

**PACKET**

**AUG 3**

**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, August 3, 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.*

- |         |   |
|---------|---|
| 6:00 pm | 1.) Call to Order by Chair  |
|         | • Announcements; Review Agenda for the Public   |
| 6:02 pm | 2.) Public Comment  |
| 6:05 pm | 3.) Review and Vote Letter to Minuteman School Committee  |
| 6:10 pm | 4.) Review and Approve Consent Calendar (See Separate Sheet)  |
| 6:15 pm | 5.) Review Correspondence (See Separate Index Sheet)  |
| 6:20 pm | 6.) Report of the Town Administrator  |
| 6:25 pm | 7.) Selectmen's Reports and Concerns  |
| 6:30 pm | 8.) Joint Meeting with the Personnel Board and the School Committee to Discuss Potential Options for Providing Health Insurance to Employees and Retirees; Potential Vote to Authorize a Consultant to Conduct a Comparative Analysis of Premiums between the West Suburban Health Group and the Group Insurance Commission and Identify Potential Premium Cost Savings between the Organizations |
| 6:58 pm | 9.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any   |
| 7:00 pm | 10.) Adjourn  |

### 3. REVIEW / VOTE

#### LETTER - MINUTEMAN

DATE: AUGUST 3, 2015  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: MINUTEMAN

#### **REQUESTED ACTION:**

**VOTE TO AUTHORIZE BOARD OF SELECTMEN TO SIGN LETTER REGARDING WAYLAND'S POSITIONS ON MINUTEMAN ISSUES**

#### BACKGROUND:

- On July 27<sup>th</sup> the Board discussed: 1) Wayland's actions to withdraw from the Minuteman Regional District, 2) The size (number of students) for the proposed new school, 3) A proposed district wide ballot to authorize debt for the project, 4) The process for MSBA approval, and 5) The suspension by the District of efforts to amend the Regional Agreement.
- Selectman Boschetto agreed to draft the attached letter from the Board to provide Wayland's position on: 1) The District Wide ballot on incurring debt, 2) The proposed size of the school project, and 3) The MSBA process for approval of a grant for the project.
- On July 30<sup>th</sup>, the Town received a copy of the attached memo from the MSBA Director of Capital Planning to the MSBA Executive Director summarizing the status of the school building project, stating that, on August 6<sup>th</sup>, the MSBA Board of Directors will consider authorizing the Minuteman District to proceed to schematic design for a building project sized for 628 students.
- On August 3<sup>rd</sup> two Selectmen will represent Wayland in Sudbury regarding Minuteman.



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

**DATE:** August 3, 2015

**TO:** Maureen Valente, Chief Executive Officer of the MSBA  
Minuteman School Committee  
Edward Bouquillon, Superintendent  
Minuteman District Member Town Managers/Administrators  
State Senator Richard J. Ross  
State Representative Carmine Gentile  
State Representative Alice Peisch

**FROM:** Wayland Board of Selectmen

**RE:** Right Sizing of School Building Project and District-wide Vote

Let it be known, that the Wayland Board of Selectmen and constituents appreciate the value of Vocational and Technical education and training and are committed to providing quality education to our students. For many years we enjoyed a collaborative partnership with the districts member towns and our students have been productive members of the Minuteman Community. Our request to withdraw from membership is not a reflection of our support of vocational technical programs, nor a reflection on our historical experience with the Minuteman program. At this point in time, given the limited number of students attending and the future direction of the school, it does not appear to be sufficient benefit to continuing as a member community as opposed to attending as a non-member community.

However, as an existing member community, we share many of the concerns presented by our colleagues and wish to express those concerns in this memo.

It is no secret that the current building is tired and in need of renovations/upgrades to accommodate the changing times.

However, representatives of the Wayland Board of Selectmen do not agree with the size and scope of the building project for a 628-student enrollment. Over the years, the in-district enrollment is trending down along with a noticeable upward trend in the out-of-district enrollment numbers. The Wayland Board of Selectmen would like to see the building project right-sized to the original MSBA number of 435. The Minuteman School Committee and Administration have decided to forge forward with a 628-student school building project and in doing so, have totally bypassed

discussion/approval of the district. Wayland cannot find justification in a building project to accommodate 628 students when the in-district enrollment is now below 400 students. However, a building project for 435 students would satisfy the needs of the district, whereas the unfilled seats will bring in revenue on a tuition basis.

At the suggestion of the Minuteman Superintendent, the School Committee is considering a district-wide ballot to gain approval of a building project. The School Committee has also approved expenditures for a pollster to test the waters in support of a district-wide ballot. Such a move, in our opinion, lacks respect and bypasses discussion/deliberation at the level of the Minuteman School Committee, Board of Selectmen and Finance Committee, as well as on Town Meeting floor. It also circumvents the structure of the current regional agreement respecting the representative interest of the member communities having one vote per community. Furthermore, a district-wide ballot is costly and only provides for restricted hours and polling sites, which in our minds hinders the public's interest and involvement.

The Wayland Board of Selectmen opposes a district-wide ballot by Minuteman.

We are also surprised that the timing of the district wide vote and that approval of funding and bonding would precede approval through the MSBA process. In our experience with similar building projects, the details of the project would be completed with the approval of the MSBA prior to bringing any funding request to residents. Working collaboratively with the MSBA and ensuring a successful project would appear to be the most logical next step, prior to moving ahead with any town-wide ballot.

Respectfully,

Board of Selectmen

---

Cherry C. Karlson, Chair

---

Mary M. Antes, Vice Chair

---

Lea T. Anderson

---

Tony V. Boschetto

---

Joseph F. Nolan

TO: John K. McCarthy, Executive Director  
FROM: Mary Pichetti, Director of Capital Planning  
DATE: July 21, 2015  
RE: Minuteman Regional Vocational Technical School District,  
Minuteman Technical High School

---

Per your request, staff has prepared this memorandum to summarize the status of the Minuteman Regional Vocational Technical School District ("District") in the MSBA's grant program, the basis of staff's recommendation for the District's preferred solution, and the next steps for the District if the MSBA Board of Directors authorizes the District to proceed into schematic design at the August 6, 2015 Board meeting.

The District was initially invited into the MSBA's capital pipeline on July 29, 2009. In the last six years, the District has been re-categorized into Eligibility Period, invited a second time into the MSBA's capital pipeline on June 13, 2012, received a revised certification for study enrollments for member and non-member students and received a two-year extension on July 30, 2014 to complete its feasibility study by June 2016. A review of the District's timeline within the MSBA's program indicates the following:

- During the initial invitation, MSBA staff notified the District, in a letter dated May 3, 2010, "that the final membership, the resulting agreed upon enrollment and the educational program are key elements of the feasibility study and therefore, without their resolution, the study cannot proceed." The MSBA requested that the District work to resolve the issues identified and provide a summary of the recommendations to the MSBA no later than July 1, 2011.
- The District has kept the MSBA informed of the work that its School Committee and its members have done to revise its regional agreement to address the concerns of the members.
- The District has also informed the MSBA of the work it has done with the Department of Elementary and Secondary Education ("DESE") to gain its approval of the revised agreement.
- The District noted that a further understanding of the costs to renovate/upgrade the facility was needed in order to address the member's questions regarding the overall cost of a potential project and the associated share for each member. The District requested that the MSBA allow the feasibility study to run simultaneously with the finalization of the revised regional agreement, which was underway.
- Based on this request and with the MSBA's introduction of the Eligibility Period, staff performed a review of all districts within its capital pipeline and recommended that districts who had not been progressing forward in the grant program be re-categorized to Eligibility Period in January 2012. This re-categorization provided the District with an opportunity to resolve enrollment and funding issues locally and commence with its feasibility study while it continued to finalize its revised regional agreement.

- Upon completion of the requirements of the Eligibility Period, the District was invited a second time into the MSBA's capital pipeline on June 13, 2012. Based on conversations with the DESE, the MSBA issued a revised certification for study enrollments for member students of 435 and member and non-member students of 800. The MSBA required that the feasibility study include study options for both enrollments as the District finalized its educational program. The MSBA understood that based on the ongoing conversations regarding the revisions to the regional agreement that the District may select an enrollment number between 435 and 800 students.
- The District requested and received on July 30, 2014 a two-year extension to complete the revisions to its regional agreement and seek member approval while completing the work of the feasibility study.
- In the last year, the District has received approval of its revised regional agreement from DESE, received preliminary DESE approval of its educational program offerings, voted on a program and an enrollment, and performed outreach to its member communities through surveys and local presentations.
- The District informed the MSBA in April 2015 that it had been unable to secure approval of the revised regional agreement as several member communities had postponed the vote and/or refused to include it in their town meeting warrant. Therefore, the District informed us that the School Committee has voted to move forward with its proposed project based upon the membership of the current regional agreement.
- Based upon the work done over the last six years, the MSBA expects the District to complete the work of the Feasibility Study Agreement by June 30, 2016 in accordance with the schedule set by the District and agreed to by the MSBA.

The District submitted its Preferred Schematic Report to the MSBA on June 6, 2015 for consideration at the MSBA's Board of Director's ("Board") Meeting on August 6, 2015. The staff has completed its review and is recommending that the District be approved to proceed into Schematic Design to replace the existing high school on the existing site with a new facility designed for 628 students for the following reasons:

- The MSBA has and continues to support vocational and technical educational opportunities for students across the commonwealth and the important role they play in the economic future of the commonwealth.
- The MSBA recognizes the need for capital investment in the existing facility.
- The District's "Educational Program Plan Labor Market Information Analysis" is comprehensive, demonstrates demand for the proposed Chapter 74 curriculum offerings, and aligns with evolving trends in employment.
- The District has reviewed the proposed Chapter 74 programs with the DESE. While both DESE's application process and the MSBA's Grant program approval process are still underway, DESE and the MSBA recognize that:
  - Minuteman is an important educational resource for students.
  - The DESE is in general agreement with the proposed plans submitted to the Department.

