



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, June 1, 2015
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.

- | | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7:00 pm | 1.) Call to Order by Chair <ul style="list-style-type: none">• Announcements; Review Agenda for the Public |
| 7:02 pm | 2.) Public Comment |
| 7:10 pm | 3.) Public Hearing for Nstar Electric Company dba Eversource Energy and Verizon New England Inc., and Vote to Grant One New Pole 218/11a on Sears Road |
| 7:20 pm | 4.) Update from Eversource Representative on Poles Ready for Removal and Vegetation Management |
| 7:30 pm | 5.) Update from Fire Chief David Houghton and Report on Wireless Alarm System and Private Hydrant Bylaw |
| 7:50 pm | 6.) Interviews for Council on Aging/Community Center Advisory Committee and Vote to Confirm Appointees Nominated by Recreation Commission and Council on Aging |
| 8:20 pm | 7.) Meet with Town Moderator and Chair of Electronic Voting Implementation Subcommittee regarding Town Meeting Procedures Including Electronic Voting Procedures |
| 8:40 pm | 8.) Discuss Committee Appointments and Interview Process |
| 8:55 pm | 9.) Discuss Process for Review of Board Policies |
| 9:10 pm | 10.) Review and Approve Consent Calendar (See Separate Sheet) |
| 9:15 pm | 11.) Review Correspondence (See Separate Index Sheet) |
| 9:25 pm | 12.) Report of the Town Administrator |
| 9:35 pm | 13.) Selectmen's Reports and Concerns |
| 9:45 pm | 14.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 9:50 pm | 15.) Adjourn |

(3) POLE HEARING

DATE: JUNE 1, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: PUBLIC HEARING ON NEW UTILITY POLE LOCATION: SEARS ROAD

ACTION REQUESTED:

VOTE TO APPROVE A GRANT OF POLE LOCATION FOR ONE NEW J.O. POLE 218/11A ON SEARS ROAD

BACKGROUND:

- Eversource (NSTAR) petitioned the Board of Selectmen to allow a new utility pole on Sears Road.
- The specific privileges granted by the Selectmen to Eversource are described in the attached Petition.
- The Petition was reviewed and amended by the Board of Public Works.
- The Hearing was advertised as required to provide notice to the public.

Attached is the Board of Selectmen's policy and process on Public Hearings.

PUBLIC HEARINGS

These procedures shall be used when the Board of Selectmen calls a Public Hearing.

1. Public Hearings shall be advertised according to the applicable statute or as deemed appropriate by the Board of Selectmen.
2. Public Hearings before the Board of Selectmen shall be informal, in that the procedures of courts of law and the rules of evidence shall not apply. Rather, the presiding member of the Board shall seek to conduct Public Hearings and receive evidence using the test of reasonableness and relevance under the circumstances.
3. Neither the Town nor any parties shall be required to be represented by legal counsel, though such counsel is permitted.
4. The presiding Selectman shall begin the proceedings by stating the purpose of the Public Hearing and the rules to be followed during the Hearing.
5. The proponents or complaining side shall be heard fully followed by questions and comments from the board and then, through the chair, from the public. The opponents or defending side shall be heard fully followed by questions and comments from the board and then, through the chair, from the public. Both sides shall have an opportunity to present rebuttal statements and to make concluding remarks.
6. The Board shall accept written testimony that is submitted prior to or at the Public Hearing.
7. The Board may make its decision immediately following the hearing, take the matter under advisement or consult with its counsel or staff in order to defer reaching a decision, continue the matter to another date, or deliberate and take such action as it judges appropriate during the same meeting.

Approved on February 9, 2004; revised and restated on October 13, 2010

OPPORTUNITIES FOR PUBLIC COMMENT ON REGULATIONS AND FEES

Prior to adoption of regulations or fee schedules, there shall be opportunity for public comment in meetings open to and advertised to the public. In many cases there is no legal requirement that advertised Public Hearings be held in advance of the governmental body's public decision-making. However, the Board of Selectmen believes that every effort should be made to invite public participation, including public notices, to ensure that such regulations and fee schedules meet the tests of necessity, reasonableness, and fairness.

Approved on February 9, 2004; revised and restated on October 13, 2010



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LEGAL NOTICE

The Board of Selectmen will hold a Public Hearing on Monday, June 1, 2015, at 7:10 p.m. at the Wayland Town Building pursuant to M.G.L. Chapter 166, Section 22, regarding a petition from Nstar Electric Company dba Eversource Energy and Verizon New England Inc., to be granted joint or identical locations for the erection or construction of one (1) new pole 218/11A, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, on Sears Road, easterly side approximately 1,226 feet south of Squirrel Hill Road.

Board of Selectmen

/md

dc: Town Crier, May 14, 2015
Board of Public Works
Stephen Kadlik, Director of Public Works
Superintendent of Highway Operations
Police Chief Robert Irving
Alf Berry, Town Surveyor
Beth R. Klein, Town Clerk



200 Calvary Street
Waltham, Ma 02453

April 7, 2015

RECEIVED

APR 13 2015

Board of Selectmen
Town of Wayland

Board of Selectmen
Wayland Town Hall
41 Cochituate Road
Wayland, Ma. 011778

RE: Sears Road,
Wayland, Ma.
W.O #2052473

(Hearing Required)

The enclosed petition and plan is being presented by the EVERSOURCE ENERGY Company for the purpose of obtaining a Grant of Location to one new J.O. Pole 218/11A on Sears Road.

This work is necessary to reduce span distance so the wires can be raised

If you have any further questions, contact Christine Cosby phone # (508) 305-6989.

Very truly your

William D. Lemos
Rights & Permits Supervisor

WDL/cf
Attachments

PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the Board of Selectmen of the Town of Wayland, Massachusetts:

Respectfully represent **NSTAR ELECTRIC COMPANY** and **VERIZON NEW ENGLAND, INC.** companies subject to Chapter 166 of the General Laws (Ter.Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the **Board of Selectmen** may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plans made by A. DeBenedictis revised plan dated March 16, 2015 and filled herewith, upon along and across the following public way or ways of said town:

Sears Road – Easterly side approximately 1,226 feet south of Squirrel Hill Road

Install one (1) 218/11A

WO# 2052473

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes and for purposes of the above installation only, and in conformity with the Wayland Department of Public Works rules and regulation Your petitioners agree to reserve space for one Crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the town and used for municipal purposes.

**NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY**

By: William D Lemos
William D. Lemos
Rights and Permits, Supervisor

VERIZON NEW ENGLAND INC.

By: _____

Dated this _____ day of _____ 2015

Town of Wayland, Massachusetts

Received and filed _____ 2015

**ORDER FOR JOINT OR IDENTICAL LOCATIONS FOR POLES
Town of Wayland, Massachusetts**

WHEREAS, NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. have petitioned for joint or identical locations for the erection or construction of poles to be owned and used in common by them upon, along and across the public way or ways of the town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. be and hereby are granted joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, along and across the following public way or ways of said town:

Sears Road - Easterly side approximately 1,226 feet south of Squirrel Hill Road

Install One (1) J.O. Pole 218/11A

Hearing Required

W)# 2052473

All construction work under this Order shall be in accordance with the following conditions: Poles shall be of sound timber and located as shown on plans made by **A. Debenedictic** revised plan dated **March 16, 2015** on file with said petition. There may be attached to said poles by said **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** and by said **VERIZON NEW ENGLAND, INC.** wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than eighteen feet from the ground at crossings of other ways and at not less than fourteen feet from the ground elsewhere

Selectmen of
the town of
Wayland

CERTIFICATE

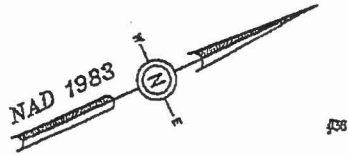
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at _____ in said town on _____ day of _____, 2015 at _____ P.M.

Selectmen of
the town of
Wayland

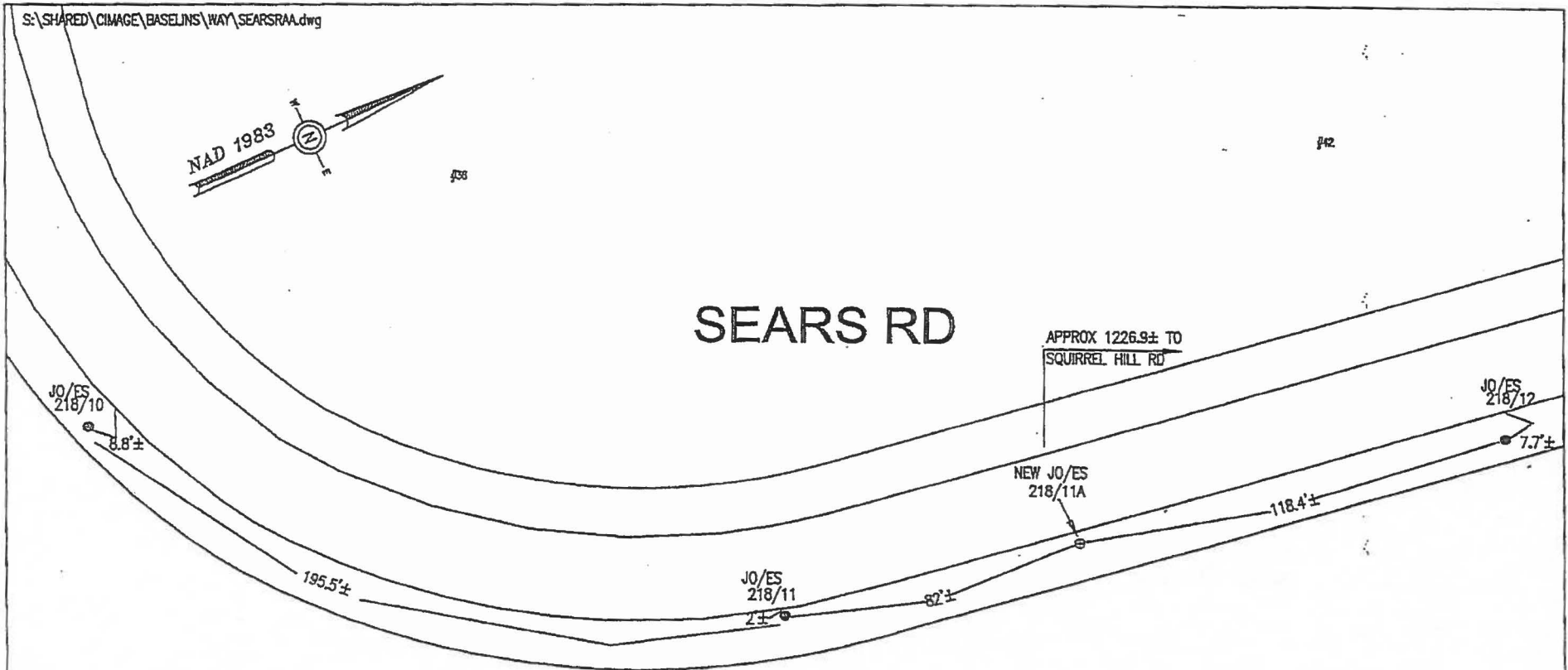
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Selectmen of the town of Wayland Massachusetts, duly adopted on the _____ day of _____ 2015, and recorded with records of location Orders said town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **Wayland**, Massachusetts

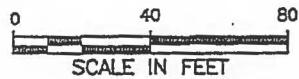


SEARS RD



NOTES:

NO SURVEY WAS PERFORMED DUE TO HEAVY SNOW COVER AND BAD WINTERY CONDITIONS AT THE TIME. ALL LOCATIONS ARE BASED FROM RECORD PLANS AND ARE APPROXIMATE.



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

Proposed pole locations shown thus	⊕	C#
Pole locations to be abandoned, shown thus	○	Ward #
Proposed Anchor Guy shown thus	T	Work Order # 2052475
Proposed Hip Guy shown thus	T _H	Surveyed by: N/A
Proposed Underground location shown thus	—	Research by: JM
Proposed Push Brace shown thus	⊕	Plotted by: L.MERCURY
Existing Pole location shown thus	●	Proposed Structures: MA
		Approved: A DEBENEDICTIS
		P#

NSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE, DORCHESTER, MASS. 02125	
Plan of SEARS RD WAYLAND	
Showing PROPOSED POLE LOCATION	
Scale	1"=40'
Date	MARCH 12, 2015
SHEET	1 OF 1 REVISED: MARCH 16, 2015

(4) UPDATE FROM EVERSOURCE

DATE: JUNE 1, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: UPDATE FROM EVERSOURCE: POLES AND VEGETATION MANAGEMENT

ACTION REQUESTED:

NONE - INFORMATION ONLY

BACKGROUND:

Chris Cosby, Right of Way Manager for Eversource, will provide an update on vegetation management in Wayland in 2015 and the status of poles ready for removal.

In preparation for this discussion, the Fire Chief reviewed the status of double poles and provided the attached report. The Chief will be available for the discussion.



Wayland Fire Department

Public Safety Building
38 Cochituate Road
Wayland, MA 01778



David G. Houghton
Chief of Department
Email: dhoughton@wayland.ma.us

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

To: Nan Balmer, Town Administrator

From: David Houghton, Fire Chief 

Re: Pole Transfers

Date: May 27, 2015

Pole Transfers require that all wires be moved from an old pole to a new pole that is generally beside each other. These poles are replaced by a utility company for a variety of reasons. In general, once a pole is installed next to an existing pole, the power company transfers their wires first. Wires are next moved by other utility companies in order, from the top of the pole to the bottom. Generally municipal fire alarm wires are next on the list followed by telephone and cable companies. It is important to note that not all double poles are actually touching the ground. There are several poles that have been cut above the ground and are braced to the new pole.

This week a quick review of the double poles shows that the fire department is "Next to go" on about twenty five double poles out of at least fifty that are ready to be worked on.

Early each week Eversource sends me an email with new poles that need our attention. Eversource maintains an on line data base that we can view and edit once we have completed work that allows the next company to be notified they can proceed on that pole.

Last fall (before it got cold and snowy) we completed about 25 pole transfers and removed wires from approximately another 45 poles that we no longer needed. This week wire has been removed from 135 poles in the Shermans Bridge, Oxbow areas. These lines have been out of service for over 5 years. My goal is to have all fire alarm wires off poles within one year and for areas that have street boxes only (no wires connected to buildings) by December of this year.

If you have any questions please let me know.



Wayland Fire Department

Public Safety Building
38 Cochituate Road
Wayland, MA 01778




(5) FIRE CHIEF: WIRELESS ALARMS

David G. Houghton
Chief of Department
Email: dhoughton@wayland.ma.us

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

To: Board of Selectmen

From: David Houghton, Fire Chief 

DATE: May 26, 2015

RE: Wired Municipal Fire Alarm System

Action Requested: There is no action being requested of the Board on this matter. This is for informational purposes and to answer any questions the board may have on the subject.

Objective: I am looking to answer any questions and to obtain support from the Board on the removal of the wired municipal fire alarm system in Wayland. There are a few residents, and no doubt some businesses that will question the removal and the need for commercial and private buildings, to either switch to the municipal wireless system or move to a private monitoring company. I want to be sure the Board has the correct information should a question(s) be brought to them.

Brief History: The traditional fire alarm boxes commonly seen around town on telephone poles and buildings are physically connected to the fire station with wire running on utility poles, and in some areas underground. Today it is estimated that the system incorporates over 50 miles of copper wire and has 206 boxes in neighborhoods, and an additional 58 wired to buildings. The system is very simple and when activated gives the firefighters an address to respond to but nothing else. For at least the past ten years street boxes (those in neighborhoods) that have been activated, have all turned out to be malicious false alarms.

The current fire alarm system is showing signs of age. The reliability of boxes being received is something we are seeing is very much being diminished and is something very troubling to me. Former Fire Chiefs have had sections of the wired system removed as the cost to repair and or upgrade was not in the best interest of the Town to do. A decision that I believe was correct. In 2012 it was discovered through testing, that over 50% of the boxes did not transmit a signal to the station. This caused a great amount of concern for potential liability to the town. After many man hours over a two week span, 99%

Smoke Detectors and Fire Sprinklers Save Lives

of the boxes (mostly wiring issues) were repaired and tested. The main cause of the problem was human error and that problem has been taken care of.

Wireless Technology: Many cities and towns have switched to wireless fire alarm technology. In 1970 Washington DC was one of the first to do so . Locally, Weston, Lincoln, Sudbury have installed wireless systems and have plans to phase out the wired system within a year. The towns of Hudson, Concord and recently Wellesley have taken the wired system out and from what I understand are not offering wireless as an option.

In 2008 Wayland installed wireless receivers for fire alarm paid for by funds from the Town Center Gift Account. Currently we have 35 buildings that are being monitored by this new system. It is important to note that all town owned buildings with the exception of the old DPW garage, have been converted to this technology.

There are many advantages to the wireless system that we have come to appreciate over the past five years. Some of these include the daily test of each box as opposed to the once every quarter as required for the wired system. Any box that has not sent a signal within 24 hours, alerts the dispatcher of such and the box is physically checked out. In Wayland we require that each wireless box be configured to transmit up to sixteen zones. A zone gives the responders information on the type of device activated and or a particular area of the building that the alarm is coming from. Currently we receive zones for things such as smoke detectors, heat detectors, carbon monoxide alarms, sprinkler system activations, a request for an ambulance, hazardous materials alarms, and most recently law enforcement emergency alarms from the admin areas in each school. Operationally, this type of system gives significant information to responders to place apparatus and equipment in the best locations and gives shift commanders information to give directions for a safer approach to a particular type of activation. For example, a hazardous materials alarm is investigated with meters and full protective equipment as opposed to a water flow from a sprinkler system that does not require the use of meters.

Conversion Plan: Since 2011 we have been informing parties via letters that have a wired box connected to the fire station, that we are looking to discontinue the use of the wired boxes and each letter gives a target date. As of today, we have not done due diligence to keep the parties informed and therefore have no plan in place. It is my intention to implement a plan for the removal of all wired street boxes and have meetings with the property representatives to educate them on the plan and the options they have. There is no requirement that anyone switches to the municipal system that we offer however, there is a requirement that a system be monitored. I would strongly suggest before a decision is made to not transfer to a wireless box, they contact their insurance company to be sure whatever they do does not alter the coverage they have on the property.

Street Box Removal Plan: It is my hope to begin to remove street boxes and take down all associated wire and hardware soon. Areas that are the farthest away from the station and are in the worst condition would come down first and all other street boxes will be removed by mid Fall at the latest. All wire and metal hardware will be placed in the recycle bin at the transfer station and sold, with the

proceeds coming back to the Town. The physical box will be stored at the station until all avenues for disposal are looked at and the greatest value for the Town can be found.

Master Box Transition: A letter would immediately be sent to all master box properties indicating a firm date the power will be shut off to the wired system and the balance of the wires and equipment removed. I would offer to hold a meeting with any individual or group to explain the options they have and the pros and cons for each so they can make an educated decision. There is no rule, law or regulation that state they must tie to the municipal system at all. I would request that regardless of what decision is made they communicate with their insurance provider and to copy us on the letter, email etc. There are several places of worship that will need to decide what they wish to do. In the past these buildings have been exempt from the nominal annual fee of \$200.00 per year. I would look to have all wireless box users pay an equal fee. The money collected is used to operate, and to conduct preventative maintenance and repairs on the receiving equipment in the Public Safety Building.

Financial Savings: At this time I am not able to project when we will realize a large cost savings as a result of this project. The known items that we will save cost include the annual inspection and testing of the bucket truck, the future replacement of the bucket truck, the cost of materials used in the maintenance and repairing of the current system, the cost to replace failing copper wire, junction boxes and hardware. I am seeing an increased amount of labor cost for the specialist and a ground man to make emergency repairs to the current system. It would be my intent not to remove a "specialist position" from the department, but to change the job description to take care of the wireless system as well as include other wireless tasks including radio communications and equipment.

Conclusion: Change does not come easy to many. The new wireless fire alarm technology has been well proven to be more reliable, less costly to maintain, and to provide more detailed information on any activation. We have been using this technology in Wayland with great success since 2008. Since the inception of cell phones and 911 the usefulness of street boxes has greatly diminished. It is time that we take down and recycle the wired system and not invest any more money or labor in maintenance testing and repairs. We have been very successful with the transition of many wired boxes on buildings to the wireless system. It is my intention to do what is right for Wayland and begin the process this summer.

(6) COA-CC
INTERVIEWS &
APPOINTMENTS

DATE: JUNE 1, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: COA - CC ADVISORY COMMITTEE

ACTION REQUESTED:

VOTE TO CONFIRM THE NOMINATION BY THE RECREATION COMMISSION OF FRANK KRASIN AND THE NOMINATION BY THE COUNCIL ON AGING OF BILL STERLING FOR POSITIONS ON THE COA - CC ADVISORY COMMITTEE

INTERVIEW AND POTENTIAL VOTE TO CONFIRM STEVE CORREIA AND JEAN MILBURN FOR 2 OF THE AT LARGE SEATS ON THE COA-CC ADVISORY COMMITTEE.

BACKGROUND:

The Committee is comprised of seven (7) voting members appointed by and serving at the pleasure of the Board of Selectmen, one each from the Council on Aging and the Recreation Commission (member or designee), and five residents of the Town. Some of the appointments will be based on professional, volunteer or vocational expertise with preference given to citizens possessing experience in any one of the following areas: conservation requirements, environmental regulations, community centers, building/construction, project management, construction law, building design and construction. Appointments should reflect various town demographics. All terms expire upon the final recommendation and report of the Committee at Town Meeting. (Anticipated to be 2016 Annual Town Meeting)

The Town Administrator, Council on Aging Director, Recreation Director, and Public Buildings Director will serve as ex-officio non-voting members of the Committee.

DiNapoli, MaryAnn

From: Brodie, Jessica
Sent: Tuesday, May 26, 2015 9:39 AM
To: DiNapoli, MaryAnn; Balmer, Nan
Subject: COA/CC Recreation Appointee

Hi Nan & MaryAnn,

Our commission voted at our last meeting on Tuesday, May 19th for Frank Krasin to be the liaison from Recreation for the COA/CC committee. Please let me know if you need more details or a separate memo typed up for this.

Thank you,

Jessica Brodie, CPRP

Director
Recreation Department
Town of Wayland
41 Cochituate Road
Wayland, MA 01778
508-358-3662 (phone)
508-358-3665 (fax)

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"We do not stop playing because we grow old, we grow old because we stop playing"

DiNapoli, MaryAnn

From: steven correia <stevencorreia@comcast.net>
Sent: Tuesday, May 26, 2015 3:40 PM
To: Balmer, Nan; Selectmen
Cc: DiNapoli, MaryAnn
Subject: Council on Aging/Community Center Advisory Committee

To the Board of Selectmen,

I would like to re-submit my name for consideration for one of the "at large" positions on the second Council on Aging/Community Center Advisory Committee. It was a pleasure serving on the first phase and I am thrilled that we are moving forward with the detail reviews of the project site as recommended by our committee.

Besides my experience working on the original committee, I have the background and experience with the existing municipal pad and specifically the Town Center by serving on the Finance Committee and Board of Selectmen. I have served on the Friends of the Council on Aging Board for the last 9 years and was the Board of Selectmen liaison to the Recreation Committee for 6 years. I have also co-chaired the Hazelbrook Watershed Association and worked to protect and oversee conservation efforts associated with the North Wayland watershed area.

There are still a number of important issues that need to be addressed before any project can proceed. This phase of the proposal process plays a major role in the size, location, timing and financial planning of the project. I believe that I have the background to keep us moving forward on all these issues and would welcome the opportunity to help in anyway.

Thank you for the consideration

Steve Correia
188 Glezen Lane

(c) 508-868-2264
(h) 508358-1649

May 12, 2015

To: Board of Selectmen
From: P. Jean Milburn, 281 Concord Road, Wayland
Subject: C.o.A./Community Center Advisory Committee

I apply to serve as citizen-at-large on the committee named above.

During 2014/2015, I served as a member of the previous version of this committee. I remain willing to work hard to thoroughly investigate the municipal pad and the existing building on it to determine if they can deliver good value to the citizens as a site and facility for the Council of Aging, a community center, or other municipal activities.

Relevant Background

Current Service: Member, Economic Development Committee.
Outcome: River's Edge articles approved by Town Meeting.

Past Town Service: Member, Initial COA/CCAC Committee
Outcome: Voter Approval of Article to Fund Testing, Studies, Design - \$150K

Member, Wayland Master Plan Advisory Committee.
Outcome: Five-year review report on the Town's Master Plan

Member, Design Working Group
Outcome: Design Review Committee approved by Town Meeting

Employment: Retired, associate dean for MBA programs, Washington Univ.

Education: Master of Business Administration, Washington Univ.
B.A. Organizational Behavior, U. of San Francisco

(7) MODERATOR/ELVIS: TOWN MEETING PROCEDURES

ID#	Suggestion	Category
10	Revise the "How to Vote Electronically" article to state "Only vote with your own handset!"	Education
11	Revise the "How to Vote Electronically" video to state "Only vote with your own handset!"	Education
12	Add a section to the Warrant on page 2 entitled "Proxy Voting Is Voter Fraud" that defines proxy voting, and cites "one person, one vote" state laws and the Moderators rules (IV.D.1.b)	Education
15	Include with tax bills an insert stating that proxy voting at Town Meeting is prohibited, signed by the Board of Selectmen, the Moderator, the Town Clerk, and ELVIS	Education
6	When issuing a handset to a resident, Checker says "Only vote with your own handset!"	Education
7	Post "Only vote with your own handset!" signs around Town Meeting premises	Education
8	Moderator announces and explains "Only vote with your own handset!" at the beginning of each session of Town Meeting	Education
9	Moderator reminds residents to "Only vote with your own handset!" several times during each session of Town Meeting	Education
23	Inform voters that Proxy Voting is a felony punishable by fine and incarceration	Education
1	Issue "Visitor Cards" to anyone not issued a handset	Prevention
26	Ensure that every arriving person is issued a handset or visitor card	Prevention
2	Require anyone leaving the building to surrender either a handset or a "visitor card"	Prevention
3	Require anyone leaving the building to "check out" of the electronic voting system	Prevention
5	Close the bleachers, as it's easier to conceal handsets there	Prevention

16	Pass an article to impose a fine on anyone in possession of multiple handsets	Prevention
19	Put handsets on lanyards to make it easier for voters to retain them	Prevention
21	Modify Moderator's Rules to state "Keep your handset with you at all times" (it's a ballot)	Prevention
27	Develop an explicit "restroom protocol"	Prevention
22	Review procedures with Town's Senior Staff before Town Meeting	Prevention
24	Modify Moderator's rules to state that a Person may not be in possession of a handset issued to another person	Prevention, Detection
4	Better observe activity in the bleachers, as it's easier to conceal handsets there	Detection
17	Publish the name of each voter who participated in each vote	Detection
18	Detect scenarios where a vote was received from a handset issued to a voter no longer present	Detection
20	Have police patrol for proxy voting	Detection
25	Any voter can report Proxy Voting by raising a point of order	Detection
13	If a resident is observed to be in possession of a handset issued to a person not present in the building, briefly recess Town Meeting so the Moderator can discuss the circumstances with that resident and take appropriate action	Detection, Resolution
14	Have a police officer confiscate all handsets from anyone who is seen in possession of sessions multiple handsets or who returns multiple handsets upon leaving, escort offending voters from Town Meeting, and prohibit them from attending any remaining	Detection, Resolution

(8) COMMITTEE APPOINTMENTS

DATE: JUNE 1, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: PROCESS FOR BOARD / COMMITTEE REAPPOINTMENTS & APPOINTMENTS

ACTION REQUESTED: DIRECT STAFF ON NEXT STEPS IN REAPPOINTMENT / APPOINTMENT PROCESS

BACKGROUND:

Attached please find a listing of board and committee seats with terms expiring June 30th, showing with a strikethrough those members not seeking reappointment.

To date, the following steps in the reappointment process (Board Policy attached) have been followed:

1. All vacancies, including potential vacancies through expiring terms, were posted in Town Building and on the website. A notice was also placed in the Town Crier.
2. All committee members whose terms are expiring June 30th were asked to respond by the end of May if not seeking reappointment.
3. Committee Chairs were informed that they may contact the Town Administrator to provide input on the reappointment of members.
4. **Next Step:** It is the Board's practice and policy to consider annually whether it will interview members seeking reappointment for Conservation Commission, Finance Committee, Personnel Board and Zoning Board of Appeals. There are, to date, 5 members of these public bodies seeking reappointment.
5. **Next Step:** Recruit to fill vacancies on key public bodies.

Memo

Town of Wayland Board of Selectmen

To: Nan Balmer
Town Administrator

From: MaryAnn DiNapoli

Date: May 29, 2015

Re: Annual Reappointments

The following is the list of board/committee members whose appointments will expire on June 30, 2015. I have put a strike through the members who have asked not to be reappointed.

<u>Name</u>	<u>Appointing Authority</u>	<u>Board/Committee</u>	<u>Term</u>
Christopher Riley	Selectmen	Audit Committee	three
Richard Turner	Selectmen	Cable Advisory Committee	one
Thomas Klem	Selectmen	Cable Advisory Committee	one
Larry Kiernan	Selectmen	Central MA Rail Trail Committee	three
Barbara Howell	Selectmen	Conservation Commission	three
Robert L. Goldsmith	Selectmen	Conservation Commission	three
Mary M. Antes	Selectmen	Council on Aging	three
Betsy Soule	Selectmen	Council on Aging	three
Elizabeth Patterson	Selectmen	Council on Aging	three
Kathryn Grey	Selectmen	Cultural Council	three
Wendy Pachter	Selectmen	Cultural Council	three
Barbara Hoffman	Selectmen	Cultural Council	three
Susan Koffman	Selectmen	Dog Control Appeals Board	three
Sam Potter	Selectmen	Economic Development Committee	three
Harvey Michaels	Selectmen	Energy Initiatives Advisory Committee	three
Thomas Greenaway	Selectmen	Finance Committee	three
Carol B. Martin	Selectmen	Finance Committee	three
Tonya Largy	Selectmen	Historical Commission	three
Elisa Scola	Selectmen	Historical Commission	three
R. Richard Conard	Selectmen	Historical Commission	three
John Dyer	Selectmen	Historical Commission	three
Desmond J. McAuley	Selectmen	Historic District Commission	three
Marjorie Ford	Selectmen	Historic District Commission	three
Patricia M. Harlan	Selectmen	Housing Partnership	three
Rev. Dr. Fred Moser	Selectmen	Housing Partnership (representing Clergy)	three
Martin S. Nichols	Selectmen	Housing Partnership (representing Housing Authority)	three

Name	Appointing Authority	Board/Committee	Term
Mary M. Antes	Selectmen	Metropolitan Area Planning Council	one
Mary M. Antes	Selectmen	Metrowest Regional Collaborative Comm	one
Joseph F. Nolan	Selectmen	Metrowest Regional Transit Authority Advisory Board	one
Sarkis Sarkisian	Selectmen	Metrowest Regional Transit Authority Advisory Board (alternate)	one
Brian J. Chase	Selectmen	Permanent Municipal Building Committee	two
Douglas Goddard	Selectmen	Permanent Municipal Building Committee	two
Joseph Lewin	Selectmen	Permanent Municipal Building Committee	two
Eric Sheffels	Selectmen	Permanent Municipal Building Committee	two
Massimo Taurisano	Selectmen	Permanent Municipal Building Committee	two
Philip C. Schneider	Selectmen	Personnel Board	five
Thomas Sciacca	Selectmen	River Stewardship Council	one
Mary M. Antes	Selectmen	River Stewardship Council (Alternate)	one
Timothy J. Walsh	Selectmen	Sealer of Weights and Measures	one
Joan Bradford	Selectmen	Senior Tax Relief Committee (representing Council on Aging)	one
Linwood Bradford	Selectmen	Senior Tax Relief Committee (representing Board of Assessors)	one
Anne Gilbert	Selectmen	Senior Tax Relief Committee (representing Finance Committee)	one
Pauline DiCesare	Selectmen	Senior Tax Relief Committee	one
Patricia Nelson	Selectmen	Senior Tax Relief Committee	one
Stephen J. Colella	Selectmen	Senior Tax Relief Committee	one
Rebecca MacGregor	Selectmen	Senior Tax Relief Committee	one
Thomas J. Largy	Selectmen	Surface Water Quality Committee	three
Linwood Bradford	Selectmen	Surface Water Quality Committee	three
Rick Greene	Selectmen	Wastewater Management District Commission	three
Eric Goldberg	Selectmen	Zoning Board of Appeals	three
Linda Segal	Selectmen	Zoning Board of Appeals (Associate)	three

The following is the list of board/committee members whose appointments will expire on June 30, 2015, and are appointed by an authority other than the Board of Selectmen.

