

**PACKET**

**AUG 10**

**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 10, 2015**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

### Proposed Agenda

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

- 7:00 pm 1.) Call to Order by Chair
  - Announcements; Review Agenda for the Public
- 7:02 pm 2.) Public Comment
- 7:10 pm 3.) OPEB: Discuss Proposed Changes to Governance, Special Town Meeting Article and Potential Vote to Authorize Preparation of Trust Document
- 7:40 pm 4.) Meet with the Chair of Board of Public Works and DPW Director To discuss Special Town Meeting Articles and for Update of DPW Projects:
  - 1. Article: Water Conservation Bylaw
  - 2. Article: Accept Gifts of Land: Rt. 27/30 Intersection Project
  - 3. Rt. 27/30 Order of Taking by Selectmen
  - 4. Rt. 30/School Street: Update
  - 5. Sherman's Bridge: Update
  - 6. Stonebridge Road Traffic Calming
- 8:00 pm 5.) Vote to Open Warrant for Special Town Meeting
- 8:10 pm 6.) General Discussion and Review of Special Town Meeting Articles
- 8:30 pm 7.) Board Policy Discussion and Vote
  - 1. Management of Town Legal Affairs
  - 2. Public Hearings
  - 3. Opportunities for Public Comment on Regulations & Fees
  - 4. Communication with the Board of Selectmen
  - 5. Acknowledgement of Correspondence
  - 6. Publication of List of Public Records
- 9:00 pm 8.) Review and Potential Vote on Board Portfolio Assignments
- 9:15 pm 9.) Discuss Communications with Public
- 9:30 pm 10.) Discuss Open Meeting Law

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**Page Two**

- 9:45 pm 11.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:55 pm 12.) Review Correspondence (See Separate Sheet)
- 10:05 pm 13.) Report of the Town Administrator
- 10:15 pm 14.) Selectmen's Reports and Concerns
- 10:20 pm 15.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:25 pm 16.) Adjourn

**OPEB: Discuss Proposed Changes to Governance, Special Town Meeting Article and Potential Vote to Authorize Preparation of Trust Document**

**Trust Agreement:** Legal analysis by Brian Fox of Murphy, Hesse Toomey & Lehane (OPEB Special Counsel appointed by the BOS) indicates that the current OPEB trust created by Wayland’s special OPEB Trust statute (attached) is deficient in two respects regarding compliance with GASB 45’s requirements for a trust:

1. Statute does not explicitly make OPEB contributions from the Town to the trust irrevocable
2. Statute does not explicitly protect the OPEB trust from general creditor claims against the Town.

Fox also expressed concern that lacking a formal trust agreement exposes the trust to some risk that it might not be deemed a tax-free municipal trust under Section 115 of the Internal Revenue Code.

Fox recommends the preparation of formal trust agreement document for review by the Board of Selectmen and adoption by the OPEB trust’s board of trustees. Such an agreement can be drafted for approximately \$1200 – \$2000 in August.

- \* This expenditure will require an additional authorization of \$1000 by the BOS beyond the \$5000 authorized by the BOS on May 11. The OPEB Committee voted x – x to recommend this Motion to the BOS:

*Proposed Motion: That the Board of Selectmen authorize an additional \$1000 for the preparation of an appropriate OPEB trust document by the OPEB Special Counsel, consistent with Wayland’s special OPEB Trust statute.*

**Governance of the Trust:** Fox interprets Section 1 of the Wayland OPEB statute as effectively establishing a two person board consisting of the Town Administrator and the Town Finance Director. They are trustees *ex officio*. In his legal opinion, no other trustees may be appointed without violating the statute.

The OPEB Committee recommends a change to this governance model for the following reasons:

1. A board of trustees composed of three or five individuals would increase the diversity of views on the board.
2. A board of trustees where one individual (Finance Director) reports to another (Town Administrator) will not ensure free and unfettered discussion of all investment options.
3. A board of trustees composed exclusively of potential beneficiaries of the OPEB Trust is not an appropriate governance model. Citizens with investment expertise representing Town taxpayers who make the OPEB contributions should be a majority on the board and should be appointed by the Board of Selectmen.
4. The people in the Town Administrator and Finance Director roles in the coming decades will surely be quite skilled in municipal government but are unlikely to have the investment expertise required to grow a trust from today’s \$12 million to \$80 million by 2038. Since they will not be investment professionals, they will be compelled to hire investment advisors, establishing a “paper trail” demonstrating they acted prudently by seeking out professional advice to fulfill their fiduciary duty.
5. Investment choices by a skilled board of trustees need to be both prudent and expeditious. Delays in making those choices can have a very real opportunity cost. Establishing a paper trail adds cost and can reduce investment returns. A current example is the delay implementing the new recommended investment policy increasing the equity exposure to 75%.