- The District has worked with its School Committee to craft a fiscally responsible plan that downsizes the school to avoid over-reliance on non-member enrollment while still maintaining a high quality vocational and academic curriculum.
- The MSBA understands and agrees with the District that a school based upon the member enrollment of 435 students is not operationally sustainable and would not meet the District's educational goals.
- The MSBA would not be able to support the construction of a high school with a design enrollment less than 600 students due to the diseconomies of scale affecting the cost and the ability for the District to deliver its desired curriculum.
- The staff's review of the District's enrollment and application data demonstrate sufficient demand for program offerings to ensure the facility will be utilized.
- The recent amendment of 603 CMR 4.00 includes provisions to "...establish a capital construction and renovation increment to be added to the tuitions paid on behalf of non-resident students..." and a similar provision for non-resident students enrolled in special education programming addresses one of the District's long-standing concerns regarding its member's share of supporting non-member students.

If the MSBA Board of Directors approves the District's preferred solution to replace the existing high school on the existing site with a new facility designed for 628 students at its August 6, 2015 Board meeting, the next steps for the District will be as follows:

- The District and its consultants will need to develop a robust schematic design submittal of sufficient detail to establish the scope, budget and schedule for the proposed project as presented in Module 4 – Schematic Design.
- The MSBA staff will review the District's Schematic Design Submittal and based upon the review, recommend to the MSBA Board of Directors for its consideration and potential approval a Project Scope and Budget Agreement that documents the project scope, budget, schedule and the MSBA's financial participation. The District's schedule indicates that the MSBA will receive this submittal in February 2016 for review and potential approval at the MSBA's March 2016 Board meeting.
- The Project Scope and Budget Agreement ("PSBA") will set out the maximum Total Facilities Grant that the District can expect to receive from the MSBA.
- After the MSBA Board of Directors has approved the Project and authorized the Executive Director to enter into Project Scope and Budget and Project Funding Agreements with the District, the District must secure local funding within 120 days.
- It is the District's responsibility to know and meet all state and local deadlines for the submission of warrant articles, vote language and ballot questions.

As with other districts participating in the MSBA's School Construction Grant Program, the MSBA will follow policy and provide the District the same opportunities provided other districts in studying potential solutions, establishing a mutually agreeable project scope and budget at the conclusion of schematic design, and receiving a Project Scope



Page 4  
July 21, 2015  
Minuteman Technical High School

and Budget Agreement. The District is responsible to secure the local authorizations and approvals. The District is responsible throughout the MSBA grant process for addressing any concerns or questions raised by its local boards, member towns or from the community. Beyond the use of specific language for articles, motions, resolutions, orders, votes (available on the MSBA's website) the MSBA does not govern or weigh-in on the specifics of how the District secures local approval and funding authorizations, that is the responsibility of the District.

If you need any additional information or have any questions, please let me know.

*8. Joint Meeting:  
Health Insurance*

DATE: August 3, 2015  
TO: Board of Selectmen  
FROM: John Senchyshyn, Asst. Town Administrator/HR Director  
RE: **Joint Meeting with the Personnel Board and the School Committee to Discuss Potential Options for Providing Health Insurance to Employees and Retirees**

**REQUESTED MOTION:**

**I MOVE THAT THE BOARD OF SELECTMEN AUTHORIZE THE ENGAGEMENT OF A CONSULTANT TO CONDUCT A COMPARATIVE ANALYSIS OF PREMIUMS BETWEEN THE WEST SUBURBAN HEALTH GROUP AND THE GROUP INSURANCE COMMISSION AND IDENTIFY POTENTIAL PREMIUM COST SAVINGS BETWEEN THE ORGANIZATIONS**

**BACKGROUND:**

Health insurance continues to escalate at an alarming pace. For a variety of reasons Wayland experienced a 13% increase in premiums for FY 16 from the West Suburban Health Group. This is a steep increase on both employees' finances and the Town's budget. Containing health care costs has been and continues to be an on-going challenge.

With the FY 16 increase in premium rates, it seems prudent to investigate the potential savings by moving health insurance to the Group Insurance Commission (GIC). That analysis is best conducted using the services of a benefits consultant. The biggest challenge in identifying potential savings with the GIC is predicting employee and retiree selection of GIC plans. With numerous communities having moved to the GIC over the past several years, a consultant is better positioned to predict the migration.

As changes to health insurance carry a broad-based effect on operations, the School Committee and the Personnel Board will be participating in the discussion. Available Finance Committee members may also attend.

A draft Scope of Services for this project is attached. I anticipate the findings will be available for presentation, review and discussion in several weeks. The expected project cost is under \$5,000.

The GIC comes with its own unique set of problems. Such a move is by no means a permanent solution to long-term health insurance coverage, but it is an alternative that should be investigated.

## **DRAFT - WSHG/GIC Comparative Analysis**

### **Background**

The Town of Wayland is a member of the West Suburban Health Group. The Town makes available health insurance options for eligible employees and retirees through a menu of Non-Medicare and Medicare supplemental plans.

The purpose of this project is to utilize consulting services to assist the Town in determining if there are meaningful cost savings and advantages in leaving the West Suburban Health Group and moving to the Group Insurance Commission under the MGL 32B health insurance reform language.

The West Suburban Health Group is hereafter referenced as the WSHG. The Group Insurance Commission is hereafter referenced as the GIC.

### **Scope of Service**

1. Conduct a comparison of health care coverage including but not limited to: network restrictions, rates, co-payments for services (PCP visits, specialist visits, ER visits, inpatient services, outpatient services, high tech imaging), prescription drug costs (retail and mail-order) and other associated benefits provided by the WSHG and the GIC.
2. Using FY 16 premium rates, conduct a financial comparison of the projected premium costs for both the employer and employees under both the WSHG option and the GIC option to determine if there are meaningful cost-savings by migrating health insurance coverage to the GIC. Projected total GIC premium costs shall include projected GIC enrollments by plan.
3. Advise on any additional costs or savings beyond premiums that may be applicable in evaluating a potential move to the GIC.
4. Advise the Town regarding the non-monetary advantages and disadvantages of moving to the GIC.
5. Advise on withdrawal procedures for leaving the GIC and obtaining the Town's experience for future providers.
6. Meet jointly with the Board of Selectmen and School Committee to present and review the comparative data.
7. The work under this Scope of Services is to be completed no later than August, 21, 2015.



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
[www.wayland.ma.us](http://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, August 3, 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 from CMG Environmental Inc., for Phase I Environmental Site Assessment (ESA), Municipal Parcel at Wayland Town Center, 400-440 Boston Post Road, Invoice #4971, July 22, 2015: \$2,200.00
3. Vote the Question of Approving the Minutes of July 13, 2015

# CMG ENVIRONMENTAL, INC.

# INVOICE

67 Hall Road  
 Sturbridge, MA 01566  
 Phone 774.241.0901 Fax 774.241.0906

DATE: 7/22/15  
 INVOICE # 4971  
 CMG ID # 2014-055

**Bill To:**  
 Wayland Board of Selectmen  
 % Ms. Nannette F. Balmer  
 Town Administrator  
 41 Cochituate Road  
 Wayland, MA 01778

**Site address**  
 Municipal Parcel at  
 Wayland Town Center  
 400-440 Boston Post Road  
 Wayland, Massachusetts

**Comments or Special Instructions:** Per proposal dated 6/19/15, authorized by Contract executed 6/26/15

SALESPERSON	P.O. NUMBER	SHIP DATE	CMG ID	TERMS
BG	Verbal	7/21/15	SA	Net 30

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	<p style="text-align: center;"><b>Phase I Environmental Site Assessment (ESA)</b></p> <p>Phase I ESA Report</p> <div style="text-align: center; color: blue; font-weight: bold; margin-top: 20px;"> <p>RECEIVED</p> <p>JUL 24 2015</p> <p>Board of Selectmen Town of Wayland</p> </div>	\$ 2,200.00	\$ 2,200.00

<b>SUBTOTAL</b>	<b>\$ 2,200.00</b>
<b>TAX RATE</b>	<b>0.00%</b>
<b>SALES TAX</b>	<b>-</b>
<b>SHIPPING &amp; HANDLING</b>	<b>-</b>
<b>TOTAL</b>	<b>\$ 2,200.00</b>

Make all checks payable to **CMG Environmental, Inc.**  
 If you have any questions concerning this invoice, please contact us at 774-241-0901  
 Unpaid invoice balances beyond 30 days will accrue a 1.5% monthly fee.

**THANK YOU FOR YOUR BUSINESS!**



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 Meeting Minutes July 13, 2015

**Attendance:** Lea T. Anderson, Mary M. Antes, Tony V. Boschetto, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli (left at 7:00 p.m.)

**A1. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Disposition of the Wayland/Sudbury Septage Facility; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to a Pending Action regarding the Glezen Lane Judgment; and to Review and Consider for Approval the Minutes of May 18, 2015, and June 24, 2015, Relative to Said Subjects: Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), a Discussion of Potential Litigation regarding Affordable Housing Restrictions; and a Discussion of 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 a Discussion of Collective Bargaining Strategy Pertaining to Contract Negotiations with the Police Union, the Fire Union, and the AFSCME Clerical Union, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), a Discussion of the Exchange, Lease or Value of Real Estate in regard to the Municipal Parcel at Town Center** At 6:30 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss the disposition of the Wayland/Sudbury Septage Facility; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to a pending action regarding the Glezen Lane judgment. The review and consideration for approval of the minutes of May 18, 2015, and June 24, 2015, was cancelled and will be rescheduled for the meeting of July 27. The Chair declares that a public discussion of pending and potential litigation and collective bargaining will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/ Human Resources Director John Senchyshyn, Town Counsel Mark Lanza, Board of Public Works Chair Chris Brown, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:10 p.m.

**A2. Call to Order by Chair** Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:11 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.

