Operator Courses was given to the on-duty crews. This training program provided by MIIA, sent instructors to provide training in the special driving skills required to operate a vehicle under very demanding fire department response conditions. Students have a WFD classroom session and then a hands-on driver training. Our thanks go out to Paula Dettorre in H.R and Captain Robert Dorey for arranging this training.

### **Assisted the Council on Aging**

Deputy Chief Houghton and his crew assisted the Council on Aging in moving boxes of food from the Senior Citizen Center to the Parmenter Health Center. The food was donated to the Food Pantry by Stop & Shop.

### **Another Automatic Fire Alarm Success Story**

An automatic fire alarm was received from an Old Weston Road home. By the time the WFD arrived, the homeowners had removed the cardboard pizza box from the hot oven and reset the alarm system. There was no other damage.



### **Vehicle Accident with Hazardous Materials Spill**

On November 28, Lt. Gemelli and crew responded to an accident on Old Sudbury Road. The vehicles involved were a car and an 18-wheel dump truck. The occupants were extremely lucky to get away without injury. However, the hydraulic oil tank of the dump truck was ruptured. Much of the hydraulic fluid was caught in buckets, but some of the fluid did get out on the ground. Our containment trailer was brought to the scene. The trailer hold all the supplies needed to absorb the oil. The Commonwealth's Department of Environmental Protection was called to notify them of the problem. An environmental clean-up company responded to the scene to be sure the fluid was picked up completely and disposed of properly. The clean-up company will also reimburse us for the supplies we used in the mitigation of the incident.



**Accident photos credit: WPD Detective Chris Cohen**

## **WFD Incident Statistics This Month**

Incident Types Actually Found- These figures include outgoing mutual aid incidents.

### **3 Fires**

- 1 *Building Fires*
- 1 *Mutual Aid, Engine/Ladder Truck Response*
- 0 *Structure Fire, Not A building*
- 0 *Cooking fire (confined to container)*
- 0 *Chimney Fire (confined)*
- 0 *Burner/boiler Malfunction (confined)*
- 0 *Vehicle Fires (passenger vehicles)*
- 1 *Brush Fires*
- 0 *Vehicle Fire (watercraft)*
- 0 *Dumpster/Trash Fires*
- 0 *Outside Equipment Fire*
- 0 *Special Outside Fire, Other*

### **0 Overpressures, Ruptures**

- 0 *Overpressure, Rupture, Explosion, Overheat, Other*

### **86 Rescue and Emergency Medical Service**

- 63 *EMS Calls*
- 9 *Mutual Aid Ambulance (non-motor vehicle accident)*
- 0 *Mutual Aid Ambulance (motor vehicle accident)*
- 12 *Vehicle Accident With Injuries*
- 0 *Motor Vehicle Accident (no injuries)*
- 0 *Lock Ins*
- 0 *Rescue, Emergency Medical Call (EMS), Other*
- 0 *Search for person on land*
- 2 *Well Being Checks*

### **24 Hazardous Conditions (no fire)**

- 0 *Oil or Other Combustible Liquid Spill*
- 7 *Carbon Monoxide Incidents (includes CO investigation)*
- 0 *Heat from Short Circuit (wiring defective, worn)*
- 9 *Wires Down, Arcing*
- 0 *Arcing, shorted electrical equipment*
- 0 *Explosive/Bomb Removal*
- 8 *Hazardous Conditions (other)*

### **37 Service Calls**

- 10 *Lock outs*
- 1 *Water or Steam Leak*
- 0 *Smoke or Odor Removal*
- 0 *Animal Problems*
- 1 *Assist Police or Other Governmental Agency*
- 1 *Public Service*
- 5 *Assist Invalid*
- 2 *Unauthorized Burning*
- 0 *Cover assignment, standby, move up*
- 0 *Mutual Aid Covering Assignment*
- 17 *Service Call, Other*

**5 Good Intent Calls**

- 1 Dispatched & Canceled En Route*
- 0 Wrong Location, Not a malicious false alarm*
- 0 Authorized, Controlled Burning*
- 4 Smoke Scare, Odor of Smoke*
- 0 Steam, vapor, fog or dust thought to be smoke*
- 0 Good Intent Call, Other*