Name	Appointing Authority	Board/Committee	Term
David R. Poirier	Board of Health	Animal Control Officer	one
Cynthia F. Bryant	Board of Health	Burial Agent	one
Anna Meliones	Recreation Commission	Community Preservation Committee	three
Susan Weinstein	Housing Authority	Community Preservation Committee	three
William Sterling	Planning Board	Design Review Board	three
Andrew Reck	Planning Board	Design Review Board	three
Leisha Marcoccio	Planning Board	Design Review Board	three

<u>Name</u>	<u>Appointing Authority</u>	<u>Board/Committee</u>	<u>Term</u>
Marjorie Ford	Planning Board	Design Review Board	three
Katherine Schreiber	Planning Board	Design Review Board	three
Beth Grossman	Board of Health	Food Inspector	one
Julia M. Jughanns	Board of Health	Inspector of Milk	one
John Dyer	Moderator	Public Ceremonies Committee	three
William Murphy	Board of Health	Sanitarian	one

**PROJECTED VACANCY LIST AS OF JULY 1, 2015, AFTER
REAPPOINTMENTS ARE MADE**

TOWN BOARD VACANCIES			
APPOINTED BOARD, COMMITTEE, COMMISSION	APPOINTING AUTHORITY	VACANCY	FOR A TERM TO EXPIRE
Audit Committee	Selectmen	One Vacancy	6/30/18
Cable Advisory Committee	Selectmen	Three Vacancies	6/30/16
Cochituate State Park Advisory	Selectmen	One Vacancy	6/30/16
Council on Aging/Community Center Advisory Committee	Selectmen	Seven Vacancies	2016 Annual Town Meeting
Conservation Commission	Selectmen	One Vacancy	6/30/18
Community Preservation Committee	Selectmen	One Vacancy	6/30/16
Economic Development Committee	Selectmen	One Vacancy	6/30/18
Finance Committee	Selectmen	One Vacancy	6/30/18
Historical Commission	Selectmen	One Vacancy	6/30/16
Historic District Commission Alternate	Selectmen	One Vacancy	6/30/17
Permanent Municipal Building Committee	Selectmen	Three Vacancies	6/30/17
Planning Board	Selectmen and Planning Board	One Vacancy	2016 Annual Town Election
WayCAM Board of Directors	Selectmen	One Vacancy	
Wellhead Protection Advisory Committee	Board of Public Works	Two Vacancies	6/30/16
Youth Advisory Committee	Selectmen	One Vacancy	6/30/16
Zoning Board of Appeals	Selectmen	One Vacancy	6/30/18

**Anyone interested in filling the above openings may obtain further information
from the Town Administrator's Office.**

APPOINTMENTS TO TOWN BOARDS AND COMMITTEES

The Board of Selectmen is responsible for making a number of appointments to town boards and committees. The following procedures generally will be used to post openings, make appointments, and fill vacancies.

POST OPENINGS

- The Town Administrator shall post all vacancies on the Town Building foyer bulletin board for a minimum of one (1) week.
- Applicants, who must be registered voters in the Town of Wayland, shall submit a statement describing their interest, background, and qualifications relevant to the opening being sought, and a résumé, if available.
- Applicants are encouraged to attend at least one meeting of the committee to which they seek appointment and discuss the board's function and responsibilities with a current member of the Board or the appropriate staff member before being considered for appointment.

ANNUAL APPOINTMENTS

- The Board of Selectmen shall interview all applicants new to Town Government.
- Boards or committees are encouraged to submit input on the reappointment of a member and questions for use by the Selectmen in interviewing applicants for their respective boards.
- All vacancies should be filled before the expiration of the term to the extent practical.

VACANCIES

Vacancies that occur between annual appointments shall be filled as soon as is reasonable following the guidelines for annual appointments.

REAPPOINTMENTS

The Selectmen shall solicit recommendations for reappointment from the chairpersons of boards and committees with members whose terms are ending.

- All candidates for reappointment to the Conservation Commission, Finance Committee, Personnel Board, and the Zoning Board of Appeals may be interviewed by the Board of Selectmen.
- Reappointments to other boards generally will not be subject to interviews by the Board of Selectmen unless there is an objection from the chair of the board or at the request of a Selectman.

Approved March 1, 2004; revised and restated on October 13, 2010

See Wayland Code §6-1. For provisions regarding specific appointments, see Wayland Code §19-1 (Finance Committee); §43-2 (Personnel Board); §198-201 (Zoning Board of Appeals); and §198-204 (Planning Board Associate Member).



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

May 4, 2015

Christopher Riley
18 Autumn Lane
Wayland MA 01778

Dear Chris:

Your appointment to the Audit Committee will expire on June 30, 2015.

If you would like to be appointed for another three-year term, you do not need to acknowledge this notice. If you do NOT want to be appointed for another term, please complete the form below and return it to the Board of Selectmen, Wayland Town Building, 41 Cochituate Road, Wayland, by Friday, May 29, 2015. You may also call me at (508) 358-3621 or email mdinapoli@wayland.ma.us.

Your service to the town is valued, and we thank you for assisting us in this process.

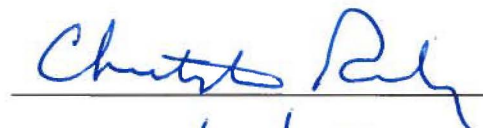
Thank you,


MaryAnn DiNapoli
Executive Assistant

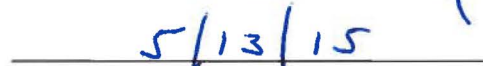
I do NOT want to be reappointed to the Audit Committee.

Christopher Riley
18 Autumn Lane
Wayland MA 01778

Signature:



Date:



DiNapoli, MaryAnn

From: Robert Goldsmith <bobg1940@gmail.com>
Sent: Thursday, May 07, 2015 10:15 PM
To: DiNapoli, MaryAnn
Subject: Conervation Commission Re-Appointment

Hello MaryAnn,

This email is to advise you that I do NOT want to be reappointed to the Conservation Commission when my term expires at the end of June. I have advised Sherre and Brian of this decision, and I believe most, if not all, of the Commissioners are aware of my decision.

I appreciate the opportunity that I have had to serve the Town.

Regards,

Bob Goldsmith

DiNapoli, MaryAnn

From: wenmus1@aol.com
Sent: Tuesday, May 12, 2015 11:11 AM
To: DiNapoli, MaryAnn
Subject: My appointment for Wayland Cultural Council

Hi Mary Ann,
Thank you for your Wayland Cultural Council letter.
At this time, I do not wish to be appointed for another term.

Thank you.
Wendy Pachter

Thomas Greenaway
26 Jeffrey Road
Wayland, MA 01778

Cherry Karlson, Chair
Wayland Board of Selectmen
41 Cochituate Road
Wayland, MA 01778

May 20, 2015

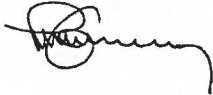
Dear Cherry,

As we have discussed, I do not plan to seek reappointment to the Finance Committee at the conclusion of my current, second term, which ends on June 30, 2015.

I take this opportunity to thank you and all the others in and out of town government who made my experience so rewarding. We live in the cradle of American democracy, and the passion that powered the Founders still burns in Wayland. We are all the better for it. It has been an honor and a treat for me to work with and for some of the finest minds in the Commonwealth as we prepared our recommendations for Town Meeting.

As I finish my term, I take comfort knowing that our Finance Committee in particular and our Town in general is in good hands. I close by encouraging others to serve. It is worth it.

Very Truly Yours,



Thomas Greenaway

cc: Finance Committee



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JOSEPH F. NOLAN

May 4, 2015

Douglas J. Goddard
14 Dunster Avenue
Wayland MA 01778

Dear Doug:

Your appointment to the Permanent Municipal Building Committee will expire on June 30, 2015.

If you would like to be appointed for another two-year term, you do not need to acknowledge this notice. If you do NOT want to be appointed for another term, please complete the form below and return it to the Board of Selectmen, Wayland Town Building, 41 Cochituate Road, Wayland, by Friday, May 29, 2015. You may also call me at (508) 358-3621 or email mdinapoli@wayland.ma.us.

Your service to the town is valued, and we thank you for assisting us in this process.

Thank you,


MaryAnn DiNapoli
Executive Assistant

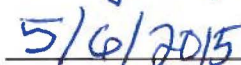
I do NOT want to be reappointed to the Permanent Municipal Building Committee.

Douglas J. Goddard
14 Dunster Avenue
Wayland MA 01778

Signature:



Date:



DiNapoli, MaryAnn

From: Joseph Lewin <joelewin6@gmail.com>
Sent: Friday, May 08, 2015 3:58 PM
To: DiNapoli, MaryAnn
Cc: Keefe, Ben
Subject: Permanent Municipal Building Committee

Hi Mary Ann,

I am writing in reference to the letter you sent me regarding the expiration of my appointment to the Permanent Municipal Building Committee on June 30, 2015. I do not want to be appointed to another two year term. After two years on the PMBC and 10+ years prior to that on the Wayland High School Building Committee, I am ready for a break!

Thanks,

Joe Lewin



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BOARD OF SELECTMEN

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JOSEPH F. NOLAN

May 4, 2015

Eric Sheffels
27 High Rock Road
Wayland MA 01778

Dear Eric:

Your appointment to the Permanent Municipal Building Committee will expire on June 30, 2015.

If you would like to be appointed for another two-year term, you do not need to acknowledge this notice. If you do NOT want to be appointed for another term, please complete the form below and return it to the Board of Selectmen, Wayland Town Building, 41 Cochituate Road, Wayland, by Friday, May 29, 2015. You may also call me at (508) 358-3621 or email mdinapoli@wayland.ma.us.

Your service to the town is valued, and we thank you for assisting us in this process.

Thank you,


MaryAnn DiNapoli
Executive Assistant

I do NOT want to be reappointed to the Permanent Municipal Building Committee.

Eric Sheffels
27 High Rock Road
Wayland MA 01778

Signature: _____



Date: _____

5/11/2015

I AM WILLING TO REMAIN ON THE COMMITTEE THROUGH THE
CLOSEOUT OF THE DPW PROJECT, BUT NOT BEYOND.



(9) PROCESS FOR REVIEW OF POLICIES

TOWN OF WAYLAND

BOARD OF SELECTMEN

POLICIES AND PROCEDURES

Revised and Restated on October 13, 2010

This document represents the compilation of policies and procedures used by the Board of Selectmen in the conduct of its duties as described in law and as a guide in the performance of other customary practices of a municipal governing board. It supercedes any prior publication of these policies, either individually or collectively, in the form of the so-called "Selectmen's Policy Manual." To the extent the policies have been revised, the history of Selectmen action when known is footnoted. Future amendments will be so noted and appropriate pages replaced. A copy of this document is posted on the Selectmen's page of the Town of Wayland website and is available for public inspection in the Selectmen's Office in Town Building during regular business hours.

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**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING MAY 29, 2015**

OPEN HOUSE – NEW DPW

There will be an Open House and ribbon cutting at the new DPW on Saturday June 20th at 2:00 pm.

ELECTRONIC PACKETS

Effective at the meeting on Wednesday June 24th, Board packets will be delivered only in electronic form. Staff is happy to help you learn how to best use electronic board packets. Please advise us of any problems you are experiencing. Thanks for your patience with the new technology.

MINUTES

Attached please find draft minutes for your review for April 13, 2015, April 21, 2015, May 11, 2015, and May 18, 2015. Please send any corrections to Mary Ann DiNapoli. The corrected minutes will be included for approval on the Consent Agenda at the next meeting. I am advised this is the Board's prior process for approval of open session minutes. Town Counsel reviewed the process and finds it continues to be acceptable under the Open Meeting Law.

WRAP COMMITTEE

The draft charge approved by the Selectmen on May 18th has been sent for further review and comment by boards and committees with care and custody or an interest in land.

BOPW – RIVERS EDGE

The BOPW delayed its decision to adopt a motion to transfer property to the Board of Selectmen for Rivers Edge. A survey determined that the landfill access road straddles the property line. The plan will be revised so that the access road is completely outside of the Rivers Edge property and under the BOPW.

BOPW --RT. 30 / SCHOOL ST

BOPW decided it could not fund the traffic mitigation project now and that it will request funds at a Special Town Meeting if one is scheduled.

POTENTIAL FALL TOWN MEETING

We are researching available dates in case a Fall Special Town Meeting is needed. Department Heads may recommend the following subjects for Special Town Meeting articles:

- 1) Planning: Zoning By-Law on Tear Down
- 2) Planning: Acceptance of 4 Roads
- 3) Planning: Zoning By-Law Amendment - Update Definition of Home Occupations
- 4) Planning: Zoning By-Law Amendment - Conservation Cluster
- 5) COA / CC: Fund Any Next Steps for COA / CC Project
- 6) Finance / Recreation / Schools: Revolving Funds
- 7) DPW: Funding for Rt. 30 / School Street Permanent Traffic Mitigation
- 8) DPW: Funding for Vehicle

STONEBRIDGE ROAD

The Police Department installed a sign board on Stone Bridge Road, prior to the 25 mph section eastbound that says "Slow, 25 mph". Next week it is expected to be replaced with the speed trailer which is currently being serviced.



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

DRAFT

Board of Selectmen Meeting Minutes April 13, 2015

Attendance: Mary M. Antes, Tony V. Boschetto (arrived 6:58 p.m.), Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Town Counsel Mark Lanza, Lea Anderson

A1. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 6:50 p.m. in the Field House of the Wayland High School. He reviewed the agenda for the public.

A2. Public Comment Linda Segal, 9 Aqueduct Road, said that if Town Meeting continued through Tuesday it would conflict with a hearing of the Zoning Board of Appeals.

A3. Review and Approve Consent Calendar (See Separate Sheet) C. Karlson moved, seconded by M. Antes, to approve the consent calendar. YEA: M. Antes, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto ABSTAIN: none. Adopted 4-0.

A4. Correspondence The Board reviewed the correspondence, noting an email from L. Segal regarding the Twenty Wayland AUL. The Board deferred discussion on the remaining correspondence until the next meeting.

T. Boschetto arrived at 6:58 p.m.

A5. Discussion and Potential Vote on Positions on Articles and Discussion of Issues Relative to 2015 Annual Town Meeting The Board discussed an email from the Facilities Director saying that delaying the date of Town Meeting would make it difficult to take projects from bidding through construction in the same Fiscal Year. The Board decided not to take a position on the article since it has not done so for petitioners' articles. Town Counsel M. Lanza advised the Board that the Town Clerk will send notice of Town Meetings' vote to withdraw from the Minuteman Regional School District. He said the Agreement is confusing in that it says the Town Clerk's notice must be accompanied by a certified amendment to the Agreement, which cannot be included as it must be prepared by the Region rather than the Town. The Board discussed the next steps, and agreed the Region should be informed that the Town will communicate terms to Minuteman within thirty days.

A6. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any At 7:10 p.m., J. Nolan moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a (3), to discuss strategy with respect to a pending action regarding the Glezen Lane Judgment. The Chair declared that a public discussion of strategy with respect to 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.

The Chair invited Town Administrator Nan Balmer, Police Chief Robert Irving, Chair of the Board of Public Works Chris Brown, Selectmen elect Lea Anderson and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately ten minutes.

The Board returned to open session at 7:25 p.m.

A7. Adjourn and Reconvene to Join 2015 Annual Town Meeting There being no further business before the Board, T. Boschetto moved, seconded by C. Karlson, to adjourn the meeting of the Board of Selectmen at 7:25 p.m. and to reconvene for the 2015 Annual Town Meeting. 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 Meeting of April 13, 2015

1. None

Items Included as Part of Agenda Packet for Discussion During the April 13, 2015 Board of Selectmen's Meeting

1. None



NAN BALMER
TOWN ADMINISTRATOR
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www.wayland.ma.us

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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

DRAFT

Board of Selectmen Meeting Minutes April 21, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Tony V. Boschetto, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 7:00 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 and welcomed new Selectman Lea Anderson.

A2. Public Comment Susan Foster, 23 Old Connecticut Path, said she was upset that some voters had more than one electronic device for voting at the Annual Town Meeting, and said she would recommend to the Electronic Voting Committee that voters sign in and sign out. Board members responded that they understood the problem. Margo Melnicove, 245 Lakeshore Drive, said she was also concerned about the appearance of voter fraud at Town Meeting and asked the Board of Selectman to take the lead in addressing this issue. She suggested the Selectmen send a representative to the Electronic Voting Committee, saying the Selectmen and Town Clerk are responsible for leading the response to this issue. She suggested a meeting with the Police and the Town Moderator about how to respond to proxy voting, such as the confiscation of handsets when it is discovered a voter had more than one handset, inclusion of a notification in the warrant that proxy voting is not allowed, and educating people through an informational insert with tax bills. J. Nolan said the Board was united in its opposition to proxy voting.

A3. Organization of the Board J. Nolan said he was honored to have served as Chair, and declined to serve as Chair for the coming year. M. Antes moved, seconded by L. Anderson, to nominate Cherry Karlson as the Chair of the Board of Selectmen. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. L. Anderson moved, seconded by C. Karlson, to nominate Mary Antes as Vice Chair of the Board of Selectmen. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Discuss Portfolio Assignments The Board reviewed a draft list of portfolio assignments. N. Balmer said she will communicate with Board members regarding their preferences and present a revised list at a future meeting.

A5. Discussion on Annual Town Meeting: Board Comments and Questions The Board reviewed the 2015 Annual Town Meeting. Members discussed the Moderator's Forum, the problem of proxy voting and block voting (influencing other voters on their voting preference), and the confusion that arose from multiple amendments. The Board encouraged the Town Moderator to provide clarity on what is being voted upon. J. Nolan said the length of Town Meeting was a deterrent to participation. T. Boschetto said debate should be reduced from sixty minutes to thirty minutes. It was suggested that motions be provided earlier, and that the votes by the Board on articles be announced or included in the warrant through the Finance Committee

member assigned to each article. The Board asked the Town Administrator to begin planning for the 2016 Annual Town Meeting by contacting the School Superintendent about facility limitations, and the Clergy about religious holidays during April and May. M. Melnicove asked the Board to address proxy voting. The Board agreed to meet with the Town Moderator and the Electronic Voting Subcommittee at a future meeting to determine steps they can take to help repair the system and provide education to the voters.

A6. Plan Future Meetings The Board reviewed the dates for future meetings and agreed to the schedule of meetings presented.

A7. Discussion and Potential Vote to Approve Letter to Minuteman Regional Vocational School District from Board of Selectmen The Board was joined by Mary Ellen Castagno, the Wayland representative to the Minuteman Regional Vocational School District. T. Boschetto reviewed the procedure for sending the notification of withdrawal; he asked that it be sent certified mail, and also requested that it be sent to representatives of other member communities. The Board recommended detailing financial obligations, including the responsibility for payment on the bonds and the town's rights to the share of the region's assets. J. Nolan moved, seconded by M. Antes, to authorize the Town Administrator to obtain Special Counsel with regard to documents necessary to withdraw from Minuteman. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Castagno reviewed the last meeting of the Minuteman School Committee. It was suggested that the Board communicate with State Representative Alice Peisch on this matter. T. Boschetto said he would be happy to meet with her and request that she meet with the Board. J. Nolan thanked M. Castagno for her work as the Minuteman representative.

A9. Discussion and Potential Vote to Approve the Amended Charge of the Permanent Municipal Building Committee The Board was joined by Doug Goddard, Chair of the Permanent Municipal Building Committee, to review the amended charge. J. Nolan moved, seconded by M. Antes, to approve the amended charge of the Permanent Municipal Building Committee. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes noted the public hearing for a utility pole, and discussed the need for other poles to be moved for Habitat and the Town Center, as well as the issue of double poles. The Board asked that NStar representative Joanne Leary be invited to address vegetation management. Members reviewed the minutes of the Board of Public Works and requested that they be invited to a future meeting to consider the issues that go across multiple boards. J. Nolan noted the Grand Opening of the MWRTA Operations and Maintenance facility in Framingham

A8. Hear Comments and Discuss Council on Aging/Community Center Advisory Committee Charge The Board was joined by Jean Milburn, Ken Isaacson, and Frank Krasin of the Council on Aging/Community Center Advisory Committee. C. Karlson noted the committee did not need to be dissolved because the terms of the members had expired when the committee made its recommendation to the Board. M. Antes reviewed a draft charge, a suggested schedule, and a recap of funding created with Lea Anderson, Bill Sterling of the Council on Aging/Community Center Advisory Committee, and Council on Aging Director Julie Secord. She said she also received input from staff members. She said the first task is to deal with the environmental condition of the land, and the second task is to get the structure through the Conservation Commission process. The process then includes examining program requirements, holding public forums, and preparing draft articles. At the suggestion of Ben Keefe, Public Buildings Director, it was

decided to include a consideration of possible uses for the parcel if a community center is not feasible. L. Anderson said the Town Administrator will appoint the ex officio members. C. Karlson said the main issues of concern at Town Meeting were the environmental impact and whether the municipal parcel would be acquired through lease or purchase. M. Antes said the town currently has a contract with Ben Gould, a Licensed Site Professional (LSP), and was ascertaining whether the existing contract can be amended to provide this additional service. C. Karlson said the town needs to know where the deed restrictions and conveyance issues overlap. M. Antes said the AUL (activities use limitation) has been lifted, but there are still issues to sort through. C. Karlson said the issue of conveyance stays with the Board of Selectmen, and the project planning is the responsibility of the Council on Aging/Community Center Advisory Committee. C. Karlson asked for time to read the draft charge and make suggestions. K. Isaacson asked for assurance that the committee members can gain access to the property. J. Nolan suggested that John Drobinski of ERM New England be consulted in regard to subsurface access. C. Karlson said the staff and the Board will facilitate communication to make sure access is available for testing. She asked the committee members for their feedback on the past year. J. Milburn said the biggest challenge was environmental expertise. She also suggested looking for someone who has worked on the long range planning process. C. Karlson said the new charge will be advertised and new members will be interviewed. J. Nolan suggested making the Conservation Administrator an ex officio member. C. Karlson said the next step is for the Town Administrator to solicit the comments of the committees and Board members, incorporate them into the draft charge, and return to M. Antes and L. Anderson for finalization. C. Karlson thanked the committee members for their work.

A10. Review and Potential Vote to Approve Open Session Minutes: January 5, 2015, January 12, 2015, February 3, 2015, February 10, 2015, February 17, 2015, February 23, 2015, March 2, 2015, March 6, 2015, March 23, 2015, March 30, 2015, April 6, 2015, April 7, 2015, April 8, 2015, April 13, 2015 M. Antes moved, seconded by J. Nolan, to approve the minutes of January 5, 2015, January 12, 2015, February 3, 2015, February 10, 2015, February 17, 2015, February 23, 2015, March 2, 2015, March 6, 2015, March 23, 2015, March 30, 2015, April 6, 2015, April 7, 2015, April 8, 2015, and April 13, 2015, as amended. YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Anderson. Adopted 4-0-1.

A13. Report of the Town Administrator N. Balmer updated the Board on IT capital projects, the management of the artificial turf field, the third quarter year-to-date budget, and future agenda items.

A14. Selectmen's Reports and Concerns L. Anderson suggested organizing a tutorial regarding the Open Meeting Law. M. Antes said she will contact State Representatives Carmen Gentile and Alice Peisch in regard to setting a date for a ceremony at the State House to hand over the Wayland Town Flag. The Board discussed its electronic policy and its efforts to move forward with the use of tablets by Board members. J. Nolan provided an update on the annual meeting of the 495 Partnership. M. Antes reported on the Legislative Breakfast held on May 8 at the Morse Library in Natick. C. Karlson suggested that the Board consider revising its goals.

A15. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A16. Adjourn There being no further business before the Board, J. Nolan moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:30 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, 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 Meeting of April 21, 2015

1. Draft Charge of the Council on Aging/Community Center Advisory Committee

2. Draft Letter to Minuteman Regional School Committee from the Board of Selectmen re: Vote to Withdraw

Items Included as Part of Agenda Packet for Discussion During the April 21, 2015 Board of Selectmen's Meeting

1. Selectmen's Policy and Procedures, Officer and Meetings
2. Current Portfolio Assignments, Board of Selectmen
3. Calendar of Suggested Meeting Dates for 2015
4. Memorandum of 4/21/15 from Nan Balmer, Town Administrator to Board of Selectmen re: Letter from Board of Selectmen to Minuteman Regarding Town Meeting Vote to Withdraw
5. Charge of the Council on Aging/Community Center Advisory Committee
6. Memorandum of 4/16/15 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, re: Attached Amended Charge of the Permanent Municipal Building Committee
7. Draft Open Session Minutes of January 5, 2015, January 12, 2015, February 3, 2015, February 10, 2015, February 17, 2015, February 23, 2015, March 2, 2015, March 16, 2015, March 23, 2015, March 30, 2015, April 6, 2015, April 7, 2015, April 8, 2015, April 13, 2015
8. Report of the Town Administrator for the Week Ending April 17, 2015



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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

DRAFT

Board of Selectmen Meeting Minutes May 11, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Tony V. Boschetto (arrived 7:10 p.m.), Cherry C. Karlson
Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:00 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. She reviewed the agenda for the public. L. Anderson announced the Open Meeting Law training on May 21, 2015, at 7:00 p.m. in the Wayland Town Building. C. Karlson noted that Wayland has been named the sixth safest town in the United States, and the safest town in Massachusetts. She said the annual Memorial Day Parade will be held on Monday, May 25, 2015.

The Board welcomed new Firefighter Mathew Bryer, who was sworn in by Town Clerk Beth Klein.

A2. Public Comment Gordon Cliff, 2 Highfields Road, reviewed his concern that the proposed OPEB Policy would preclude investing in PRIT (Massachusetts Pension Reserve Investment Trust) because the proposed policy limits the asset categories. Duane Galbi, 190 Stonebridge Road, asked the Board to attend the Stonebridge Board of Public Works traffic calming hearing. C. Karlson said she would pass the information to J. Nolan. Mike Lowery, 120 Lakeshore Drive, said that the Board inadvertently approved a temporary sign that was a plastic "H" sign, which was not well secured and was unsightly, and requested that they no longer be allowed. He recommended that if they are allowed, a limit of three be set, and they must be placed twelve feet from the roadway; he suggested that the Board refuse to authorize the placement of signs unless the Town Administrator has discussed the distance from the street and the date by which they must be removed. Linda Segal, 9 Aqueduct Road, noted three issues from the warrant hearing that must be addressed: the adherence to the Town Center special permit that require two usable acres for the Town Green, the notification to the Town of Lincoln of the development of a new field at Oxbow Meadows; and the notification to Raytheon project managers regarding the municipal parcel. She also asked that the Board meet with the Town Moderator about electronic voting. In regard to mention of Ben Gould at the previous meeting, she advised the Board that Ben Gould was an LSP with CMG and had nothing to do with the Raytheon property. She distributed two pages of a September 2012 presentation about the Public Green to the Board of Selectmen by the Town Center Green Design Advisory Committee. She said she was not aware that the Town Clerk was looking for input on the open meeting law; C. Karlson said the notice went to board and committee members. George Harris, 8 Holiday Road, expressed concern about three open meeting law violations against the School Committee in the last thirty days, and said there is a need for leadership. He said he wrote to the Acting Treasurer and will be sending a letter to the Interim Director of Accounts at the Department of Revenue regarding the school revolving accounts. He reviewed the history of the school revolving funds, and said the issue is whether the surplus funds belong to the users or the taxpayers. He said he will urge the Director of Accounts to order an immediate freeze and investigate the accounts and financial transactions.

A3. Presentation by Scott Peckins, Executive Director of Camping Services of the West Suburban YMCA Jack Fucci, President and CEO of the West Suburban YMCA, introduced Scott Peckins, Executive Director of Camping Services, and Keri Person, Director of Camping Operations. He said is looking forward to strengthening the relationship between the West Suburban YMCA and the town. T. Boschetto suggested he coordinate events with the Recreation Commission and the Wayland Children and Parents Association, and C. Karlson advised him of various media outlets that would be helpful in promoting their activities.

A5. Joint Meeting with Planning Board to Interview and Vote to Appoint Associate Member of Planning Board to Full Member The Board was joined by Planning Board members (Colleen Sheehan, Ira Montague, and Andrew Reck), who had posted and convened a meeting. Members of the Board of Selectmen and the Planning Board interviewed Dan Hill for appointment as a full member of the Planning Board. C. Sheehan asked D. Hill if he felt comfortable fulfilling the additional duties required as a regular member; he said yes, he had been very active as an associate member. Planning Board members noted D. Hill's contributions as an attorney. D. Hill said he avoided conflicts of interest by not taking clients from Wayland. He discussed affordable housing and the importance of abiding by the law when reviewing land use applications. M. Antes moved, seconded by L. Anderson, to appoint Daniel C. Hill as a full member of the Planning Board, effective immediately, for a term to expire upon the 2016 Annual Town Election. Roll call vote: YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0. I. Montague moved, seconded by A. Reck, to appoint Daniel C. Hill as a full member of the Planning Board, effective immediately, for a term to expire upon the 2016 Annual Town Election. YEA: I. Montague, A. Reck, C. Sheehan. NAY: none. ABSENT: K. Murphy. ABSTAIN: none. Adopted 3-0.

A6. Update from Town Planner on Improvements to Town Green by Brendan Homes The Board was joined by Town Planner Sarkis Sarkisian and Planning Board Chair Colleen Sheehan to discuss improvements to the Town Green. S. Sarkisian advised the Board that according to the development agreement, the developer was only responsible for trees, grass, and sidewalks. As the Town wanted further improvements, the Public Green Advisory Committee was created in 2012. He said the plans included a rink, a bandstand, and a play space, and the cost of \$500,000 was prohibitive. He advised that Brendon Homes has now agreed to commit \$150,000 to improve the Town Green, and price estimates for walkways, rows of trees, benches, and retaining walls for a concert area are within the proposed budget. He said Brendon Homes would like to have the work done within the next six weeks. Participants discussed the role of the town in the public green. T. Boschetto made the point that nothing precludes a private entity from working with Twenty Wayland LLC to use the property. C. Sheehan asked that the language be clarified as to the town's responsibility. C. Karlson asked that the Town Counsel provide an opinion to ensure that the town is fulfilling its role regarding operations and a maintenance plan.

A7. Update on Solar Project and Discussion on Payment in Lieu of Tax Agreement The Board was joined by Public Buildings Director Ben Keefe, and Energy Initiatives Advisory Committee members Ellen Tohn and John Harper. B. Keefe said he received a Power Purchase Agreement (PPA), consent agreement, and draft PILOT agreement from Ameresco. He said there were two issues in the PPA that are still being negotiated; the responsibility for the expenses should the net metering program end, and the appropriation of funds for future years without the approval of town meeting. He said the consent agreement will be sold to a third party and leased back, which is common practice, and the PILOT agreement is a standard contract. He said Town Counsel will review all the documents. C. Karlson said the Board of Assessors has concerns in regard to Department of Revenue policies. B. Keefe said the PILOT agreement does not need to be executed immediately, and the Assessors will recommend how to structure the PILOT. E. Tohn said the Energy Initiatives Advisory Committee will meet to take a vote on the approval of the PPA and will return on May 18 meeting for a Board vote. T. Boschetto expressed concern that the documents had not been ready in time for the Annual Town Meeting. E. Tohn said the parties were not willing to finalize the contracts before

a town meeting vote. B. Keefe reviewed the Inter-Connect Agreements with Eversource, and E. Tohn reviewed the status of the Metropolitan Area Planning Council grant to fund backup capacity at the Middle School. L. Anderson asked for an update on the as-builts for the high school. B. Keefe said the drawings are not signed or sealed, but Ameresco can work from them; he said the Conservation Commission will not accept them for application for a Notice of Intent (NOI), but the NOI may not be necessary at the High School.

A8. Discussion and Vote to Extend the Charge of the OPEB Advisory Committee to September 30, 2015, Vote to Approve Appointment of Special Counsel, and Discussion and Vote on Investment Policy for OPEB Account

The Board was joined by OPEB Advisory Committee members Cliff Lewis, David Gutschenritter, Jay Sherry, and Maryanne Peabody. D. Gutschenritter reviewed the tasks that the committee is still working on, including actuarial assumptions, cost containment, advice and counsel to the Treasurer and Finance Director, preparation of the annual warrant article, and resolution of an appropriate legal structure for the account. T. Boschetto moved, seconded by M. Antes, to approve the extension of the charge of the OPEB Advisory Committee to September 30, 2015. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

C. Lewis reviewed the process for selecting Special Counsel for an independent review of the OPEB account structure. L. Anderson moved, seconded by M. Antes, to appoint the firm of Murphy Hesse Toomey & Lehane LLP as Special Counsel to provide an assessment of the structure of the OPEB account. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

D. Gutschenritter presented the proposed investment policy for the OPEB account. Guidelines include account asset allocations of approximately 75% equities, 25% fixed income, and 5% cash/other, to achieve a long-term goal of 7% return to reach a fully funded status by 2038. J. Senchyshyn, Acting Treasurer, referred to the legal requirement for prudent investing, and suggested the policy should come back to the Board for its approval periodically. He also suggested the Board review the draft governance section of the policy prior to making a decision on the Investment Policy. C. Karlson noted Gordon Cliff's concern during public comment about the asset allocation excluding the Pension Reserves Investment Trust (PRIT). C. Lewis said the asset allocation would not exclude PRIT. T. Boschetto reviewed the fee structures and their impact on performance. He agreed that the Investment Policy should be reviewed by the Board of Selectmen at least annually. L. Anderson asked if there were analogous funds under Board of Selectmen oversight; J. Senchyshyn said there are elected town Trust Fund Commissioners that set the investment policy for \$3 million in town trust funds, and that retirement funds are outside funds managed by PRIT. C. Karlson said the Board has no fiduciary responsibility and should not set asset allocation. J. Sherry noted there needs to be responsibility assigned for the development of the OPEB annual warrant article to town meeting, and N. Balmer said she will work with T. Boschetto to add the task to a staff job description. The Board recommended edits to the policy, and T. Boschetto agreed to work with C. Lewis to revise the policy and present it to the Board on May 18 for a final vote.