**A4. Swearing In of Two New Police Officers** The Board was joined by Police Chief Robert Irving and Assistant Town Clerk Diane Gorham to swear in new Police Officers Justin Kazan and Colin Fitzpatrick.

**A2. Call to Order by Chair** Chair C. Karlson reviewed the agenda for the public. M. Antes said the last concert in the Council on Aging Summer Outdoor Concert Series will held on Thursday, July 16, at the Town Building, and the first concert on the Town Green will be held on Wednesday, July 15.

**A3. Public Comment** Arlene Schuler, 9 King Street, said the 150 Main Street LLC has applied for a building permit at the former Finnerty's site, despite not meeting Condition 30 imposed by the Planning Board. She said she expects that 150 Main Street LLC will file a lawsuit against the town when the building permit is denied, and she requested that the Town engage Special Counsel to defend the case. Alice Boelter, 106 Lakeshore Drive, asked the Board to meet with the School Committee to request action on the problems facing the schools. She said the Town is exposing itself to lawsuits and hurting the children and parents. Aida Gennis, 22 Wayland Hills Road, and Chair of the Board of Library Trustees, advised the Board that the Library Planning Committee has been meeting to draft a placeholder article for the 2015 Special Town Meeting for funds to develop the necessary work for a grant application. She said the State legislature in August authorized a new round of library construction grants that will cover 45% of construction costs, and the committee needs funds for site assessment and schematic designs. She said the Letter of Intent is due October 2016, and the final application due in the Spring of 2017. J. Nolan noted that if this opportunity is missed, there may not be another round of grants for several years.

**A5. Meet with Police Chief Robert Irving on Traffic Issues and Vote to Approve New Stop Signs at Grace and Maguire Roads and at Caulfield and Brooks Road; Update on Stonebridge Road Speed Limit Concerns** The Board was joined by Police Chief Robert Irving to discuss traffic issues. R. Irving said the residents of Stonebridge Road are going to the Board of Public Works to pursue traffic calming efforts. He suggested that solar powered flashing speed limit signs and speed bumps are a possibility. In regard to Pelham Island Road, he said the lower speed zone had been approved and he was awaiting confirmation. M. Antes asked why the Pelham Island Road speed limit was reduced but not the Stonebridge Road speed limit; R. Irving said the state relies on current average speeds, and Stonebridge Road did not qualify. He said that grant funding has been received from the state high crash curve program for Rice Road near Turkey Hill Road; the state will provide the materials and the installation will be done by the Board of Public Works. He said a temporary repair is being done on the railings on the Old Sudbury Road bridge. Finally, he said he is working on a letter for Board signature requesting paving on Old Sudbury Road.

J. Nolan recused himself from the discussion regarding Maguire Road and left the room.

R. Irving noted neighborhood concerns about the designation of the right of way at the intersection of Grace and Maguire Roads. He also reviewed the need for stop signs and a "No Outlet" sign at Caulfield Road and Brooks Road. T. Boschetto suggested that stop signs be evaluated on a town-wide basis. R. Irving said he will review more locations. T. Boschetto moved, seconded by M. Antes, to approve two stop signs on Grace Road at Maguire Road, a stop sign on Brooks Road at Caulfield Road, a "No Outlet" sign on Caulfield Road at Brooks Road, and a stop sign on Caulfield Road at School Street. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

J. Nolan returned to the meeting.

**A6. Discuss and Vote to Approve Indirect Costs Allocation Agreement with Schools** John Senchyshyn, Assistant Town Administrator/Human Resources Director, reviewed the Indirect Costs Allocation Agreement and revisions with the Board. He said the revised version reflects retirement costs, approved by both school and town. T. Boschetto said he would like to see more accurate reporting, more consistent reporting, and a clarification of what costs are being reported. M. Antes moved, seconded by

L. Anderson, to authorize the Chair of the Board of Selectmen to sign the revised End of Year Pupil and Financial Report (EOYR) Agreement with the Wayland School Department. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto. Adopted 4-0-1.

**A7. Report from IT Consultant** Elizabeth Doucette, Financial Analyst, and Mike McCann, Advent Consulting LLC, appeared before the Board to provide an update on the town's IT system and security status. E. Doucette said the town did an assessment of its short-term needs, and has contracted for web-based security training. She said the town has now engaged a consultant, McGladrey LLP, for an IT master plan and a budget for Finance Committee consideration. C. Karlson asked if the project was within budget; E. Doucette said yes.

M. McCann said Wayland's IT infrastructure is comparable to most small IT shops. He reviewed the protocol for Windows and application patch status, including ongoing maintenance which he noted was difficult to maintain with current staffing. He said he also provided technical support to IT staff on performance issues. The easiest tasks have been resolved, and now the larger priorities will be reviewed and recommendations will be presented by McGladrey. He said that from the items initially identified, 80% of the work has been completed. He provided recommendations, including a new firewall for perimeter security, patch management software, software upgrades, back-up software to make disaster recovery easier, and finally, a performance upgrade in the network that is close to home. In regard to staffing, he said the current configuration includes a large organization with a lot of end users. He recommended an IT Director focused on town departments, and an infrastructure administration based in the Facilities Department to cover the entire infrastructure for school and town. In addition, he recommended user support technicians to support end users on the town staff.

T. Boschetto asked who would be responsible for managing security updates. M. McCann said one individual should have dedicated responsibility. C. Karlson said the issue of storage was the crux of the town meeting funding discussion, and asked if that was a different solution. M. McCann said storage needs to be expanded more easily than in the original proposal. J. Nolan asked if the same operational efficiency can be achieved without local storage. M. McCann said outsourcing the back-office support for approximately 150 desktops would cost roughly \$350,000 for three years; alternatively, it would cost approximately \$100,000 to keep support in-house, and the costs will decline over time. He said storage alternatives will be addressed by McGladrey in long-range plan. Of the recommendations, he said the first priority of a new firewall should be complete by the end of August 2015, and the updated licenses should be done immediately. The remaining recommendations should be implemented by the end of the calendar year. J. Nolan asked about the importance of training. M. McCann said it is helpful, and noted the work of the Treasurer/Collector to increase security in banking practices. J. Nolan asked if the financial resources were available; N. Balmer said the budget request is before the Finance Committee for approval at Special Town Meeting.

**A8. Committee Vacancy Interviews and Potential Vote to Appoint** Kate Finlayson appeared before the Board to interview for appointment as an Alternate to Historic District Commission. She reviewed her background and interest in the position. L. Anderson moved, seconded by M. Antes, to appoint Kate Finlayson as an Alternate to the Historic District Commission for a term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

James E. Riley appeared before the Board to interview for appointment to the Permanent Municipal Building Committee; he reviewed his background and experience. M. Antes moved, seconded by T. Boschetto, to appoint James E. Riley to the Permanent Municipal Building Committee for a term to expire on June 30,



2017. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by L. Anderson, to reappoint Douglas Goddard, Brian Chase, and Eric Sheffels to the Permanent Municipal Building Committee for terms to expire on June 30, 2016. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Barbara Howell, Sean Fair, and Robert Goldsmith appeared before the Board to interview for appointment to the Conservation Commission. Applicants reviewed their backgrounds and interest in serving. The Board discussed the need for experience, and reviewed recent actions of the commission. T. Boschetto moved, seconded by J. Nolan, to reappoint Barbara Howell to the Conservation Commission for a term to expire on June 30, 2018, and to reappoint Robert Goldsmith to the Conservation Commission for a one-year term to expire June 30, 2016. YEA: T. Boschetto. NAY: L. Anderson, M. Antes, C. Karlson, J. Nolan. ABSENT: none. ABSTAIN: none. Motion fails, 1-4-0. J. Nolan moved, seconded by L. Anderson, to reappoint Barbara Howell to the Conservation Commission for a three-year term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by L. Anderson, to appoint Sean Fair to the Conservation Commission for a three-year term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto. Adopted 4-0-1.

**A10. Update on Wayland Arts Fair and Potential Vote to Approve Event Parking at the Town Building** Nasser (K) Khadjenoori appeared before the Board to discuss the Wayland Arts Fair scheduled for September 19, 2015, at the Wayland Town Building. N. Balmer said the use of the Town Building parking lot had been fully vetted by the Recreation Commission and created no conflict. The Board discussed the potential use of satellite parking, and the impact on church parking should the need arise to move to the rain date of Sunday, September 20. L. Anderson moved, seconded by M. Antes, to approve the use of the Wayland Town Building parking lot for the Arts Fair conducted by Arts Wayland on Saturday, September 19, 2015 (with a rain date of September 20). YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A9. Vote to Reappoint to the Municipal Affordable Housing Trust Fund Board for Terms to Expire on June 30, 2017** J. Nolan moved, seconded by L. Anderson, to reappoint Mary M. Antes, representing the Board of Selectmen, Kevin Murphy, representing the Planning Board, and Susan Weinstein, representing the Housing Authority, to the Municipal Affordable Housing Trust Fund Board for two-year terms to expire on June 30, 2017. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A11. Vote to Confirm Acceptance of Gift of Sage Hill Conservation Land and Adopt Confirmatory Order of Taking** M. Antes moved, seconded by J. Nolan, to approve the Conservation Commission's acceptance of land in the Sage Hill subdivision, sign the deed, and adopt and sign the Confirmatory Order of Taking. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A12. Discuss and Vote to Approve Revised Special Town Meeting Date and Schedule** The Board reviewed potential dates for the 2015 Special Town Meeting, noting the school preferences and the schedule of the Town Moderator. J. Nolan moved, seconded by M. Antes, to set the date of Special Town Meeting for Monday, November 9, 2015, and Tuesday, November 10, 2015, with the warrant to be scheduled to open from August 25 to September 2, 2015. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board requested that a timeline be posted on the town website.