**19 False Alarm and False Calls**

- 0 Municipal Alarm System, Malicious False Alarm*
- 0 Bomb Scare, No Bomb*
- 0 Sprinkler Activation Due to Malfunction*
- 0 Sprinkler Activation, no fire, unintentional*
- 3 Smoke Detector Activation Due to Malfunction*
- 11 Smoke Detector Activation, No Fire, Unintentional*
- 0 Heat Detector Activation Due to Malfunction*
- 0 Alarm System Sounded Due to Malfunction*
- 0 Carbon Monoxide Activation Due to Malfunction*
- 1 Sprinkler Activation, No Fire, Unintentional*
- 2 Detector Activation, No Fire, Unintentional*
- 2 Alarm System Sounded, No Fire, Unintentional*
- 0 Carbon Monoxide Detector Activation, No CO Found*
- 0 False Alarm or False Calls, Other*

**0 Severe Weather & Natural Disasters**

- 0 Lightning Strike (no fire)*

**100 Other**

0	<i>Citizen Complaints</i>
11	<i>Fire Alarm Work (from dispatch)</i>
2	<i>Details</i>
2	<i>Error (or training) Incidents</i>
18	<i>Fire Alarm System Maintenance</i>
0	<i>Fire Alarm Disconnection/Reconnections</i>
0	<i>Fire Drills</i>
19	<i>Inspections (Sale of home)</i>
0	<i>Inspections (follow up)</i>
0	<i>Inspections (demolition)</i>
3	<i>Inspections (LP Gas)</i>
6	<i>Inspections (Occupancy)</i>
8	<i>Inspection, Oil Burner</i>
3	<i>Inspections (Placement)</i>
0	<i>Inspections (Quarterly)</i>
8	<i>Site Inspections</i>
0	<i>Inspections (Tank Removal)</i>
0	<i>Inspections (Tank Truck)</i>
1	<i>Mechanical Work</i>
0	<i>Mutual Aid – Fire Investigation</i>
2	<i>Mutual Aid (Non-Fire)</i>
8	<i>Public Education Sessions</i>
0	<i>Smoke Detector Installations</i>
0	<i>Special Type of Incidents</i>
9	<i>Training Sessions</i>

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**274 Total Incidents**

**WFD Response Times For The Month**

These figures include all emergency incidents, including outgoing mutual aid incidents. The time range that is considered is from the time the Fire Department was notified that a response is necessary until the first Fire Department personnel arrive at the scene.

**Cumulative percentages**

Less than 1 minute	11.5%
Less than 2 minutes	43.7%
Less than 3 minutes	65.5%
Less than 4 minutes	79.3%
Less than 5 minutes	92.0%
Less than 6 minutes	95.4%
Less than 7 minutes	100.0%



TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3669  
FAX: (508) 358-3606

December 1, 2014

Michael Ouradnik  
35 Jeffrey Road  
Wayland, MA 01778

Re: DETERMINATION OF APPLICABILITY [D-852] - WETLANDS PROTECTION ACT (WPA)  
and Chapter 194 Permit – 35 Jeffrey Road, Wayland

Dear Mr. Ouradnik:

Enclosed please find the original Wetlands and Water Resources Bylaw Permit (Chapter 194) and a Determination of Applicability issued by the Wayland Conservation Commission regarding the approved tree removal project at 35 Jeffrey Road in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit. The Determination of Applicability issued pursuant to the WPA is shorter, deferring to the Chapter 194 Permit. No other work is permitted by this decision.

If you have any questions, please contact me at (508) 358-3669. Thank you.

Sincerely,

Brian J. Monahan  
Conservation Administrator

Enclosure

cc: Building Department w/enc.  
Town Clerk w/enc.  
DEP – NERO w/enc.  
Board of Selectmen  
Board of Health  
Planning Board  
Abutters  
File

RECEIVED

DEC -2 2014

Board of Selectmen  
Town of Wayland

6





# Town of Wayland Massachusetts

## **Finance Committee**

Thomas Abdella

Nancy E. Funkhouser

Thomas Greenaway (Chair)

Carol Martin

Bill Steinberg

David Watkins

Gil Wolin

## **Finance Committee**

### **Meeting Minutes**

**October 27, 2014**

Attendance: N. Funkhouser, T. Abdella, C. Martin, B. Steinberg, D. Watkins, G. Wolin and B. Keveny (Finance Director). Not attending: T. Greenaway.