\* *NOTE FROM TOWN ADMIN: TOTAL LEGAL EXPENSES TO DATE WILL BE PROVIDED 8/10. \$1,500 balance 7/31/15.*

Fox makes no recommendation to the BOS on its choice of governance model. However, should the BOS choose to make a change, his legal opinion is that the change from the current model must be effected by a vote at Town Meeting to:

- A. Petition the Legislature to revoke Wayland's special OPEB Trust statute, and simultaneously
- B. Adopt the provisions of Chapter 32B Section 20 (attached), the general statute governing most municipal OPEB trusts in Massachusetts

Following Town Meeting approval and subsequent adoption by the Legislature, the Town would amend its trust agreement to appoint a different board of trustees. The trust amendment would require the formal adoption by both of the then-current OPEB board of trustees.

Fox proposes to draft the amendment to the trust document at the same time as the original trust document for the same cost.

#### **Timing of Town Meeting Warrant Article and Vote**

The Town can vote on an OPEB warrant article at either its November 2015 Special Town Meeting, or the April 2016 Annual Town Meeting. The OPEB Committee is cognizant of the BOS desire for a speedy STM with as few warrant articles as possible. Nonetheless, the Committee recommends November 2015 because in its judgment:

- 1. The issues of OPEB statutes and trust governance are not especially controversial, so the discussion and debate should not be time-consuming. The Committee reminds the BOS that Wayland's OPEB statute was quickly and unanimously approved by a simple voice vote at the STM of November 2008.
- 2. The 94% public support for additional OPEB funding in April 2015 ATM is a strong indicator of probable public support at the STM. If there wasn't controversy on new OPEB taxes, there won't be on new OPEB governance.
- 3. Town approval in November rather than April gets the process with the Legislature started five months earlier, getting the Town to an improved governance model sooner rather than later.
- 4. Significantly, the OPEB Committee wishes to wrap up its work by September 30, 2015 as committed. There is no appetite to continue longer when it's clearly unnecessary.

The OPEB Committee voted x – x to recommend this Motion to the Board of Selectmen:

#### ***Proposed Motion: That the Board of Selectmen***

- 1. *Authorize the OPEB Special Counsel to draft a proposed trust amendment as well as the original trust document, and*
- 2. *Request that the OPEB Committee (with the approval of Town Counsel as to form) draft a suitable warrant article for the November 2015 Special Town Meeting vote that*
  - a. *Petitions the Legislature to revoke Wayland's special OPEB Trust statute, and*
  - b. *Adopts the provisions of Chapter 32B Section 20 for the Town.*

**Acts****2010****Chapter 372** AN ACT ESTABLISHING A POSTEMPLOYMENT BENEFITS TRUST FUND IN THE TOWN OF WAYLAND.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** There shall be in the town of Wayland a fund called the Other Post-Employment Benefits Trust Fund or OPEB Trust Fund, which shall be used to provide postemployment benefits other than pensions, as defined in Governmental Accounting Standards Board, Statements 43 and 45. The fund shall be under the supervision and management of the town administrator and finance director. The town treasurer shall be the custodian of the OPEB Trust Fund.

**SECTION 2.** The OPEB Trust Fund shall be credited with all amounts appropriated or otherwise made available by the town, including any earnings or interest accruing from the investment of these funds, to offset the anticipated cost of health and life insurance contributions or other benefits for retired employees, their spouses and eligible dependents and the surviving spouses and eligible dependents of deceased retirees.

**SECTION 3.** Amounts in the OPEB Trust Fund shall be expended only for the payment of the costs payable by the town for other postemployment benefits.