**A13. Board Policy Review and Approval** The Board agreed to hold the approval of the policy, "Board Description, Guiding Principles, and Code of Conduct," until the next meeting for further review. Board members reviewed and suggested edits to the policy, "Management of the Legal Affairs of the Town," noting that they were waiting for advice of Counsel before proceeding. M. Antes moved, seconded by J. Nolan, to approve the Board policy, "Board Procedures: Officers and Meetings." YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A14. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by T. Boschetto, 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.

**A15. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. C. Karlson noted the first line of the Board of Assessors memo regarding the Solar PILOT is incorrect.

**A16. Report of the Town Administrator** N. Balmer reviewed upcoming meeting dates, the application to the MWRA to complete the Wayland portion of the walking/biking trail, the withdrawal of funding from the Sherman's Bridge project, and the Finance Committee approval of the Fund Balance Policy for the General Fund to maintain free cash. She noted that the Board may want to consider the Recreation and School revolving funds for Special Town Meeting. She reported on the Treasurer/Consultant Exit Report, and the designation of the Finance Director and Town Administrator as Trustees of the OPEB Fund, noting that the town will advertise for a consulting firm. She reviewed the reconfiguration of office space in the town building.

**A17. Selectmen's Reports and Concerns** M. Antes asked that the revision of portfolio assignments to eliminate shared portfolios be addressed at the next meeting, and she announced the Council on Aging/Community Center Advisory Committee site visit at the municipal parcel on July 16, 2015, at 6:30 p.m. J. Nolan requested that the Finance Committee come before the Board to review any budget revisions for Special Town Meeting. L. Anderson reviewed her communication with a member of the Energy Initiatives Advisory Committee regarding dealing with neighborhood concerns around the high school during construction. C. Karlson suggested scheduling an update on the solar project at a future meeting. She noted mistakes in the electronic packets, and asked the Board to consider adding a response to public comment to future agendas.

**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 M. Antes, to adjourn the meeting of the Board of Selectmen at 10:55 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 July 13, 2015**

1. Memorandum of 6/11/15 from Robert Irving, Chief of Police, to Nan Balmer, Town Administrator, re: Traffic Control Recommendations
2. Draft Timeline for Potential Special Town Meeting Dates
3. Map of Sage Hill Open Space Parcel from 2015 Annual Town Meeting Warrant

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

1. Memorandum of 6/11/15 from Police Chief Robert Irving to Nan Balmer, Town Administrator, re: Traffic Control Recommendations
2. Memorandum of 7/13/15 John Senchyshyn, Asst Town Administrator/HR Director, to Board of Selectmen, re: School/Town End of Year Pupil and Financial Report Agreement
3. Memorandum of 7/9/15 from Elizabeth Doucette, Financial Analyst, to Nan Balmer, Town Administrator, re: IT Report
4. Memorandum of 7/13/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Committee Interviews and Appointments
5. Memorandum of 7/13/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Request for Parking at Town Building for Wayland Arts Fair
6. Memorandum of 7/13/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Sage Hill, Quitclaim Deed, Order of Taking, Release of Easement
7. Memorandum of 7/13/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Fall Special Town Meeting Date, Schedule and Proposed Articles
8. Memorandum of 7/13/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Board Policy Review and Adoption, "Board Description, Guiding Principles and Code of Conduct," "Board Procedures: Officers and Meetings," and Draft Policy, "Management of the Legal Affairs of the Town"



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
[www.wayland.ma.us](http://www.wayland.ma.us)

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 JULY 24, 2015,  
THROUGH AND INCLUDING JULY 30, 2015,  
OTHERWISE NOT LISTED AND INCLUDED IN THE  
CORRESPONDENCE PACKET FOR AUGUST 3, 2015**

**Items Distributed To the Board of Selectmen – July 24-30, 2015**

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the  
Meeting of July 27, 2015**

- 1.

**Items Included as Part of Agenda Packet for Discussion During the August 3, 2015  
Board of Selectmen's Meeting**

- 1.
2. Town Administrator's Report for the Week Ending July 31, 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, August 3, 2015**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

## CORRESPONDENCE

### Selectmen

1. Letter of 7/22/15 from Massachusetts School Building Authority to Board of Selectmen  
re: Minuteman Regional Vocational Technical School District

### Zoning Board of Appeals

2. Decision No. 15-13, 163 Glezen Lane
3. Decision No. 15-14, 135 Boston Post Road
4. Public Hearing, August 11, 2015, 24 Old Tavern Road

### Minutes

5. Community Preservation Committee, December 17, 2014, March 4, 2015, May 20, 2015,  
June 17, 2015
6. OPEB Advisory Committee, June 24, 2015

### Region

7. Memorandum of 7/21/15 from MBTA Advisory Board to Chief Elected Officials,  
re: Municipal Elections to the Boston Region Metropolitan Planning Organization



# Massachusetts School Building Authority

Deborah B. Goldberg  
*Chairman, State Treasurer*

John K. McCarthy  
*Executive Director*

July 22, 2015

Ms. Cherry Karlson, Chair  
Board of Selectmen  
Town of Wayland  
Office of the Board of Selectmen  
41 Cochituate Road  
Wayland, MA 01778

**RECEIVED**

**JUL 27 2015**

**Board of Selectmen  
Town of Wayland**

Re: Minuteman Regional Vocational Technical School District, Minuteman Technical High School

Dear Ms. Karlson:

I would like to take this opportunity to present you with copies of correspondence received from several member towns, specifically Arlington, Belmont, and Sudbury. These member towns reached out to the MSBA to outline concerns they had regarding the Minuteman Technical High School project. I have included MSBA responses here as well.

I would like to take this opportunity to thank the districts for reaching out to MSBA and I remain hopeful that the issues can be resolved among the member communities so the project can go forward.

For your information and convenience, the correspondence and MSBA replies are included herewith. A memo that staff has prepared is also attached. I trust that the information provided will be able to assist you going forward.

The MSBA encourages all of the members to continue to communicate and work together to resolve any outstanding issues. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.

Sincerely,



John K. McCarthy  
Executive Director

Page 2

July 22, 2015

Minuteman Technical High School

cc: Legislative Delegation  
Dr. Ed Bouquillon, Superintendent Minuteman Regional Vocational and Technical  
School District  
Kevin Mahoney, Assistant Superintendent of Finance, Minuteman Technical High  
School  
Jeff Stulin, Chair, Minuteman Regional Vocational Technical School Committee  
Mary Ann Williams, Owner's Project Manager, Skanska USA Building, Inc.  
Joe Milani, Designer, Kaestle Boos Associates, Inc.  
Larry Trim, Designer, Kaestle Boos Associates, Inc.  
Town of Arlington  
Town of Belmont  
Town of Sudbury  
File: Letters 10.2 (Region 4)

(attachments received previously)



TOWN OF WAYLAND  
MASSACHUSETTS  
01778

**BOARD OF APPEALS**

RECEIVED  
*[Signature]*  
JUL 27 2015

Board of Selectmen  
Town of Wayland  
TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3600  
FAX: (508) 358-3606

**DECISION NO. 15-13**

**NAME OF APPLICANT:**

KATHERINE KELLIHER

**APPLICATION FOR:**

Any necessary approvals, special permits and/or variances as may be required to add a 14' x 12' deck within side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 703.2, 1604.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 163 GLEZEN LANE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-13)

**DATE OF HEARING:**

July 14, 2015

**BOARD CONDUCTING HEARING AND RENDERING DECISION:**

Linda L. Segal, Eric Goldberg, Michael Connors, Thom White

**DECISION:**

Special Permit granted, with conditions

**VOTE OF THE BOARD:**

Unanimous (4-0)

**CONDITIONS:**

1. Construction shall be in substantial conformance with the plan prepared by John Carmody, 347 Old Connecticut Path, Wayland, MA for a 14' by 12' deck off the rear of the house as submitted to the Building Department on June 5, 2015.
2. Construction shall be in substantial conformance with the plot plan prepared by Varoujan H. Hagopian, Professional Land Surveyor, Lic. #49665, Sullivan, Connors & Associates, 121 Boston Post Rd., Sudbury, MA., dated June 2, 2015.
3. The applicant must obtain any other necessary permits and approvals from other boards having jurisdiction over this matter. The applicant already has filed a Board of Health approval dated April 22, 2015 and a letter to the Conservation Administrator that the construction will be outside the 100' wetland buffer.



**FACTS AND REASONS:**

*Applicant's request.* The applicant seeks to add an open deck, walkway and patio off the rear of the house. Only the deck was before the Board because it will not meet the side-yard setback requirement. Michael Evangelista and John Carmody appeared at the hearing to represent the applicant.

*Dimensional requirements.* According to the application and the plot plan submitted with it: The house was built in around 1963, and the lot contains about 24,150 square feet in a zoning district requiring 60,000 square feet and 89.32 feet of frontage where 210 feet are required. The side yard setback on the existing east side of the house is 21.6 feet and the proposed deck will be 24.4 feet from the property line, where 30 feet are required. The lot is therefore non-conforming as to size, frontage and side yard setback.

*Findings required under the law.* **Section 198-201** of the Wayland Zoning Bylaw empowers the Board to grant special permits. Under **Section 198-203**, the Board may grant a special permit only after finding that the proposed use will not be against the public interest, will not derogate from the character of the neighborhood, and will not be detrimental, offensive, or otherwise injurious to the inhabitants or their property, or dangerous to the public health or safety.

Under **Section 198-401.1.2** of the Wayland Zoning Bylaw, and MGL c. 40A, §6, a preexisting, nonconforming structure may be changed, extended, or altered if the Board grants a special permit, pursuant to the powers given the Board by Section 198.201, and if it finds that the change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

*The Board's findings and reasons.* The property in question is located at 163 Glezen Lane. The proposed open deck will extend 12 feet off the rear of the house and not likely be visible from the street because it will be 24.4 feet from the property line, a few feet further from the lot line than the existing side of the house. The deck will not conform with the 30 foot side yard setback requirement, but it will be less non-conforming than the existing 21.6 foot incursion of the house into that same setback. As planned the deck will not interfere with the septic system or the cellar door. The proposal does not trigger enforcement of the Aquifer Protection District bylaw.