The meeting was called to order in the Senior Center at the Town Building at 7:01pm when a quorum was present. Vice-Chair Funkhouser announced that the meeting was being recorded for broadcast by WayCAM and may be recorded by others. Ms. Funkhouser further stated Mr. Greenaway would not be attendance and she would chair the meeting.

**PUBLIC COMMENT:** None

**FINCOM MEMBERS' RESPONSE TO PUBLIC COMMENT:** None

**FY16020 CAPITAL IMPROVEMENT PLAN REQUESTS:** The Committee reviewed FY16 capital requests from Water, IT, the Wayland Housing Authority and Facilities.

Water: DPW Director Steven Kadlik presented and answered questions regarding five (5) FY16 capital requests totaling just under \$1.4M. The FinCom expressed its continued concern for consistent water rates and maintaining the appropriate level of undesignated balance in the water fund while understanding the need for ongoing water main and meter replacement.

The Water department's outstanding capital projects were also reviewed. The Committee thanked Mr. Kadlik for submitting a comprehensive update on his outstanding capital projects. Mike Lowry, Chair of the Board of Public Works joined Mr. Kadlik as he submitted a long range view of the water main replacements schedule and the projected costs along with long range road construction projections.

Wayland Housing Authority: WHA Executive Director Brian Boggia, and Susan Weinstein, WHA Chair presented the WHA's capital request for funds to compliment funds received at the 2014 ATM for the installation of a fire suppressant system at the Cochituate Village Apartments. Mr. Boggia indicated the WHA was in the process of securing designs bids from which he hoped the total project cost could be estimated. He further stated once WHA had ascertained the total project cost, he would report back to the Committee to discuss presenting a request to 2015 ATM.

**IT:** Director Leisha Simon discussed the five (5) capital requests submitted for the Town IT's department, indicating the two requests for financial software had been tabled by the Board of Selectmen. The remaining three requests concern SAN storage for the Town Building and Schools and equipment/server upgrades at the Public Safety building and Library.

Facilities: Assistant Town Administrator, John Senshychen discussed the seven (7) capital requests being submitted by the facilities department. Four (4) of the request involve facility upgrades at the town building, library and fire station 2. Mr. Senshychen noted the Board of Selectmen had tabled two requests: Town Building windows and design money for the COA building project. The final request was to establish a motor pool.

**FINANCE DIRECTOR REPORT:** Finance Director Brian Keveny distributed Q1 reports for the FY15 operating budget, water and wastewater enterprise funds and the major revolving funds. Reviewing the overall budget, Mr. Keveny indicated he did not note any major issues. He stated that to date the town had received 22% of projected revenue and added due to unbudgeted revenue, departmental budget turn backs and the Bond premium, \$2.3M had been returned to Free Cash.

Discussing the enterprise funds, Mr. Keveny noted the Water fund closed out the year with a \$3.6M undesignated balance, while Wastewater was able to accelerate collections which allowed them to meet not only their FY14 but their August 2014 obligation as well.

As for the revolving funds, Mr. Keveny stated the recreation and transfer funds both had year over increases in revenue.

Mr. Keveny reported the Town had received its draft Financial and Audit letter from Melanson and Heath. Once reviewed by the Audit Committee, Mr. Keveny indicated he would share /review this information with the Committee.

**LIAISON REPORTS- GUIDELINES & OPERATING BUDGETS:** Mr. Watkins indicated he had been asked how departments should budget for unforeseen issues. In particular, he had been asked to endorse a reserve allocation at the department level. A discussion ensued. The Committee was unanimous in its discussion that the purpose of the FinCom Reserve fund is to handle unforeseen events and that reserve allocations should not be included in departmental operating budgets.

**MINUTES:** To allow all the Committee members an opportunity to read the minutes from September 15th and October 6<sup>th</sup>, Vice-Chair Funkhouser tabled this item for possible review at the November 12<sup>th</sup> meeting.

**COMMITTEE MEMBERS' REPORTS, CONCERNS:** As a follow-up to the meeting with the representatives from Eastern Bank, B. Steinberg asked for budgeting purposes if it would be possible to work with the Treasurer and/or Eastern Bank to get a sense of what the town might expect as a bond premium next year. C. Martin advised the Committee the Assessors have scheduled the Tax Recap Meeting for Monday, November 24<sup>th</sup>, and the ATM calendar would be finalized after the Board of Selectmen revisited the ATM schedule at its November 3<sup>rd</sup> meeting and the FinCom submitted its dates.