A4. Discussion and Vote to Approve Board Portfolio Assignments The Board reviewed the revised Board portfolio assignments. M. Antes requested that the town boards and committees be notified of their Board liaison. M. Antes moved, seconded by L. Anderson, to approve the Board of Selectmen portfolio assignments as presented. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A9. Discussion and Vote to Approve the Charge of the Council on Aging/Community Center Advisory Committee M. Antes moved, seconded by T. Boschetto, to approve the charge of the Council on Aging/Community Center Advisory Committee, as amended. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A10. Discussion and Vote to Approve Sending a Letter of Withdrawal and Draft Amendment to the Minuteman School Committee T. Boschetto reviewed the procedures for following up on the vote of the 2016 Annual Town Meeting. He suggested that in lieu of an amendment, the withdrawal be included into the regional agreement, although he hasn't counsel yet. The Board had no objections. T. Boschetto suggested that he and Mary Ellen Castagno, Wayland Representative to Minuteman, consult with other member towns about having all town withdrawals included in a second agreement. T. Boschetto moved, seconded by L. Anderson, to authorize the Board of Selectmen send a letter dated May 11, 2015, to the Minuteman School Committee regarding withdrawal from the regional school district, along with the proposed amendment as provided. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A13. Potential Vote regarding Stone's Bridge CPA Project Gretchen Schuler, Chair, Community Preservation Committee, and Elisa Scola, Chair, Historical Commission, appeared before the Board to discuss the application of the Historical Commission for a matching grant from the Massachusetts Preservation Projects Fund administered by the Massachusetts Historical Commission (MHC) to stabilize and preserve the Stone's Bridge. G. Schuler said the approval of the Board of Selectmen is required to place a preservation restriction on the deed, and that Town Counsel was reviewing ownership of the bridge. She said the Framingham Historical Commission also supports the project. The Board discussed the implementation of the maintenance agreement. M. Antes moved, seconded by T. Boschetto, to approve the application of a permanent preservation restriction and maintenance agreement on Stone's Bridge that will run with the deed should the town be awarded the MHC Grant, and to sign the Statement of Intent, and to designate the Town Administrator to sign contracts with the MHC if awarded this grant, and to sign a preservation restriction, if awarded this grant, and to include a letter of support of the preservation of Stone's Bridge with the application. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A11. Discussion on Date for 2016 Annual Town Meeting The Board reviewed potential dates for the 2016 Annual Town Meeting.

A12. Discussion and Vote to Appoint Special Counsel regarding School Revolving Funds L. Anderson moved, seconded by M. Antes, to appoint Attorney James Toomey of Murphy Hesse Toomey & Lehane LLP to represent the Town regarding the town's role in the management and disposition of school revolving funds through the Town finance and treasurer's offices. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A14. Review and Approve Consent Calendar (See Separate Sheet) T. Boschetto moved, seconded by M. Antes, to approve consent calendar items 1, and 3 through 7. Item 2, regarding the change of hours for the service of alcohol by The Local, was removed due to an incomplete application. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A15. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes said she would address the Memorial Day ceremonies. C. Karlson asked that the impact of the fire response time be taken into consideration when approving traffic changes.

A16. Report of the Town Administrator N. Balmer updated the Board on the week's events. She advised the Board that the Landfill Supervisor was placed on paid administrative leave. She reviewed the procedures for reappointments. She said staff had set up accounting procedures for the Municipal Affordable Housing Trust Fund; T. Boschetto asked for confirmation that the trust pay its own administrative costs. C. Karlson asked about a mobile device policy and a deadline to eliminate the paper packets. N. Balmer provided an update on IT security and the emergency road repairs on Pelham Island Road.

A17. Selectmen's Reports and Concerns M. Antes noted the need to review the sign policy. C. Karlson said the Board needs to review procedures from the 2015 Annual Town Meeting, and consider the need for a Special Town Meeting in the fall. She said she hopes to have a draft charge for a Municipal Space Planning Committee next week, and she reported on a meeting with the Sudbury Valley Trustees and the Hamlen Family about bringing an article for a conservation restriction on the Hamlen property to the 2016 Annual Town Meeting. T. Boschetto asked that alternative funding sources be considered.

A18. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A19. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:37 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson,. NAY: none. ABSENT: J. Nolan ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 11, 2015

1. Email of 5/8/15 from Reverend Dr. Frederick Moser, Church of the Holy Spirit, to Board of Selectmen, re: Religious Observances during Proposed Dates for 2016 Annual Town Meeting
2. Wayland Town Green Cost Estimate
3. Wayland Town Green Map

Items Included as Part of Agenda Packet for Discussion During the May 11, 2015 Board of Selectmen's Meeting

1. Memorandum of 5/4/15 from Fire Chief David Houghton to Nan Balmer, Town Administrator, re: New Hire
2. Email of 5/1/15 from Scott Peckins, West Suburban YMCA, re: Selectmen Agenda
3. Board of Selectmen Portfolio Assignments for April 2015 through April 2016
4. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Appointment to Vacant Position on Planning Board
5. Memorandum of 5/6/15 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Town Green Background Information and Construction Update
6. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Meet with OPEB Committee
7. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Council on Aging/Community Center Committee Charge
8. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Withdrawal from Minuteman
 - Draft Letter from Board of Selectmen
 - Draft Amendment to the Current Regional School Agreement
 - Draft Notice of Withdrawal from the Town Clerk
 - Certified Vote of Town Meeting
9. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Discussion Spring 2016 Annual Town Meeting Date
10. Memorandum of 5/11/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Appointment of Special Counsel: School Revolving Funds
11. Memorandum of 5/7/15 from Historical Commission and Historic District Commission to Board of Selectmen re: Stone's Bridge
12. Report of the Town Administrator for the Week Ending May 8, 2015



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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

DRAFT

Board of Selectmen Meeting Minutes May 18, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli (left at 7:00 p.m.)

A1. Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Actions regarding Ide, et al v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board Cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and to Discuss Collective Bargaining Strategy Pertaining to Contract Negotiations with the Police Union, and all unions, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to Discuss the Exchange, Lease or Value of Real Estate in regard to the Municipal Parcel at Town Center; and to Review and Consider for Approval the Following Executive Session Minutes Relative to the Said Subjects: April 7, 2015, and April 13, 2015 At 6:04 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending actions regarding Ide, et al v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and to discuss collective bargaining strategy pertaining to contract negotiations with the Police Union, and all unions, and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to discuss the exchange, lease or value of real estate in regard to the municipal parcel at Town Center; and to review and consider for approval the following executive session minutes relative to the said subjects: April 7, 2015, and April 13, 2015. J. Senchyshyn noted that there was an error in the agenda, and corrected the motion above from "the Police Union and all unions" as printed in the agenda, to "the Police Union, the Fire Union, and the AFSCME Clerical Union." The Chair made the correction. The Chair declares that a public discussion of pending litigation and collective bargaining and the review and consideration for approval and potential release of executive session minutes will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Town Counsel Mark Lanza, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, Personnel Board member Maryanne Peabody, OPEB Advisory Committee member Cliff Lewis, Principal/Senior Project Manager Kevin Dandrade of TEC, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:15 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:16 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. She reviewed the agenda for the public and said the agenda item, "Meeting with Traffic Engineer to Review Glezen Lane Traffic Study," should be corrected to "Meeting with Traffic Engineer to Review Town Center Traffic Study." L. Anderson said Open Meeting Law Training will be held May 21, 2015, at 7:00 p.m. in the Large Hearing Room, and C. Karlson announced the Memorial Day events on May 25, 2015.

A3. Public Comment Frank Krasin, 76 Edgewood Road, said that the traffic signals installed at West Plain Street and Old Connecticut Path were causing traffic issues, and he recommended putting additional traffic signals at the intersection of Route 30 and School Street. Scott Walters, 100 Draper Road, asked that the Board avoid scheduling the 2016 Annual Town Meeting at a time when it would conflict with youth sports. Beth Klein, Town Clerk, requested that the 2016 Annual Town Meeting be set as late as possible, as it would be difficult to manage two elections in one month. Richard Turner, 7 Nob Hill Road, reviewed the upcoming Memorial Day events, and asked the Board to support Purple Heart Appreciation Day.

A4. Discuss and Vote to Approve OPEB Investment Policy Jay Sherry, OPEB Advisory Committee, reviewed the process by which the Investment Policy draft was updated since the prior meeting. He presented the policy and recommended edits. J. Senchyshyn recommended review by Town Counsel, given the legal responsibility of the Treasurer. J. Nolan moved, seconded by L. Anderson, to support the recommendation of the OPEB Advisory Committee to approve the OPEB Investment Policy of May 18, 2015, as drafted, with revisions and periodic review. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A5. Discussion and Vote to Declare Wayland a Purple Heart Town and Recognize August 8th as Purple Heart Appreciation Day C. Karlson noted the agenda item should be changed to reflect the date of Purple Heart Appreciation Day as August 7, 2015. C. Karlson read the proclamation. Richard Turner, Chair, Public Ceremonies Committee, said the proclamation will be sent to the state Purple Heart organization; there will be ceremony to present the town with a plaque, and the town will fly the Purple Heart flag on August 7 every year. M. Antes suggested that the Public Ceremonies Committee request the stories of Wayland recipients of the Purple Heart. J. Nolan moved, seconded by M. Antes, to declare Wayland as a Purple Heart Community, and to approve the signing of the proclamation. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A6. Report from IT Consultant Elizabeth Doucette, Financial Analyst, and Michael McCann, Advent Consulting, appeared before the Board to discuss IT security issues. M. McCann said the security of the town's IT system was typical of most organizations of its size, and there was no evidence of mass data exfiltration. He said the consensus is that the specific attack on the town was a banking attack. He noted the need to balance IT support functions with financial considerations, and said the town is enacting a short term plan which is inexpensive and offers a relatively high return. He said consideration should be given as to how the town handles IT in the future in regard to the differing needs of the town and the schools, and he said there will be capital expenditures and training expenses. In terms of securing the current system, M. McCann said the major issues will be resolved within the next thirty days, although the short-term solutions will not be sustainable in the long-term. J. Nolan asked when the costs will be available. M. McCann said the budget figures should be available within thirty days, although not the specific purchase decisions. J. Nolan requested a recommendation on priorities. M. McCann said the staff has been very cooperative. L. Anderson asked about a three-to-five year plan, and E. Doucette said there is a long-term plan already in place; the current action addresses the short-term needs. C. Karlson said M. McCann will come before the Board again on June 24 with a recommendation for the next stage of implementation.

A7. Meeting with Traffic Engineer to Review Glezen Lane Traffic Study The Board was joined by Police Chief Robert Irving, Town Counsel Mark Lanza, and Principal/Senior Project Manager Kevin Dandrade of TEC. C. Karlson said the traffic study is being done in regard to the Town Center traffic. She noted that the town has ongoing litigation regarding Glezen Lane and cannot comment.

L. Anderson recused herself from debating or deliberating on the issue, as she is a resident of the Glezen Lane neighborhood; she said she would listen but not participate in votes or discussions.

K. Dandrade reviewed the first phase of the study. He said daily traffic counts were done on and off the Town Center site in February and March; the current traffic is approximately 65% of what was originally projected for the location, and traffic projected to use the Route 27 exit is 5-10% less. He said it is critically important to move to the second stage, which would be to create data-driven recommendations for traffic mitigation without the traffic restrictions at the Glezen Lane and Route 27 intersection, which skew the results. The Board reviewed the data. M. Lanza said the town has requested a motion for temporary relief in order to do a traffic study based on the actual buildout of the Town Center, and to give the town time to go through the design and permitting process in order to carry out the requirements of judgment. He also acknowledged that the court may require the Town to comply with the current judgment. Chris Nicholson, 61 Glezen Lane, asked if the plaintiffs can drop the litigation at any point in time; M. Lanza said yes, they can abandon the judgment. Howard Abel, 35 Sedgemoor Road, expressed his concern that the residents are no longer allowed to use common streets. He said the problem is not the Town Center traffic, but the commuter traffic. Doug Sacra, 55 Glezen Lane, asked if the solution for the residents would be to sue the town. C. Karlson said the threat of litigation means the Board cannot discuss the issue. J. Nolan said that third parties can join a lawsuit, and M. Lanza said he would like to be notified if anyone chooses to intervene in the case.

A8. Discuss Options for Route 30 and School Street Intersection – Permanent Mitigation The Board was joined by Police Chief Robert Irving and Principal/Senior Project Manager Kevin Dandrade of TEC to discuss permanent mitigation at the Route 30 and School Street intersection. R. Irving said there have been fewer accidents since the temporary traffic mitigation was put in place, and that the anticipated negative impacts did not occur. K. Dandrade reviewed the traffic flow and said the sight lines are much improved. C. Karlson said there was a request at public comment that traffic signalization be included; R. Irving said that was option three and the most expensive solution. Chris Brown, Chair, Board of Public Works, said the only complaint has been the aesthetics. He said the cost of permanent mitigation is approximately \$100,000, and there may not be sufficient funding in the current budget. Stuart Bloomstein, owner of Mel's Café, said he is pleasantly surprised at the success of the traffic mitigation; he only requested that the site be made more attractive. R. Irving said the owner of the Villa Restaurant was also pleased with the results. Linda Segal, 9 Aqueduct Road, said that motorists are bypassing traffic by using the wrong lane on East Plain Street. R. Irving said that is an enforcement issue. J. Nolan expressed concern that the configuration impedes the response time of public safety vehicles; R. Irving said there is a problem with the turning radius that will be mitigated with the permanent improvements. M. Antes asked if there is a need for land-taking. K. Dandrade said a survey will be done to determine the land needs, but he believes it can be done in the existing right-of-way. Mike Lowery, Board of Public Works, said funding may be needed at the spring town meeting. S. Bloomstein suggested jersey barriers be used as a temporary alternative. R. Irving asked the Board of Public Works to consider rearranging their projects in terms of priorities. J. Nolan moved, seconded by L. Anderson, to approve permanent improvements at the intersection of Route 30/East Plain Street/School Street as per Option 1 of the TEC recommendations, with the caveat that input is requested from the Fire Department regarding the impact on public safety vehicles. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A9. Discussion and Vote to Approve New Speed Limit on Pelham Island Road/Review Board of Public Works Plan to Address Pelham Island Road Conditions The Board was joined by Police Chief

Robert Irving and Chris Brown, Chair, Board of Public Works, to discuss Pelham Island Road. R. Irving said no special speed regulation was in place, so a traffic study was conducted. The Board reviewed the traffic study, and discussed the condition of the road. C. Brown said the Board of Public Works voted to authorize the DPW Director to declare Pelham Island Road an emergency and to repair the road as soon as possible. J. Nolan moved, seconded by M. Antes, to authorize the petition to the Massachusetts Department of Transportation to put a 25 miles per hour speed restriction for the length of Pelham Island Road from Route 20 to the Sudbury town line. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A10. Review Proposed Transfer of Land from Board of Public Works to Board of Selectmen The Board was joined by Chris Brown, Chair, Board of Public Works, to discuss a proposed land transfer for the River's Edge project. He said the Board of Public Works was unwilling to transfer the land to the Board of Selectmen unless an agreement with a developer was in place. However, he said Town Counsel advised that the transfer can be done in such a way that the land is transferred simultaneously with the Board of Selectmen transferring the land to the developer. C. Brown said the second issue is the cost to the Board of Public Works. He said they are going from over four acres to two acres to conduct operations, and the resulting need for contracted storage and fill is estimated to be \$1.3 million. C. Karlson said the cost will be passed on in the development agreement. M. Antes asked if that cost will be reduced, given that the Board of Public Works has since gained two acres of land, and C. Karlson and J. Nolan asked that a cost analysis be done before an additional appropriation is requested. M. Lanza said the cost is not a condition of the transfer. He said the Board of Public Works will consider the motion at its next meeting and then come back to the Board of Selectmen.

M. Lowery distributed pictures of Pelham Island Road to the Board to illustrate the condition of the road.

A11. Discussion and Vote to Approve Solar Power Purchase Agreement and Consent Agreement The Board was joined by Public Buildings Director Ben Keefe, and Energy Initiatives Advisory Committee members Ellen Tohn and John Harper, to review the Solar Power Purchase Agreement and the Consent Agreement. C. Karlson confirmed that the documents reflect the vote of the Annual Town Meeting. She noted there are still some blanks in the agreement, and J. Harper said there will be no substantive changes in the final agreement. J. Nolan expressed concern about the aesthetics of the solar projects off the Massachusetts Turnpike. M. Lanza said it was his opinion that the document was ready for signature with non-substantive changes that are consistent with municipal law. E. Tohn said there have been numerous legal and professional reviews. She said the start date will be subject to the completion of the plans and coordination with the schools and the Wayland Community Pool. L. Anderson asked them to advise the neighborhood of the construction. M. Antes moved, seconded by L. Anderson, to authorize the Town Administrator to sign the Solar Power Purchase Agreement and Consent Agreement with non-substantive changes that are consistent with municipal law. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A12. Discussion on Charge for Municipal Space Planning Committee C. Karlson reviewed the town's recent efforts to develop a plan on the future uses of municipal buildings and land, and the Board reviewed a draft committee charge for a Wayland Real Estate Planning Committee. L. Anderson asked how the committee would rank priorities; C. Karlson said there is a standard ranking that includes considerations such as capital projects, safety, community needs, and funding availability. Colleen Sheehan, 16 Springhill Road, said community input should be included in the process. It was the sense of the Board to support the charge as drafted and vote approval at its meeting on June 1. The Board authorized N. Balmer to communicate the pending approval to key staff.

A13. Discussion on Date and Vote for 2016 Annual Town Meeting Date The Board reviewed potential dates for the 2016 Annual Town Meeting. J. Nolan moved, seconded by L. Anderson, to call an Annual

Town Election to be held on Tuesday, April 5, 2016, and to schedule the Annual Town Meeting to begin on April 7, 2016, with continuing dates of April 11, 12 and 14, and with later dates to be scheduled as needed. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A14. Review and Approve Consent Calendar (See Separate Sheet) J. Nolan moved, seconded by M. Antes, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A15. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A16. Report of the Town Administrator N. Balmer reviewed upcoming agenda items. She said that Zoe Pierce has been hired as the new Treasurer/Collector, and that Strategic Accounting will continue to work with her for a time in order to provide continuity. She reviewed the follow-up items from the 2015 Annual Town Meeting.

A17. Selectmen's Reports and Concerns L. Anderson reported on the Board of Public Works traffic calming hearing in regard to Stonebridge Road; she said she will also meet with Police Chief Robert Irving. C. Karlson asked that petitioner Duane Galbi be invited before the Board for a discussion on the matter when appropriate. L. Anderson said she will attend the Department of Revenue training for new officials on June 2. M. Antes noted a federal declaration of storm aid. C. Karlson reported on a meeting of the Economic Development Committee. N. Balmer recognized staff members Dan Cabral and Donna Lemoyne for their outstanding work, and M. Antes thanked Maggie Meehan for maintaining the flowers at the Town Building.

A18. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A19. Adjourn There being no further business before the Board, J. Nolan moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:27 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 18, 2015

1. Powerpoint Presentation, Wayland Town Center Public Green Conceptual Design, August 29, 2012, First and Last Page distributed by Linda Segal
2. Letter of 5/15/15 from Jeffrey L. Roelofs P.C. to Mark J. Lanza, Town Counsel, re: Bernstein et al v. Wayland Planning Board
3. Email of 5/18/15 from Beth Klein, Town Clerk, to Board of Selectmen, re: 2016 Annual Town Meeting
4. Email of 5/13/15 from Rabbi Sally Finestone to Selectmen's Office re: Dates to Avoid for 2016 Annual Town Meeting
5. Email of 5/15/15 from Anne Harris, Energy Initiatives Advisory Committee, to Nan Balmer, Town Administrator, re: Vote on Solar Power Purchase Agreement, Consent and Interconnect Agreements

Items Included as Part of Agenda Packet for Discussion During the May 18, 2015 Board of Selectmen's Meeting

1. Memorandum of 5/18/15 from Nan Balmer, Town Administrator to Board of Selectmen re: Meet with OPEB Committee and Draft Investment Policy
2. Memorandum of 5/18/15 from John Senchyshyn, Assistant Town Administrator/HR Director, re: Purple Heart Community

3. Memorandum of 5/18/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Report from IT Consultant
4. Memorandum of 4/6/15 from Kevin R. Dandrade, TEC, to Nan Balmer, Town Administrator, re:
Introductory Glezen Lane Neighborhood Traffic Assessment, Summary of Initial Data Collection and
Potential Diversion Alternatives
5. Memorandum of 5/18/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Route 30 and School Street Traffic Mitigation and Backup Material
6. Memorandum of 5/14/15 from Police Chief Robert Irving to Nan Balmer, Town Administrator, re:
Pelham Island Road Speed Zone Request and Letter to Mass Highway Department
7. Memorandum of 5/18/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Transfer of Land from Board of Public Works to Board of Selectmen for River's Edge Project
8. Memorandum of 5/14/15 from Ben Keefe, Public Building Director, to Nan Balmer, Town
Administrator, re: Solar Project Purchase Agreement (PPA), Consent Agreement, and Interconnection
Service Agreements (ISA)
9. Memorandum of 5/18/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Municipal Space Planning Committee
10. Memorandum of 5/11/15, Updated 5/18/15, from Nan Balmer, Town Administrator to Board of
Selectmen re: Discussion on Spring 2016 Annual Town Meeting Date
11. Report of the Town Administrator for the Week Ending May 15, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

**BOARD OF SELECTMEN
Monday, June 1, 2015
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 Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through May 26, 2015, Invoice 163, Account 5673-01M: \$3,210.45
3. Vote the Question of Approving the Invoice of Kopelman and Paige, PC, for Services Through April 30, 2015, Statement No. 104303: \$198.00
4. Vote the Question of Approving the Placement of Temporary Sandwich Board Signs for the Dudley Pond Association Annual Ice Cream Social at the Intersection of Old Connecticut Path and Route 27 (Five Paths), and on Main Street in Front of the Cochituate Fire Station, from June 13-20, 2015
5. Vote the Question of Approving the Change of Hours Application for The Local, 11 Andrew Avenue, to Begin Serving Alcoholic Beverages at 11:00 a.m. on Sundays

DEUTSCH WILLIAMS BROOKS
DeRENSIS & HOLLAND, P.C.
ONE DESIGN CENTER PLACE, SUITE 600
BOSTON, MASSACHUSETTS 02210-2327
(617) 951-2300
Fax (617) 951-2323

RECEIVED

MAY 28 2015

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

Town of Wayland
Town Building
41 Cochituate Rd.
Wayland MA 01778

Page 1
05/26/2015
Account No. 5673-01M
Invoice No. 163

Attn: Town Administrator

Labor

BALANCE DUE

\$3,210.45

RECEIVED

MAY 28 2015

Board of Selectmen
Town of Wayland

KOPELMAN AND PAIGE, P.C.

101 ARCH STREET
BOSTON, MA 02110

(617) 556-0007

STATEMENT NO. 104303

BOARD OF SELECTMEN
WAYLAND TOWN HALL
41 COCHITUATE ROAD
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH APRIL 30, 2015

MAY 22, 2015

TOTAL FEES: 198.00

TOTAL COSTS: 0.00

BALANCE DUE: 198.00

DATE: MAY 28, 2015
TO: BOARD OF SELECTMEN
FROM: MARYANN DINAPOLI
RE: SIGNBOARD REQUEST FROM THE DUDLEY POND ASSOCIATION

I have reviewed the attached request and believe that it conforms to the Board of Selectmen policy for the public display of signs.

The signs are sandwich boards. The two locations are the approved locations in the Board policy. The signs will be placed at the two locations for one week.

DiNapoli, MaryAnn

From: Rick and Jamie <jamieandrick@earthlink.net>
Sent: Saturday, May 23, 2015 9:31 AM
To: DiNapoli, MaryAnn
Cc: 'Lisa Jacobs'
Subject: signs for DPA event June 20

Hi MaryAnn,

As you know, the Dudley Pond Association has sponsored an annual Ice Cream Social, held at Mansion Rd near the Pond, for the past 8 – 10 years.

This year our event will be Saturday, June 20. This is a free event, not a fundraiser. We will be listing it in the Town Crier.

We are asking the Selectmen for permission to put A-frame signs advertising our event on Town land, at 2 locations: The intersection of Rtes 27 & 126 (Five Paths) and the Cochituate Fire Station. We'd like to have them there for the week before the event, starting June 13.

Please let me know if there are any questions.

Thanks,
Jamie Pierce
DPA Treasurer
508-647-5907

DATE: MAY 28, 2015
TO: BOARD OF SELECTMEN
FROM: MARYANN DINAPOLI, EXECUTIVE ASSISTANT
RE: LICENSING: CHANGE IN HOURS FOR THE LOCAL

REQUESTED ACTION:

VOTE TO APPROVE A CHANGE IN HOURS FOR THE ALL ALCOHOL COMMON VICTUALLER POURING LICENSE FOR "THE LOCAL" RESTAURANT AT TOWN CENTER TO PERMIT THE LOCAL UNDER ITS LICENSE TO SERVE ALCOHOL ON SUNDAYS BEGINNING AT 11:00 A.M.

BACKGROUND

On Monday, March 16, 2015, the Board of Selectmen accepted Massachusetts General Laws Chapter 138 Section 15, which allowed the Board, under its authority as Local Liquor Licensing Authority, to permit the sale of alcoholic beverages on Sundays beginning at 10:00 a.m. At that time, The Local was also granted one-time permission to serve alcoholic beverages on Sunday, April 5, 2015, at 10:00 a.m.

The Local now requests a permanent change to its license to allow the service of alcoholic beverages to begin at 11:00 a.m. every Sunday. The Local has provided the attached "Change of Hours" request and a certificate of corporate vote.

Upon Board approval, the Local will be issued a revised liquor license with the new hours.

Attachments: The Local Application for Change in Hours
Certificate of Corporate Vote
New License for Board Signature



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

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

134000028

ABCC License Number

WAYLAND

City/Town

JUNE 1 2015

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Other CHANGE OF HOURS |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee

The Local Restaurant of Wayland LLC

EIN of Licensee

46-231-0261

D/B/A

The Local Restaurant

Manager

Frank A. Santo Jr.

ADDRESS:

11 Andrew Avenue

CITY/TOWN:

Wayland

STATE

MA

ZIP CODE

01778

ANNUAL

Annual or Seasonal

All Alcohol

Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)

RESTAURANT

Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Approximately 6,000 square feet of space on the first floor with 800 square feet of exterior patio space

Application Filed:

May 5, 2015

Date & Time

Advertised:

Not Applicable

Date & Attach Publication

Abutters Notified:

Yes No

Licensee Contact Person for Transaction

Michael Wolfson, The Local Restaurant

Phone:

508-276-8263

ADDRESS:

11 Andrew Avenue

CITY/TOWN:

Wayland

STATE

MA

ZIP CODE

01778

Remarks:

Request Sunday opening time of 11:00 a.m.

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

ABCC Remarks:

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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

134000028

LICENSEE NAME: THE LOCAL WAYLAND LLC

ADDRESS: 400 BOSTON POST ROAD

CITY/TOWN: WAYLAND

STATE MA

ZIP CODE 01778

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
 Change of DBA
 Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

THE LOCAL RESTAURANT OF WAYLAND, LLC

Consent Votes

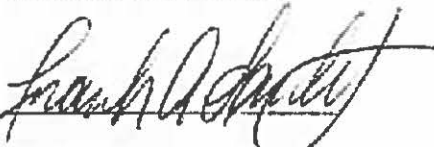
Effective: May 8th, 2015

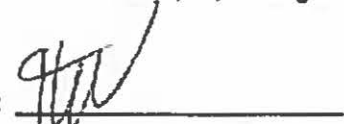
The undersigned, being the managers of THE LOCAL RESTAURANT OF WAYLAND, LLC (the, LLC), in lieu of a Meetings of said Managers, hereby consent to the following actions and adopt the following votes:

VOTED: That the LLC apply for a revision to our 7-day all-alcoholic beverages license (without exception) (the "Liquor License") for the premises known as 11 Andrew Avenue, Wayland, Massachusetts (the "Premises") to the Town of Wayland, Massachusetts (the "Town") to amend our present liquor license from 12:00pm-1:00am to 11:00am-1:00am on Sundays moving forward.

This consent is executed as of the date set forth above.

TF PARTNERS, LLC, Manager

By: 
Frank A. Santo, Jr., Manager

By: 
Thomas J. Wynn, III, Manager



Steven Grossman
Treasurer and Receiver General

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

Kim S. Gainsboro
Chairman

THE ALCOHOLIC BEVERAGES CONTROL COMMISSION (“ABCC”) ADVISORY
M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME
ALLOWED AT 10:00 A.M.

Effective October 23, 2014¹, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <http://www.mass.gov/abcc/pdf/forms/nofetransmittal.pdf>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved “Form 43” with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director, at 617-727-3040 x 731.

(Issued: September 8, 2014)

¹ The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called “package store” license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.

**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 **The Local Restaurant of Wayland LLC dba The Local Restaurant**, Frank A. Santo Jr., Manager, on the premises at 11 Andrew Avenue, Wayland, MA 01778.

Approximately 6,000 square feet of space on the first floor with 800 square feet of exterior patio space. Maximum Occupancy 220.

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, 2015, unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 1st day of June, 2015.

The Hours during which Alcoholic Beverages may be sold are from 8:00 a.m. to 1:00 a.m., except Sundays, 11:00 a.m. to 1:00 a.m.; holidays as directed.

LICENSING BOARD

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



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE
BOARD OF SELECTMEN FROM MAY 15, 2015, THROUGH
AND INCLUDING MAY 28, 2015, OTHERWISE NOT
LISTED AND INCLUDED IN THE CORRESPONDENCE
PACKET FOR JUNE 1, 2015**

Items Distributed To the Board of Selectmen – May 15-28, 2015

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the
Meeting of May 18, 2015**

1. Powerpoint Presentation, Wayland Town Center Public Green Conceptual Design, August 29, 2012, First and Last Page distributed by Linda Segal
2. Letter of 5/15/15 from Jeffrey L. Roelofs P.C. to Mark J. Lanza, Town Counsel, re: Bernstein et al v. Wayland Planning Board
3. Email of 5/18/15 from Beth Klein, Town Clerk, to Board of Selectmen, re: 2016 Annual Town Meeting
4. Email of 5/13/15 from Rabbi Sally Finestone to Selectmen's Office re: Dates to Avoid for 2016 Annual Town Meeting
5. Email of 5/15/15 from Anne Harris, Energy Initiatives Advisory Committee, to Nan Balmer, Town Administrator, re: Vote on Solar Power Purchase Agreement, Consent and Interconnect Agreements

**Items Included as Part of Agenda Packet for Discussion During the June 1, 2015
Board of Selectmen's Meeting**

1. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Public Hearing on New Utility Pole Location, Sears Road, with Legal Notice and Petition
2. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Update from Eversource, Poles and Vegetation Management, and Memorandum of 5/27/15 from Fire Chief David Houghton re: Pole Transfers
3. Memorandum of 5/26/15 from Fire Chief David Houghton to Board of Selectmen re: Wired Municipal Fire Alarm System
4. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Council on Aging/Community Center Advisory Committee Nominees
5. Suggestions for Improvements from Public for Discussion on Town Meeting Procedures
6. Board Policy on Appointments to Boards and Committees, Memorandum of 5/28/15 from MaryAnn DiNapoli re: Annual Appointments, and Draft List of Potential Vacancies as of July 1, 2015
7. Index Page of Board of Selectmen Policies and Procedures for Review
8. Report of the Town Administrator for the Week Ending May 29, 2015



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, June 1, 2015
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE - I

Selectmen

1. Public Comment, "Calming" of Stonebridge Road
2. Memorandum of 5/20/15 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Joseph Karbowski from Youth Advisory Committee
3. Letter of 5/13/15 from Tata & Howard to Nan Balmer, Town Administrator, re: Feasibility Study for Potable Water Supply, River's Edge Development
4. Memorandum of 5/13/15 from Tom Klem, Chair, Board of Health, to Jerome Heller, River's Edge Advisory Committee, re: RFP for River's Edge Project at 484-490 Boston Post Road
5. Letter of 5/15/15 from Jeffrey L. Roelofs, P.C., to Mark J. Lanza, Town Counsel, re: Bernstein et al v. Wayland Planning Board
6. Letter of 5/28/15 from Mark Hays to Board of Selectmen re: NSA Recommendations for Improved Digital Security, and Information Assurance Directorate, "Defensive Best Practices for Destructive Malware," from the National Security Agency, January 2015
7. Monthly Report, Animal Control, April 2015
8. Director of Public Health Report, May 27, 2015
9. DPW Director's Report, May 26, 2015

Conservation Commission

10. Memorandum of 5/12/15 from Conservation Commission to Larry Kiernan, Rail Trail, and Sarkis Sarkisian, Town Planner, re: Informal Meeting with the Conservation Commission
11. First Amendment to the Chapter 194 Permit, 5/20/15, from Brian J. Monahan, Conservation Administrator, re: 221 Boston Post Road
12. Chapter 194 Permit, 5/22/15, from Brian J. Monahan, Conservation Administrator, re: 514 Hayfield Lane
13. Notice of Public Hearing, June 4, 2015, Pelham Island Road Repairs

Zoning Board of Appeals

14. Decision No. 15-08, 5 Stanton Street
15. Decision No. 15-09, 32 Aqueduct Road
16. Public Hearing, June 9, 2015, 25 Dean Road, 26 Lake Road

RECEIVED

MAY 21 2015

Board of Selectmen
Town of Wayland

Don Chase & Nikki Fedele
36 Stonebridge Rd.
Wayland, MA 01778
donpCHASE@gmail.com

May 17, 2015

Wayland Board of Selectmen
Town of Wayland
41 Cochituate Rd.
Wayland, MA 01778

Re: 'Calming' of Stonebridge Rd.