No members of the public appeared to provide comment on this application.

The Board, by unanimous vote, therefore finds that the proposed deck, although increasing the non-conformity is less non-conforming than the existing house, will not be substantially more detrimental to the neighborhood than the existing structure. The Board finds that the proposed deck will fit in with the character and appearance of the neighborhood, is not against the public interest, will not derogate from the character of the neighborhood, will not be detrimental, offensive, or otherwise injurious to the inhabitants or their property, and will not be dangerous to the public health or safety, and therefore grants the special permit with the conditions specified.

**DATE OF FILING OF DECISION:**

**BY ORDER OF THE BOARD OF APPEALS**

JULY 23, 2015

Linda L. Segal

Linda L. Segal, Associate Member

**CERTIFICATION:**

The Board of Appeals, by delivery of a copy of this decision to the applicant, KATHERINE KELLIHER, 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**

Linda L. Segal

Linda L. Segal, Associate Member



TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
BOARD OF APPEALS

*Selectman*

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

**DECISION NO. 15-14**

**NAME OF APPLICANTS:**

LELAND SMITH

**APPLICATION FOR:**

Any necessary approvals, special permits and/or variances as may be required to renew ZBA decision #10-19 dated July 2, 2010 to allow the operation of customary home occupation (sale of antique and reproduction clocks and clock repairs) under the Town of Wayland Zoning Bylaws Chapter 198 Sections 104, 201, 203, 901.1.3, 804-Table of permitted Accessory Uses by District (Use # 62) and 805-Classification of Accessory Uses. The property is located at 135 BOSTON POST ROAD which is in a ROADSIDE BUSINESS DISTRICT.

**DATE OF HEARING:**

July 14, 2015

**BOARD CONDUCTING HEARING AND RENDERING DECISION:**

Thomas White, Michael Connors, Linda Segal, Eric Goldberg

**DECISION:**

Renewal of special permit granted, with conditions.

**VOTE OF THE BOARD:**

Unanimous (4-0).

**CONDITIONS:**

1. The special permit is for the sale of antique and reproduction clocks and clock repairs.
2. The special permit is valid only so long as the Applicant maintains a residence at the property. The Applicant shall not rent such residence to any other person.
3. The hours of operation shall be from 10:00 AM to 5:30 PM Monday through Saturday. Thursday evening hours until 8:30 PM are permitted. Sunday hours shall be from 1:00 PM to 5:00 PM.
4. This special permit shall be for a term of five years from the date of this permit. If the Applicant wishes to renew the special permit, an application to do so must be filed and heard prior to the expiration of the permit granted by this Decision.
5. The Applicant shall maintain his existing signs only, and shall not change the signage on the property without leave of this Board. To the extent that any products or window displays are illuminated, the Applicant shall either turn off the illumination or cover the displays so that the illumination is not visible externally after business hours.

**THE BOARD'S FINDINGS AND REASONS:**

The property is located at 135 Boston Post Road, in the Roadside Business District. In July 2010 the Board granted the Applicant renewal of his existing special permit, for a renewable term of five years, to conduct a customary home occupation at the property, consisting of the sale and repair of antique and reproduction clocks. A customary home occupation is permitted in the Roadside Business District upon grant of a special permit by the Board, under the same circumstances as such a permit may be granted in a Single Residence District.

The Applicant conducted his business for the past five years in a manner reasonably consistent with the terms of the special permit. The Applicant stated that he maintains a residence at the premises. No members of the public spoke in opposition to the application.

The Board sees no reason why the Applicant should not be permitted to continue with his use of the property as a customary home occupation, and accordingly grants a renewal of the special permit for an additional five-year term.

**DATE OF FILING DECISION**

**BY ORDER OF THE BOARD OF APPEALS**

JULY 28, 2015

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

**CERTIFICATION:**

The Board of Appeals, by delivery of a copy of this decision to the applicant, LELAND SMITH, 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, (NK)  
Thomas W. White, Member



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**BOARD OF APPEALS**

*Selectman*

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

A public hearing will be held on AUGUST 11, 2015 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following application at the time indicated:

- 7:00 p.m. Application of KEDARNATH BANGALORE 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 a family room, dining room, bath addition and open deck) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 302, 401.1.2, and 401.1.3. The property is located at 24 OLD TAVERN ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-15)

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

**RECEIVED**

**JUL 27 2015**

Board of Selectmen  
Town of Wayland

**Wayland Community Preservation Committee**  
Minutes, December 17, 2014

Committee members present: Bob Goldsmith, Ira Montague, Anna Meliones, Gretchen Schuler, Elisa Scola, John Sullivan, Susan Weinstein

Chair Gretchen Schuler called the meeting to order at 7:30pm.

There was no public comment.

G. Schuler discussed the current financial situation and Community Preservation Fund activity. She continues to work to determine the proper allocation of set-aside monies within the Fund. She anticipates that approximately \$88,000 will be allocated to each of the disciplines (open space, historic preservation, and community housing) at the next Town Meeting.

The Committee reviewed applications for CPA funding.

Larry Kiernan was present to discuss Rail Trail application. There is still financial information outstanding, but will be submitted prior to January 7. After L. Kiernan's presentation, the Committee discussed the options for surfacing the Rail Trail (packed stone dust versus pavement, having a significant cost differential for installation (paved being more expensive for installation) and a small differential for annual upkeep (stone dust more for maintenance) and the standard to which it should comply. Neither choice is problematic for bicyclists. The Recreation Department would be responsible for maintenance, though the Department of Public Works would do paving work.

An additional \$250,000 is expected to be available in August from the Town Center development for the portion between Route 20 (Boston Post Road) and Route 27 (Old Sudbury Road). G. Schuler will contact Cherry Karlson on the Board of Selectmen to assist in securing this money for the project, since the BOS will have to allocate the funds coming from Twenty Wayland LLC. There also may be another \$40,000 from a nearby development.

In reply to an inquiry from B. Goldsmith, the following Conservation Commission concerns regarding the Rail-Trail project were noted: capping contaminated soil, removing failed drainage systems, removing old railroad ties and tracks. However, the project is seen as a net gain, conservation-wise. L. Kiernan commented that he had met with Conservation Administrator Brian Monahan and the Conservation Commission.

Conservation Commission Chair Sherre Greenbaum commented that there needed to be funds available to do an investigation, after which the Notice of Intent would be submitted. The Conservation Commission has concerns about the effects of the proposed alterations, impact on endangered species, and proximity to National Wildlife Refuge; they are compiling a list. She would anticipate questions being asked about impact on wildlife and environment at Town Meeting.

Regarding Rail Trail progress in abutting and nearby communities, there are issues in Waltham, and Weston has not made a new decision in support, but Sudbury approved a stone dust trail to connect.

The Rail Trail proposal should be the subject of a public meeting to address concerns of abutters, crossing issues, and more.

G. Schuler suggested the CPC will have a public hearing with regard to CPC articles for Town Meeting.

The CPC then met with Conservation Commission Chair Sherre Greenbaum and Conservation representative to the CPC John Sullivan. The Conservation Commission is seeking funding for several projects.

1. Allocate \$2 million from the Community Preservation Fund Unallocated Funds to the Open Space funds within the Community Preservation Fund.
2. Develop stewardship report for land management, in order to create a plan and priorities for the 1,000+ acres of land under conservation. The Conservation Commission would hire a consultant to accomplish this plan and has no other likely source of funding.
3. Make acquisition at 74 Plain Road, a beautiful area of land that connects trails.
4. Make acquisition at 246 Stonebridge, the “perfect property,” to support (and with support of) Historical Commission. Currently they are preparing an appraisal; assessment is \$317,000 and demolition of the run-down building is estimated at \$25,000. The Conservation Commission aims to have the appraisal in hand before January 15. It was noted that the Town cannot pay more than the appraised value.

Next, discussion focused on the restoration to be done to Stone’s Bridge. E. Scola, Historical Commission representative to the CPC, reported that the project would not be eligible for transportation funds, as the bridge does not connect. It does have historical significance, having been part of the General Knox trail of the Revolutionary War. There are four arches to be restored, and it is to be restored without use of mortar as it was original built. It is estimated to be \$750,000-\$900,000 to complete the entire project at one time. In its current condition, it is unsafe. There are no apparent Conservation Commission issues and no apparent grant funding. After discussion, the CPC suggested starting with a request to Town Meeting for the full amount and apportion over multiple years if it seems appropriate. CPC members also suggested offering walking tours to encourage support for the Article and to coordinate with the Conservation Commission regarding its acquisition proposal for the abutting property.

A. Meliones, Recreation Commission representative to the CPC, presented the recreation proposals.

1. Creation of field at former Nike Site on Oxbow Road. From the outset, an area of the property had been set aside for use as a field. The proposal includes addition of 12 parking spaces.
2. Creation of passive walking trails at Dudley Woods. Access would be via Pond Drive, with 6-8 parking places to be designated. The request is for \$129,000 for trails on seven acres of land. CPC members scrutinized projected costs and strongly suggested they be reexamined.

S. Weinstein, Housing Authority representative to the CPC, was available to hear the CPC’s concerns regarding the proposal for a fire suppression system at the Cochituate Village Apartments, for which approximately half of the projected cost has been funded with Community Preservation funds designated for Historic Preservation. The CPC wanted to know why the projected cost was still not clear. S. Weinstein acknowledged that the Housing Authority Board shares the concern, but noted that this project was extraordinarily large in scope (owing to engineering issues and the undetermined number of voids to be equipped with sprinklers). Additionally, unlike other WHA

projects, the Town is involved in project coordination and those dynamics are evolving. The WHA is preparing to solicit proposals for the design, which will then lead to the solicitation of bids for the project itself.