D. Watkins asked the FinCom if Wayland had ever considered submitting its budget to GAAP for review. Mr. Keveny replied quotes have been requested for GFOA and CAFOR which provide expanded statements. Mr. Watkins explained the review includes feedback, best practices and awards for excellence. The Committee asked Mr. Watkins to follow up with more information to be discussed at a future meeting.

**VICE-CHAIR'S UPDATE:** Ms. Funkhouser asked the Committee members to come prepared to discuss their long range planning slide at the November 12<sup>th</sup> meeting. She announced the future meeting schedule included November 12<sup>th</sup> (Long-range planning), December 1<sup>st</sup> (Finalize long range planning report & possibly vote FY16 draft capital budget) & December 8<sup>th</sup>, if needed.

**OPEN MEETING LAW MATTERS:**

Status of OML complaint filed July 10,2014: Vice-Chair Funkhouser announced a supplemental submission by the complainant had been submitted regarding this complaint but did not require any action be taken.

OML complaint filed October 20, 2014: Vice-Chair Funkhouser distributed both the complaint and the draft reply. She indicated the draft reply had been reviewed by Town Counsel. A brief discussion ensued followed by a motion to approve the response letter. The motion was seconded. Vote 6-0.

**ADJOURN:** At 9:32 a motion was made and seconded to adjourn. Vote: 6-0.

Respectfully Submitted,

Carol Martin

Documents:

Distributed by B. Keveny

- FY15 Q1 Budget Status Report, dated 10/22/14
- FY15 Q1 Summary Status Report, dated 9/30/14
- FY15 Q1 General Fund Revenue Report, dated 9/30/14
- FY14 Total Revenue & Expenditures-GAAP, dated 9/30/14
- FY15 Q1 Insurance 32-B, Actual to Budget Report
- FY15 Q1 Wastewater Enterprise Fund, dated 9/30/14
- FY15 Q1 Water Enterprise Fund, dated 9/30/14
- FY15 Q1 Major Town Revolving Funds

Distributed by S. Kadlik

Road Resurfacing Long Term Estimate

Projected Water Main Estimated Costs through 2030

Distributed by N. Funkhouser; Source, T. Greenaway

OML Complaint, dated 10/20/14,

Draft, 10/20/14 OML Complaint reply, dated 10/27/14

OML Complaint dated 7/12/14: Supplemental Submission

✓

**TOWN OF WAYLAND  
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)  
MEETING: JUNE 24, 2014 @ 8:00AM  
PUBLIC SAFETY BUILDING  
MEETING MINUTES**

**Members Present:**

Jay Abelli (Building), Brendan Decker (GIS), Chief Robert Irving, Julia Junghanns (BOH), Stubby Kadlick (DPW), Chief Vinnie Smith (Fire), Supt. Paul Stein (Schools)

**Members Absent:**

Alf Berry (Survey), John Moynihan (Facilities) {Pat Morris will now be contacted pending a new Facilities Director}, Gwen-Sams-Lynch (IT Manager), Julie Secord (COA), John Senchyshyn (HR, Asst. TA), Leisha Simon (IT Director).

**Other Town Employees Present:**

Joe Doucette (DPW), Mike Lindeman (DPW), Deputy Chief Dave Houghton (Fire), Brian Boggia (Housing)

**Guests:**

Kurt Tramosch (former member of BOH & surface water quality)

8:05 AM...Doug Leard, LEPC Chairman called the meeting to order and thanked the members for attending and completing the Emergency Operations Center (EOC) Questionnaire. This is a great start to understanding better what each department's role will be in an emergency and how we can work together for the benefit of our town.

**Public Comment:** Kurt Tramosch spoke of his concerns involving the aging underground gas lines, specifically those owned and operated by Tenneco (Tennessee Gas) which run through Wayland. (Note: after the meeting I was informed that any ground excavation work done by DPW within the vicinity of a Tenneco gas line requires a Tenneco representative be present.)

LEPC meeting minutes of March 17, 2014 (not November 14, 2014) as incorrectly noted on the meeting agenda, were approved unanimously.

The LEPC Chair noted to the Committee that during a recent grant application for Wayland's CERT (Community Emergency Response Team) requires all CERT grant applications as of 4/30/2015 require all CERT members to have completed the NIMS (National Incident Management System) course IS-700

<http://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=is-700.a>

Doug made the suggestion that since the IS-100, IS-200 & IS-700 may be taken on-line; in the event that such restrictions may be placed on community grant applications in the future, it may be a good idea to have all department heads/leaders to complete this training. (links below) The courses are free and will only strengthen your knowledge of



the Incident Command System that Chief Smith Spoke to.