Dear Board of Selectman,

We have lived on Stonebridge Rd. here in Wayland for over 25 years. Wayland is a lovely town with substantial conservation land, easy access to amenities, and wonderful schools. The population of Wayland and surrounding communities has grown over the years with every expectation that this growth will continue. One down side of this growth is increased traffic and congestion. The amount of traffic on Stonebridge Rd. has certainly increased substantially and the speed at which cars are traveling has increased.

Stonebridge Rd. is approximately 1.2 miles long as a cut thru between Old Conn. Path and Framingham. It travels thru some densely populated sections and some areas that are surrounded by conservation land. It is fairly curvy and it has a significant hill. In this short distance there are 3 different speed zones. Traveling from Old Conn. Path there is a 25 mph zone for approximately .35 miles (the most populated section), followed by a 30 mph zone for .5 miles, and then a 35 mph zone for .35 miles, where the road crosses the Sudbury River and enters Framingham. The speed limit in Framingham is again 30 mph.

We, along with many of our neighbors, attended the May 12th meeting of the Board of Public Works concerning the 'calming' of Stonebridge Rd. There have been numerous attempts to address the traffic on Stonebridge dating back over a number of years. This has led to more signage on the road and periodic police monitoring for speeders. These efforts have not had any discernable impact on the speed of cars. Last June a group met with the Board of Selectmen to discuss the traffic issue and specifically focus on the section of Stonebridge that is posted at 35 mph. Our recollection is that the Selectman and the Police Chief supported reducing the speed to 30 mph and requested a study.

At the May 12th meeting the Mass DOT study of Stonebridge Rd., dated August 2014, was reviewed (copy attached). We are not traffic engineers, but the logic of this letter does not make sense. If we understand the letter, the Mass DOT surveyed cars on the short section of the road posted at 35 mph and discovered that 85% of the cars were traveling less than 42 mph. They use this data to determine that the 35 mph speed limit is "appropriate". We do not understand this logic. Their definition of "appropriate" does not take into account an array of important factors, such as safety. Also unless drivers brake significantly after .35 miles, they would be traveling 12 miles over the speed limit when they enter the 30 mph zone. This is clearly too fast.

At the May 12th meeting there were a series of strategies suggested by the neighborhood group, such as installing speed bumps or a permanent electronic billboard that tells drivers they are exceeding the speed limit. These 'calming' techniques must be supported by safe speed limits on the whole length of Stonebridge Rd. We ask you to again investigate reducing the speed on the short section of the road posted at 35 mph. A reduction of 5 mph would increase safety and make a more uniform speed limit for the road. We are also in support of the other 'calming' techniques proposed.

Sincerely,


Don Chase & Nikki Fedele

c.c. Board of Public Works
Chief of Police--Wayland



Deval L. Patrick, Governor
Richard A. Davey, Secretary & CEO
Frank DePaola, Administrator



July 24, 2014

Wayland Board of Selectmen
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

RECEIVED

AUG - 1 2014

Board of Selectmen
Town of Wayland

RE: Wayland – Special Speed Regulation (Stonebridge Road)

Dear Board of Selectmen:

I am writing in response to your letter dated June 24, 2014 regarding the request that Special Speed Regulation be amended and then re-established on Stonebridge Road in the Town of Wayland.

The speed study submitted does not support your request for a 30 MPH speed limit. In the publication "Massachusetts Highway Department Procedures for Speed Zoning on State and Municipal Roadways" it states that the speed limit shall not be lower than 7 mph less than the 85th percentile speed. The speed study submitted has an 85th percentile speed of 43MPH in the eastbound direction and 42MPH in the westbound direction. We feel that the current speed regulation of 35MPH is appropriate for this roadway.

If you have any questions or comments, please feel welcome to call Joseph Frawley, PE, the District Traffic Engineer, at (508) 929-3916.

Very truly yours,
MassDOT – Highway District 3


Jonathan L. Gulliver
District Highway Director

JG/
CC: Traffic Correspondence Files – Wayland
M.O. File

403 Belmont Street, Worcester, MA 01604
Tel: 508-929-3800, TTY: 857-368-0655
www.mass.gov/massdot



TOWN OF WAYLAND

MASSACHUSETTS

01778

TOWN CLERK
BETH R. KLEIN
bklein@wayland.ma.us

ASSISTANT TOWN CLERK
DIANE M. GORHAM
dgorham@wayland.ma.us

TOWN BUILDING
41 COCHITUATE ROAD

TEL: 508-358-3630
508-358-3631
www.wayland.ma.us

Date: May 20, 2015
To: Board of Selectmen ✓
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective June 30, 2015:

Joseph Karbowski Youth Advisory Committee
Term Expires: 6/30/16

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator
Dossie Kahn ✓

RECEIVED

MAY 21 2015

Board of Selectmen
Town of Wayland

(2)

May 4, 2015

Board of Selectmen
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778

RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2015 MAY 20 AM 8:44

Dear Selectmen:

I have been privileged to serve on the Youth Advisory Committee for six years as your appointee, the last two years as chairperson.

The committee along with Youth and Family Services provides an invaluable tool in assisting families and youth who are having struggles in their personal lives. I am exceptionally proud that our town views in its mission to help our struggling friends and neighbors.

It is with sadness that I am submitting my letter of resignation for this board. My professional and personal life is requiring a deeper time commitment.

Please accept my resignation from the Youth Advisory Committee as of June 15, 2015.

Sincerely:



Mr. Joseph Karbowski
153 Loker Street
Wayland, MA 01778



May 13, 2015

Ms. Nan Balmer, Town Administrator
Office of the Town Administrator
41 Cochituate Road
Wayland, MA 01778

Subject: Feasibility Study for Potable Water Supply
River's Edge Development
T&H Job No. 4007

Dear Ms. Balmer:

Tata & Howard, Inc. is pleased to provide the feasibility study for potable water supply to the proposed River's Edge Development located at 484-490 Boston Post Road in Wayland, Massachusetts. The study was conducted to estimate the available flow and pressure in the vicinity of the proposed development and determine the adequacy of the existing water supply to meet the demands of the proposed development. As stated in our agreement, this study does not include the use of the hydraulic model or development of recommendations for system improvements to increase the flow rate and pressure to meet fire flow recommendations. The developer will be responsible for hiring a qualified fire protection engineer to determine the recommended fire flow for the River's Edge Development.

During the course of this project, the undersigned served as Project Officer, Ms. Amanda Cavaliere, served as Project Manager, Mr. Ryan Cain, P.E. served as Senior Project Engineer, Ms. Patricia Kelliher served as Assistant Project Engineer, and Ms. Karen Gracey, P.E. provided technical reviews. At this time, we wish to express our appreciation to the Town of Wayland for their participation in this study and for their help in collecting information and data. Should you have any questions, please contact us.

Sincerely,

TATA & HOWARD, INC.

A handwritten signature in black ink, appearing to read 'J. O'Connell'.

Jack O'Connell, P.E.
Senior Vice President

cc: Mr. Sarkis Sarkisian - Wayland Town Planner
Ms. Elizabeth Doucette, MCPPO – Wayland Financial Research/Analyst

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Appendices

Appendix A –Flow Test Locus Map

SECTION 1 - EXECUTIVE SUMMARY

1.1 General

Tata & Howard, Inc. was retained by the Town of Wayland (Town) to complete a feasibility study for potable water supply to the proposed River's Edge Development located at 484-490 Boston Post Road. The intent of the study is to estimate the water usage for the proposed River's Edge Development and identify any potential impacts on the Town's water supply based on existing flow conditions and projected demands over the next 20 years. Potential improvements to the distribution system were not evaluated as part of this study as the Department of Public Works is in the process of updating the 2007 Capital Efficiency Plan™ (CEP) this year. Therefore, we recommend the developer coordinate with the Wayland Water Department regarding the update of the CEP anticipated to be completed by Winter 2015 for potential recommended improvements that may be required to meet the proposed demands.

The study includes estimating the projected maximum day water demand for the proposed River's Edge Development, available flow and pressure in the vicinity of the proposed development, and projected demands for the water distribution system based on historical use and population trends. In accordance with Town Bylaw, Chapter 191 Lawn Irrigation Systems, areas greater than 15,000 square feet (sf) cannot be serviced by an irrigation system connected to the public water supply. It has been anticipated that the property area to be irrigated would be greater than 15,000 sf. Therefore, an irrigation component was not included in the projected water demand estimate for the proposed River's Edge Development.

Additionally, the study includes a supply evaluation based on current registered and permitted volumes compared to existing and projected demands under the existing Water Management Act Permit. The Massachusetts Department of Environmental Protection (MassDEP) is currently in the process of renewing the Town's existing Water Management Act (WMA) permit, which has the potential to significantly impact the current average allowable withdrawal and limit the amount of available water supply. Once the WMA permit is renewed, the Town will re-evaluate the available supply based on the new WMA permit compared to existing and projected demands.

SECTION 2 – Existing System Conditions

2.1 Existing Flow Conditions

A fire flow test was conducted on April 20, 2015 by the Town's Water Department staff and Tata & Howard at the nearest hydrant on Boston Post Road in the vicinity of the proposed River's Edge Development, located at 484-490 Boston Post Road. This flow test was conducted to determine the available fire flow and pressure at this location based on the existing conditions of the water distribution system. The data obtained during the fire flow test included a static and residual pressure reading, and measurement of flow from the hydrant. The location of the test is depicted on the locus map attached in Appendix A.

**Table No. 2-1
Fire Flow Test Results**

Location of Flowing Hydrant	Flowing Hydrant Static Pressure (psi)	Residual Hydrant Static Pressure (psi)	Residual Hydrant Residual Pressure (psi)	Observed Flow (gpm)	Estimated Flow at 20 psi (gpm)
End of Water Main on Boston Post Road	104	114	98	1,275	3,300

At the time of the fire flow test, the water level in the Reeves Hill Tank was approximately 357 feet above mean sea level and the Baldwin Pond Treatment Facility was operating at a rate of 1,260 gallons per minute (gpm). Based on the flow test results, the estimated available fire flow at the nearest hydrant on Boston Post Road while maintaining a pressure of 20 pounds per square inch (psi) at the residual hydrant is 3,300 gpm.

2.2 Estimated Available Flow

The static pressure at the flowing hydrant was 104 psi. Based on elevation data provided by the Office of Geographic Information (MassGIS), the ground elevation at the existing hydrant on Boston Post Road is approximately 127 feet above mean sea level. The observed static pressures represent system operating conditions at the time of the flow test. The water level in the tanks varies under normal operating conditions. Operating ranges and system static pressures can vary over time due to seasonal changes, the requirements of the water distribution system, and different daily demand patterns. This can result in lower static pressures in the system.

At the system conditions of the flow test, the estimated static pressure at ground level for a future hydrant on Boston Post Road at the entrance to the proposed River's Edge Development is 101 psi. In general, MassDEP guidelines recommend a minimum pressure of 35 psi at ground level during average day, maximum day, and peak hour demand conditions.

The pressure and available flow at each hydrant is dependent on the elevation of the hydrant and the head loss due to friction in the pipe. It is assumed that a hydrant would be located at the

entrance of the proposed development approximately 2,800 linear feet from the existing water distribution system. This hydrant was evaluated for available flow with a proposed 8-inch diameter water main. By using the proposed hydrant elevation and the length, diameter, and material of the proposed water main, it is estimated that the proposed hydrant at the entrance of the proposed River's Edge Development will have an estimated available flow of 1,950 gpm while maintaining 20 psi.

The needed fire flow for the proposed River's Edge Development was not estimated or evaluated as part of this study. The developer is responsible for hiring a qualified fire protection engineer to determine the recommended fire flow for the River's Edge Development. Prior to constructing the proposed development, the Town should discuss the needed flows for the proposed fire suppression system and a needed fire flow on the street with the Wayland Fire Department.

SECTION 3 - Population

3.1 General

For the purposes of evaluating the water needs of a community, several parameters are typically reviewed to better understand the demands of a distribution system. These parameters are defined in the sections below and are presented with their existing and projected demand estimates.

3.2 Population Projections

Because population has a direct correlation to water consumption, population projections from various sources through the year 2035 were reviewed to reflect actual and planned growth within the Town. The following section reviews historical population data and presents an estimated future population based on available information from the Town.

According to the United States Census, the Town of Wayland has experienced fluctuating population changes ranging from approximately -0.8 percent to 10.3 percent per year from 1980 through 2010 with an overall growth of approximately 6.8 percent. The population recorded during each decennial census has been plotted in Figure No. 3-1. According to the US Census, the population in the Town was approximately 13,000 people in 2010.

The US Census Bureau also estimated the annual population changes between 2000 and 2013. The census estimated annual population has also been included in Figure No. 3-1. From 2000 through 2006, there was an overall decrease in population of approximately 2.7 percent. From 2006 through 2013, there was an overall increase in population of approximately 5.6 percent. The average growth rate per year was approximately 0.2 percent. The population projections forecasted by the organizations described below used the US Census estimated populations.

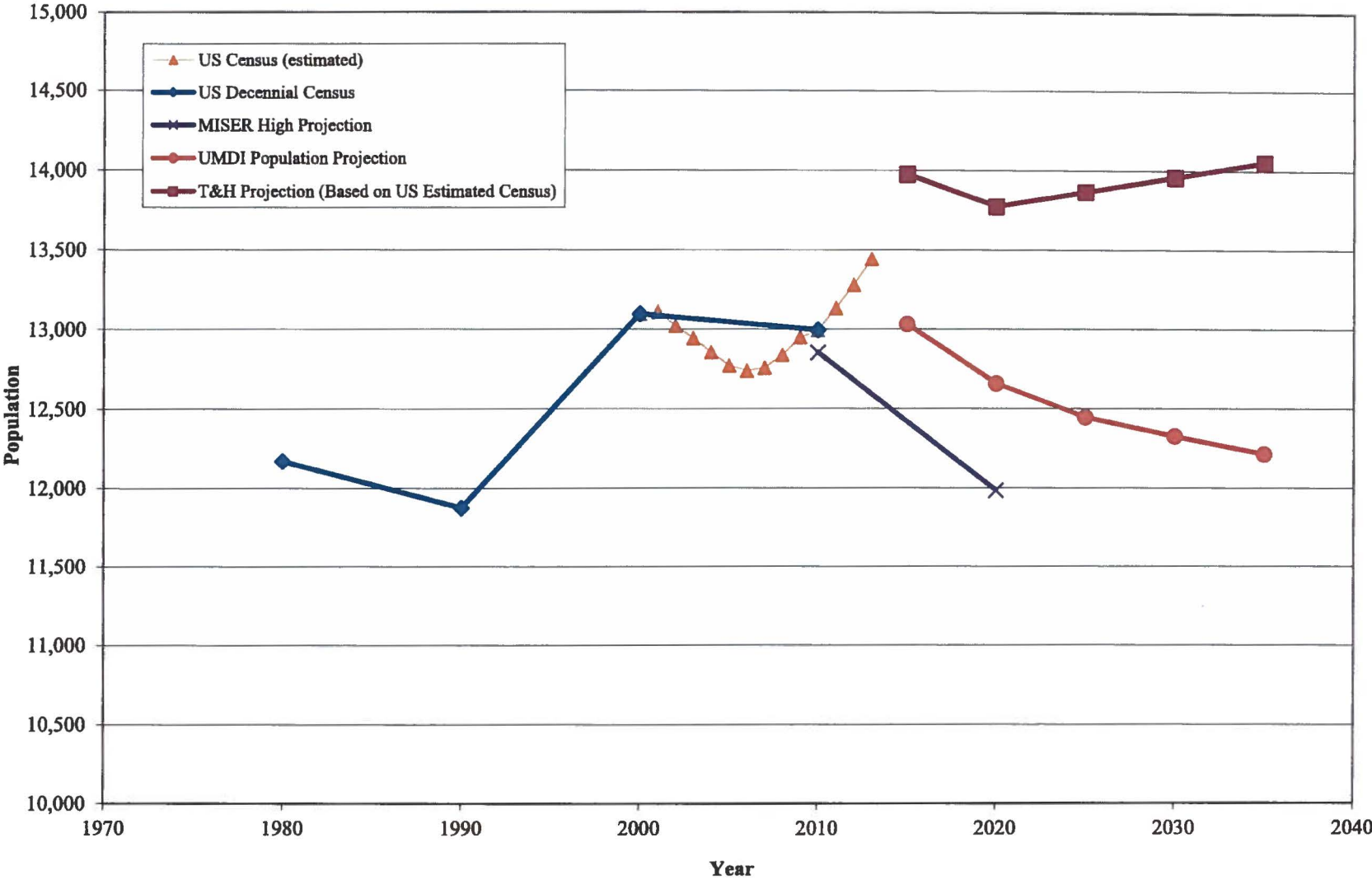
Population projection data collected from the Massachusetts Institute for Social and Economic Research (MISER) has also been included in Figure No. 3-1. MISER used three different growth rates between 0.3 and 0.9 percent to estimate projections through 2020. Based on the MISER; low, middle, and high projections, the estimated 2020 populations are 9,700, 10,700, and 11,900, respectively. MISER last developed projections in 2003 based on U.S. Census data for 2000. These projections do not reflect the shift in economic and social trends that has taken place since 2000, and are likely no longer valid.

Population projection data was also collected from the University of Massachusetts Donahue Institute (UMDI) included in Figure No. 3-1. The projections are provided in 5-year intervals from 2015 through 2035. Based on UMDI, the estimated 2035 population is approximately 12,200.

Based on the estimated populations from 2000 to 2013 presented by the U.S. Census and the proposal of several developments in Town, it was determined that the decrease in population presented by both MISER and UMDI do not accurately represent the Town's projected population. Therefore, population projections for this study were determined by utilizing the trends of the U.S. Estimated Census. This trend anticipates a slow growth over the next twenty years. The estimated 2035 population for the Town is 14,050. This population projection

includes the addition of the proposed River's Edge Development. Based on 2000 U.S. Census Data, the average household size in the Town of Wayland was 2.80. Assuming 190 units with an average of 2.80 people per unit, the total number of people in the proposed River's Edge Development would be 532. The historic and projected population of the Town is presented on Figure No. 3-1.

**Figure No. 3-1
Historic and Projected Populations**



SECTION 4 – SYSTEM SUPPLY & DEMANDS

4.1 Water System Demands

The Massachusetts Department of Conservation and Recreation (DCR) follows specific guidelines when projecting the water usage for communities in conjunction with the MassDEP Water Management Act (WMA) program. It is important to note that the DCR has a key role in the water management approval process and demand projections are required to be approved by DCR before MassDEP will approve development of a new water supply source or authorize the withdrawal of additional volume from existing sources.

The DCR is in the process of preparing demand projections for the Town of Wayland. However, they were not available at the time of this study. Therefore, future demands were calculated based on the population projections presented in Section 3.2. DCR demand projections include future developments previously approved by the local Planning Department. Therefore, since this development has not been designed or approved, it is recommended that the Planning Department coordinate with the Water Department regarding this development and other potential developments requiring significant amounts of water so DCR can include the developments in the demand projections prior to being finalized.

Based on recent developments, the Massachusetts Water Resource Commission (MWRC) has adopted new Water Management Standards for all registered and permitted withdrawals. The policy includes performance standards and conditions for all registered and permitted public water suppliers in the following areas:

- Maximum residential consumption of 65 gallons per capita per day (gpcd).
- Maximum of 10 percent unaccounted-for water.

Because the timing for construction of the River's Edge development is unknown, projected demands were estimated based on DCR guidelines including 10 percent unaccounted for water and 65 gpcd and using current trends.

Average Day Demand

Average day demand (ADD) is the total water supplied to a community in one year divided by 365 days. This term is commonly expressed in million gallons per day (mgd). This demand includes all water used for domestic (residential), commercial, and municipal purposes. The municipal component includes water used for system maintenance such as water main flushing and fire flows. In addition, the ADD includes unaccounted-for water attributed to unmetered water uses and system leakage. According to the 2014 Annual Statistical Report (ASR), the raw water ADD supplied for the system was 1.33 mgd.

The following criteria were used to develop the ADD for the design year 2035:

Criteria following DCR guidelines:

- Residential consumption of 65 gpcd
- Year 2035 service population of 14,050, which includes the proposed River's Edge Development of 532 people.

- Commercial usage remains the same at 5% of the total usage
- Municipal usage remains the same at 2% of the total usage
- Maximum of 10 percent unaccounted for water

Criteria following current trends:

- Residential consumption of 75 gpcd
- Year 2035 service population of 14,050, which includes the proposed River's Edge Development of 532 people.
- Commercial usage remains the same at 5% of the total usage
- Municipal usage remains the same at 2% of the total usage
- Maximum of 20 percent unaccounted for water

The estimated ADD for the design year 2035 based on the above criteria is approximately 1.10 mgd following DCR guidelines and approximately 1.44 mgd following current trends, as shown in Table No. 4-1.

Summer Average Day Demand

MassDEP guidelines recommend that a system consider a projected summer ADD (SADD). The current SADD is estimated by averaging demands from the three maximum months for the past five years. Based on available data between 2010 and 2014, the SADD ranged from 1.50 mgd to 1.87 mgd. The SADD peaking factor is determined by dividing the SADD by the annual ADD for each of the past five years. These peaking factors are averaged to estimate the future summer peaking factor. Based on the 2010 through 2014 monthly demand data, the average summer peaking factor is 1.28. Based on the projected ADD of 1.10 mgd using DCR guidelines, the estimated 2035 SADD is approximately 1.41 mgd and based on the projected ADD of 1.44 mgd using current trends, the estimated 2035 SADD is approximately 1.85 mgd.

Maximum Day Demand

Maximum day demand (MDD) is the maximum one-day (24-hour) total quantity of water supplied during a one-year period. This term is typically expressed in mgd.

The projected MDD can be estimated by the MDD/ADD ratio. The MDD/ADD ratio provides a relationship between the two demands which can be used to estimate future demands. As shown on Table No. 4-1, the raw water MDD for 2014 was 2.84 mgd. Upon comparison of the MDD to the ADD, the ratio for 2014 was 2.14. The resulting projected MDD for year 2035 is estimated to be 2.36 mgd based on the projected 2035 ADD of 1.10 mgd using DCR guidelines and 3.09 mgd based on the projected 2035 ADD of 1.44 using current trends.

**Table No. 4-1
Current and Projected Water Use**

Year	ADD (mgd)	SADD (mgd)	Peaking Factor (SADD/ADD)	MDD (mgd)	Peaking Factor (MDD/ADD)
2014	1.33	1.67	1.28	2.84	2.14
2035 (DCR Guidelines)	1.10	1.41	1.28	2.36	2.14
2035 (Current Trends)	1.44	1.85	1.28	3.09	2.14

4.2 Available vs. Needed Flows

In accordance with standard waterworks practices and current MassDEP guidelines, the supply sources of a water system must be capable of meeting maximum day demand conditions with all supplies online and summer average day demand conditions with the largest source out of service. Additionally, the sources should be permitted or registered to withdraw volumes adequate to meet ADD. In this section, the permitted or registered volumes of the existing supply sources were analyzed to determine the availability of surplus supply for the addition of the River's Edge Development.

In 1987, the WMA program was implemented by MassDEP to regulate withdrawal of water from the State's watershed basins. Under this program, all new sources withdrawing more than 100,000 gallons per day (gpd) and existing sources exceeding their registered withdrawal volume by 100,000 gpd are required to obtain a withdrawal permit under the WMA. When first implemented, the registered withdrawal volume for a public water system was based on that system's historical pumping rate of the water supply source(s) between 1981 and 1985. Permits can be renewed and amended as system demands increase and additional supply sources are utilized. The WMA program considers the need for the withdrawal, the impact of the withdrawal on other hydraulically connected water suppliers, the environmental impacts of the withdrawal and the water available in the river basin or subbasin (the basin safe yield) prior to issuing a permit. It is important to note that the basin safe yield is different from the safe yield of a supply. In accordance with the WMA permit application instructions, the basin safe yield is the total water available to be withdrawn from a river basin or subbasin, whereas the safe yield of a well is the volume of water the well is capable of pumping under the most severe pumping and recharge conditions that can be realistically anticipated.

The Wayland system is currently authorized to withdraw an average daily volume of 1.77 mgd through its WMA permit and registration. However, MassDEP is currently in the process of renewing the existing permit to include revisions to the WMA regulations, which are intended to manage water withdrawals throughout the Commonwealth to ensure an appropriate balance among competing long-term water needs of communities and the preservation of water resources and aquatic ecosystems. The revisions to the regulations implement a framework to establish a methodology for relating impacts to the aquatic resources to natural manmade conditions, including the withdrawal of water. The allowable volume the Town is authorized to withdraw

from the Concord River Basin could change due to the new regulations, therefore, impacting the available water supply.

Current permit and registered authorized withdrawal volumes and maximum approved pumping rates were obtained from the 2014 ASR. Table No. 4-2 outlines the Approved Withdrawal Rates for each supply.

**Table No. 4-2
Supply Summary**

Name of Supply	Approved Withdrawal Rate (MGD)
Campbell Well	0.600
Chamberlain Well	0.828
Happy Hollow Well No. 1	0.648
Happy Hollow Well No. 2	0.763
Meadowview Well	Offline
Baldwin Pond Well No. 1*	1.51
Baldwin Pond Well No. 2*	
Baldwin Pond Well No. 3*	

* Baldwin Pond WMA permit maximum approved pump rate is 1.51 mgd from all three sources combined.

According to the 2014 ASR, the Wayland ADD was 1.33 mgd, the MDD was 2.84 mgd, and the SADD was 1.67 mgd. The system's total combined approved withdrawal rate of all active supply sources is 4.35 mgd. The Meadowview Well is currently offline and will remain offline indefinitely. Therefore, the pumping rate for Meadowview Well has not been included in the calculations. Compared to the 2.84 mgd MDD in 2014, a surplus of 1.51 mgd is estimated. The Baldwin Pond Water Treatment Facility is Wayland's largest source. Therefore, the maximum pumping rate with the largest source offline is 2.84 mgd. Compared to the SADD of 1.67 mgd in 2014, a surplus of 1.17 mgd is estimated.

The proposed River's Edge Development is still in the planning stages. Therefore, since the timing of construction for River's Edge Development is unknown at this time, projected demands using current trends were used to evaluate the adequacy of the supply sources. The projected 2035 ADD, MDD, and SADD using current trends are 1.44 mgd, 3.09 mgd, and 1.85 mgd, respectively. Compared to the projected 2035 MDD of 3.09 mgd, a surplus of 1.26 mgd is estimated. If the largest source was offline, a surplus of 0.99 mgd is estimated compared to the projected 2035 SADD using current trends of 1.85 mgd.

Table No. 4-3 outlines the system's ADD, MDD, and SADD for 2014 and projected 2035 compared to the WMA registered or permitted volumes and maximum approved daily pumping volumes. According to the recent demand data, Wayland currently does not exceed their registered or permitted volumes or exceed their maximum approved daily pumping volumes. The surplus of water for existing and projected demand conditions makes it feasible to supply water to the proposed River's Edge Development. It is recommended that the Town re-evaluate

the available supply compared to projected demands once the WMA permit is renewed and finalized.

Table No. 4-3
Current and Projected Demand Summary (Current Trends)

Year	ADD (mgd)	WMA Permitted/Registered Volume (mgd)	SADD (mgd)	MDD (mgd)	Maximum Approved Daily Pumping Volume (mgd)	Difference Between MDD and Authorized Withdrawal (mgd)	Maximum Approved Daily Pumping Volume with Largest Source Offline (mgd)
2014	1.33	1.77	1.67	2.84	4.35	+1.51	+1.17
2035	1.44	1.77	1.85	3.09	4.35	+1.26	+0.99

SECTION 5 – Conclusions

5.1 General

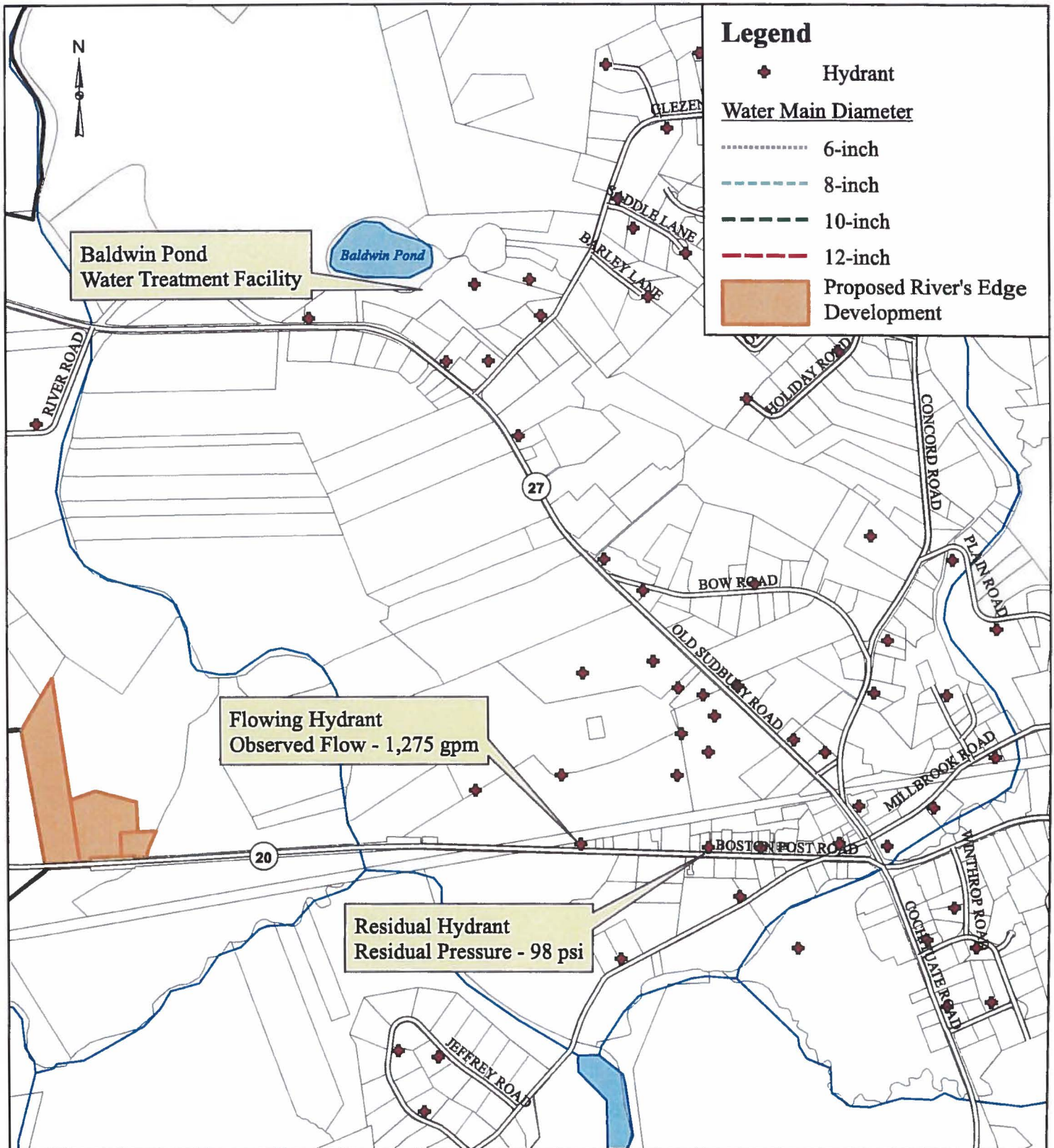
This study was conducted to calculate the current estimated available flow and pressure in the vicinity of the proposed site and determine the feasibility for potable water supply to the proposed River's Edge Development based on existing flow conditions and projected demands versus current system supply conditions. By using the hydrant elevation and the length, diameter, and material of the proposed water main, it is estimated that the proposed hydrant at the entrance of the proposed River's Edge Development will have an estimated available flow of 1,950 gpm while maintaining 20 psi. Based on existing supply conditions, a surplus is estimated compared to existing flow conditions and projected system demands. The surplus of water for existing and projected demand conditions makes it feasible to supply water to the proposed River's Edge Development under the current WMA permit.