J. Sullivan moved that the CPC approve expenditure of up to \$850 for appraisal of the Stonebridge Road property. A. Meliones seconded. The motion was approved unanimously.

J. Sullivan moved that the CPC submit an article to Town Meeting that would

- a) allocate \$500,000 from uncommitted funds to the dedicated funds for Historic Preservation, to restore funds applied to the Cochituate Village Apartments fire suppression system project, as they should have been taken from the uncommitted funds
- b) correct errors in the 10% distribution to each of the dedicated funds for the past several years as well as correct any other errors in the records
- c) appropriate \$20,000 from uncommitted funds for administrative purposes.

B. Goldsmith seconded. The motion was approved unanimously.

In other business, B. Goldsmith inquired about the Barlow property on Concord Road, which connects with conservation-restricted land owned by the Sudbury Valley Trustees. Barlow is asking \$400,000 for perhaps 10 acres of land which is thought to be unbuildable. B. Goldsmith wondered if the CPC would be interested in obtaining an appraisal for a potential article for fall Town Meeting. The CPC suggested that the Conservation Commission be consulted.

S. Weinstein moved approval of the minutes from the November 19, 2014 meeting. E. Scola seconded. The motion was approved unanimously.

A. Meliones moved to adjourn the meeting. B. Goldsmith seconded. The motion was approved unanimously.

Chair G. Schuler adjourned the meeting at 9:50pm.

Respectfully submitted,  
Susan Weinstein

Documents at the meeting: applications for proposals discussed above.



**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
March 4, 2015**

**CPC Member Attendees:** Gretchen Schuler, Chair, Maureen Cavanaugh, Bob Goldsmith, John Sullivan, Susan Weinstein, Elisa Scola. These members represented a quorum of the Committee.

**Other Attendees:** Brud Wright, Recreation Commissioner, Brian O'Herlihy, Tom Sciacca, Lenore Travis.

The meeting was called to order at 7:30 pm.

**Public Comment:** None

**Community Preservation Commission Warrant Articles**

The meeting was opened up to the public for questions and answers to the CPC warrant articles going before the April 6, 2015 Annual Town Meeting.

- **Set Aside for Later Spending:** Gretchen Schuler explained the way funding for the CPA operates with set asides for three categories of spending: open space, public housing and historic resources. The remaining funds are held as uncommitted funds. The four parts of the warrant article include: 1. The yearly set aside for each of the three categories, 2. Correcting the totals in each category because of past inaccuracies in calculating set asides, 3. Setting aside administrative funds, and 4. Replacing funds in the historic resources category that were used for the Cochituate Village Apartments sprinkler system. In response to a question, Gretchen Schuler explained that past calculations of the set aside failed to take into account the state contribution. In response to a question, Susan Weinstein explained Community Housing.
- **Transfer of Community Housing Funds to Wayland Municipal Affordable Housing Trust:** Susan Weinstein explained that the Housing Committee desires that the affordable housing funds be set aside to the Wayland Municipal Affordable Housing Trust as previously approved at 2014 ATM.
- **Set Aside Funds for Later Spending on Open Space:** John Sullivan explained the need to have money set aside to purchase open space as has been historically the case.
- **Fund Land Management Studies for Conservation Land:** Sherre Greenbaum explained the need for land management studies of conservations lands in order to maintain and preserve them properly going into the future.
- **Purchase 246 Stonebridge Road:** Sherre Greenbaum explained the benefits of purchasing this parcel along the Sudbury River and abutting historic Stone's Bridge. Tom Sciacca, Wayland River Counsel Steward concurred with the desirability of purchasing this property in order to promote river access.
- **Stabilize Two of Four Arches of Stone's Bridge off Stonebridge Road:** Elisa Scola explained the historical significance of Stone's Bridge, the current condition of the bridge and the steps

needed to begin restoration. Tom Sciacca noted that the River Council favors historic preservation and the bridge will serve as both an historic site and a place for passive recreation.

- **Fund Rail Trail Along Wayland 3-Mile Section of Railroad:** Gretchen Schuler explained the plans to remove railroad tracks and to create a gravel path.
- **Study Multi-Purpose Athletic Field at Oxbow Meadow (Former Nike Site):** Brud Wright explained the purpose of the article. In response to a question, Wright explained that there will be open meetings in order to involve neighbors in the process.
- **Design and Construct Trails and Parking at Dudley Woods:** Brud Wright explained the plan to create a walking path through Dudley Woods. It was noted that some of the signs in the area look historic but are not accurate.

**Minutes:** John Sullivan motioned for the minutes from the January 7, 2015 CPC meeting be approved as corrected. Maureen Cavanaugh seconded the motion. The minutes were approved (5-0-0).

**Other Projects:**

- **Consider Funding Appraisal of Land at 265 Concord Road:** Bob Goldsmith explained the history of the location commonly called the Barlow Property. The Conservation Commission is requesting administrative funds for an appraisal which could range from \$750 to \$2,500 depending on such factors as whether or not the land can be divided or if portions are non-buildable. John Sullivan motioned to approve \$2,500 for the appraisal. Maureen Cavanaugh seconded the motion. The motion passed (5-0-0).
- It was discussed that subsequent to Town Meeting, each group should provide a list of upcoming projects.

The meeting was adjourned at 8:40pm.

Respectfully Submitted,  
Elisa Scola

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
May 20, 2015**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Maureen Cavanaugh, Anna Meliones, Ira Montague, Elisa Scola, John Sullivan. These members represented a quorum of the Committee.

**Other Attendees:** Gordon Cliff, Linda Segal

The meeting was called to order at 7:40 p.m.

**Welcome New Member:** Board of Public Works Representative Woody Baston

**Public Comment:** As a follow-up to Annual Town Meeting (ATM), Gordon Cliff raised questions regarding the Stone's Bridge renovation. He would like more information on what alternatives were considered and recommends the Town get three or four competitive bids. In addition he believed that the presentation was not transparent as it did not discuss the total cost of restoring all four arches of the bridge.

**Minutes:** No minutes were presented for approval for the December 17, 2014 and March 4, 2015 meetings.

**Annual Town Meeting Recap:** Gretchen presented a table summarizing the results of ATM at which 100% of CPC articles were approved.

**Upcoming Projects:** The Community Preservation Committee (CPC) discussed potential projects, as follows.

- **Town Clock at Methodist Church in Cochituate:** The town-owned clock in the Methodist Church is in need of repair. Gretchen referred the church representative to the Wayland Historical Commission. If the cost to get a repair estimate is less than \$5,000, it may be able to be covered by Community Preservation Act (CPA) administrative funds. Otherwise the project would have to be considered at a later Town Meeting. No update since last meeting.
- **Mill Pond:** There is a proposal to clean the pond, removing accumulated soft, organic material. Gretchen will follow up with the Community Preservation Coalition to see if this would qualify as a CPA-eligible project.
- **Church of the Holy Spirit:** The church will be vacating the property June 30, 2015. Reuse of the property is unknown however on the town side some have asked about reuse for affordable housing and/or open space. The property includes a Memorial Cemetery, which most hope will remain in place.
- **Mainstone Farm:** The Hamlen Family is engaged and open to discussions regarding a conservation easement for development rights in perpetuity for approximately 200 acres. The last appraisal in 2011 estimated the development rights at \$10.6 million. This is anticipated to increase with updated appraisals.

**Community Preservation Committee (CPC) Plan:** A rewrite of the Wayland's CPA Plan, originally drafted in 2002 was discussed. Gretchen presented sample plans from Concord, Gloucester, and Lexington. It was recommended that the relevant Town entities (Recreation, Public Works, Conservation, Historic Preservation, Housing) prioritize where CPA fund allocations should be recommended. Discussed having the groups attend and present at the September 2015 CPC meeting.

**Board of Selectmen Long Range Planning:** The Board of Selectmen (BOS) has formed a Long-Range Plan working group looking at Town-owned land and buildings. The BOS plans to adopt a charge, with the Planning Board taking the lead. As it is written presently CPC will have one appointee who can be a CPC member or a representative.

**Other Business:** None

**Next Meeting: June 17, 2015**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
June 17, 2015**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Maureen Cavanaugh, Anna Meliones, Ira Montague, Elisa Scola. These members represented a quorum of the Committee.

**Other Attendees:** None

The meeting was called to order at 7:35 p.m.

**Public Comment:** None

**Minutes:** Anna Meliones motioned for the minutes from the March 4, 2015 Community Preservation Committee (CPC) meeting be approved. Maureen Cavanaugh seconded the motion. The minutes were unanimously approved (6-0-0). Anna Meliones motioned for the minutes from the May 20, 2015 CPC meeting be approved. Maureen Cavanaugh seconded the motion. The minutes were unanimously approved (6-0-0).

**Upcoming Projects:** The CPC discussed potential projects, as follows.

- **Mainstone Farm:** The Hamlen Family is engaged and open to discussions regarding a conservation easement for development rights in perpetuity for approximately 200 acres. The last appraisal in 2011 estimated the development rights at \$10.6 million, which is anticipated to have increased. An updated appraisal is currently being prepared on behalf of the owner. Discussed various approaches to acquiring a conservation easement, including considering acquiring development rights on only a portion of the property if unable to raise funds. Using all CPC is likely to eliminate all other CPA projects in future thus CPC agreed that perhaps only about \$2 million should be raised through borrowing on CPA.

**Community Preservation Committee (CPC) Plan:** A rewrite of the Wayland's CPA Plan, originally drafted in 2002 was discussed. Gretchen presented a draft outline. It was agreed that Gretchen would take the lead on the Overview, How Funds Can be Used, Evaluation Criteria, Process, and Accessing Funding sections. It was recommended that the relevant Town entities (Recreation, Public Works, Conservation, Historic Preservation, Housing) prioritize where CPA fund allocations should be recommended. Discussed having the groups attend and present at the September 2015 CPC meeting.