<http://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=IS-100.b>

<https://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=is-200.b>

Doug also made reference to an October 28, 2013 article in Emergency management Magazine titled **Elected Officials are Rarely Educated About Emergencies.**

<http://www.emergencymgmt.com/training/Elected-Officials-Educated-Emergencies.html>

8:15AM...The LEPC Chair asked each department head to briefly reviewed their responses to the Emergency Operations Center (EOC) Questionnaire. Doug noted that there were no right or wrong answers to the survey. The purpose was more to (1) allow for town departments to understand the potential issues your department may face, (2) to learn of the similarities, the differences and the consequences of decision making, and (3) to give you an opportunity to discuss your individual department concerns. The following department heads were asked to complete the questionnaire. (The responses are attached to these minutes.) Doug noted his disappointment that no report was received from IT or Facilities, two key components in Wayland's Emergency Planning process.

- Building Department (by Jay Abelli)
- CERT (by Doug Leard)
- Council on Aging# (absent)
- DPW# (by Stubby, Joe & Mike)
- Facilities **(No reply & absent)**
- Fire/EMS (by Chief Smith)
- Health Department# & MRC (by Julia Junghanns)
- Housing Authority (by Brian Boggia)
- Information Technology **(No report & absent)**
- Police (by Chief Irving)
- Schools (by Supt. Paul Stein)
- GIS/Surveyor (by Brendan Decker)
- Board of Selectmen/Town Administrator

# = represents the presence of a governing Board

In conclusion of the meeting the LEPC Chair thanked everyone once again for coming today and for taking the time and completing the questionnaire. At our next LEPC meeting in the Fall Doug hopes to hold a "Table-Top Exercise" in the EOC.

10:00AM The meeting was adjourned.

*Personal comment by the Chair:*

*I will attempt to briefly outline the more common discussion items and questions posed during this session and in the questionnaires:*

- *Communications is absolutely CRITICAL and appears to be mentioned in all the surveys. Whether it be the "written" communication (department SOP's/SOG's) that needs to be developed or revised, the ability for the Incident Commander and*

*Command Staff to communicate specific incident data/photos from the scene to the Incident Commander, Emergency Manager, co-workers, to “key” town and department officials in the EOC or the ability to communicate a critical incident in a municipal building to all employees, workers and guests.*

*Doug asked if those members of the LEPC who hold critical positions in the EOC are issued laptops or tablets by the town. Doug suggested that a laptop issued to all department heads, used for town business only, could be brought to the EOC during an emergency event. This way all contact information and critical documents would be readily available when needed.*

- *A concern was made that while calling “911” from the town building, there is no telephone/department identification as to where the call originated from within the town building. For now maybe a policy should be adopted that will require an individual to meet Fire/Police at the front door and direct emergency personnel to the specific location of the incident.*
- *The possibility of an emergency municipal building “buzzer system (i.e. silent alarm)” to be used when calling “911”.*
- *The old topic of a designated radio frequency for the Town of Wayland was mentioned again. (i.e. tune to a specific radio station for more information).*
- *There was some discussion concerning the generator located at the town building and the fact that it was not in use. The Board of Health has a refrigerator used to store medications that would benefit from having a back-up generator.*
- *Doug expressed concern that vital members to the town’s emergency preparedness, IT and Facilities, were absent from the meeting and failed to respond to the survey. There were repeated requests that IT be able to maintain and provide reliable communications within town and the “outside world” and that IT would be able to offer ongoing training as needed.*
- *In the case of a “mass evacuation” (the town, a neighborhood, a business) does the town have the resources to provide necessary mass transportation?*
- *The possibility of an “Active Shooter” scenario was discussed. Supt. Paul Stein reported that on Monday evening (6/23/14) the Wayland School Committee voted unanimously to support the A.L.I.C.E. (Alert-Lockdown-Inform-Confront-Evacuate) training. This program will ultimately be implemented in all town buildings.*
- *Given the Information Technology needs and similarities if IT & GIS the blending and/or merging of IT and GIS services may be something for the Town of Wayland to look at. Just a thought.*