It is recommended that the Planning Department coordinate with the Water Department regarding this development and other potential developments requiring significant amounts of water so DCR can include the estimates in their demand projections prior to being finalized. It is also recommended that the Town re-evaluate the available supply compared to projected demands once the WMA permit has been renewed and demand projections are updated by DCR to determine the impacts, if any, on the available supply for the proposed River's Edge Development and any other potential developments in the preliminary planning stages.

Potential improvements to the distribution system were not evaluated as part of this study. The land for the River's Edge Development currently is owned by the Town and has not been purchased by a developer. At the time the land is purchased, we recommend the Town request a subdivision review be conducted to analyze and provide comments to the developer's water main design plans, determine water use fees, and conduct a hydraulic analysis. The Town is currently updating their CEP anticipated to be completed by December 2015. The CEP includes a hydraulic analysis of the Town's distribution system using WaterGEMS modeling software. The model can be used to determine potential recommended improvements that may be required to meet the proposed demands and fire flow requirements for the proposed fire suppression system and a needed fire flow on the street as recommended by the Wayland Fire Department. Tata & Howard will provide a cost estimate to the Town for a subdivision review, at the time the land is purchased by a developer, upon request.



APPENDIX **A**



Date: May 2015
Approximate Scale: 1" = 1,000'

Flow Test Locus Map
Feasibility Study for Potable Water Supply

River's Edge Development
Wayland, Massachusetts

Figure No.

1

Correspondence



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Julia Junghanns, R.S., C.H.O.
DIRECTOR OF PUBLIC HEALTH
TEL. (508) 358-3617
www.wayland.ma.us

To: Jerome Heller, Chairperson for the River's Edge Advisory Committee
From: Tom Klem, Chair, Board of Health
Date: May 13, 2015
Subject: RFP for River's Edge project at 484-490 Boston Post Road

Dear Mr. Heller-

A Request for Proposals (RFP) is being prepared by the Town for the purpose of inviting submissions from parties interested in development at 484-490 Boston Post Road in Wayland, commonly known as 'River's Edge'. The RFP will require environmental assessment and remediation as part of any development plan.


The Board of Health requests that groundwater at River's Edge be tested for the following, per recommendation of the Massachusetts Department of Environmental Protection (email K. Brander to J. Junghanns, 25March2015).

- | | |
|----------------------------------------|-----------|
| Ammonia/nitrogen | Antimony |
| Nitrate | Arsenic |
| Total nitrogen | Barium |
| Phosphorous/orthophosphorous | Beryllium |
| Lead | Cadmium |
| Chloride | Chromium |
| Manganese | Copper |
| Mercury | Nickel |
| Total Volatile Organic Compounds (VOC) | Selenium |
| Toluene | Silver |
| Chloroform | Thallium |
| 4-methyl-2-pentanone | Vanadium |
| Bromodichloromethane | Zinc |

We also ask that these parameters be included in the final RFP to document the recommendation of Massachusetts DEP pertaining to this specific location. The Board reserves the right to review the results of the testing.

Separate from the matter of groundwater analysis is the subject of wastewater treatment in the River's Edge RFP (Section 9). Approval of a wastewater treatment plan can be required at both the state (DEP) and local (Board of Health) levels depending on the specifics of the plan. We request that this information be included for each of the options outlined in this section, for benefit of the parties that will be submitting proposals.

Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas Klem', with a long horizontal flourish extending to the right.

Thomas Klem

Chair, Wayland Board of Health

Cc: Julia Junghanns, Director of Public Health

Cherry Karlson, Chair, Board of Selectmen

Nan Balmer, Town Administrator

JEFFREY L. ROELOFS, P.C.
ENVIRONMENTAL AND LAND USE LAW

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May 15, 2015

Mark J. Lanza
Wayland Town Counsel
41 Cochituate Road
Wayland, MA 01778

RE: Bernstein, et al. v. Wayland Planning Board, et al. (Middlesex Superior Court)
Civil Action No. 2008-00552

Dear Mark:

I enclose the original and a copy of (1) the "Opposition of Plaintiffs to Town of Wayland Defendants' Motion for Temporary Relief From Judgment on Count II of Plaintiffs' Amended Complaint" and (2) an accompanying Appendix of Documents.

Please call me with any questions. Thank you.

Sincerely,



Jeffrey L. Roelofs

Enclosures

cc: Patricia A. Cantor, Esq.
Anthony J. Deluca
David Bernstein
Jeffrey Porter

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2008-00552

DAVID BERNSTEIN, et al.

Plaintiffs,

v.

WAYLAND PLANNING BOARD, et al.

Defendants.

**OPPOSITION OF PLAINTIFFS TO TOWN OF WAYLAND
DEFENDANTS' MOTION FOR TEMPORARY RELIEF FROM JUDGMENT
ON COUNT II OF PLAINTIFFS' AMENDED COMPLAINT**

Plaintiffs David and Kathleen Bernstein and Jeffrey and Jill Porter (“Plaintiffs”) hereby oppose the Town of Wayland’s motion for temporary relief from the “Judgment on Count II of Plaintiff’s Amended Complaint” entered in this case in 2008 pursuant to the parties’ Agreement for Judgment. Wayland filed its motion under Mass. R. Civ. P. 60(b)(6) and seeks modification of the Judgment. As discussed below, Wayland’s motion should be denied because (1) the Court lacks authority under Rule 60(b)(6) to modify the Judgment because it is a consent judgment and explicitly prohibits any modification except with the written consent of all parties, and (2) even if the Court had modification authority, there are no “exceptional circumstances” justifying modification in this case.

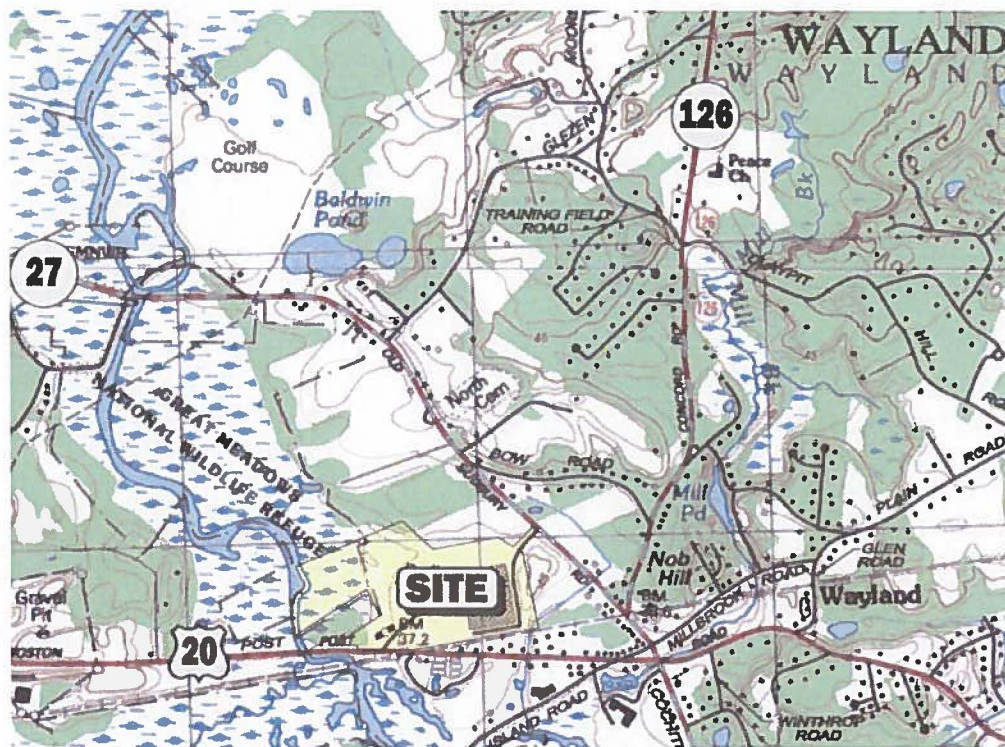
Wayland’s motion is baseless and an impermissible tactic by Wayland to further delay its completion of important traffic mitigation measures that it agreed to under the Judgment years ago. Wayland’s motion is itself a breach of the Judgment. The Court should deny Wayland’s motion and award Plaintiffs their reasonable fees and costs to defend Wayland’s motion.

FACTUAL BACKGROUND

The Project and Plaintiffs' Appeal

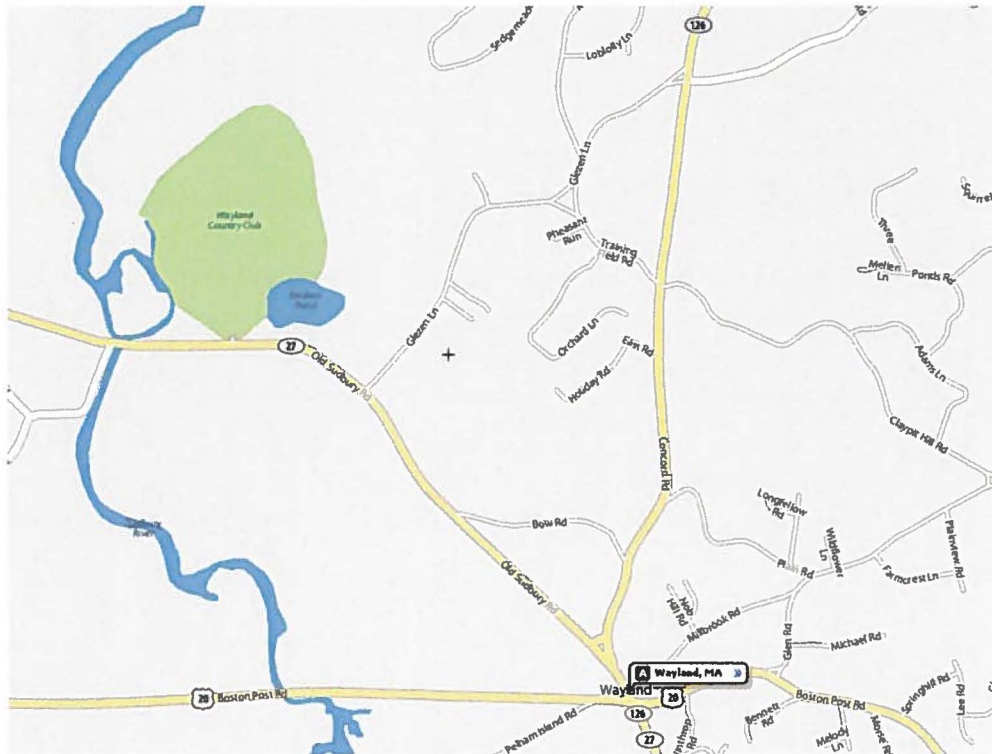
Plaintiffs initiated this action in 2008 to challenge a decision of the Wayland Planning Board (“Board”) granting various approvals for a 372,500 square foot mixed-use development in Wayland known as the Wayland Town Center Project (“Project”). Ex. A (Bernstein Affidavit), ¶ 4.¹ The Project is located on an approximately 56-acre parcel of land situated within Wayland’s town center between Route 20 to the south and Route 27 to the east. Id. Routes 20, 27 and 126 are all heavily traveled roadways that have presented ongoing traffic challenges for many years.

Id. The following figures depict the Project Site and surrounding areas (id.):



Source: Excerpt from “Figure 1 - Site Location Map” of the “Master Special Permit Traffic Impact and Access Study,” prepared by Vanasse & Associates, Inc., dated May 2007

¹ Exhibit references herein are to the “Appendix of Documents in Support of Opposition of Plaintiffs to Town of Wayland’s Motion for Temporary Relief from Judgment on Count II of Plaintiffs’ Amended Complaint,” filed herewith, including David Bernstein’s Affidavit (Ex. A) and various documents in Exs. B-G.



Source: Yahoo! Maps

Plaintiffs reside on Glezen Lane, a small residential street that runs east-west between Routes 27 and 126, intersecting Route 27 a short distance north of where the Project access drive intersects Route 27. Ex. A (Bernstein Affidavit), ¶¶ 2, 4-6. In their Complaint, Plaintiffs asserted, among other objections, that the Board issued its decision prematurely before a comprehensive and detailed traffic mitigation plan had been developed to effectively and appropriately mitigate the Project-related traffic impacts on Glezen Lane. Ex. A (Bernstein Affidavit), ¶ 6. They contended, in part, as follows (Ex. B, Amended Complaint, ¶ 32, emphasis added):

Glezen Lane is a narrow, winding residential road with no sidewalks or shoulders and poor site distances. It is already overburdened and experiencing unsafe conditions, particularly at peak hours, due to excessive “cut through” traffic (commuters and others attempting to avoid the delays associate with the Route 27/126 and Route 27/20 intersections and Route 20 in the Wayland area), excessively fast traffic and excessive commercial truck traffic. Traffic increases of even a fraction of those expected to be generated by the Project on

Glezen Lane would significantly and adversely impact the plaintiffs, their children, and others who use and reside on Glezen Lane, by, among other things, exacerbating currently unsafe traffic conditions during peak hours, presenting a serious threat to their safety during peak hours, as well as off-peak hours and weekends when plaintiffs and others walk along Glezen Lane, generating offensive noise levels, adversely impacting property values, and otherwise causing unsafe and injurious conditions on Glezen Lane.

Agreement for Judgment and Judgment

Ultimately, during the discovery phase of the litigation and after extensive settlement efforts, the parties executed an Agreement for Judgment (the “Agreement”) pursuant to which Wayland consented to a Judgment that required Wayland to implement certain traffic mitigation measures on Glezen Lane in exchange for Plaintiffs dismissing their challenge to the Board’s approval of the Project (Count I of this action). Ex. A (Bernstein Affidavit), ¶ 8; Ex. C (Agreement). In those negotiations, the Town of Wayland, its Board of Selectmen and its Board of Road Commissioners were represented by Town Counsel (Mark Lanza, Esq.). *Id.* at ¶ 9. The Board and its members were represented by separate counsel, Kopelman and Paige, P.C. *Id.* All Wayland defendants were also assisted by a traffic consultant, Kevin Dandrade of TEC.² *Id.*

On July 16, 2008, pursuant to the parties’ Agreement, the Court entered Judgment on Count II of Plaintiff’s Amended Complaint and simultaneously dismissed Count I. Ex. D. The Judgment requires Wayland to, among other things, (1) conduct specified traffic monitoring and analyses, (2) implement various “Initial Traffic Mitigation Measures” to control traffic speeds and volumes on Glezen Lane (Section I(F)), and (3) implement “Additional Traffic Mitigation Measures” (Section I(G)) if determined to be required based on continued traffic volume

² Mr. Dandrade of TEC had previously been hired by the Town’s Planning Department to perform peer review traffic engineering services relative to permitting for the Project and was directly involved in the development of the traffic-related mitigation measures ultimately incorporated into the Agreement for Judgment. See Ex. A to Town’s Motion (Dandrade Affid.), ¶¶ 2-4.

monitoring and documented traffic volumes on Glezen Lane above certain Maxima specified in the Judgment (Section I(B)).³

The Judgment sets forth the agreed-upon protocol for establishing baseline traffic levels, for monitoring traffic levels, for collecting and documenting traffic volume data, and for determining whether the specified Maxima are exceeded. Judgment, Sections I(C) – I(E). The Judgment identifies the deadlines to complete the required mitigation measures and also provides Wayland the opportunity to remove previously-installed mitigation measures in certain circumstances. Judgment, Section I(H).

The mitigation program established in the Judgment was carefully crafted and was the result of extensive negotiations in which all parties were assisted by counsel and traffic consultants. Ex. A (Bernstein Affidavit), ¶¶ 9, 12; Dandrade Affidavit (Ex. A to Wayland’s motion), ¶¶ 2-4.

As noted in the Judgment (and also the Agreement for Judgment), Wayland expressly agreed that “the measures set forth in this Judgment are warranted and appropriate to address through traffic on Glezen Lane in the Town of Wayland generated by the Town Center Project, and are consistent with valid municipal planning purposes to promote public health, safety, and welfare in the Glezen Lane area of Wayland.” Ex. C, Judgment, Preamble ¶ 5, p. 2.

Wayland also agreed “to be legally bound” (Preamble ¶ 6) and to affirmatively support the Judgment and its traffic mitigation obligations under the Judgment. For example, the Judgment requires Wayland to “exercise good faith” to anticipate, prevent and minimize “to the greatest extent possible” delays in the implementation of the required mitigation measures (Section I(H) (second para.)), to “defend against” efforts by “any person or entity ... seeking to

³ Section I(E) of the Judgment specifies that a “Maximum” “shall be deemed exceeded for purposes of triggering Wayland’s obligation to implement the next specified mitigation measure if at least four (4) of the 13 three-week rolling averages during that 13-Week Reporting Period exceed the specified Maximum. Ex. D.

prevent Wayland's performance under [the] Judgment" (Section II(C)), to "take all steps necessary ... to otherwise secure performance of Wayland's obligations set forth in [the] judgment" (Section II(C)), and to "cooperate and to act in good faith to achieve the terms and objectives of [the] Judgment" (Section II(F)).

Significantly, the Judgment also incorporated a provision prohibiting any modifications to the Judgment except by written agreement of the parties. Section II(G) provides, in part, as follows:

G. Amendments

This Judgment may not be modified except pursuant to a written amendment executed by Wayland, by and through its Board of Selectmen and Board of Road Commissioners, and by all Plaintiffs who still reside in Wayland at the time any such amendment is executed.

The above cited provisions, including Section II(G)'s constraint on modifications, were important components of the parties' Agreement for Judgment and significant elements of the consideration provided by Wayland and that induced Plaintiffs to agree to dismiss their challenge to the Planning Board's approval decision for the Project. Ex. A (Bernstein Affidavit), ¶ 16.

Post-Judgment Development of Project and Traffic Mitigation Measures

With the Judgment entered and Plaintiffs' appeal dismissed, construction of the Project proceeded. To date, approximately 80% of the Project has been completed. Dandrade Affidavit (Ex. A to Wayland's motion), ¶ 5. Wayland implemented the "Initial Traffic Mitigation Measures" required by the Judgment. Ex. A (Bernstein Affid.), ¶ 17. Despite those measures, post implementation monitoring confirmed that traffic volumes on Glezen Lane exceeded the Maximum specified for the first level of "Additional Traffic Mitigation Measures" set forth in

Section I(G)(1) of the Judgment (Tier II Speed Tables).⁴ Id. Accordingly, Wayland installed the Tier II Speed Tables. Id.

Subsequent monitoring of traffic volumes on Glezen Lane again confirmed exceedances of specified Maxima, triggering Wayland's obligation to implement the "Weekday and Extended Weekend Turn Prohibitions" specified in Section I(G)(2) and, subsequently, the "Tier III Speed Tables" specified in I(G)(3). Ex. A (Bernstein Affid.), ¶ 18.

Wayland implemented the additional measures specified in Sections I(G)(2) and I(G)(3) – although its installation of the Tier III Speed Tables was delayed.⁵ Ex. A (Bernstein Affid.), ¶ 19. Monitoring conducted after installation of the Tier III Speed Tables demonstrated continued exceedances of the specified Maxima, triggering Wayland's obligation to implement the "Permanent Turn Prohibitions and Physical Restrictions, Glezen Lane – Route 27" as specified in Section I(G)(4) of the Judgment.⁶ Id. at ¶ 20. Those measures include (i) turn prohibitions at all times and (ii) installation of specified physical turn restrictions. Wayland was obligated to complete those measures by November 15, 2014 – prior to the roadway construction hiatus provided for in Section I(H) of the Judgment (November 15 – April 1). Id.

⁴ As noted in Section I.E (last sentence of first paragraph on p. 5): "A Maximum specified in Section I(B) or I(G)(4) shall be deemed exceeded for purposes of triggering Wayland's obligation to implement the next specified mitigation measure if at least four (4) of the 13 three-week rolling averages during that 13-Week Reporting Period exceed the specified Maximum." Ex. D.

⁵ Wayland's implementation of the Tier III Speed Tables was delayed. Section I(G)(3) of the Judgment required installation of the Tier III Speed Tables "if, after implementation of measure 2 above, any weekday or weekend Maximum specified in Section I(B) is exceeded". Ex. A (Bernstein Affid.), ¶ 19. The Maxima were exceeded during every week of the reporting period following the implementation of "measure 2." Id. Therefore, the Tier III Speed Tables should have been installed on or about April 1, 2014 – since November 23, 2013, the last day of the fourth reporting period pursuant to Section I(E), was during the winter construction hiatus of November 15 to April 1 specified in the Judgment. Id.; Ex. F (Plaintiff's first Notice of Default), p. 2.

⁶ Pursuant to Section I (G)4 of the Judgment, the "Permanent Turn Prohibitions and Physical Restrictions, Glezen Lane – Route 27" specified in Section I(H) must be completed after "traffic volumes during the weekday 9 am – 4 pm period or Saturdays and Sundays exceed forty (40%) percent of the Baseline Traffic Volume (specified in Section I(B) as adjusted pursuant to Section I(C), or if traffic volumes during the weekday 6:00 am – 9:00 am period or 4:00 pm – 7:00 pm period exceed fifteen (15%) percent of the Baseline Traffic Volume (specified in Section I(B) as adjusted pursuant to Section I(C))."

For no reason, Wayland failed to implement the measures required in Section I(G)(4) by November 15, 2014. Plaintiffs sent Wayland a Notice of Default on August 27, 2014 (Ex. E), pursuant to Sections II(B) of the Judgment, putting Wayland on notice of its breach and obligation to complete the Section I(G)(4) measures by November 15, 2014. Ex. A (Bernstein Affid.), ¶ 21. Wayland did not respond to Plaintiffs' notice and failed to take any steps towards completion of the Section I(G)(4) mitigation measures. Id.

Indeed, Wayland actively sought to further delay its compliance. Ex. A (Bernstein Affid.), ¶ 22. For example, the Wayland Board of Selectmen submitted an unnecessary Town Meeting Article for funding of the remaining mitigation measure, contrary to prior practice relating to Wayland Town Center mitigation, and then failed to support that Article in the face of a favorable recommendation from the Town's Finance Committee. Id. The Wayland Police Chief also criticized the police patrol and turn restriction provisions of the Judgment and actively opposed funding for the turn restrictions, both in violation of the Judgment. See, for example, the highlighted "Arguments Opposed" section of 2015 Annual Town Meeting Warrant, Article 15, as included in Ex. G hereto. Id.

Wayland's delay tactics, including its motion to modify the Judgment, constitute further breaches of its obligations to "exercise good faith" to minimize delays in the implementation of the required mitigation measures (Section I(H)), "take all steps necessary ... to otherwise secure performance of Wayland's obligations set forth in [the] judgment" (Section II(C)), and to "cooperate and to act in good faith to achieve the terms and objectives of [the] Judgment."

Plaintiffs sent Wayland a second Notice of Default on April 10, 2015 (copy, without exhibits, included in Ex. F). Ex. A (Bernstein Affid.), ¶ 24. Plaintiffs will file a motion to enforce the Judgment once the 45-day cure period provided for in Section II(B) expires. Id.

ARGUMENT

As discussed below, Wayland's motion is legally and factually baseless and constitutes an impermissible attempt to modify the parties' agreed-upon Judgment without Plaintiffs' written consent, in violation of Section II(G) of the Judgment. The Court should deny the motion and award Plaintiffs' their reasonable fees and costs.

I. The Court lacks authority to modify the Consent Judgment under Mass. R. Civ. P. 60(b)(6).

Wayland purports to submit its motion under Mass. R. Civ. P. 60(b)(6). However, the Court lacks authority under Rule 60(b)(6) to modify a consent judgment – particularly where one of the agreed-upon terms incorporated into the Judgment expressly prohibits modifications without the written consent of all parties. See Thibbitts v. Crowley, 405 Mass. 222, 226-27 (1989) (“[T]he judge had no authority to modify or amend the consent judgment between the parties”); see also Kelton Corps. v. County of Worcester, 426 Mass. 355, 359-60 (1997) (judgment entered by agreement of the parties conclusively determines parties' rights and the agreement for judgment is a separate and valid contract); Boston Housing Authority v. Cassio, 428 Mass. 112, 114 (1998) (agreed-upon judgment could not properly be amended without plaintiff's consent); Quaranto v. DiCarlo, 38 Mass.App.Ct. 411, 412-13 (1995) (court may not relieve parties of a consent judgment).

The Supreme Judicial Court's (“SJC”) decision in Thibbitts is directly on point. In Thibbitts, the parties had reached an agreement leading to a consent judgment. Plaintiff later obtained from the trial judge an extension of a deadline set forth in the consent judgment.

Without the extension, defendant would not have been required to convey his land to plaintiff under the terms of the consent judgment. Ultimately, on appeal, the SJC concluded that “the judge had no authority to modify the consent judgment,” under Mass. R. Civ. P. 60(b)(5) or (6). Thibbitts, 405 Mass. at 222, 226-27.

In reaching its conclusion, the SJC articulated the general standard for motions to modify judgments under Mass. R. Civ. P. 60(b)(5) and (6), stating that “such relief is extraordinary and may be granted only upon a showing of ‘exceptional circumstances.’” Thibbitts, 405 Mass. at 226. Applying that standard to consent judgments, the SJC concluded as follows:

It was an error to modify the consent judgment. A consent judgment is essentially a settlement agreement that is entered as a judgment. Bryan v. Reynolds, 143 Conn. 456, 460, 123 A.2d 192 (1956). “We are aware of no sound theory upon which it can be held that *227 the court has jurisdiction to modify the terms of a valid existing contract which arose solely through the voluntary act of the parties.” Moore v. Moore, 389 Mass. 21, 24, 448 N.E.2d 1255 (1983), quoting Schillander v. Schillander, 307 Mass. 96, 98, 29 N.E.2d 686 (1940). “And when, as in this case, the [plaintiff] made a free, calculated and deliberate choice to submit to an agreed upon decree rather than seek a more favorable litigated judgment, [his] burden under Rule 60(b) is perhaps even more formidable than had [he] litigated and lost.” United States Steel Corp. v. Fraternal Ass'n of Steel Haulers, [601 F.2d 1269, 1274 (3d Cir. 1979)]. Altering the material terms of such an agreement at the behest of one party, without the consent of the other, does violence to the second party's expectations and to the very concept of judgment by consent. . . .

A court is powerless to enlarge or contract the dimensions of a true consent decree except upon (i) the parties' further agreement or (ii) litigation of newly-emergent issues.” Pearson v. Fair, 808 F.2d 163, 166 (1st Cir.1986). See generally 46 Am.Jur.2d Judgments § 688, at 840 (1969 & 1989 Supp.).

The SJC's holding in Thibbitts, constraining a court's authority under Rule 60(b) to modify consent judgments, applies with particular force here where the consent Judgment includes a provision that explicitly prohibits modification of the Judgment “except pursuant to a

written amendment executed by Wayland . . . and by all Plaintiffs who still reside in Wayland at the time any such amendment is executed.” Ex. D (Judgment), Section II(G). This provision was agreed to by Wayland and deprives the Court of any authority to modify the Judgment except by consent of all parties.

Accordingly, pursuant to the SJC’s holding in Thibbitts (and other cases cited above) and the modification constraint included in Section II(G) of the Judgment, the Court lacks authority to modify the Judgment without Plaintiffs’ consent and the Court should, therefore, deny Wayland’s motion.

II. Even if the Court had some limited authority under Mass. R. Civ. Proc. 60(b)(6) to modify the Consent Judgment, there are no “exceptional circumstances” justifying modification here.

Even if Wayland’s motion were reviewed under the general Rule 60(b)(6) standard – ignoring the above-cited SJC precedent as related to modifications of consent judgments and the modification constraints set forth in the Judgment itself – Wayland’s requested modification must still be denied because (1) there are no “exceptional circumstances” justifying the requested modifications, (2) the requested relief would materially prejudice the Plaintiffs by depriving them of a material component of the deal they negotiated with Wayland, and (3) Wayland’s motion is untimely, being brought nearly seven years after the Judgment was entered and based on grounds known to Wayland when the Judgment was entered. See Owens v. Mukendi, 448 Mass. 66 (2006) (Rule 60(b)(6) only authorizes relief from judgment when justified by “extraordinary circumstances” and motion must be brought within a reasonable time).

Wayland is asking the Court to modify the Judgment to allow it to (1) remove certain previously-implemented mitigation measures for a 60-day period so that it can perform a traffic study, and (2) further delay its implementation of the additional mitigation measures specified in

Section I(G)(4) of the Judgment “in order to prepare plans, specifications, bid and contract documents for the work and comply with the [statutory] competitive bid requirements.”

Wayland’s Motion, p. 2.

With respect to the first component, Wayland contends that the requested modification is justified because the mitigation program set forth in the Judgment was based on traffic projections, whereas “more reliable” data is now available because the Project is 80% complete. It also contends that the recently collected data shows the traffic generated by the Project as being 1/3rd less than originally projected.

These contentions, even if true, would not constitute “exceptional circumstances” warranting modification of the Judgment. When the parties developed the mitigation program set forth in the Judgment they were represented by counsel and assisted by traffic consultants. They deliberately structured the program with the understanding that certain aspects of the program were premised on traffic projections, although the triggering of “Additional Traffic Mitigation Measures” is based on actual, current traffic counts on Glezen Lane. Wayland agreed to premise its mitigation obligations on the traffic data, review protocol, and maxima set forth in the Judgment. The data that Wayland wants to collect now, as part of its proposed traffic study, is completely irrelevant to the protocol and obligations agreed upon.⁷ If Wayland had wanted to base its mitigation obligations on some set of data or calculations different than those specified in the Judgment, the time for addressing that desire was at the negotiation stage – not 7 years after entry of Judgment.

⁷ In addition, there is good reason to doubt the reliability of data collected in the proposed study. For example, given that the turn restrictions have been in place since September 2012, it would take longer than 60 days for Town Center patrons to begin using Glezen Lane; or, those opposed to the Glezen Lane turn restrictions could easily influence the outcome by organizing an “avoid Glezen Lane during the traffic study” campaign.

Moreover, Wayland expressly agreed that “the measures set forth in this Judgment are warranted and appropriate to address through traffic on Glezen Lane in the Town of Wayland generated by the Town Center Project, and are consistent with valid municipal planning purposes to promote public health, safety, and welfare in the Glezen Lane area of Wayland.” Ex. C, Judgment, Preamble ¶ 5, p. 2. Accordingly, it should be estopped from arguing otherwise at this time.

That Wayland now wishes it had agreed to something different is not an “exceptional circumstance” justifying a material modification to the mitigation program set forth in the agreed-upon Judgment. Wayland’s motion is also untimely, being filed 7 years after Judgment is entered and after it has reaped the full benefit of the Judgment (dismissal of Plaintiffs’ appeal and construction of the Project). Owens, 448 Mass. at 74-77 (motion for relief from judgment filed more than three and one-half years after entry of judgment was untimely).

The second component of Wayland’s request – a modification to allow Wayland more time to implement the final component of additional mitigation measures required by Section I(G)(4) of the Judgment – is also completely unjustified and Wayland’s arguments for the additional time to implement the measures are disingenuous.

Wayland has always known that implementation of the physical turn restriction mitigation measure would require designs, bid documents and completion of the bid process. It knew this when it agreed to the “Deadlines to Complete Required Mitigation Measures” set forth in Section I(H) of the Judgment, which is why the Judgment provides more time for implementing this measure than other measures. It also knew no later than September 2, 2014 that its obligation to construct the physical turn restrictions provided for in Section I(G)(4) had been triggered – having then received Plaintiffs’ August 27, 2014 Notice of Default (see Ex. E).

Yet, rather than commencing the design and bid process at that time and undertaking good faith efforts to comply with its obligation (as the Judgment requires), Wayland did nothing to advance the work.

In its Memorandum at page 6, Wayland argues that “[t]here was insufficient time between September 2, 2014 and November 15, 2014 to design, bid and construct the physical alterations. . . . Thus, it was not possible to complete the physical changes by November 15, 2014 or April 1, 2015.” However, even if construction could not have been completed by November 15 or April 1, Wayland offers no explanation for its failure to at least complete the design work and bid process during the November 15 – April 1 period.⁸ Wayland has no reasonable excuse for not at least beginning construction by April 1, 2015 and there is no justification for modifying the Judgment to allow Wayland additional time to implement the required mitigation measures.