**Wayland Real Asset Planning Committee:** The Board of Selectmen (BOS) has formed a Wayland Real Asset Planning Committee (WRAP). The five-member committee will comprise two Finance Committee appointees, two Planning Board appointees, and one CPC appointee. Woody Baston motioned for Gretchen Schuler to be the CPC appointee. Elisa Scola seconded the motion. The motion was unanimously approved (6-0-0).

**Other Business:** The Community Preservation Coalition annual dues require payment. Woody Baston motioned for the Coalition invoice to be paid, not to exceed \$2,500. Ira Montague seconded the motion. The motion was unanimously approved (6-0-0).

**Next Meeting:** None scheduled – a July or August meeting will be scheduled as needed.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Maureen A. Cavanaugh



# Town of Wayland Massachusetts

## **OPEB Advisory Committee**

Kent George  
David Gutschenritter  
Cliff Lewis (Chair)  
Maryanne Peabody  
Jay Sherry

### **Minutes of June 24, 2015 Committee Meeting**

In Attendance were: David Gutschenritter, Cliff Lewis, Maryanne Peabody, Jay Sherry, Kent George

The meeting was called to order at 6:49 pm in the School Committee room in the Town Building.

The OPEB meeting was recorded by WayCam and can be found by going to the WayCam website.

The following Agenda topics were addressed:

#### **1. Public Comment**

No public comments were made.

#### **2. Discussion of Legal Structure for OPEB Investment Account**

Cliff Lewis introduced the topic. This discussion was amongst the OPEB Committee members in advance of a call with Brian Fox, an attorney with Murphy, Hesse, Toomey, & Lehane. The Committee discussed the following questions to be asked of Brian:

- Does Wayland need to change its special stature or can it be kept as is – pros and cons of each
- What are the roles and responsibilities of the Trustees under the various legal structures?
- What should the composition of the trustees be? Who should be a trustee?
- Who has what fiduciary responsibilities?
- Can Brian provide an estimate of the cost of a trust – both initial and ongoing?

#### **3. Conference call with Brian Fox, Attorney Murphy Hesse**

The call began at 7:30 pm. Cliff Lewis introduced the members of the Committee to Brian and gave a general overview of the topics that the Committee wished to discuss (see prior agenda item).

Brian began with a general overview of the topic and then went into the follow specifics

Wayland's special statute lists three people with certain roles in administering OPEB: The Town Administrator (TA), the Finance Director (FD), and the Town Treasurer (TT).

The TA & FD have control over the money, while the TT is the custodian of the funds. The TA & FD set the investment policy and direct the TT to invest the money accordingly.

The TA & FD can seek whatever advice and counsel they want, and the TT can hire investment professionals to invest the money according to the investment guidelines established by the Town.

All three individuals have certain fiduciary responsibilities, primary to insure the safety of the assets and the prudent investment of the assets. They need to act with the best interests of the beneficiaries of the OPEB monies.

Wayland has a trust that was established by the special statute but no trust agreement. The special statute states that the money can only be used to pay OPEB expenses.

GASB will require that the OPEB financial information be included in the Town's financial statements explicitly, rather than in notes to the financial statements.

Brian did not any specific cost estimates, other than a general sense that they would not be very much.

In response to questions, Brian stated that the TA, FD and TT are considered trustees, the Town can have additional trustees, but the Town must have the majority of the trustees (maintain control) to maintain federal tax exempt status. The current arrangement (trust with no trust agreement) is supportable. A formal trust agreement can be put in place if the Town wants to pursue that route. A trust agreement can make explicit all that is currently implied, including the dissolution of the trust if needed at some point in the future. Control over the use of moneys in the Investment Account resides solely in the hands of the TA & FD. Given the fiduciary responsibilities of the TA, FD, & TT, the purchase of liability insurance can be investigated.

Brian was asked to follow up on certain items

Continue to think about Wayland's specific circumstances and any additional ideas that we should consider

How would an Investment Advisory Group work if Wayland chose to go down that path? Would it be covered by the Open Meeting Law?

Cost estimates to go with a the formal trust with trust agreement

The call ended at approximately 8:20 pm.

#### **4. Discussion of OPEB Investment Account Legal Structure**

After the call with Brian ended, the Committee continued its discussion and agreed that there were three alternatives to pursue:

- a) Live with the Special Statute we have
- b) Tweak the Special Statute we have
- c) Abrogate the Special Statute we have

There are pros and cons for each position. Jay is going to write up his thoughts on the discussion with Brian Fox. If item c is selected, Wayland's OPEB would then be governed by the State Statute governing the OPEB funds.

**5. Approve Minutes**

The Committee approved the minutes of May 11<sup>th</sup> as presented 5-0  
The Committee approved the minutes of May 6<sup>th</sup>, as amended 5-0

Dave Gutschenritter left the meeting at 8:30 pm. Maryanne Peabody continued taking the Minutes once Dave left.

The Committee continued discussing the current Special Act and where the fiduciary responsibility lies. Kent George expressed that currently taxpayer involvement is missing.

**6. Items not reasonably foreseen by the Chair**

Jay Sherry and Clifford Lewis agreed to reconnect with Scott McIntyre of Melanson and Heath, the Town's external auditors, regarding the OPEB disclosure information to be included in the Town's annual financial report. There was a suggestion to attend an upcoming meeting of the Audit Committee to discuss the OPEB rationale for Melanson and Heath.

The Committee agreed to meet on Wednesday, July 8, 2015.

Jay Sherry reported that he had met the new Town Treasurer, Zoe Heath and that she would attend the July 8<sup>th</sup> OPEB meeting along with Nan Balmer. Zoe will be meeting next week with Rockland Trust. Jay reiterated the need for a process for investment disclosure by the two outside investment managers.

**7. Public comment**

There was no public comment

**8. Adjourn**

The Committee voted 4-0 to adjourn at 8:50 pm

Respectfully submitted

David J. Gutschenritter



RECEIVED

JUL 24 2015



Board of Selectmen  
Town of Wayland

**MBTA Advisory Board**

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

July 21, 2015

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board  
Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: **Municipal Elections to the Boston Region Metropolitan Planning Organization**

***IMPORTANT DATES:***

- **Nomination Papers Due – Friday, October 2, 2015, at 5:00 PM, to MAPC;**
- **Election – MAPC Fall Council Meeting Thursday October 29, 2015 at the University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard, Boston, MA 02125**

We are pleased to forward a copy of the election procedures for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO). The MPO is responsible for planning and programming financial resources for a multi-modal transportation system for the 101 municipalities in the Boston region. (An overview of MPO member responsibilities is included as Attachment C of the Official Notice of Elections.)

There are four seats on the MPO up for election. The MPO seat currently held by the City of Newton representing the 23 cities in the region, the seat currently held by the Town of Arlington representing the 78 Towns in the region, the seat currently held by the City of Woburn representing the North Suburban sub-region, and the seat currently held by the Town of Norwood representing the Three Rivers Interlocal Council (TRIC) sub-region are up for election this year.

Any city in the region may run for the open City seat and any town in the region may run for the open Town seat, while only municipalities from either the North Suburban or TRIC sub-regions may seek nominations to run for those respective open sub-regional seats.

The MPO has 22 voting members, which currently include:

**State members**

Massachusetts Department of Transportation (MassDOT) with three seats appointed by the Secretary of Transportation, at least one of which is from its Highway Division;  
Massachusetts Bay Transportation Authority (MBTA);  
Massachusetts Port Authority (Massport)

### Regional members

Metropolitan Area Planning Council (MAPC);  
MBTA Advisory Board;  
Regional Transportation Advisory Council (RTAC)

### Current municipal members

City of Boston with two seats

Twelve (12) elected municipalities, one seat each from the eight MAPC sub-regions.

Inner Core Committee: Somerville

Three Rivers Inter-local Council: Norwood

South West Area Planning Committee: Medway

MetroWest Regional Collaborative: Framingham

North Suburban Planning Council: Woburn

North Shore Task Force: Beverly

Minuteman Advisory Group on Inter-local Coordination: Bedford

South Shore Coalition: Braintree

Two (2) cities filling at-large seats: Newton and Everett

Two (2) towns filling at-large seats: Arlington and Lexington

All elected municipal seats (including the sub-regional seats) are elected by all of the 101 municipalities in the Boston Region MPO area. Each of the 101 municipalities may vote for one (1) municipality for each of the two (2) open sub-regional seats.

The election will be held at MAPC's Fall Council Meeting on October 29<sup>th</sup>, at the University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard, Boston, MA 02125. The usual process of mailing ballots and accepting absentee ballots will apply, as described in the procedures.

In order to qualify to be on the ballot, each chief elected official who wishes to be a candidate must secure the signatures of five chief elected officials in the region, including their own. **Chief elected officials may only sign nomination papers for one municipality per sub-region for the two open sub-regional seats, and one each for the open town and city seats.**

**Nominations are due to MAPC by 5:00 PM on Friday, October 2, 2015 and must be filed in person or by mail at the MAPC, 60 Temple Place, 6<sup>th</sup> Floor, Boston, MA 02111. Faxes or emails will not be accepted.**

A copy of the official notice and procedures for nomination and election to the MPO are attached. We appreciate your interest in this important matter and look forward to your participation. If you have questions, please call Eric Bourassa (617) 933-0740 or Paul Regan at (617) 426-6054.

### Attachments

Official Notice, including Attachments A - C

Nomination Papers

Statement of Candidacy

# Official Notice

## 2015 Boston Region MPO Municipal Election Procedures

At the MAPC Fall Council Meeting on Thursday October 29, 2015 at the University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard Boston, MA 02125, elections will be held for four (4) of the twelve (12) elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

At that time one of the at-large City seats and at-large Town seats, as well as the North Suburban sub-region and Three River Interlocal Council (TRIC) sub-region seats, will be elected to the MPO by the chief elected officials of the 101 municipalities which constitute the Boston metropolitan region. Pursuant to the MPO Memorandum of Understanding, approved on July 7, 2011, MAPC and the MBTA Advisory Board (Advisory Board) administer the election of the municipal representatives to the MPO.