**TOWN OF WAYLAND  
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)  
MEETING: DECEMBER 2, 2014 @ 08:00AM  
PUBLIC SAFETY BUILDING  
MEETING MINUTES**

**Members Present:**

Jay Abelli (Building), Nan Balmer (Town Adm), Brendan Decker (GIS), Deputy Chief Dave Houghton (WFD), Ben Keefe (Dir. Facilities), Chief Robert Irving (WPD), Julia Junghanns (BOH), Stubby Kadlick (DPW), John Senchyshyn (Asst. TA), Chief Vinnie Smith (WFD), Supt. Paul Stein (Schools), Leisha Simon (IT Director), Lt. Patrick Swanick (WPD), Doug Leard (LEPC Chair)

**Members Absent:**

Alf Berry (Survey), Julie Secord (COA).

**Other Town Employees Present:**

Mike Linderman (DPW), Brian Boggia (Housing),

**Guests:**

JoAnne O'Leary (NStar), George Popovici (NStar Sr. Safety Engineer)

08:05 AM...Doug Leard, LEPC Chairman called the meeting to order and thanked the members for attending.

**Public Comment:** None

08:10AM...LEPC meeting minutes of June 24, 2014 were approved unanimously. (Motion by Chief Irving, Seconded by Chief Smith).

08:12AM...LEPC Chair, Doug presented a brief updated on the following topics:

**A.L.I.C.E.:** On 10/28/14 A.L.I.C.E. (Alert-Lockdown-Inform-Counter-Evacuate) training was conducted at Wayland High School. Chief Irving noted that after the training in our schools A.L.I.C.E. will be introduced to the town office building. Doug expressed his appreciation that ALL town building staff become familiar with such training and procedures.

**Energy Initiatives Committee:** Doug sent a letter to this committee, on behalf of the LEPC, in support of the committee's efforts to provide an energy alternative to our Middle School shelter. The committee has been awarded grant money to pursue technical assistance for the purpose of researching options of linking a solar PV system to the existing diesel generator.

**COA/Community Center needs:** Doug noted that he replied to an email request to provide input on a proposed new COA/Community Center. Doug's suggestions dealt

more with building design as it relates to emergency preparedness, components discussed in a recent A.L.I.C.E. training program, and the potential for use as a shelter.

**Multihazard Emergency Planning for Schools:** Doug has assembled a “team” to attend a program offered at the Emergency Management Institute in Emmitsburg, MD. The “team” includes: Youth Officer Shane Bowles, Asst; Principal Scott Parseghian, Deputy Fire Chief Dave Houghton and Doug Leard, LEPC Chair. This four-day program is open to “teams” from across the country. IT Director Leisha Simon encouraged us to learn how other schools across the country deal with the issues of “communications/systems” in the classroom.

08:20AM...Doug introduced JoAnne O’Leary, Community Relations & Economic Development Specialist for NStar (Northeast Utilities). JoAnne talked about NStar’s Emergency Response Plan (ERP) which classifies incidents from the most minor (Level 1) to the most severe (Level 5).

Dispatching is done from both Dorchester and Southborough. NStar has recently established designated teams to respond to local community issues. These teams are called “Task Forces.”

JoAnne briefly discussed “critical facilities” and NStar’s response to such facilities in order to address the emergency power needs of these designated “critical facilities”.

800-592-2000 is the telephone the public should call when attempting to reach NStar.

George Popovici, NStar’s Sr. Safety Engineer spoke briefly. Doug asked if NStar has a safety video that communities could give to local cable TV companies to broadcast. Joanne will look into this possibility.

JoAnne briefly mentioned the current energy capacity concerns facing our nation today and that communities should be aware of “planned power outages.” Chief Irving asked if NStar would be able to give communities advanced notice of such a planned power outage. Such a notice to designated municipal leaders would give the community an opportunity to pre-warn its residents and business owners.

09:00AM...Doug thanked JoAnne and NStar for their information update.

In conclusion, Doug encouraged LEPC members to think of any particularly interesting topics they would like to see presented at future meetings.

09:05AM The meeting was adjourned. Next meeting TBD.

# WAYLAND BOARD OF PUBLIC WORKS

Wayland Public Safety Building

November 19, 2014

7:00 PM

## MEETING MINUTES

M. Lowery (Chair), C. Brown, J. Mishara, M. Wegerbauer, S. Kadlik (Director), Lt. Swanick (Wayland PD)

Meeting opened at 7:05 PM

(Mishara announced that the meeting is being videotaped)

Mishara opened the meeting with a review of the agenda.