III. Attorney Fees

Plaintiffs are requesting that the Court award them the reasonable attorney fees and costs incurred by them to defend Wayland’s motion.

Awarding Plaintiffs their fees and costs is warranted under Section II(G) of the Judgment. Section II(G) provides that “[i]n any action for breach of this Judgment, the party who prevails or substantially prevails shall be entitled to recover from the other party(ies) their reasonable attorneys fees, interest, expert fees and costs, . . . provided the Court finds that the non-prevailing party breached the Judgment without a reasonable basis for believing that its actions or inactions

⁸ The Judgment anticipates that some delays in the installation of mitigation measures may occur as a result of “event[s] beyond the control of Wayland.” Judgment, Section I(H) (second para.). Even as to those events, the Judgment requires Wayland to “exercise good faith efforts to anticipate any such event and to address the effects of any such event to prevent or minimize any resulting delay to the greatest extent possible.” Judgment, Section I(H) (second para.). Here, the cause of delay has been solely within Wayland’s control.

would not constitute a breach.” But for Wayland’s impermissible motion, the Court would be hearing a motion to enforce the Judgment, the costs of which would contractually be borne by the losing party. The Town should not be able to use a motion in violation of the Judgment to put these costs on the Plaintiffs.

Awarding Plaintiffs their fees and costs is warranted under Mass. R. Civ. P. 11, because Wayland’s motion is baseless and an impermissible attempt to circumvent the modification constraints provided for in Section II(G) of the consent Judgment.

CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court deny Wayland’s motion and award Plaintiffs their reasonable fees and costs to oppose the motion.

Respectfully submitted,

PLAINTIFFS DAVID BERNSTEIN, KATHLEEN
BERNSTEIN, JEFFREY PORTER, and JILL PORTER,

By their attorney,



Jeffrey L. Roelofs (BBO# 628645)
LAW OFFICES OF JEFFREY L. ROELOFS, P.C.
30 Green Street
Newburyport, MA 01950
Tel: (978) 462-7600
Fax: (978) 462-7610
jlr@roelofslaw.com

Dated: May 15, 2015

CERTIFICATE OF SERVICE

I certify that I caused a copy of the foregoing document to be served upon the defendants by having copies mailed first class, postage prepaid, on this 15th day of May, 2015, as follows:

Counsel to Municipal Defendants

Mark J. Lanza
Wayland Town Counsel
41 Cochituate Road
Wayland, MA 01778

**Co-Counsel to Planning Board
and Its Members**

Patricia A. Cantor
Kopelman & Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110-1109

**Resident Agent of Record
for Twenty Wayland, LLC**

Anthony J. Deluca
9 Cole Drive
Medfield, MA 02052



Jeffrey L. Roelofs

NSA recommendations for improved digital security

28 May, 2015

To: Wayland Board of Selectmen
41 Cochituate Road
Wayland ,MA 01778

From: Mark Hays
Cell: 508.661.9733
Email: MarkAllenHays@Gmail.com (best bet)

Dear Wayland Board of Selectmen members:

The National Security Agency (NSA) released a report this year with recommendations for improved digital security. A copy is attached to this email. The NSA report is designed for any organization in the US that manages confidential data, including towns and schools. These recommendations are entirely appropriate for the Wayland Town and School network, not “overkill”:

- 1. Segregate network systems:** Departments and groups of users need to be separated on the network to keep malware and hackers from easily moving from computer to computer.
- 2. Protect and restrict administrative privileges:** Employees, teachers and students should never be granted full Admin rights – which creates risk and makes it much easier for malware to attack and compromise the system.
- 3. Deploy, configure and monitor application whitelisting:** Software that can be installed on Wayland Town and School computers needs to be restricted to an authorized ‘white list’. Wayland employees, teachers and students should not be able to install any software they choose.
- 4. Limit workstation-to-workstation communications:** This step limits data and file exchange between computers and departments, to block the spread of malware infections.
- 5. Implement robust network boundary defense capabilities:** Every organization needs effective firewalls and perimeter defenses.

6. **Maintain and actively monitor centralized host and network logging solutions:** This is techno-speak for an “intrusion detection system” -- a network ‘burglar alarm’ to spot attacks like the breach of the Wayland Treasurer’s office.
7. **Implement Pass the Hash (PtH) mitigations:** This is a very important and technical upgrade; see the documents linked to the NSA report.
8. **Deploy Microsoft Advanced Mitigation Experience Toolkit (EMET):** This is another important upgrade for any network with Windows based PCs.
9. **In addition to anti-virus services, employ anti-virus file reputation services:** More advanced anti-virus / anti-malware apps constantly check for new threats via the Web, e.g. Symantec Insight, McAfee GTI and Webroot.
10. **Implement and tune Host Intrusion Prevention:** These systems constantly monitor your network for changes and activity that may be linked to an attack. This would have detected the breach in the Wayland Treasurer’s office, for example, *before* the cybercrime crew tried to wire \$4 million to their offshore account.
11. **Update and patch software in a timely manner:** If computer operating systems, applications and components are not updated as soon as new patches are available, major security vulnerabilities are exposed. The computer in the Wayland Treasurer’s office, for example, was missing a security patch for Adobe Reader that should have been installed in 2013.
12. **Prepare for incident response and recovery:** Wayland clearly needs a security incident response plan, with training for IT staff.

A confidential version of this letter is being mailed to you with additional details. Please let me know if you have any questions. Again, I would be happy to meet with the Board of Selectmen, FinCom and the School Committee in Executive Session to discuss the details behind these problems and solutions.

Thanks,

Mark Hays



National Security Agency/Central Security Service



INFORMATION ASSURANCE DIRECTORATE

DEFENSIVE BEST PRACTICES FOR DESTRUCTIVE MALWARE

Version 1.0

16 January 2015

MIT-001R-2015



DEFENSIVE BEST PRACTICES FOR DESTRUCTIVE MALWARE



Once a malicious actor achieves privileged control of an organization's network, the actor has the ability to steal or destroy all the data that is on the network. While there may be some tools that can, in limited circumstances, prevent the wholesale destruction of data at that point, the better defense for both industry and government networks is to proactively prevent the actor from gaining that much control over the organization's network. In practice, this can be difficult to do, but there are several cost effective mitigations that make it much more difficult for a malicious actor to achieve that level of control over an organization's network undetected. The earlier that network defenders can detect and contain an intrusion, the less damage the intruder can possibly cause. In addition to trying to contain an intrusion as early as possible, planning for the possibility of a significant intrusion and potential wide scale destruction of data and systems will be well worth the effort in the event that they are needed. Preparing through offline backups and exercised incident response and recovery plans can make the organization more resilient, enabling quick reconstitution and the resumption of normal business functions as soon as possible.

This report reiterates many strategies from the NSA/CSS Information Assurance Directorate's (IAD) previously published "**Information Assurance Mitigation Strategies**" (available at http://www.nsa.gov/ia/mitigation_guidance), as well as additional guidance. Presented below are the mitigations and best practices that prevent, detect, and contain an adversary who seeks to penetrate and disrupt an organization's systems.

Prevent, Detect, and Contain

The best practices to protect information systems and networks from a destructive malware attack include:

- Segregate network systems in such a way that an attacker who accesses one enclave is restricted from accessing other areas of the network
 - For more information, please see the IAD Publication, Segregating Networks and Functions, at:
http://www.nsa.gov/ia/files/factsheets/I43V_Slick_Sheets/Slicksheet_SegregatingNetworksAndFunctions_Web.pdf
- Protect and restrict administrative privileges, especially for high-level administrator accounts, from discovery and use by the adversary to gain control over the entire network
 - For more information, please see the IAD Publication, Control Administrative Privileges, at:
http://www.nsa.gov/ia/files/factsheets/I43V_Slicksheets/Slicksheet_ControlAdministrativePrivileges_web.pdf
- Deploy, configure, and monitor application whitelisting to prevent unauthorized or malicious software from executing



DEFENSIVE BEST PRACTICES FOR DESTRUCTIVE MALWARE



- For more information, please see the following IAD Publications:
 - IAD's Application Whitelisting Slick Sheet:
<http://www.nsa.gov/ia/ files/factsheets/I43V Slick Sheets/Slicksheet Application Whitelisting Standard.pdf>
 - Application Whitelisting Trifold:
<http://www.nsa.gov/ia/ files/factsheets/Application Whitelisting Trifold.pdf>
 - Application Whitelisting Using SRP:
<http://www.nsa.gov/ia/ files/os/win2k/Application Whitelisting Using SRP.pdf>
 - Application Whitelisting using Host Based Security System (HBSS):
<http://www.nsa.gov/ia/ files/factsheets/HBSS HIPS Application Whitelisting Technical Implementation Guide 20130211.pdf>
 - Application Whitelisting using Microsoft AppLocker¹: visit www.iad.gov (login required) and search for AppLocker.
- Limit workstation-to-workstation communications to reduce the attack surface that an adversary can use to spread and hide within a network
 - For more information, please see the IAD Publication, Limit Workstation to Workstation Communications, at:
<http://www.nsa.gov/ia/ files/factsheets/I43V Slicksheets/Slicksheet LimitingWtWCommunication Web.pdf>
- Implement robust network boundary defensive capabilities such as perimeter firewalls, application firewalls, forward proxies, sandboxing, and/or dynamic analysis filters to catch malware as it enters the network
- Maintain and actively monitor centralized host and network logging solutions after ensuring that all devices have logging enabled and their logs are being aggregated to those centralized solutions to detect anomalous or malicious activity as soon as possible, enabling containment and response actions before significant damage is done
 - For more information, please see the IAD Publication, Spotting the Adversary with Event Log Monitoring, at:
<http://www.nsa.gov/ia/ files/app/Spotting the Adversary with Event Log Monitoring.pdf>
- Implement Pass-the-Hash (PtH) mitigations to reduce the risk of credential theft and reuse
 - For more information, please see the IAD Publication, Reducing the Effectiveness of Pass-the-Hash, at:

¹ AppLocker® is a registered trademark of Microsoft Corporation in the United States and/or other countries.



DEFENSIVE BEST PRACTICES FOR DESTRUCTIVE MALWARE



- <http://www.nsa.gov/ia/ files/app/Reducing the Effectiveness of Pass-the-Hash.pdf>
- Also see the Microsoft^{®2} publication on PtH, Mitigating Pass-the-Hash (PtH) and Other Credential Theft Techniques, at:
<http://www.microsoft.com/en-us/download/details.aspx?id=36036>
 - Deploy Microsoft Enhanced Mitigation Experience Toolkit (EMET) or other anti-exploitation capability (for non-Windows^{®3} operating systems) to prevent numerous initial exploits from being successful
 - For more information, please see the following IAD Publications:
 - Anti-Exploitation Features:
<http://www.nsa.gov/ia/ files/factsheets/I43V Slick Sheets/Slicksheet AntiExploitationFeatures Web.pdf>
 - Microsoft's Enhanced Mitigation Experience Toolkit:
<https://www.nsa.gov/ia/ files/os/Win EMET/I43V EMET Rationale v3.4.pdf>
 - Understanding the Enhanced Mitigation Experience Toolkit
<https://www.nsa.gov/ia/ files/os/Win EMET/EMET FAQ v3.1.pdf>
 - In addition to anti-virus services, employ anti-virus file reputation services to gain full benefit from industry knowledge of known malware sooner than normal anti-virus signatures can be deployed
 - For more information, please see the IAD Publication, Anti-Virus File Reputation Services, at:
<http://www.nsa.gov/ia/ files/factsheets/I43V Slick Sheets/Slicksheet AntivirusFileReputationServices.pdf>
 - Implement and tune Host Intrusion Prevention Systems (HIPS) to detect and prevent numerous attack behaviors
 - For more information, please see the IAD Publication, Host Intrusion Prevention Systems, at:
<http://www.nsa.gov/ia/ files/factsheets/I43V Slick Sheets/Slicksheet HostIntrusionPreventionSystems.pdf>
 - Update and patch software in a timely manner so known vulnerabilities cannot be exploited
 - For more information, please see the IAD Publication, Take Advantage of Software Improvements, at:

² Microsoft[®] is a registered trademark of Microsoft Corporation in the United States and/or other countries.

³ Windows[®] is a registered trademark of Microsoft Corporation in the United States and/or other countries.



DEFENSIVE BEST PRACTICES FOR DESTRUCTIVE MALWARE



http://www.nsa.gov/ia/files/factsheets/I43V_Slick_Sheets/Slicksheet_SoftwareImprovements_Print.pdf

Prepare for Incident Response and Recovery

Hardening a network and defending its systems is more than just implementing mitigations and best practices. To more fully defend a network and its resources, an organization should prepare for a worst case scenario that requires an incident response. Incident response plans should be tested on a regular basis, to ensure the plans are viable, reflexive, and account for new personnel and technology. The NSA/CSS recommends the following actions in preparation for a similar event:

- Implement a robust backup solution for all critical systems and data
 - The backup solution should include out-of-band or offsite backups to prevent an adversary from fully destroying critical data
 - These backups should be regularly tested
- Establish an incident response plan that addresses communication (normal and out-of-band), roles and responsibilities, data recovery/reconstitution procedures, eviction strategies, and reporting processes that can be put into action quickly upon detection of a significant intrusion event
- At the conclusion of an incident, ensure that lessons learned are collected, assessed and necessary adjustments are made across the enterprise in order to reduce the likelihood of a future exploit using the same tactic, technique or procedure.

Disclaimer of Endorsement:

The guidance in this document is provided "as is." In no event shall the United States Government be liable for any damages, regardless of the nature or theory of liability, arising in any way out of the use of or reliance on this guidance. Reference herein to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by the United States Government, and this guidance shall not be used for advertising or product endorsement purposes.

**TOWN OF WAYLAND
ANIMAL CONTROL SUMMARY REPORT
APRIL, 2015**

TOTAL NUMBER CALLS HANDLED 63

# Complaint Calls	9
# Lost Dog Calls	3
# Lost Cat Calls	2
# Other Cat related calls	2
# Animal / Wildlife Calls	3
# Miscellaneous Calls	33
	1

TOTAL # DOGS PICKED UP (deceased dog -unknown owner)

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

TOTAL # HUMAN BITE CALLS 2

TOTAL # ANIMAL -> ANIMAL BITE

10 Day Quarantine Order -Human Bite	ISSUED 2 / RELEASED 1
10 Day Quarantine Order -Animal Bite	ISSUED 0 / RELEASED 0
45 Day/6 Month Quarantine Orders	ISSUED 3 / RELEASED 2

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



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

POS

Julia Junghanns, R.S., C.H.O.
DIRECTOR OF PUBLIC HEALTH
TEL. (508) 358-3617
www.wayland.ma.us

Wayland Board of Health Director's Report May 27, 2015

RECEIVED

MAY 28 2015

Board of Selectmen
Town of Wayland

Septic work and building approvals- Things have really picked up for the spring construction season; septic system installations, soil testing and field work. We have started to receive many building approval applications and requests for inspection. We continue to have a push on the backlog of septic and building plan reviews (with the help of consultants).

After a 10 month staff vacancy, we are very pleased to announce that we have finally hired a person to fill the full-time Health Agent/Inspector position. He brings much experience in municipal Health Department work and is very well versed in Title 5. We are in the process of moving/switching 2 offices in the department, in preparation of our office remodel sometime this summer (we hope).

Household Hazardous Waste Day is being held Saturday May 30th from 9:30am to 11:30 am. Pre-registration can be done online. We are expecting a good turnout based on registration so far.

Larvicide has been ordered and received for catch basin treatments (to treat mosquito larvae). Once the catch basins are cleaned application can begin.

The new DPW Building is almost completed and preparing for occupancy. The septic system is installed and in compliance.

All 4 seasonal pool inspections have been conducted for opening last weekend and the 2 year-round pools have also been inspected including after bubble removal to ensure fence enclosure is properly in place.

The Town Beach has been inspected for opening part-time hours, including beach samples which passed the lab test and will now be tested weekly through the season. Dudley Pond at Mansion area also passed the water sample lab test, this location will also be tested weekly through the season.

Construction updates; plans for the new CVS (at Finnerty's location) are under review, construction work will begin at 373 Comm. Road next week. I have been in contact with the builder/owner of Craftsman Village (formerly Tripolis), regarding the large dirt piles on the job site and how they plan to manage dust control.

PHN/Nurse Leader, Ruth Mori update: School nursing supplies are in the process of being ordered for all schools (this is a big project). Also, end of year planning is in the works including student medical files and information in preparation for the next school year. Ruth and School Nurse Amy Schoeff are meeting with other key school staff regarding Wayland School Concussion protocols for Middle School/High School. As discussed previously with BoH, the protocol is under review for updating. MIIS (Mass immunization information system) all vaccine documentation has been entered into the virtual gateway as required by MDPH.

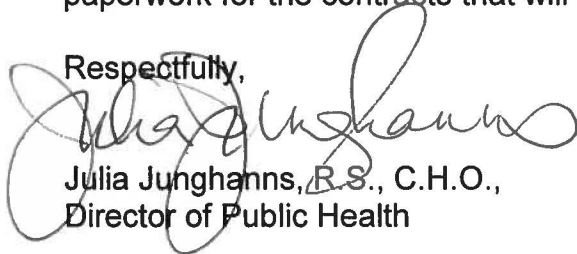
MRC Training for ICS (Incident Command) 200 as provided by the Fire Chief, was completed last week. The class was very good and we would like to thank the Chief for his time and excellent instruction.

Misc: A dead raccoon in Dudley pond was removed and handled by the Animal Control Officer, a complaint regarding dumping small piles of soils and rocks and plantings near the aqueduct on Stonebridge Road was investigated along with Conservation and follow-up will take place, trash complaint/investigation is in process with Donelan's plaza, including follow-up. A site walk was done with the Town Planner and a resident behind a property at Yeager Way, related to a drainage problem and possible future development in the area of Shaw Drive. We are in receipt of the Notice of Intent for Mill Pond where 3 year plans for pulling of weeds have been approved through Conservation. The Health Department Town car has been repaired for the steering shaft recall.

Farmer's Markets will begin at Russel's at the end of June and a new Farmer's Market is being reviewed and inspected at Coach Grill.

We are still working with the procurement officer to prepare needed processes and paperwork for the contracts that will need to be renewed this year.

Respectfully,

A handwritten signature in black ink, appearing to read "Julia Junghanns", written over a circular stamp or seal.

Julia Junghanns, R.S., C.H.O.,
Director of Public Health

DPW Director's Report

May 26, 2015

Project Updates

- Route 20 and Pinebrook Water Main Projects are complete
- Summer help currently starting, with 2 employees anticipated for Highway, 5 for Park, 3 for Water and 2 for the Transfer Station.
- Road Construction is beginning, with Happy Hollow Road scheduled to be done first.
- Process of obtaining the right-of-way takings for the Rt27/Rt30 intersection are underway, with three of the largest ones already donated.

The DPW has performed work of routine nature plus the following

Highway Division

- Performed 14 catch basin/ manhole repairs
- Prepped Happy Hollow, Rice Spring, Nolan Farms, Juniper, and Goodman for road construction beginning 5/26
- Completed scheduled street and sidewalk sweeping
- Main road crosswalks painted
- Assist the Park Division for Memorial Day preparations

Park Division

- Daily athletic field mowing and marking now in full-time mode
- Conducted six burials
- Installed cemetery monument foundations
- All cemeteries and memorial park areas cut, trimmed, mulched, and flowers have been planted for Memorial Day
- Town Beach prepped for opening

Water Division

TREATMENT

- A/D Instruments calibrated ozone sensors & installed new ozone gas detector sensor
- Flushed chemical feed lines at the treatment plant
- Calibrated finish water pH analyzer at the treatment plant
- Sand bed treatment
- Clean CIP filter bags

DISTRIBUTION

- Repaired water main Break on Melody Lane at D'Angelo Road
- Renewed water service on Nob Hill
- Continue to flush Hydrants on the north end of Town

ADMINISTRATIVE

- Attended DEP Grant Workshop on 4/21
- Preparing for our Water Withdrawal Permit renewal

Transfer Station Division

- Ordered structure to replace office trailer to sell stickers from – scheduled for early June delivery.
- Through May 21 - 2092 Full Stickers have been sold. Of those, 1317 were paid by check (63%), 724 were paid by credit card on-site (35%), and 51 were purchased online (2%).
- Through May 21 - 191 Recycle Only Stickers have been sold. Of those, 136 were paid by check (73%) and 52 (27%) were paid by credit card.



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

RECEIVED

MAY 12 2015

Board of Selectmen
Town of Wayland

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

To: Larry Kiernan, Rail Trail Representative
Sarkis Sarkisian, Town Planner

From: Wayland Conservation Commission

Re: Informal Meeting with the Conservation Commission

Date: May 12, 2015

Thank you for attending the Conservation Commission's informal discussion of the Rail Trail (Mass Central Rail Trail – Wayside Branch) at its meeting on April 30, 2015. We appreciate your update subsequent to the Town Meeting appropriation of CPA funds in early April for the project and our previous meeting with you in December 2014.

To briefly summarize the history of state environmental review of this project (EOEA No. 15123), DCR (Department of Conservation and Recreation), the project proponent, filed an ENF (Environmental Notification Form) followed by an EENF (Expanded Environmental Notification Form) which was reviewed by the MEPA (Massachusetts Environmental Policy Act) Office of EEA (Environmental and Energy Affairs). DCR's request for waiver of a full EIR (Environmental Impact Report) was granted on January 10, 2014.

The Commission had opposed the waiver due to numerous concerns noted in the attached letter. Thereafter DCR reviewed some of those concerns and how they would be addressed in its letter to the MEPA office, also attached. DCR noted under "Permit Requirements and Compliance" on page 2:

In conformance with the Massachusetts Wetlands Act, the project will require an Order of Conditions from each of the Conservation Commissions along the corridor for construction within resource area jurisdiction. As part of the Notice of Intent (NOI) filings, base mapping, resource area delineation, trail and bridge design will be completed to a level where accurate assessment of impacts (if any) to BWV, BLSF, and Riverfront can be determined. DCR will work with the Commission to design the project to avoid resource area impacts and reasonably mitigate any unavoidable impacts.

Since the project falls within rare species polygons in Berlin, Sudbury and Wayland, The Natural Heritage and Endangered Species Program will also receive a copy of the NOIs for review and comment. The Natural Heritage and Endangered Species Program (NHESP) regulates impacts to habitat and protected species through the Massachusetts Endangered Species Act. Alteration of significant habitat or a "take" of a protected species requires the issuance of a Conservation and

Management Permit (CMP), which will include measures or conditions to offset or mitigate any project related impacts or losses...

As discussed at the meeting, in accordance with the above DCR guidelines as well as the Commission's procedures for all applications involving potential wetlands impacts, the Commission will require an NOI filed pursuant to the Wetlands Protection Act and an application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194 in order to proceed with the project. It is our understanding that Town Meeting voted to appropriate funds to pay for the cost of state and town permitting including the required NHESP permit.

As further discussed, the Commission believes that the Conservation Administrator together with members of the Commission may be able to provide the requisite wetlands delineation for the project, although Riverfront and flood plain will still require definition. Please consult with Brian before funds are expended for the resource area delineations.

Also, as recommended, the Commission believes that the process would be more efficient if the two sections of the project – approximately east of Route 126 and west of Route 20 – were permitted separately.

We greatly appreciate all the work you have done thus far on the Rail Trail project. We hope we have clarified the Commission's expectations with respect to permitting and that we can work together to move the project forward through the process.

Enc.

Cc: Conservation Commissioners
N. Balmer, Town Administrator
M. Antes, Conservation Liaison



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3669
FAX: (508) 358-3046

December 30, 2013

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Purvi Patel, EOE No. 15123
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EENF – Mass Central Rail Trail – Wayside Branch

Dear Secretary Sullivan:

The Wayland Conservation Commission ("the Commission") is responding with the following comments on the EENF filed for the proposed Wayside Branch of the Mass Central Rail Trail. The Commission voted on 12/19/13 to oppose the waiver of the mandatory EIR since the EENF has not adequately addressed all of the potential impacts in Wayland. An EIR is mandatory due to the alteration of greater than ten acres of wetland and the creation of greater than ten acres of new impervious surface. In Wayland the potential environmental impacts may affect 380 square feet of wetlands, 53,150 square feet of riverfront, and 190,011 square feet of 100-year floodplain. The Commission believes that the generalization of a lack of significance of impact when considering the entire rail trail as one project does not adequately address environmentally sensitive areas in Wayland.

In the EENF it is stated that "Developing a more formalized trail over this surface would not significantly alter the rates and amount of stormwater filtration." However, it is possible to alter quality if there were no pre-treatment of stormwater. On some of the former rail beds in Wayland there is both erosion and washouts on the bank of the railroad bed. Additional information is required to assess potential stormwater impacts and the scope of construction/reconstruction of the rail bed to support the path.

There needs to be a dialogue with more input from communities along the proposed rail trail regarding stormwater and water quality. Conversation and comments at the MEPA scoping session seemingly reject the use of porous pavement, consider plowing (at whose expense and at what impact of plowed materials containing sand and/or de-icing materials discharged into sensitive habitat areas?), and the feasibility and impact of constructing the trail on the railroad bed that in areas are currently unstable and eroded. Each of these impacts warrants discussions

that need more input from communities along the proposed bike trail because of the need for an integrated operations plan for the maintenance of the bike path. An EIR could allow further discussion and assessment of these and other important issues.

East of Routes 126/27, the proposed rail trail crosses Hayward Brook, a cold water trout stream, and Mill Brook. There are important cultural and historic resources between Routes 126/27 and Route 20. These were minimized in the overall Rail Trail assessment and it is expected that local boards will provide more input on areas of concern.

The area of greatest concern to the Commission is west of Route 20. The proposed rail trail crosses over the Sudbury River, designated by the U.S. Congress as a Wild and Scenic River in 1999. This crossing occurs just east of Wash (Hop) Brook. In the EENF, it was stated "The bridge that crosses over the Sudbury River is deficient and would require rehabilitation or full replacement in order to satisfy state and federal design standards for rail trail bridges." This statement alone is reason enough to require an EIR. The sediments on the river bottom have long been contaminated with mercury that could easily be disturbed and sent further downstream with any pile and/or abutment repair or construction.

The long-time abandoned railroad line had re-vegetated over the 35+ years since there has been no railroad service. Maintenance by Boston Edison for the high power lines was sparse. NStar recently cleared vegetation from under the high tension wires. It should be noted that at the time NStar filed maps with the Commission there was an implication that the wetlands had been flagged. Relying on the DEP wetlands delineation has generally been found, in Wayland, to underestimate the actual extent of wetlands. If the NStar information is correct; a more detailed delineation was recently done and could be useful information in an EIR.

Wash Brook Marsh, located between Route 20 and Pelham Island, abuts the proposed rail trail between Route 20 and Sudbury. It is one of the largest fresh water marshes in this part of Massachusetts. Wash Brook Marsh is located within estimated and priority habitat of rare species and much of it is Federal Fish and Wildlife Refuge property. It is included as both Core Habitat and Critical Natural Landscape on the Bio Map 2. Wash Brook Marsh is included in Mass Audubon's Important Bird Area Sites. The marsh is a breeding area for many species of birds. Rails can be easily seen close to the trail. There is marsh or wetlands on both sides of the raised trail. Turtles climb out of the marsh and lay their eggs along the edge or on the top of the dry, often sandy, embankment.

While the EENF statement is true that the removal of rails would enhance the ability of turtles to move from one marsh to another, it would also present a danger to bicycle riders and the turtles during active breeding season. Many of the turtles are very large Snapping Turtles (non-listed). The smaller Painted (also non-listed) could easily be crushed. Turtles have a difficult time replacing themselves. Species, once frequently encountered, often become scarce. The Commission believes that the proposed educational interpretive signage to deal with wildlife may be insufficient as a mitigative measure for the turtle displacement. In addition, the nesting birds in the marsh can be startled to suddenly fly off the nest alerting predators and exposing eggs or young to predation.

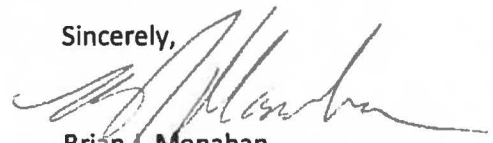
Dogs would be a huge threat to wildlife. Dogs must not be allowed. The Commission recommends using the U.S.F.W.S. and Mass Audubon's "No Dog Policies" for this project.

Invasive species are also a significant problem in Wayland. New species are easily introduced or old ones spread via bike tires.

In view of the foregoing, the Commission does not believe the information provided in this EENF is sufficient to waive the filing of an EIR. Before the commencement of a design for a rail trail project, an EIR would provide essential information for the design phase that would protect the natural resources on which the public is dependent for health, safety and general welfare. Any activity within wetland resources is presumed to have significant environmental impacts. In order to overcome the presumption, site specific data and details must be comprehensively presented and reviewed to assess any potential damage to the environment.

Thank you for the opportunity to present these comments.

Sincerely,



Brian J. Monahan
Conservation Administrator

cc: Conservation Commissioners
Board of Selectmen
Planning Board
Board of Health
MA DCR
Larry Kiernan
Sudbury Conservation Commission
Weston Conservation Commission
File



January 7, 2014

Purvi P. Patel, EIT
Massachusetts Environmental Policy Act (MEPA) Office
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: MassCentral Rail Trail - Wayside Branch Expanded Environmental Notification Form
EOEA No. 15123
Letter of Clarification

Dear Ms. Patel:

The Department of Conservation and Recreation (DCR) appreciates the opportunity to provide some additional information and clarification regarding this project, and address some of the questions and concerns raised by some of the comment letters concerning the design and permitting of the Mass Central Rail Trail – Wayside Branch.

Provided that DCR's request for waiver from a full Environmental Impact Report (EIR) is granted, DCR's anticipates that our first step in the design advancement process will be scheduling meetings with various municipal boards and commissions, and other key stakeholders to discuss the project purpose, design, local concerns regarding the trail, and measures to avoid, minimize or mitigate any potential impacts to sensitive resources associated with the construction of the project- both temporary and permanent. We believe that this collaborative approach to the design process will be more successful in addressing public concerns than would the preparation of a full EIR.

Below, we would also like to address several of the issues raised by comment letters received by MEPA, particularly those from the Sudbury and Wayland Conservation Commissions, and the Massachusetts Historic Commission (MHC).

Alternatives

The purpose of the proposed project is to construct a multi-use path within the existing Mass Central railroad right-of-way. The trail alignment that was presented in the Expanded Environmental Notification Form (EENF) was designed based on detailed aerial mapping completed for the EENF, flown in the spring of 2013. The trail alignment was based on field investigations, and was mostly centered on the existing ballast, rails and ties along the former rail corridor. This design was completed to reduce the impact to adjacent land use, including wetland and historic resource areas. The limits of impacts were determined based on the 19- foot wide 'project corridor' delineation that was superimposed onto the project base mapping, and resource area delineation. Alternative alignments were considered at roadway crossings where the abandoned rail crosses roadways at skewed angles. Due to the linear nature of the project, alternative alignments for the corridor as a whole would result in major impacts to both resource areas and require costly land acquisition. Alternative path cross sections of 12' and 14'

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston MA 02114-2119
617-626-1250 617-626-1351 Fax
www.mass.gov/dcr



Deval L. Patrick
Governor

Richard K. Sullivan Jr., Secretary
Executive Office of Energy & Environmental Affairs
John P. Murray, Commissioner
Department of Conservation & Recreation

were also considered, but DCR is recommending a 10' treadway in an effort to minimize potential impacts to adjacent resources, maintain habitat value, and allow shoulders for walkers and runners. All analysis of the design and construction of the trail was completed using current environmental standards and regulations.

Wetland Delineations

Wetlands delineated along the project corridor in Waltham, Sudbury, Stow, Hudson, Bolton and Berlin were developed using both MassGIS mapping and interpolated using stereo-pair aerial photographs obtained at the time of the aerial flight. Wetlands were not field-delineated at this stage of project design, but the wetland limits derived from remote-sensing data were field-verified in several locations.

The wetland boundaries and base mapping in Waltham, Weston, Wayland and a small section of Sudbury was obtained from an Environmental Resource Assessment, dated April 29, 2011, prepared by NStar. As part of the NStar project, the wetland boundaries were field identified and surveyed within the four communities. The impacts associated with the trail in Wayland used the wetland boundaries completed as part of the NStar effort.

Permit Requirements and Compliance

In conformance with the Massachusetts Wetlands Act, the project will require an Order of Conditions from each of the Conservation Commissions along the corridor for construction within resource area jurisdiction. As part of the Notice of Intent (NOI) filings, base mapping, resource area delineation, trail and bridge design will be completed to a level where accurate assessment of impacts (if any) to BWV, BLSF, and Riverfront can be determined. DCR will work with the Commission to design the project to avoid resource area impacts and reasonably mitigate any unavoidable impacts.

Since the project falls within rare species polygons in Berlin, Sudbury and Wayland, The Natural Heritage and Endangered Species Program will also receive a copy of the NOIs for review and comment. The Natural Heritage and Endangered Species Program (NHESP) regulates impacts to habitat and protected species through the Massachusetts Endangered Species Act. Alteration of significant habitat or a "take" of a protected species requires the issuance of a Conservation and Management Permit (CMP), which will include measures or conditions to offset or mitigate any project related impacts or losses.