### *MPO Seats Up For Election in 2015*

- One (1) town from any part of the MAPC region.
  - One (1) city from any part of the MAPC region.
  - One (1) municipality from the North Suburban sub-region.
  - One (1) municipality from the TRIC sub-region.
- Terms of election on the MPO are for three years.

### *Nomination Process*

Nominees for the elected municipal seats shall be the chief elected official of the municipality. In cities this is the Mayor or, if the city does not have the office of Mayor, then the Chairman of the Council, with the exception of Plan E cities (Cambridge) in which case it shall be the City Manager. In towns, the chief elected official is the Chairman of the Board of Selectmen. The MPO will accept the Chairman's nomination of a candidate whether or not the full Board of Selectman has voted it.

A nominee for an open municipal seat must receive five nominations made by any chief elected official from the Boston region, regardless of which sub-region they are from. A chief elected official may nominate his or her municipality and that nomination shall count as one of the five nominations needed to place a municipality on the ballot. Each chief elected official may only sign nomination papers for one municipality per open seat.

**Nominations papers are due on Friday, October 2, 2015 to MAPC by 5:00 PM and must be filed in person or by mail at MAPC, 60 Temple Place, 6<sup>th</sup> Floor, Boston, MA 02111, Attn: MPO Elections. Faxes or emails will not be accepted.** Nomination papers shall include a statement of candidacy (250 word limit) of the community, also due at this time.

### *Voting Process*

Each of the 101 municipalities may vote for one (1) municipality for each of the four (4) open seats.

### *Ballot*

A ballot will be prepared by MAPC and the Advisory Board based on the certification of nomination papers. The ballot shall contain a list of the nominated municipalities. Candidate communities shall appear on the ballot in an order drawn by lot by designated officers of MAPC and the Advisory Board. The subregion of each of the communities shall be identified on the ballot. A candidates' booklet shall be issued that shall contain the statement of candidacy of the communities. The list of communities shall appear in the booklet in the same order that they appear on the ballot. In a second mailing, MAPC

and the Advisory Board will include an absentee ballot and instructions for how municipalities can cast their vote.

***Opportunities for Discussion with Representatives of the Candidate Communities***

The Metropolitan Area Planning Council and the MBTA Advisory Board shall provide appropriate opportunity for the electorate to meet representatives of candidate communities. In 2015, this may be accomplished by holding a Candidates Forum at the State Transportation Building in mid October (date and time TBD).

***Election***

The election will be held at MAPC's Fall Council Meeting on October 29<sup>th</sup> at the University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard Boston, MA 02125. On that day, the designated officers of MAPC and the Advisory Board shall supervise the election to the municipal seats. Ballots shall be cast by the chief elected official of the municipality (as defined by the rules for nominees), or that person's designee. Designees shall present a letter signed by the chief elected official to the designated officers of MAPC and of the Advisory Board 30 minutes prior to the convening of the election on election day. This letter will appoint the designee and confirm his or her authority to cast the municipality's ballot. Such a designation shall be delivered in person or by mail. Designees may represent only one municipality in the election. The designation may require the designee to vote for specific individuals or may vest discretion in the designee.

If the chief elected official is unable to attend the election and does not designate another individual to attend, an absentee ballot may be filed. Such an absentee ballot must be filed by 5 PM the day before the election with the Metropolitan Area Planning Council, 60 Temple Place, Boston, MA 02111. No faxes will be accepted. This ballot is valid for any election (e.g. run off election in case of a tie) held on the day of the MPO election for which the candidates selected on the ballot are still eligible to receive votes.

The MPO seat is held by the municipality. The chief elected official (or their official designee) shall represent the municipality throughout the municipality's term of office.

The designated officers of MAPC and of the Advisory Board shall certify the results of the election to the chairman of the MPO by 12 noon on the Friday following the election.

## MAPC Sub-regions

SUBREGION	COMMUNITIES
<b>North Shore Task Force</b>	Beverly, Danvers, Essex, Gloucester, Hamilton, Ipswich, Manchester-by-the-Sea, Marblehead, Middleton, Nahant, Peabody, Rockport, Salem, Swampscott, Topsfield, Wenham
<b>North Suburban Planning Council</b>	Burlington, Lynnfield, North Reading, Reading, Stoneham, Wakefield, Wilmington, Winchester, Woburn
<b>Minuteman Advisory Group Interlocal Coordination (MAGIC)</b>	Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Littleton, Lincoln, Maynard, Stow, Sudbury
<b>Metro West Regional Collaborative</b>	Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Wellesley, Weston
<b>South West Advisory Planning Committee (SWAP)</b>	Bellingham, Dover, Franklin, Hopkinton, Medway, Milford, Millis, Norfolk, Sherborn, Wrentham
<b>Three Rivers (TRIC)</b>	Canton, Dedham, Dover, Foxborough, Medfield, Milton, Needham, Norwood, Randolph, Sharon, Stoughton, Walpole, Westwood
<b>South Shore Coalition</b>	Braintree, Cohasset, Duxbury, Hanover, Hingham, Holbrook, Hull, Marshfield, Norwell, Pembroke, Rockland, Scituate, Weymouth
<b>Inner Core</b>	Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Lynn, Malden, Medford, Melrose, Milton, Newton, Quincy, Revere, Saugus, Somerville, Waltham, Watertown, Winthrop

## Metropolitan Area Planning Council 101 Cities and Towns

### *Cities*

Beverly	Lynn	Revere
Boston	Malden	Salem
Braintree	Marlborough	Somerville
Cambridge	Medford	Waltham
Chelsea	Melrose	Watertown*
Everett	Newton	Weymouth
Franklin*	Peabody	Woburn
Gloucester	Quincy	

*\*MAPC Legal Counsel has rendered an opinion that Franklin and Watertown are defined as cities for the purpose of the MPO Election.*

### *Towns*

Acton	Hopkinton	Randolph
Arlington	Hudson	Reading
Ashland	Hull	Rockland
Bedford	Ipswich	Rockport
Bellingham	Lexington	Saugus
Belmont	Lincoln	Scituate
Bolton	Littleton	Sharon
Boxborough	Lynnfield	Sherborn
Brookline	Manchester	Southborough
Burlington	Marblehead	Stoneham
Canton	Marshfield	Stoughton
Carlisle	Maynard	Stow
Cohasset	Medfield	Sudbury
Concord	Medway	Swampscott
Danvers	Middleton	Topsfield
Dedham	Milford	Wakefield
Dover	Millis	Walpole
Duxbury	Milton	Wayland
Essex	Nahant	Wellesley
Foxborough	Natick	Wenham
Framingham	Needham	Weston
Hamilton	Norfolk	Westwood
Hanover	North Reading	Wilmington
Hingham	Norwell	Winchester
Holbrook	Norwood	Winthrop
Holliston	Pembroke	Wrentham

## Overview of MPO Member Responsibilities

### Background:

The Metropolitan Planning Organization is established as a required part of the transportation planning process under federal law. It is responsible for planning and programming financial resources for a multi-modal transportation system for the Boston region. The MPO was established in 1973.

The Boston MPO Memorandum of Understanding (MOU) that details the governing structure and process of the MPO can be viewed at [www.bostonmpo.org/mou](http://www.bostonmpo.org/mou)

### Specific Responsibilities:

The MPO must prepare and approve several plans and programs on an annual basis. These include:

- The Unified Planning Work Program (UPWP), which programs funds for transportation planning programs in the region;
- The Transportation Improvement Program (TIP), which programs federal, state, and local funding for surface transportation projects (highway and transit).

The MPO also prepares and approves several other plans and programs as necessary. These include:

- The Regional Transportation Plan (RTP), which provides a 25-year plan for the Region's transportation needs and priorities and;
- The conformity of all surface transportation plans and programs with applicable federal laws (including air quality, and the Americans with Disabilities Act).

### MPO Meetings:

Meetings are held as needed to accomplish the MPO's business. There are approximately two MPO meetings a month and all but four are held in Boston, during the day, at the state transportation building. Four MPO meetings will be held (one per quarter) outside of Boston. MPO meetings typically begin at 10 AM on the first and third Thursday of the month, and last approximately three hours. The MPO has the authority to establish necessary committees to accomplish its responsibilities. Recent experience suggests that the municipal members of the MPO or their designees attend at least two meetings per month to accomplish the work of the MPO.

# 2015 MPO Election Nomination Papers

<b>Nominated Community</b>	<b>Name of Chief Elected Official</b>	<b>Signature</b>
<b>Open MPO Seat Community is Running For (only check one)</b>	<input type="checkbox"/> <b>North Suburban Seat</b>	<input type="checkbox"/> <b>TRIC Seat</b>
	<input type="checkbox"/> <b>City Seat</b>	<input type="checkbox"/> <b>Town Seat</b>

## Endorsers

<b>Nominating Community</b>	<b>Name of Chief Elected Official</b>	<b>Signature</b>

Individual endorsements may be attached as a separate letter but must specify the municipality and the official being nominated and must be signed by the chief elected official of the endorsing community.

**Please return in person or by mail  
 By 5 PM on Friday, October 2, 2015 to:  
 Metropolitan Area Planning Council  
 60 Temple Place  
 Boston, MA 02111**

Phone inquiries to  
 Eric Bourassa, MAPC (617) 933 -0740  
 Paul Regan, MBTA Advisory Board (617) 426-6054



# 2015 MPO Statement of Candidacy

(250 Word Limit)

**Municipality:** \_\_\_\_\_

**Chief Elected Official:** \_\_\_\_\_

**(Suggestions include a brief statement of qualifications; comments on the importance of transportation to the region; and expectations for the Boston Metropolitan Planning Organization)**