Mishara asked for public comment – there was none.

### **Traffic Calming Overview**

Mishara explained the roles of the Board of Public Works and the Board of Selectmen in the traffic calming process.

### **Status of Data Gathering for Pelham Island and Glen Roads**

Lowery noted that traffic and accident data was recently received from Glen Road, and accident data from Pelham Island Road has been received as well.

Lowery asked if traffic data for Pelham Island Road had yet been received.

Kadlik noted that he received the Pelham Island Road traffic data today.

### **Traffic Calming Hearing: Millbrook Road**

Swanick described the traffic data acquired from Millbrook Road in separate counts taken on July 1, 2013 and October 2, 2013.

Mishara asked what Swanick's opinion of the data was.

Swanick noted that in his opinion he felt that there is not a major speeding problem on Millbrook Road, but it is an area of concern.

Kadlik described the process by which MassDOT sets and adjusts speed limits.

Mishara asked Swanick about the 5-year accident history on Millbrook.

Swanick noted that there were 12 accidents over 5 years, with 3 involving personal injury.



Mishara asked Swanick if he feels the accident rate is a concern.

Swanick replied that in his estimation the accident rate for Millbrook Road is about average.

Colleen Upham of 18 Millbrook Road noted that there are a large amount of young children who live on the street, and described the signage currently on the street.

Hillary Mele of 40 Millbrook Road asked how speed limit could be changed.

Lowery noted that there is a process to be initiated by the Board of Selectmen, who then petition the state consider changing the speed limit.

Lowery asked where the speed data was taken.

It was determined that data was taken in the area of Nob Hill Road as well as the area of the Mill Pond Creek crossing.

Drew Cocoran of 23 Millbrook Road described the increase in cut-through traffic Millbrook Road has experienced recently.

Mishara explained the process of funding the installation of speed bumps.

Lowery asked the Millbrook Road residents present where they felt the speeding issue is most prominent.

The residents identified the section of Millbrook Road in the vicinity of the intersection of Glen Road.

Mishara suggested that a recommendation be made to Police Chief Irving to explore increased signage along Millbrook Road.

Lowery added that existing signage should also be inspected for any visibility issues.

Kadlik suggested the installation of a solar-powered LED speed limit sign on Millbrook Road.

Brown made a motion that the Board request Kadlik and Irving evaluate signage on Millbrook Road and recommend to the Board of Selectmen any additional signage they deem necessary.

Mishara 2<sup>nd</sup>, all in favor.

### **Review and Approve Minutes**

Mishara noted a correction to be made at the bottom of page 5.

Brown made motion to approve the minutes of the 11/13/2014 Meeting as amended.

Mishara 2<sup>nd</sup>, all in favor.

### **Board Members' Reports, Concerns, and Updates**

The Board discussed the scheduling of upcoming meetings.

It was determined that meetings for December would be on the 3<sup>rd</sup> and 17<sup>th</sup>.

Kadlik discussed a cost estimate of \$24,500 received from Tata & Howard for the completion of an updated Capital Efficiency Report.

Lowery made a motion that the proposal be accepted, with the updated Capital Efficiency Report paid for from the Water Enterprise Fund.

Brown 2<sup>nd</sup>, all in favor.

Lowery discussed a proposal received from Lisa Eggleston to conduct drainage assessment for the Wayland High School Turf Field.

Observe that Kadlik noted that such proposals must be directed to the DPW Director, because the BoPW has no purposing authority.

Brown noted that his opposed to doing the study due to potential issues that may arise resulting from the assessment of the field, and noted that water tests done at the well have never shown any issues.

Lowery suggested discussion of the turf field drainage assessment be placed on the next meeting's agenda for further discussion.

Kadlik noted that the plans for the reconfiguration of the intersection of Parkland and Charles are in, and a status update will be on next agenda.

Kadlik noted that he is seeking to obtain cost estimates on the construction of the Happy Hollow Well access road.

Lowery requested that on next agenda discuss the status of the Community Pool water account.

The Board took a recess at 8:07, to reconvene at 8:15 for the Pequot Road Traffic Calming Hearing.

The Board reconvened at 8:15

### **Traffic Calming Hearing: Pequot Road**

Mishara described the Traffic Calming Policy of the Board of Public Works, describing the Board's role in traffic calming measures as well as the role of the Board of Selectmen.