Since the trail alignment will follow the existing rails and ties and maintain existing grades, work within Bordering Land Subject to Flooding will not result in the loss of flood storage. The construction of the project will include the removal of the rail, ties and a portion of the ballast material under the ties. The proposed trail will be constructed at the same elevation as the existing tie grade, and as such is not anticipated to generate any fill within BLSF.

Water Quality Certification - Bridges

The EENF describes proposed bridge rehabilitation in several places (Page A-9, A-16, A-22, A-40, A-51) and Appendix F. Although bridge designs have not yet been developed, the general approach (based on bridge inspections) for bridges over water is to replace the superstructure with a 14-foot wide deck, retaining the existing timber pilings. In some cases, individual pilings would have to be removed and new pilings driven. Driving pilings does not constitute "fill" with respect to Section 404 or 401 of the federal CWA and does not require Water Quality Certification. If the bridge pilings are severely deteriorated, a new bridge may have to be constructed with a clear span across the waterway. The bridges would also all require reconstruction of the backwall and wingwall of the abutments to support the new superstructure. New abutments will be set back from the edge of water and this reconstruction would not affect bank or land under water.

Sudbury River Protection

Concerns have been raised regarding work within or adjacent to the Sudbury River. DCR will be designing the trail crossing at the river to repair deteriorated piles within the river, and to place a bridge

deck on top of the rehabilitated structure. The construction staging for the project will require that the contractor uses dewatering tanks that will flocculate any sediment that are suspended in the river water before being discharged back into the river, to avoid river turbidity. Also, work along the river (as well as other navigable waterways) will require a Chapter 91 License with the Department of Environmental Protection Waterways Division. Any work associated with this river crossing will be thoroughly evaluated through this process.

Protection of Sensitive Areas

The trail design will also include barriers (either with the use of fencing or selective native shrubs and plantings) to protect vernal pools and sensitive environmental areas from trail users. Trail user restrictions and limitations will also be posted at trailheads along the corridor.

Water Quality

In conformance to the Massachusetts Stormwater Guidelines, rail-trail projects are subject to meet best management practices to the 'greatest extent practicable'. The trail design will include an open stormwater system, with the use of water quality swales with checkdams adjacent to the trail in locations where warranted. Plowing the trail is not anticipated, nor is any sanding or placement of de-icing materials along the corridor. Since the trail will not be treated for winter use, and will be permitted for non-vehicular use only, pollutants associated with vehicles will not present along the corridor, as a result of the post construction trail use. The path will not result in the discharge of pollutants in stormwater. This design is consistent with the stormwater management for all of DCR's rail-trail facilities. The design will also include erosion controls to minimize turbidity associated with construction activities.

Plantings

The corridor will be designed using native plantings in areas that require re-vegetation. DCR will seek opportunities to include additional native plantings along the corridor to enhance wildlife habitat. Invasive species management may occur along the corridor as part of the project construction. DCR will work with each local community to develop an invasive species management plan that is specific to the local issues.

Greenhouse Gas Policy

The May 5, 2012 MEPA Greenhouse Gas Emissions Policy and Protocol states that a project is subject to the Policy if required to prepare an EIR in accordance with MEPA. For projects subject to the Policy seeking a waiver, the proponent should quantify emissions, analyze mitigation, and submit this information in the EENF. The Policy also acknowledges that there are projects that will have little or no GHG emission, and that the Policy should not be applied to these "de minimis" projects. In such cases, the applicant should specify in the EENF whether it believes the project should be exempt pursuant to this de minimis exemption.

The Policy explains that the Policy is primarily concerned with emissions of carbon dioxide (CO₂) from direct and indirect mobile or stationary sources, associated primarily with energy consumption, vehicle trip generation, and consumption of large quantities of water or wastewater.

The proposed Mass Central Rail Trail – Wayside Branch is an off-road recreational facility for non-motorized bicycles and pedestrians. The proposed project will not generate any vehicle trips, will not consume energy (there are no permanent buildings or facilities) and will not consume or generate water or wastewater. The only CO₂ emissions would be minimal and would occur during construction. Although not quantified in the EENF, DCR anticipates that portions of the MCRT would be used by commuters, and could reduce vehicle-miles traveled on local roads. Because a bicycle trail does not generate CO₂ or other greenhouse gases, the project meets the de minimis standards and is exempt from the requirements of the Greenhouse Gas Emissions Policy.

Construction Access and Staging Areas

As with most public-sector projects, contractor access and construction staging areas are identified by the contractor during the bidding process, and are not the responsibility of DCR or other public agencies. However, DCR will work with local Conservation Commissions, MBTA and MHC to develop appropriate specifications for access and laydown areas, limits of work, and will identify sensitive areas where construction laydown and staging is not allowed.

Section 106 and MHC

The construction of the Mass Central Rail Trail may require a Section 404 permit from the United States Army Corp of Engineers, however most segments of the trail will not require a Section 404 Permit or will be eligible for coverage under the General Permit. DCR will work with both the USACE for the Section 404 permit and Massachusetts Historic Commission (MHC) through Section 106 of the National Historic Preservation Act of 1966 as the project design advances, and will work with MHC to define the Area of Potential Effect, conduct an archaeological reconnaissance survey, and supplement the previously-submitted historic properties survey. DCR will also consult with local historic commissions to solicit comments on historic resources and the project design. As the project design within each segment or municipality is developed and the actual areas of construction are defined, DCR will consult with MHC on effects to historic resources. As the project is currently envisioned and as stated in the EENF, DCR anticipates that all construction work for the trail itself will be limited to the existing disturbed railroad corridor and will not require subsurface excavation below the ballast and fill, except at certain bridges. No above-ground resources would be affected except certain bridges. These unavoidable effects would be addressed through the historic review process under either the Section 106 or state Historic Preservation Act requirements, as applicable.

EPA MS4 Phase II

One of the comments received by your office regarded the DRAFT EPA MS4 Phase II permit. It should be noted that the MS4 requirements have gone through extensive review comments and iterations, and will likely change prior to final issuance. As such, DCR cannot comment on the impervious surface requirements of the DRAFT permit.

I hope this letter addresses the points of concern forwarded to your office. If you have any questions, or need additional information, please contact me at your convenience.

Very truly yours,



Paul Jahnige
Director, Greenways and Trail Program



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

RECEIVED

MAY 21 2015

Board of Selectmen
Town of Wayland

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3669
FAX: (508) 358-3046

May 20, 2015

Douglas Crowe & Amanda Ciaccio
221 Boston Post Road
Wayland, MA 01778

Re: First Amendment to the Chapter 194 Permit – 221 Boston Post Road; File D-845

Dear Mr. Crowe and Ms. Ciaccio:

Enclosed is the amendment voted by the Conservation Commission to the Chapter 194 Permit issued for work at 221 Boston Post Road, Wayland.

The conditions of the Chapter 194 Permit, other than the enclosed amendment, are still applicable and should be carefully read.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enclosure

cc: Town Clerk w/enc.
Building Commissioner w/enc.
Schreiber Associates w/enc.
DEP NERO w/enc.
Planning Board
Board of Selectmen
Board of Health
Abutters
File

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MAY 21 2015

Board of Selectmen
Town of Wayland



TOWN OF WAYLAND
MASSACHUSETTS
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CONSERVATION COMMISSION

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

May 22, 2015

The Field at Mainstone Condominium Trust
c/o Rachel Ottley, Property Manager
Dannin Management Corporation
PO Box 117
Brookline, MA 02446

Re: Chapter 194 Permit – 514 Hayfield Lane, Wayland; File D-858

Dear Ms. Ottley:

Enclosed please find the original Wetlands and Water Resources Protection Bylaw Permit (Chapter 194) issued by the Wayland Conservation Commission regarding the approved tree removal project at 514 Hayfield Lane in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit.

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

Sincerely,

Brian J. Monahan
Brian J. Monahan
Conservation Administrator

Enclosure

cc: Building Department w/enc.
Richard & Judith Mirel w/enc.
Town Clerk w/enc.
Board of Selectmen
Board of Health
Planning Board
Abutters
File

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MAY 22 2015

**Board of Selectmen
Town of Wayland**

(12)



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MAY 22 2015

Board of Selectmen
Town of Wayland

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

May 22, 2015

Community Newspaper Company
Town Crier & TAB Publications
P.O. Box 9149
Framingham, MA 01701

Dear Legal Ad. Department:

Please publish the enclosed legal advertisement in an issue of the **Metrowest Daily News** on **Thursday, May 28, 2015** and in **Wayland Town Crier** no later than Thursday, June 4, 2015. Please notify me at 508-358-3669 if there is any problem with this request. Please send the advertising bill to Stephen Kadlik, Department of Public Works, 41 Cochituate Road, Wayland, MA 01778, Tel: 508-358-3678.

Thank you.

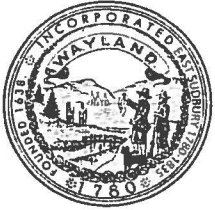
Sincerely,

Brian J. Monahan
Conservation Administrator

cc: Stephen Kadlik, DPW Director
Nan Balmer, Town Administrator
Conservation Commission
File

**WAYLAND CONSERVATION COMMISSION
NOTICE OF PUBLIC MEETING**

On **Thursday, June 4, 2015 at 7:35 PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts, the Wayland Conservation Commission will hold a public meeting to consider a Request for Determination of Applicability filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw, Chapter 194, filed by Stephen Kadlik, Department of Public Works, Wayland, MA for work on Pelham Island Road to repair 150 feet of roadway by reconstructing the shoulder and to patch the existing pavement generally from the Wayland Town line to Heard Road, Wayland, MA generally shown on Assessor's Maps 26, 28, and 32.



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

Selectmen

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3600

DECISION NO. 15-08

RECEIVED

MAY 21 2015

Board of Selectmen
Town of Wayland

NAME OF APPLICANTS:

JUDY DION and BENJAMIN NICHOLSON

APPLICATION FOR:

Any necessary approvals, special permit, variance as may be required to amend Special Permit #02-06 dated April 9, 2002 (condition #5), to finish loft space and to allow a home occupation (paintings conservation studio) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 901.1.2 and 804-Table of Permitted Accessory Uses by Districts (Use # 62). The property is located at 5 STANTON STREET which is in a SINGLE RESIDENCE DISTRICT.

DATES OF HEARING:

May 12, 2015

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Thomas White, Eric Goldberg, Michael Connors , Linda Segal and Shanut Sarian

DECISION:

Special permit amended, with conditions.

VOTE OF THE BOARD:

Unanimous (5-0).

CONDITIONS:

1. The original conditions #1, 2, 3 and 4 from previous decision 02-06 are not affected.
2. Original condition # 5 is modified to permit the applicant's use and occupation and removes the requirement that this space be used for storage only.
3. All criteria of The Town of Wayland Zoning Bylaw Chapter 198 Section 901.1.2 shall be met.

FACTS AND REASONS:

The property is located at 5 Stanton Street, in a single residence district. The applicant presented a proposal to operate a paintings conservation business within the existing unfinished loft space located over a garage that was the subject of a previous special permit. The applicant's proposal was comprehensive, detailed and well documented. A home occupation of a resident owner is permitted by issuance of a special permit from the Zoning Board of Appeals in the Single Residence District provided the following conditions set forth in section 901.1.2 of the Zoning Bylaw are met.

901.1.2.1 The use of the dwelling unit, or an accessory structure, by the resident for business is incidental and subordinate to its use for residential purposes and occupies no more than 25% of the gross floor area of the dwelling unit or 500 square feet, whichever is less, within the dwelling unit or accessory structure on the premises;

901.1.2.2 No more than one nonresident employee shall be permitted on site;

901.1.2.3 There is no change in the outside appearance of the building or premises or any visible or audible evidence detectable from the property line of the conduct of such business except that one sign not larger than two square feet in area bearing only the name of the practitioner and occupation shall be permitted (words only). The sign shall be flush-mounted to the dwelling unit and shall not be illuminated.

901.1.2.4 Traffic, including traffic by commercial delivery vehicles, shall not be generated in greater volumes than would normally be anticipated in a residential neighborhood;

901.1.2.5 No hazard or nuisance, including offensive noise, smoke, dust, odors, heat, glare, noxious fumes or vibrations, shall be created to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists.

901.1.2.6 There shall be no display of goods or outside storage.

901.1.2.7 Parking for the home occupation shall be met on-site.

No members of the public spoke regarding the proposed home occupation. The applicant received 2 letters of support for neighbors Elizabeth Studley Nathans at 124 Commonwealth road and Adam Lewenberg of 128 Commonwealth Road. It was discussed by the Board that all criteria in section 901.1.2 are met by the applicant.

It was noted during the hearing that condition #4 of the original decision 02-06, stipulated the floor area of the loft was not to exceed one-half of the floor area of the first floor of the accessory building. When the loft was constructed, the floor area exceeded this threshold. This was reviewed by the Board and determined that although this original condition was not adhered to, the current owner and applicant, was permitted to use the loft as it is currently constructed and this new special permit supersedes the original requirement.

The Board of Health approved the project on March 26, 2015.

A motion was made to grant a special permit for customary home occupation by modifying condition # 5 of the original decision which stipulated the loft space be used for storage only.

By a vote of 5-0, the board voted to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING DECISION

BY ORDER OF THE BOARD OF APPEALS

MAY 21, 2015

Thomas W. White, (AK)
Thomas W. White, Member

CERTIFICATION:

The Board of Appeals, by delivery of a copy of this decision to the applicant, JUDY DION and BENJAMIN NICHOLSON, does hereby certify that copies of this decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

BOARD OF APPEALS

Thomas W. White, (AK)
Thomas W. White, Member



TOWN OF WAYLAND

MASSACHUSETTS

01778

BOARD OF APPEALS

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Substman
MAY 21 2015

Board of Selectmen
Town of Wayland

TOWN BUILDING
41 Cochituate Road
TELEPHONE: (508) 358-3600
FAX: (508) 358-3606

DECISION NO. 15-09

NAME OF APPLICANT:

Carolyn and Rich Ross.

APPLICATION FOR:

Any necessary approvals, special permits, and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (construct front entry) within required front yard under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3, 702.1, and 801 – Table of Dimensional Requirements (front yard). The property is located at 32 AQUEDUCT ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-09)

DATE OF HEARING:

May 12, 2015

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Eric Goldberg, Thomas White, Michael Connors, Shaunt Sarian and Argie Shapiro.

DECISION:

Application withdrawn without prejudice. Applicant may reapply with no further filing fees.

VOTE OF BOARD:

5-0 (Unanimous)

FACTS AND REASONS:

The applicant was unaware of the legal standard of review applied to petitions for a variance. After they learned said standards they wanted to revisit their petition before moving forward. Therefore, the Board voted to allow the applicant to withdraw the request without prejudice and potentially file a new application at a later date for a similar request without prejudice and without the need for additional filing fees.

DATE OF FILING DECISION

BY ORDER OF THE BOARD OF APPEALS

May 20, 2015


Michael Connors, Member

CERTIFICATION:

The Board of Appeals, by delivery of a copy of this decision to the applicant, CAROLYN and RICH ROSS, does hereby certify that copies of this decision and all plans referred to in this decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

BOARD OF APPEALS


Michael Connors, Member



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

Selectmen

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3600
FAX: (508) 358-3606

A public hearing will be held on JUNE 9, 2015 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following application at the time indicated:

- 7:00 p.m. Application of KALLANTHOTTATHIL RAJEEV for any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (demolish a portion of the house and construction new two-car garage and addition) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, and 401.1.3. The property is located at 25 DEAN ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-11)
- 7:15 p.m. Application of MARK and KAREN HUGHES for any necessary approvals, special permits and/or variances as may be required to expand existing porch and convert into den within side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 703.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 26 LAKE ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-12)

At the conclusion of the hearings on the aforementioned applications, the Board may then meet for the purpose of deciding on or deliberating toward a decision on any applications previously heard by it and to which no decision has yet been filed or any other public business before the Board.

BOARD OF APPEALS

Eric Goldberg
Aida Gennis
Thomas White
Michael Connors

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MAY 21 2015

Board of Selectmen
Town of Wayland

16



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
ANTHONY V. BOSCHETTO
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, June 1, 2015
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE - II

Minutes

17. Electronic Voting Implementation Subcommittee, April 30, 2015
18. Finance Committee Executive Session, May 19, 2014, September 2, 2014, September 22, 2014, November 12, 2014, December 15, 2014
19. Historical Commission, April 15, 2015
20. Board of Library Trustees, April 29, 2015
21. Board of Public Works, May 12, 2015
22. Surface Water Quality Committee, May 19, 2015

Region

23. Letter of 5/18/15 from MetroWest Economic Research Center to Board of Selectmen re: "Greater MetroWest Economic Profile 2015," and "2015 Labor Force Study for Greater MetroWest"
24. Invitation, MetroWest Legislative Breakfast, June 5, 2015, Morse Institute Library in Natick

State

25. Email of 5/27/15 from Office of the Governor re: Economic Development Roundtable Discussion and Pre-Event Questionnaire

Minutes of the Electronic Voting Implementation Subcommittee

2015-04-30

1. The meeting was called to order at 7:31 pm with Alan Reiss, Beth Klein, Dave Bernstein, Don Schuler, Jon Sieber, Larry Krakauer, and Lynne Dunbrack in attendance
2. Alan Reiss was appointed Secretary pro tem
3. Public Comment
 - o Alice Bolter - Lakeshore Drive
Moderator takes responsibility and supported and encouraged by BoS
4. Minutes from our 2015-04-06 meeting were corrected to indicate the presence of Jon Sieber, and unanimously approved as corrected
5. Preventing Proxy Voting
 - o Moderators charge: suggest ways prevent proxy voting
 - o Proxy voting: pushing buttons on a handset not issued to you while the voting window is open
 - o Suggestions received so far:
 1. Issue "Visitor Cards" to anyone not issued a handset
 2. Require anyone leaving the building to surrender either a handset or a "visitor card"
 3. Require anyone leaving the building to "check out" of the electronic voting system
 4. Better observe activity in the bleachers, as it's easier to conceal handsets there
 5. Close the bleachers, as it's easier to conceal handsets there
 6. When issuing a handset to a resident, Checker says "Only vote with your own handset!"
 7. Post "Only vote with your own handset!" signs around Town Meeting premises
 8. Moderator announces and explains "Only vote with your own handset!" at the beginning of each session of Town Meeting
 9. Moderator reminds residents to "Only vote with your own handset!" several times during each session of Town Meeting
 10. Revise the "How to Vote Electronically" article to state "Only vote with your own handset!"

11. Revise the "How to Vote Electronically" video to state "Only vote with your own handset!"
 12. Add a section to the Warrant on page 2 entitled "Proxy Voting is Voter Fraud" that defines proxy voting, and cites "one person, one vote" state laws and the Moderators rules (IV.D.1.b)
 13. If a resident is observed to be in possession of a handset issued to a person not present in the building, briefly recess Town Meeting so the Moderator can discuss the circumstances with that resident and take appropriate action
 14. Have a police officer confiscate all handsets from anyone who is seen in possession of multiple handsets or who returns multiple handsets upon leaving, escort offending voters from Town Meeting, and prohibit them from attending any remaining sessions
 15. Include with tax bills an insert stating that proxy voting at Town Meeting is prohibited, signed by the Board of Selectmen, the Moderator, the Town Clerk, and ELVIS
- Suggestions from the public
 - Molly Upton - restroom handset discussion
 - Alan - check out and check in
 - Don - Pass warrant article fine for taking handset out of building
 - Jon - Education, Detection, Publish names who voted, Public shame
 - Anette Lewis - Town meetings are run same as elections.
 - Mass was one of the first in country.
 - Mass Constitution says vote according to legislator
 - One vote - One person
 - MGL 51.1 - 18 years or older may be a voter (yes town meeting)
 - Handset is same as a ballot at the polls
 - MGL 56.26 - Whoever votes or attempts to cast more than one vote; violation: \$10,000 and 5 years, and is a Felony
 - George Harris
 - Secretary of State - voting process, advise and literature
 - 150 feet restriction applies to polling places
 - Linda Segal: Moderator oversees literature
 - Dave B: Literature out of scope of moderator's charge

- Lea Anderson
 - Equipping each handset with a lanyard would make it easier for voters to keep them on their person
- Larry K
 - Under what circumstances can we have a secret vote.
 - Pointed out that this is in moderator's rules.
 - Richard Turner
 - Close down bleachers, get police to move around
- Anette
 - Should not sit in bleachers unless we run out of room.
 - Bleachers make it easier to hide keypads.
- Alice Bolter
 - More formal to check out.
- Margo Melnicove
 - Advocates more draconian measures.
 - Disagrees with moderator's article.
- Linda Segal
 - Town meeting is a place to listen to each other and discuss the articles. What is town meeting all about.
- Elvis recommendations and comments
 - Beth Klein - Education and awareness
 - Moderator must make decision to ask police to remove someone. Would prefer not to have checkout.
 - Alan Reiss - Education, sign in your face as you check in
 - One Vote - One Person
 - Proxy Voting Prohibited
 - Lynn Dunbrack - Leave with Elvis
 - Handsets are like ballots
 - Larry K
 - Less draconian side at the start.
 - Handset or visitor card.
 - Get handsets from people filing out

- Don Schuler
 - Education - wrong and a crime - made clear
 - Signs articles, speaking about it.
 - The people who did it 'didn't' realize it.
 - Lanyard idea is a good idea.
 - Anything that would add a burden to the average person who is following the law.

- Jon Sieber
 - Education up front - puts responsibility on you.
 - Lanyard's are great.
 - Difference between checking and collecting.

- Dave Bernstein
 - All educational items.
 - Signs, reminding people.
 - Everybody who leaves has either a handset or visitor card.
 - Bathroom protocol needs to be figured.
 - First time voters, moderator not reminding, ELVIS shorthanded.
 - Clarify moderator's rules.
 - Handset is a ballot - should not be in possession anybody else's
 - handset - lanyard idea makes it practical.
 - Protocol on multiple handset possession.
 - We don't want people to loose faith in the ability for the system to provide an accurate vote count.

- Public comment on ELVIS suggestions
 - Margo Melnicove - protocol to go find an ELVIS person
 - Timing 'what happens?' Inefficient response time.
 - George Harris - what happens if it happens again.
 - Must be acted upon immediately.
 - Done by point of order.
 - Best way to prevent proxy voting is to make it impossible.
 - Biometrics to prevent proxy voting.

- Molly Upton
 - Keep the handset with you at all times
 - Dave B. so what happens when this is broken in some innocent way
 - ELVIS person would sort this out.
- Beth Klein
 - Make people understand that they can get caught.
 - Deterrence.
- Jon Sieber
 - Can make checkout very tight if we follow the procedures.
- Alan Reiss
 - Have policemen make themselves more visible.
- Larry K
 - Close bleachers is a good idea.
 - The handset itself is a claim check itself.
 - One only has to show it.
- Margo Melnicove
 - Police did not know what to do with proxy voting.
 - There should be a role for the police for this.
- Anette Lewis
 - Education is not enough.
 - Handset or visitor card - lanyard idea
 - Bleachers should be closed unless needed.
 - With more than one handset should be checked out
 - Would like to be able to take handset to bathroom.
- Linda Segal
 - Should be at your seat when you vote.
 - Meeting by senior staff prior to town meeting.
 - Senior staff could be observers.
- John Flaherty
 - Education is not enough.
 - Presupposes that this was not deliberate. Perhaps it was.

- Should be some way that someone cannot leave the building without turning in a handset or a card.
- Jon Sieber
 - Being able to prove it is paramount.
 - Once you can prove it then you can be draconian.
- George Harris
 - We know whether a handset was used.
- Alan Reiss
 - Strongly objects to changing to mapping keypads to the people vs. voting.
- Jon Sieber
 - Technically can be done to match keypads to people but Dave Bernstein notes Alan Reiss's objection on basis of privacy.
- Alan Reiss
 - Education in every way
 - Signs on the partition walls behind each checkin
 - Better staff ELVIS and any other town to help to monitor
 - Deterrence
 - Just because was can technically do something doesn't mean we should do something. Don't erode privacy in any way.
 - Proxy voting education during the 'green light' periods of time.
- Dave B.
 - Education, lanyard, leaving returns handsets or visitor's cards.
 - Raise point of order if see's more than one handset.
 - Make it clear that handset is a ballot.
 - Do not keep records of which handsets voted.
- John Flaherty
 - Eliminating bleachers does not solve problem.
- Richard Turner
 - Rework WayCAM PSA to state that proxy voting is illegal

6. Review of Annual Town Meeting

- Electronic Check-in (Beth Klein, Town Clerk)
 - Very happy with it. Positive point.
 - Sometimes didn't have middle initials.
 - Number of check in stations - less expensive - less people
 - Got reports from OTI for state reporting
- Handsets ordered vs peak attendance (report from Ben Keefe, Facilities Director)
 - 4/6: 800 vs 333
 - 4/7: 500 vs 323
 - 4/8: 500 vs 328
 - 4/13: 800 vs 467
 - Ben has engaged with Mark Fite (OTI) to find a more economical model
- Electronic Voting System Failure 4/13
 - Chronology
 - System displayed a "Base Station Communication Failure" error message
 - Operator Michael re-booted the system
 - Rebooting the system did not clear the error; Operator contacted Mark Fite
 - Switched to backup system (~60 seconds); error cleared
 - Invalid results on keypads were the result of this failure, not independent keypad failures; time and credibility were wasted issuing new keypads
 - Need protocol to
 - Inform Moderator when system failure has occurred, and provide recovery time estimate
 - Inform ELVIS that handset replacements are not required
 - Alan: Need test votes at the beginning of the meeting to identify handsets that are powered down
 - Don: Quick succession votes can mislead voters to believe their handset isn't working; suggested using voice voting for second vote
 - Dave: instead, state that votes to "call question" are not auditable.
 - Alan: waiting a few seconds after window opens to vote will produce a faster response

- Motion Slides
 - Unexpected task: merging motion slides with other information to be displayed for each article
 - Slides were readable with 20pt font from bleachers.
 - Graphics and maps were useful
 - John Flaherty: Have second large screen
 - BOS will decide if more screens are worthwhile
 - Dave suggested changing the rules to require that all amendments be written; could scan them so they could be displayed

7. Encouraging Additional Electronic Voting Suppliers to qualify

- OTI, DSI, Meridia responded to our 2014 RFQ
- Only OTI was judged technically qualified
- DSI president attended 4/6 session of Annual Town Meeting and appeared to learn a lot
- Telecon with Meridia is planned for 5/28; ELVIS members should contact Dave Bernstein if they wish to participate

8. Public Comment: none

9. Adjourned at 9:43 PM



Town of Wayland Massachusetts

Finance Committee

Nancy Funkhouser (Vice Chair)

Thomas Greenaway (Chair)

David J. Gutschenritter

Carol Martin

Bill Steinberg

Gil Wolin

Finance Committee

Executive Session Meeting Minutes, May 19, 2014

Attendance: T. Greenaway (Chair), N. Funkhouser (Vice-Chair), D. Gutschenritter, C. Martin, B. Steinberg, G. Wolin, and Finance Director Brian Keveny.

The meeting was called to order at 9:47 PM.

A motion was made by Ms. Funkhouser and seconded by Mr. Wolin to accept the meeting minutes of 3/3/14. By roll call vote, the minutes were approved by a vote of 5-0-1 (Steinberg abstained, as he was not present at that meeting).

Members discussed the declassification of Executive Session meeting minutes. Mr. Greenaway made a motion, seconded by Ms. Funkhouser, that the following meeting minutes should be declassified, subject to the redaction of some, which includes the minutes from the following Executive Session meetings:

2007

January 8, 2007

January 29, 2007

February 5, 2007

July 23, 2007

November 5, 2007

2008

May 27, 2008

June 16, 2008

July 28, 2008

September 15, 2008

2009

May 18, 2009

June 22, 2009

September 14, 2009

On a roll call vote, the motion was approved by a vote of 6 – 0.

Mr. Steinberg made a motion for adjourn from Executive Session at 10:17 PM and Mr. Greenaway seconded that motion. On a roll call vote, the Committee voted in favor of adjourning by a vote of 6 – 0.

Respectfully submitted,

William Steinberg

Documents:

1. Document – Executive Session Minutes: review for possible declassification
2. Finance Committee Review of Executive Session Minutes July 2008 – April 2014
3. FinCom Executive Session Minutes Review for potential declassification 2007, 2008 and 2009



Town of Wayland Massachusetts

Finance Committee

Thomas Abdella

Nancy Funkhouser

Thomas Greenaway (Chair)

Carol Martin

Bill Steinberg

David Watkins

Gil Wolin

Executive Session

Finance Committee

Minutes - September 2, 2014

9:35-9:51pm.

Attendance: T. Abdella, N. Funkhouser, T. Greenaway (Chair), B. Steinberg, D. Watkins, G. Wolin and C. Martin.

Executive Session: The Finance Committee entered Executive Session at 9:35pm following a roll call vote in regular session.

Chair Greenaway stated the purposed of the meeting was to review, redact and declassify 2007, 2008 and 2009 Executive Session. He explained redactions preserve the strategy and details, release of which could be detrimental to the outcome of current and future collective bargaining negotiations.

A discussion ensued. B. Steinberg made a motion which was seconded by N. Funkhouser to release redacted FinCom Executive Session minutes from 2007 and 2008 as well as May 18, June 22 and September 14 minutes from 2009. A 7-0 roll call vote was taken as follows:

Abdella	Yes
Funkhouser	Yes
Wolin	Yes
Greenaway	Yes

Martin	Yes
Watkins	Yes
Steinberg	Yes

Mr. Greenaway distributed copies of FinCom Executive Session minutes from 2010 and 2011. He asked the Committee to review these minutes and redactions for discussion and possible declassification at the FinCom September 22, 2014 Executive Session meeting.

At 9:51pm, a motion was made and seconded to exit executive session and return to regular session. The roll call vote was 7-0 as follows:

Abdella	Yes
Funkhouser	Yes
Wolin	Yes
Greenaway	Yes
Martin	Yes
Watkins	Yes
Steinberg	Yes

Respectfully Submitted,

Carol Martin



Town of Wayland Massachusetts

Finance Committee

Thomas Abdella
Nancy Funkhouser (Vice Chair)
Thomas Greenaway (Chair)
Carol Martin
Bill Steinberg
Dave Watkins
Gil Wolin

Finance Committee EXECUTIVE SESSION Meeting Minutes, September 22, 2014

Attendance: T. Greenaway (Chair), C. Martin, B. Steinberg, G. Wolin, Dave Watkins, Tom Abdella, Nancy Funkhouser.

Executive Session:

The session was called to order at 10:01 PM in the kitchen area near the COA in the Wayland Town building, by unanimous roll call vote (6-0) in open session as permitted by M.G.L. Chapter 30A, Section 21 (a)(3), for the purpose of evaluating former meeting minutes to determine whether the Town's litigating, negotiating or bargaining positions would be detrimentally jeopardized by such disclosure.

Abdella	YES
Steinberg	YES
Watkins	YES
Funkhouser	YES
Greenaway	YES
Martin	YES
Wolin	YES

After reviewing the available Executive Session minutes from 2010 there was a motion to declassify all available 2010 minutes as redacted, substituting October 18, November 29, and December 13, 2010 minutes with meeting agendas. The motion was seconded by Thomas Greenaway and the vote was voted unanimously (7-0-0) in favor.

At 10:32 pm Bill Steinberg made a motion to adjourn to regular session and the motion was seconded by Tom Abdella. A roll call vote was taken:

Abdella	YES
Steinberg	YES

Watkins	YES
Funkhouser	YES
Greenaway	YES
Martin	YES
Wolin	YES

Respectfully Submitted,

Nancy Funkhouser



Town of Wayland Massachusetts

Finance Committee

Tom Abdella
Nancy Funkhouser (Vice Chair)
Thomas Greenaway (Chair)
Carol Martin
Bill Steinberg
Dave Watkins
Gil Wolin

Finance Committee

Executive Session Meeting Minutes, November 12, 2014

Attendance: T. Greenaway (Chair), C. Martin, B. Steinberg, G. Wolin, T. Abdella, N. Funkhouser (Vice Chair) and Finance Director Brian Keveny.

1. Call to Order

The Finance Committee's executive session was called to order at 11:05 PM by Chair Tom Greenaway in the break room of the Senior Center of the Wayland Town building.

2. Release of 2001 Executive Session Minutes. Mr. Steinberg moved to declassify and release the Executive Session minutes from 2011 pursuant to Mass General Law 30A Section 22. Ms. Martin seconded. The roll call vote was 7-0 to approve the motion.

3. Adjournment: At 11:20 pm Mr. Steinberg moved to adjourn the Executive Session and return to the regular Finance Committee meeting in the Senior Center's main room. Ms. Martin seconded the motion. The roll call vote was 7-0 to approve the motion.