Swanick described the results of the traffic count conducted on Pequot Road in July, 2013.

Swanick described the 5-year accident data for Pequot Road.

Swanick noted that the accident data puts Pequot Road at a below average level, but traffic data does indicate that there is a speeding problem on Pequot Road.

Lowery noted that it appears there is significant speeding in the area of the elementary school and asked how often enforcement is done in the area.

Swanick replied that officers are conduct enforcement on Pequot Road almost daily.

Lowery noted that increased enforcement would potentially generate a large amount of revenue.

Mishara asked if school buses speeding are an issue on Pequot.

Swanick noted that the larger vehicles on narrow roads appear to be travelling faster than they are, but he is unsure if it is an issue although he has several complaints.

Carol Place of 40 Pequot Road asked if there is any plan to do a traffic count now that school is in session.

Swanick replied that he is unaware of any pending traffic counts on Pequot Road.

Rick Greene of 26 Pequot Road asked what accidents were recorded in the accident history data.

Swanick noted that the accidents represented are only those that police responded to.

Greene noted that traffic travelling downhill from Cochituate Road contributes to the speeding issue on Pequot Road.

Swanick proposed that portable crosswalk signs be installed at crosswalks on Pequot Road.

Brown noted that there are no stop signs at the intersections of Goodman Lane, Juniper Lane, and Happy Hollow Road intersections.

Kadlik discussed options for additional signage on Pequot Road.

Lowery noted that a sign warning of a reduced speed limit should be considered.

Brown described motion-activated LED speed limit signs that could be considered for installation on Pequot Road.

Katherine Fuller of 42 Pequot Road asked how a motion-activated LED speed limit sign could be requested.

Brown described the process of requesting the sign through the Board of Selectmen.

Mishara explained the process of funding the installation of speed bumps.

Lowery noted he would like to see heightened enforcement along Pequot Road, and asked how many tickets have been handed out on Pequot in the last year.

Greene expressed his concern regarding the adverse effects speed bumps would have on the flow of traffic on Pequot Road.

George Place of 40 Pequot Road noted that in his opinion, increased enforcement would address the speeding issue on Pequot Road.

Kadlik noted that police manpower limits the amount of enforcement that could be done on the road.

Mishara asked if an electronic sign similar to the one used on Main Street by the Middle School could be installed on Pequot Road.

Kadlik noted that the signs are expensive, and require a power source.

Elizabeth Markey of 49 Pequot Road noted that installation of one electronic speed sign would likely be more cost-effective than the installation of several speed bumps.

Brown noted that signage issues should be addressed prior to taking additional measures.

Kadlik noted that intersections on Pequot Road could potentially be narrowed up when the road is resurfaced.

Lowery noted he would like to see traffic counts taken while school is in session.

Mishara asked the residents of Pequot Road in attendance if there is general support for increasing the signage on Pequot Road.

The residents present confirmed that there is support.

Brown made a motion to recommend that stop signs be installed at Goodman Lane, Juniper Lane, and Happy Hollow Road; request that Kadlik and Irving draft a recommendation for the installation of increased signage to the Board of Selectmen; and request that Kadlik determine recommendations to modify the intersections of Juniper Lane, Goodman Lane, and Happy Hollow Road.

Mishara 2<sup>nd</sup>, Brown, Mishara, Lowery in Favor. Wegerbauer abstain.

**Topics Not Reasonably Anticipated by the Chair 48 Hours Prior to Posting**

Lowery noted that in reviewing the Community Pool water account data, there was a \$6k credit extended by the former DPW Director, and requested that it be placed on a future agenda for a Board vote.

Brown discussed a notice distributed recently by the Water Division notifying residents in his neighborhood of an impending water shutoff, and expressed his appreciation for the manner in which they were informed.

Kadlik discussed with the Board the status of the water account for 16 Saddlebrook Lane, and expressed his concern that the home has two meters installed.

Wegerbauer noted that a discussion of the account status of 16 Saddlebrook Lane would be placed on a future agenda for discussion.

Brown expressed his opinion that if one of the meters is removed for the convenience of the Water Division it should be at the expense of the DPW, but if it is removed due to a violation of law, the cost should be incurred by the homeowner.

Mishara made a motion to adjourn.

Lowery 2<sup>nd</sup>, all in favor.

Meeting adjourned at 9:14 PM.