Respectfully submitted,

Gil Wolin



Town of Wayland Massachusetts

Finance Committee

Thomas Abdella
Nancy Funkhouser
Thomas Greenaway (Chair)
Carol Martin
Bill Steinberg
David Watkins
Gil Wolin

Finance Committee EXECUTIVE SESSION

Meeting Minutes

Monday, December 15, 2014, 7:00 P.M
Wayland Town Building

Attendance: Tom Abdella, Nancy Funkhouser, Tom Greenaway, Carol Martin, Bill Steinberg, David Watkins and Gil Wolin.

Executive Session: The Finance Committee entered Executive Session at 10:54pm following a roll call vote in regular session.

- 1) N.Funkhouser made a motion to approve September 22, 2014 executive session meeting minutes. C.Martin seconded the Motion. The roll call vote was 7-0 as follows:

- o Abdella Yes
- o Funkhouser Yes
- o Wolin Yes
- o Greenaway Yes
- o Martin Yes
- o Watkins Yes
- o Steinberg Yes

- 2) C.Martin made a motion to approve September 2, 2014 executive session meeting minutes. N.Funkhouser seconded the Motion. The roll call vote was 7-0 as follows:

- o Abdella Yes
- o Funkhouser Yes

- o Wolin Yes
- o Greenaway Yes
- o Martin Yes
- o Watkins Yes
- o Steinberg Yes

3) At 11:30 T.Greenaway made a motion to exit executive session and return to regular session.
N.Funkhouser seconded the Motion. The roll call vote was 7-0 as follows:

- o Abdella Yes
- o Funkhouser Yes
- o Wolin Yes
- o Greenaway Yes
- o Martin Yes
- o Watkins Yes
- o Steinberg Yes

Respectfully Submitted,

Dave Watkins

Wayland Historical Commission Meeting Minutes – April 15, 2015

Wayland Town Building, 7:30 pm

Minutes: (approved as amended)

Attendees: Sheila Carel, Rick Conard, John Dyer, Tonya Largy, Elisa Scola, Gretchen Ryder Sharry
Guests: Miriam Andrews, Duane Galbi

Chairperson Elisa Scola called the meeting to order

1. Public Comment: None

2. Review of Maintenance Plan for Town Clock at Methodist Church: (Miriam Anderson)

Miriam contacted the Verdin Clock Company. They are the same company that services the clock at First Parish Church in Wayland. The Town Clock at the Methodist Church won't need maintenance for the first few years after repair. After that, it will need to be checked annually. The estimated cost is \$580 per year. It is in the Church archives that the Town would pay for the clock maintenance. There is preliminary work that needs to be done first-scraping, painting, etc. before repair can begin. Miriam has a contract from Verdin Clock Company that needs to be signed to have work done. Miriam spoke to the pastor regarding the Church contributing to help pay for on-going repairs. Sheila suggested getting photographs as a Town asset.

Motion made to support restoration of the Town Clock at the First Parish Church, with the contingency that a maintenance plan is in place and will be funded. Motion passed: 4 yes, 0 no

It was suggested to Miriam to go to the Fin Comm to get the maintenance of the clock back as line item.

3. Review of March 16, 2015 meeting minutes: approved as amended

4. Discussion of Dudley Woods: (Tonya)

Tonya suggested taking a look at the area. Sheila supports doing a walk through Dudley Woods. Previous stone groupings have been moved. Need to determine if a survey is needed. Ed Bell told Tonya that anything on town owned land would need a survey.

WHC needs to set up a time to bring proposed policy/procedure to Selectmen. Sheila has a proposed write up. WHC will discuss at May meeting.

5. Stone's Bridge Update: (Elisa)

The article passed at Town Meeting.

Elisa has a meeting with Nan Balmer, Town Administrator, who is writing a letter to the town of Framingham. Elisa has an application for the Mass Preservation Projects Fund, due May 15. We are requesting matching funds. It would also need to be signed by Framingham. Duane G offered to help write it. Rick mentioned that the funding application (for the Freight House

project) required having a Preservation Restriction, which would need to be voted on at Town Meeting. We may need to talk to the Town Attorney regarding the application. Elisa to ask Nan Balmer. Sheila will photograph bridge as repairs are being done.

6. North Cemetery Update: (Tonya)

Barbara Donohue and GPR expert are coming tomorrow to re-check some areas, at no cost to Town. It is a very complex area. Report will take time to complete. Tonya sent Jo Goesselt's (former resident of 61 Old Sudbury Rd) research to Barbara, which was helpful.

7. Archaeology Update: (Tonya)

Tonya has made contact with Dr. Jerry Howard. He has a student who is interested in working on the collection. There are 4 shoeboxes of historic artifacts. Tonya suggested a meeting of Tonya, Dr. Howard, and the student. Student could possibly be Wayland's Archaeology Month speaker in 2016.

Tonya shared the write-up/abstract for this October's Archaeology Month speaker, Barbara Donohue, *Wayland's First Burial Ground-Your CPA money at work*. The talk will be Sunday, October 4, 2015 from 2-4 PM at the North Cemetery.

8. Railroad Update: (Rick)

Rick talked with Sarkis. Mass Historical interested in artifacts along the trail (sign posts, etc). Sheila offered to photograph pieces. Rick has identified May 9th as the date for the annual brush clearing.

CPC allocated \$10,000 for monitor as rail trail construction work is being done. Rick to write letter reminding rail trail group of archaeological monitor requirement, will work with Beth Doucette to complete paperwork for RFP archaeological monitor.

9. New business and other items not identified prior to submission of Agenda:

Sheila received draft memorandum of understanding from Tribal Historic Preservation Officers regarding indicated data points (GIS points) and confidentiality. Sheila has also spoken with the National Park Service regarding this.

Duane Galbi wants to research where the Knox Trail went, and possible sign for Stone's Bridge.

Next Meeting: Monday, May 11, 2015 at 7:30 PM

Meeting adjourned: 8:35 PM

Respectfully submitted,

Gretchen Ryder Sharry

Wayland Historical Commission

**Wayland Free Public Library
Board of Library Trustees
Minutes of Meeting April 29, 2015
Selectmen's Hearing Room, Wayland Town Building**

RECEIVED

MAY 26 2015

**Board of Selectmen
Town of Wayland**

Present: Library Director Ann Knight, Trustees Aida Gennis (chair, presiding), Sally Cartwright, Lynne Lipcon, Thaddeus Thompson, Suzanne Woodruff **Absent:** Anne Heller

Call to Order: 6:33 p.m.

Visitors and Public Comment

There were no visitors and no public comment.

Welcome to New Trustee Suzanne Woodruff

The Trustees welcomed their newest member, Suzanne Woodruff, who spoke briefly about her experience in construction, customer service, office planning and build-outs as well as mentoring students at Wentworth Institute of Technology.

Minutes of Previous Meeting(s)

The minutes for the meeting of March 16, 2015 were approved unanimously.

Library Building and Grounds: Lighting

Mrs. Knight reported news from the Town's Public Buildings Director Ben Keefe that the 12 hanging fixtures over the Main Level stacks in the 1988 addition cannot be converted to energy-efficient LED bulbs under the Ameresco lighting upgrade as had been hoped. Trustees then considered two other fixtures for that area and for the area over the Circulation and Reference desks. After much discussion of style, price, and lighting temperature and lighting direction, Trustees delegated Mrs. Knight and Mr. Thompson to explore the matter further with Mr. Keefe, and to determine whether the Children's Room will receive any lighting upgrade.

Library Planning Committee (LPC)

Mrs. Gennis reported that the Library Planning Committee (LPC) has nearly finished its visits to regional libraries. As the LPC continues to explore whether to recommend changes to our library facilities, it will form a taskforce to investigate at least two possible sites for any new Library renovations or construction, as is required under terms of the Massachusetts Public Library Construction Program. The full committee will soon take a behind-the-scenes tour of our current facility at 5 Concord Road.

Update on the Municipal Pad

Trustees noted with interest the vote taken on Article 25 at this year's Spring Town Meeting declining to purchase the lot of land still on offer to the Town from the developers of Town Center, as well as the vote on Article 26, authorizing the Council on Aging and the Recreation Department to proceed with site investigations on that parcel and, perhaps, subsequently, with a feasibility study for the construction of

a facility for their programs on that site.

Personnel Update

Mrs. Knight reported that the Town has hired Amy Horning as the Library's new Assistant Children's Librarian, a full-time position classified now as L4. She announced that Jim Zebrowski will be retiring in July after 10 years' service as Administrative Assistant.

Massachusetts Public Library Construction Grant Information

Trustees reviewed a timeline for tasks required of applicants for the next round of construction grants from the Massachusetts Public Library Construction Program (MPLCP). This timeline would govern the Library's actions if the Trustees and the Town decide to go forward with a building project after hearing the recommendations of Library Planning Committee. (If the Town succeeded in winning an MPLCP grant, the state would pay approximately 45% of the building costs.) One of the earliest tasks would be hiring an Owner's Project Manager, which is required for any project expected to cost more than \$1.5 million. Trustees discussed how and when this first step might be taken.

Website Redesign

Mrs. Knight reported that the Library's newly designed website will launch the first week of May. The site, which is hosted by a third party, has been designed to be ADA compliant and to perform well in mobile environments. Staff members have begun training on how to use and manage the site.

Community Survey Update

Mrs. Gennis reported that the Library received 875 qualified returns from its recent Community Survey, conducted through the UMass Donahue Institute. The Institute will have preliminary results in mid-May.

Trustees' Reports and Concerns

Mrs. Knight reminded Trustees that they have an opportunity to meet with the Commissioners of Trust Funds on May 11. Trustees had expressed interest in an update on fund performance after a presentation from the Commissioners six months ago.

The Meeting Was Adjourned at 9 p.m.

Documents for This Meeting

1. Agenda of Meeting Wednesday, April 29, 2015
2. Minutes of Meeting, Board of Library Trustees, March 16, 2015
3. Financial Report, "Summary Reports as of 2015.04.28"
4. March Circulation Report
5. Resume of Suzanne Woodruff, CFM
6. Specification Sheet for Corelite "Stellar" lighting fixtures
7. "Library Planning Timeline," 2015-2016

Next Meetings

- Wednesday, May 20, 2015, 6:30 p.m., Director's Office, Wayland Free Public Library
- Monday, June 8, 2015, 8:00 a.m., Director's Office, Wayland Free Public Library

- Wednesday, June 17, 8:00 a.m., Raytheon Room, Wayland Free Public Library

Respectfully submitted by Nan Jahnke, Friend of Wayland Free Public Library

WAYLAND BOARD OF PUBLIC WORKS

Wayland Town Building

May 12, 2015

7:00 PM

MEETING MINUTES

Present: C. Brown (Chair), W. Baston, M. Lowery, J. Mishara (left at 9:45 PM), S. Kadlik (Director)

Absent: M. Wegerbauer

Meeting opened at 7:00 PM

(Brown announced that the meeting is broadcast live and being recorded)

Brown opened the meeting with a review of the agenda.

Brown asked for public comment – there was none.

Discussion Regarding the Opening of the New DPW Facility

John Moynihan, Special Projects Manager for the Facilities Department, appeared before the Board to update the status of the new DPW facility.

Moynihan noted that he anticipates equipment and personnel will be moved into the building the second or third week of June.

Moynihan asked the Board how they would like to approach the grand opening of the facility.

Brown noted that he feels a public open house would be appropriate after the majority of equipment has been moved in.

Mishara suggested that a ceremonial ribbon cutting occur with the opening of the facility.

Lowery asked about the status of the tree replacement that had previously been agreed to.

Moynihan responded that the shrubs and trees were planted last fall.

Mishara asked if methane mitigation is still required at the site.

Moynihan responded that it is still an open issue.

Brown noted that the sense of the Board is that a ribbon cutting and open house should occur as soon as possible after the facility is operational.

Moynihan suggested Saturday, June 20, 2015 as a possible opening date.

Brown asked when the solar panels would be installed on the facility. Moynihan noted that the project is still in the early stages, and it would be after July 1 before installation could occur.

Discussion of the Initial Findings by Woodcock and Associates Regarding Water Rate Setting and Water Enterprise Fund Status

Chris Woodcock, President of Woodcock & Associates, appeared before the Board to discuss the initial findings of the water rate review.

Woodcock discussed the water rate setting process and potential changes in the water billing process.

The Board discussed the tiered water rate structure with Woodcock.

Baston asked Woodcock his opinion on how to address irrigation systems.

Woodcock replied that ideally irrigation systems would be separately metered or not allowed.

Brown asked Woodcock his opinion on the size of the reserve funds.

Woodcock replied that in his opinion the reserve fund is where it should be at its current level.

Brown recommended that Woodcock's services be retained to formally review water rates and make suggestions.

Woodcock noted he would create a draft proposal for review and comment by the Board.

Lowery made a motion that the Board request Woodcock and Associates to draft a proposal to conduct a study of water rates.

Mishara 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works

- *Christopher P. Woodcock Qualifications Summary*
- *Listing of Jobs Worked on by Christopher Woodcock*
- *Dave Fox, Senior Consultant, Raftelis Consultants, Inc. Resume*
- *Woodcock & Associates Pricing Information*
- *Woodcock & Associates Metering Information*

Traffic Calming Hearing: Stonebridge Road

Mishara described the nature of the traffic calming process, as well as the role of the Board of Public Works, the Board of Selectmen, and the Police Department.

Mishara read a letter from MassDOT, which denied the establishment of a special speed restriction on Stonebridge Road.

Duane Galbi, of 190 Stonebridge Road, appeared before the Board to discuss his request for traffic calming.

John Grabill, of 62 Riverview Circle, discussed the speed of traffic on Stonebridge and the dangers posed at the intersection of Riverview and Stonebridge.

Jeffrey Bright, of 37 Stonebridge Road, appeared before the Board discussed the posting of speed limit signs on Stonebridge.

Jean Ladas, of 200 Stonebridge Road, described his concerns regarding the speed of traffic on Stonebridge.

Michael Delman, of 192 Stonebridge Road, expressed his concern over the difficulty in exiting his driveway onto Stonebridge.

Scott Machanic, of 26 Meadow View Road, described the danger of exiting Oak Hill onto Stonebridge.

Robert Haskins, of 22 Stonebridge Road, expressed his concern for the speed and volume of traffic on Stonebridge.

Mishara asked the residents in attendance if they are in favor of speed bumps.

The majority of the residents responded that they are.

Lowery suggested the residents call the Police Department to report issues with traffic, and keep a record of the calls made.

Brown reviewed the Police Department's accident data compiled from Stonebridge Road.

Dana Fogg, of 9 Stonebridge Road, noted that speeding issues exist on the entire length of the road.

Donald Chase, of 36 Stonebridge Road, noted that he feels the unpopulated areas of the road encourage motorists to travel faster.

Lowery asked Kadlik to explain the constraints of placing speed bumps on Stonebridge Road.

Kadlik noted that speed bumps should not be placed on any curves or hills.

Galbi described speed bumps on Edmands Road in Framingham and described the markings placed on speed bumps.

Susan Foster, of 23 Old Connecticut Path, noted the dangers posed to pedestrians on Stonebridge.

Karen Drury, of 190 Stonebridge Road, described a hit and run accident she had witnessed, and noted the danger to pedestrians on Stonebridge.

Lowery noted that in his opinion the Police Department should increase ticketing on Stonebridge.

Linda Vanderburgh, of 31 Stonebridge Road, expressed concern over the volume of traffic on Stonebridge.

George Harris, of 8 Holiday Road, asked the Board what traffic calming measures other than speed bumps may be viable.

Mishara described the various traffic calming measures available and the factors used to determine their viability.

Galbi asked who has authority over the placement of traffic signs.

The Board responded that speed limit and stop signs are determined by the State, while most other signs are under the purview of the Board of Selectmen and the Police Department.

Galbi described possible locations for speed bumps and stop signs on Stonebridge and referred to a map illustrating their proposed locations.

Mishara asked the residents in attendance if they generally agree with the placement of speed bumps proposed by Galbi.

The majority of residents agreed with the placement as proposed by Galbi.

Ken Kistner, of 30 Stonebridge Road, expressed his concern for the potential placement of a speed bump near the Habitat for Humanity development, as it is a blind corner.

Lowery described the nature of funding the installation of speed bumps, and asked residents if they feel the installation of speed bumps would be supported at Town Meeting.

Brown read a comment submitted via email from Michelle Henley, of 197 Stonebridge Road, expressing her opinion against placing speed bumps on Stonebridge or making the road a one-way road.

Mishara asked Kadlik if he has conducted a study to determine if speed bumps could be installed on Stonebridge.

Kadlik replied that he has not conducted a study.

Mishara noted that there are public safety considerations to the installation of speed bumps, and the Police and Fire Departments would have to be consulted.

Brown asked if the intersection of Stonebridge and Old Stonebridge could be reconfigured to a 90 degree angle.

Galbi asked about the possibility of the installation of an electronic flashing speed limit sign.

Kadlik described the budget constraints impacting the implementation of traffic calming measures.

Lowery described the elimination of \$50,000 from the requested 2016 DPW Budget for traffic calming by the Finance Committee, and noted that funding would have to be put forth as a separate article at Town Meeting.

Mishara explained the next steps concerning traffic calming on Stonebridge.

Machanic asked the Board what residents can do to support the funding of traffic calming.

Zuania Wood, of 37 Oak Hill Road, asked the Board what role residents should take in the traffic calming process.

Mishara noted that public participation in the process is important and encouraged residents to continue to do so.

Items Distributed for Information and Use by the Board of Public Works
- Map of proposed placement of speed bumps and stop signs presented by Galbi

Items Included as Part of Agenda Packet for Discussion
- Stonebridge Road Speed and Incident Data

Discussion of the Placement of a Deed Restriction on Stone's Bridge

Gretchen Schuler, Chair of the Community Preservation Committee, and Elisa Scola, Chair of the Historical Commission, appeared before the Board to discuss the implementation of a preservation restriction on Stone's Bridge to enable a possible grant of up to \$100,000.

Lowery made a motion that, subject to Town Counsel confirming the Board's custodianship of the bridge, the Board vote to apply a preservation restriction on the bridge and designated Kadlik to oversee the project.

Mishara 2nd. All in favor.

Brown signed the document, for submission pending the confirmation of Town Counsel.

Schuler and Scola discussed the nature of the design work and potential associated costs with Kadlik

Items Distributed for Information and Use by the Board of Public Works
- Memo from Elisa Scola and Gretchen Schuler re: Stone's Bridge

Discussion of Arts Wayland Transfer Station EcoArt Projects

Basser Khadjenoori, of Arts Wayland, described a potential art project they wish to undertake at the Transfer Station involving the painting of murals on several structures at the Transfer Station.

Baston expressed his concern that any of the artwork may be construed as offensive or controversial.

Khadjenoori replied that he could bring photos of any art created for display for approval if the Board desires.

Khadjenoori noted that he wished to display art on the Town's sign boards when they are not otherwise in use.

Lowery noted that the sign boards are in place to announce events, and expressed his reluctance to use them for other purposes.

Mary Antes, of the Board of Selectmen, noted that the Beautification Committee has used the sign boards in the past for purposes other than announcing events.

Khadjenoori described past projects by Fireseed Arts which involved repurposing items into art.

Khadjenoori discussed with the Board the proposed staging of an art event at the Transfer Station on Saturday, June 13, 2015.

Baston expressed his concern to the Board that authorizing the project may set a precedent.

Lowery asked about the care and maintenance of any murals painted at the Transfer Station.

Khadjenoori noted that they would return to repair or repaint the murals if necessary.

Khadjenoori noted that he hopes to establish a working relationship between Arts Wayland and the Town.

Mishara made a motion to approve the Eco Art program as proposed, under the provision that the art is for general consumption and the appropriate liability waivers are signed.

Baston 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works

- Wayland Transfer Station: Eco-Art Lab / Artist-in-Residency Program information as published on the Town website

Items Included as Part of Agenda Packet for Discussion

- Arts Wayland / Fireseed Arts 'Call for Street and Graffiti Artists – Theme: Community'

- 10/18/2011 Email from Dan Balter of Arts Wayland with Artist-In Residence Personal Release Forms

Discussion and Update on River's Edge Property

Brown noted that he had recently met with Town Counsel, and noted that the additional language suggested by the DPW Director had been added.

Brown noted that he hoped the Board would be prepared to vote on this item at the next meeting.

Mishara noted that in his opinion the document looks acceptable.

Lowery noted that the document allows the Board of Selectmen to sell or lease the land.

Baston noted that he had expressed his concerns over extra operating costs imposed on the DPW relating to the land transfer.

Brown echoed Baston's concerns, but noted that he does not feel this document is the instrument in which to address it.

Baston discussed the increased operating costs associated with the loss of the land with the Board.

Lowery suggested the document be amended to designate the additional costs incurred by the DPW as well as the elimination of the option to 'lease or otherwise convey' the land in question.

The Board discussed methods by which to address the requirements necessary to continue current DPW activities.

Mishara suggested that Town Counsel be asked if there is any way to incorporate any funding mechanism in the potential motion.

The Board discussed the draft water feasibility study by Tata & Howard regarding the River's Edge parcel.

Water Division Superintendent Don Millette noted that his interpretation is that the Town currently has the capacity to support the project.

Lowery noted that report does not address the issues surrounding getting the water to the site or the cost of expanding the water system.

Millette noted the issue should be revisited after the water withdrawal permitting process begins.

*Items Included as Part of Agenda Packet for Discussion
- Proposed wording of Motion re: River's Edge Housing Project Site*

Discussion on the Status of Renaming the Park Land Surrounding Mill Pond

Lowery made a motion that a sign be created designating the name of the area in question as Adams Park.

Baston 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works
- Sign design proposal and Mill Pond photos distributed by Lowery

Items Included as Part of Agenda Packet for Discussion
- Copy of 4/24/1936 deed to land
- Copy of article from 2/26/2015, 'Mill Pond Rename Proposal'

Discussion of the Condition of Pelham Island Road

Kadlik noted that some patching has been done and he intends to put a levelling course down as well.

Kadlik noted that he is looking at placing block to reinforce the shoulder of the road in the area of Heard Pond to address the sharp drop-off the edge of the road.

Lowery asked if Conservation has approved the potential work.

Kadlik noted that Conservation has not yet approved it.

Lowery made a motion that the condition of Pelham Island Road in the area of Heard Pond is currently too dangerous for vehicle traffic, constituting a safety emergency, and requests that the DPW Director consult with the Town Administrator and the Police Chief to draft a NOI to be expedited with the Conservation Commission to address the safety issue.

Baston 2nd, all in favor.

Discussion of the Draft Letter to the School Committee Regarding the Happy Hollow Wells

Lowery requested the Board's permission to present the letter to the School Committee in a meeting.

Baston asked that a request from the School Committee to communicate with the Board of Public Works the efforts they make to comply with the regulations be added to the letter.

Brown suggested that the High School Principal and the High School Athletic Director be copied on the letter.

Kadlik noted that Facilities Director Ben Keefe has been charged to ensure compliance with the conditions in the letter.

Baston made a motion to authorize the letter be presented to the School Committee.

Lowery 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- Draft letter to School Committee re: Protection of Wayland's Happy Hollow wells near WHS athletic fields

Board Members' Reports, Concerns, and Updates

Baston asked if the wording was added to the Eversource request to install a utility pole on Sears Road.

Brown noted that the changes requested by the Board were added to the document.

Baston asked if a second quote was obtained for the construction of the Route 27 sidewalk.

Kadlik noted that the second quotes received were also high, and an additional request for Chapter 90 funding was applied for.

The Board discussed the request by the Conservation Commission to install an additional catch basin in conjunction with the sidewalk project, at an estimated additional cost of \$70,000.

Lowery noted that he is going to consult with Town Counsel regarding temporary sign regulations.

Lowery distributed a Newsweek article concerning the fluoridation of drinking water, and suggested that a joint meeting with the Board of Health be held.

Brown asked Millette if in his opinion this is an issue to be addressed by the Water Department or the Board of Health.

Millette noted that the fluoridation of drinking water was voted by Town Meeting and the EPA regulates the amount of fluoride to be added.

Brown noted that in his opinion this issue should be deferred to the Board of Health.

Items Distributed for Information and Use by the Board of Public Works

- Copy of Newsweek Article, 'Water Flouridation Linked to Higher ADHD Rates', distributed by Lowery

Topics Not Reasonably Anticipated by the Chair 48 hours Prior to Posting, if any

Millette requested that the Board vote to authorize a water ban to be instituted at the end of May.

Millette noted that next year new water regulations will be enacted further restricting summer water usage.

The Board discussed the current bylaw concerning water usage restrictions.

Brown made a motion to authorize the DPW Director to institute water usage restrictions at the time he sees fit with proper public notice.

Baston 2nd, all in favor.

Lowery noted that Fish & Wildlife has asked permission to harvest water chestnuts from the Sudbury River, and suggested further information be sought to determine the scope of the project.

Review and Approve Minutes (Delivered in Advance of the Meeting)

Baston noted a typographical correction on page 3.

Lowery noted changes to Kadlik's comment on page 6 regarding the proposed Arts Wayland project.

Lowery made a motion to approve the minutes of the April 28, 2015 meeting as amended.

Brown 2nd, all in favor.

*Items Included as Part of Agenda Packet for Discussion
- Board of Public Works 4/28/2015 Meeting Minutes Draft*

Lowery made a motion to adjourn.

Baston 2nd, all in favor.

Meeting adjourned at 10:30 PM.

NAME OF BOARD/COMM: Surface Water Quality Committee
FILED BY: Bob Goldsmith, Co-chairman
DATE OF MEETING: Tuesday May 19, 2015
TIME OF MEETING: 7:30 PM
PLACE OF MEETING: Wayland Town Building
ATTENDING: Bob Goldsmith, Lin Bradford, Mike Lowery and Toni Moores

MINUTES

1. The meeting came to order at 7:30 PM
2. No public comments
3. Minutes of the previous meeting were approved 3-0
4. Toni Moores joined the meeting by telephone (due to geographic distance)
5. Dudley Pond
 - a. Mike will request a four-month extension to ConCom's Order of Conditions and Permit under 322-698 DEP for diver hand pulling of weeds. Vote of 3-0, Toni not yet participating
 - b. A new NOI will be filed with ConCom for herbicide application, mechanical weed harvesting and hand pulling. Mike expects to have this ready in early June.
 - c. Mike commented that there has been a lot of algae this spring. The water level is down, below the bottom grate about 6-7 inches, due to dry spring.
 - d. Toni has had no response from ACT/Lycott about the desirability of alum treatment for phosphorus precipitation.
 - e. Toni is preparing a report on water quality based on sampling and analysis this spring. The sampling was a month late due to a late ice-out. No phosphorus observed, likely due to late sampling. Secchi readings were good, ca. 11.5 feet.
 - f. Mike has asked ConCom for a Certificate of Compliance under our last order of conditions and permit.
6. Heard Pond
 - a. Mike advised that the BoPW is very concerned about the road deterioration and sharp fall-off at Heard Pond. Stubby will talk with Brian Monahan about what ConCom will allow under an emergency order. This hazard needs to be addressed soon or the BoPW will close Pelham island Road.
7. Lake Cochituate/North Pond.
 - a. Senator Linsky, who lives on the lake has asked the senate to approve \$350,000 to "eradicate" weeds in the pond.
8. Mill Pond (Tom).
 - a. The committee approved by a 4-0 roll call vote awarding a contract to ACT/Lycott for hydroraking leaf debris from the northern portion of the pond. This is scheduled for early June.
 - b. ConCom has approved and issued the necessary permits.
 - c. Mike advised that the Park Department will be adding amenities. A park will be named

"Adams Park", after the donor of the pond and land.

9. Other

a. The committee voted 4-0 (roll call vote) to approve purchase of three sets of waders at \$70 each plus tax and shipping costs. Tom will buy these.

b. In Toni's and Bob's absence in June, Mike will chair meetings. Roll call vote, 4-0

10. Invoices approved: Tom Largy expense report for purchased materials for \$74.26; Nashoba Analytical for \$1539 for water sample analyses; Lin Bradford for \$156 for groin materials for weed capture net in North Pond; and Gate House Media for \$32.78 for Mill Pond vegetation removal notice. Roll call vote of 4-0.

11. Next meeting date not scheduled.

12. Adjourned by a roll call vote of 4-0 at about 8:30 PM.



Framingham
State University

MetroWest Economic
Research Center

May 18, 2015

Board of Selectmen
Town of Wayland
41 Cochituate Rd
Wayland, MA 01778

RECEIVED

MAY 26 2015

Board of Selectmen
Town of Wayland

Dear Board of Selectmen:

Enclosed please find your complimentary copy of the *Greater MetroWest Economic Profile 2015*© by Dunne, MacRitchie, Meaney, Phelan, Sjuib, and Soriano with Aka, Bentes, Boti, Fernandes, Gonzalez, Hollow, Hurley, Irvine, Nicholls, Padovano. All are members of the MetroWest Economic Research Center (MERC) at Framingham State University.

This report is MERC's latest update on the state of the Greater MetroWest economy, and includes data and analysis on the state of unemployment, employment, municipal revenue, K-12 enrollment, and housing for the region as well as cost of living in MetroWest. Greater MetroWest includes the municipalities of Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlborough, Natick, Northborough, Sherborn, Southborough, Sudbury, Wayland and Westborough.

Also included in this package is a copy of the *2015 Labor Force Study for Greater MetroWest* by Meaney, Bentes, Padovano, and Kyles. Complimentary copies of MERC publications are provided to legislators, boards of selectmen, city councils and public libraries for each community in the region to assist economic planning and ensure citizen access to the data and analyses.

We at MERC hope you find our studies informative and helpful. These publications will be available soon on our website: www.merc-online.org.

If you have any questions after reading these publications, please contact us at 508-626-4033. We would be pleased to speak to you.

Sincerely,

Martha Meaney
Donald MacRitchie
MERC Co-Directors

Enclosure

Having trouble viewing this email? [Click here](#)



MetroWest Legislative Breakfast 2015

When

Friday June 5, 2015 from 7:45 AM to 9:30 AM EDT
[Add to Calendar](#)

Dear MaryAnn,

The MetroWest Regional Collaborative Spring Legislative Breakfast is only 10 days away! Legislators and over 30 registrants will join together on June 5th to discuss the issues and concerns most important to our communities. Join the conversation!

Where

Morse Institute Library
14 East Central Street
Natick, MA



[Driving Directions](#)

MWRC communities include: Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Wellesley, and Weston.

[Register Now!](#)

[I can't make it](#)

I hope to see you there!

Sincerely,

Paul Dell'Aquila
Metropolitan Area Planning Council
pdellaquila@mapc.org
508.881.2924

[Forward email](#)



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Metropolitan Area Planning Council | 60 Temple Place | Boston | MA | 02111

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DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, May 28, 2015 9:37 AM
To: DiNapoli, MaryAnn
Subject: FW: Economic Development Roundtable Discussion
Attachments: Pre-Event Questionnaire-Western Merrimack Valley-MetroWest Regions.docx

Correspondence

From: Milano-SEA, Peter (SEA) [mailto:peter.milano@massmail.state.ma.us]
Sent: Wednesday, May 27, 2015 5:17 PM
To: Milano, Peter (MOBD)
Cc: Milano, Peter (MOBD)
Subject: Economic Development Roundtable Discussion

Dear Economic Development Partners:

On behalf of Governor Charlie Baker and Lt. Gov. Karyn Polito, Housing and Economic Development (EOHED) Cabinet Secretary Jay Ash cordially invites you to an Economic Development roundtable discussion. As the Administration formalizes its economic development strategy, we are looking to business, legislative, civic, and municipal leaders to help inform our policies. To capture the key priorities from across the state, we will host six regional meetings.

We hope you can join us for the Western Merrimack Valley and MetroWest Regional Economic Development Roundtable Discussion on Thursday, June 25th at Middlesex Community College, the Assembly Room in the Federal Building. You may RSVP here:

<https://www.eventbrite.com/e/western-merrimack-valley-and-metrowest-region-bakerpolito-administration-economic-development-tickets-17103681572>

We are anchoring our discussions around six topics. Please sign up for the topic that most interests you. Additionally, please fill out the attached pre-event questionnaire. The questionnaire is not directly related to the roundtable discussions, but we would also like to hear some of your thoughts on more general economic development policy. Please type your answers in the document and send it back to me by Friday, June 12.

Kind regards,

Peter

Peter Milano
Senior Regional Director
Massachusetts Office of Business Development
(978) 970-1193

(25)

**EOHED Regional Economic Development Roundtable Questionnaire
Western Merrimack Valley and MetroWest Regions**

Please fill out this short questionnaire and send it back to Peter Milano (Peter.Milano-SEA@state.ma.us) by Friday, June 12. We would like to use these questions to generate ideas regarding our overall economic development policy moving forward.

Name:

Title:

Organization:

City/Town:

What are your top three economic development priorities?

What programs are in place now that are working and you would like to see further investment in?

What programs have not been effective in supporting economic development in your community?

What new programs would you like to see to promote economic development in your community and across the state?

What are your community's economic development goals in the next 5 years?