**SECTION 4.** The town treasurer shall invest and reinvest the funds prudently, and may, with the approval of the Health Care Security Trust board of trustees created by section 4 of chapter 29D of the General Laws and using criteria and procedures to be adopted by said board of trustees, invest such amounts in the State Retiree Benefits Trust Fund established by section 24 of chapter 32A of the General Laws. The town treasurer may employ any qualified bank, trust company, corporation, firm or person to advise it on the investment of the fund and pay such expense from the fund. The OPEB Trust Fund shall be subject to the public employee retirement administration commission's triennial audit.

**SECTION 5.** This act shall take effect upon its passage.

*Approved, November 17, 2010.*

OPEB :  
MGL 32B, S. 20  
STATUTE ON  
OPEB TRUST  
FUNDS



**PART I** ADMINISTRATION OF THE GOVERNMENT

**TITLE IV** CIVIL SERVICE, RETIREMENTS AND PENSIONS

**CHAPTER 32B** CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF COUNTIES, CITIES, TOWNS AND DISTRICTS, AND THEIR DEPENDENTS

**Section 20** Other Post-Employment Benefits Liability Trust Fund

Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this section may establish an Other Post-Employment Benefits Liability Trust Fund, and may appropriate amounts to be credited to the fund. Any interest or other income generated by the fund shall be added to and become part of the fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may be added to and become part of the fund. All monies held in the fund shall be segregated from other funds and shall not be subject to the claims of any general creditor of the city, town, district, county or municipal lighting plant.

(b) The custodian of the fund shall be (i) a designee appointed by the board of a municipal lighting plant; (ii) the treasurer of any other governmental unit; or (iii) if designated by the city, town, district, county or municipal lighting plant in the same manner as acceptance prescribed in this section, the Health Care Security Trust board of trustees established in section 4 of chapter 29D, provided that the board of trustees accepts the designation. The custodian may employ an outside custodial service to hold the monies in the fund. Monies in the fund shall be invested and reinvested by the custodian consistent with the prudent investor rule established in chapter 203C and may, with the approval of the Health Care Security Trust board of trustees, be invested in the State Retiree Benefits Trust Fund established in section 24 of chapter 32A.

(c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of the city council; in any other city, by vote of the city council and approval of the mayor; in a town, by vote of the town at a town meeting; in a district, by vote of the governing board; in a municipal lighting plant, by vote of the board; and in a county, by vote of the county commissioners.

(d) Every city, town, district, county and municipal lighting plant shall annually submit to the public employee retirement administration commission, on or before December 31, a summary of its other post-employment benefits cost and obligations and all related information required under Government Accounting Standards Board standard 45, in this subsection called "GASB 45", covering the last fiscal or calendar year for which this information is available. On or before June 30 of the following year, the public employee retirement administration commission shall notify any entity submitting this summary of any concerns that the commission may have or any areas in which the summary does not conform to the requirements of GASB 45 or other standards that the commission may establish. The public employee retirement administration

commission shall file a summary report of the information received under this subsection with the chairs of the house and senate committees on ways and means, the secretary of administration and finance and the board of trustees of the Health Care Security Trust.



OPEB: SUMMARY OF  
LEGAN DISCUSSION

Notes from phone call on July 14 with Brian Fox of Murphy Hesse re impact of adopting Chapter 32B section 20 to manage Wayland's OPEB money (call initiated by Cliff Lewis and Jay Sherry)

We asked about the impact positive or negative of adopting Chapter 32B section 20. Brian Fox indicated that if Wayland were to rescind its 2010 OPEB special act (found at <https://malegislature.gov/Laws/SessionLaws/Acts/2010/Chapter372>) and simultaneously accept MGL Chapter 32B section 20 (found at <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIV/Chapter32B/Section20> and hereafter referred to as "32B-20"), the primary impact would be to give the Town of Wayland flexibility in the appointment of new or additional trustees for its OPEB trust. By contrast, Fox said the current special act mandates that **only** the Town Administrator (TA) and Finance Director (FD) may supervise and manage the OPEB trust. We asked directly if the Town might add a third trustee, which would keep the TA and FD in effective control. On reflection, Fox believes that the language of Section 1 of Wayland's special act appears to set the TA and FD as the sole trustees.

Were Wayland to accept 32B-20 the operations of the trust and the OPEB investment accounts would be very similar to what they are today. In either case, the Board of Trustees has a fiduciary duty to invest the OPEB funds prudently and is responsible to set the investment policy. As trustees, they must either have investment expertise themselves or they must retain professional investment advisors who have that expertise, in order to demonstrate their due diligence in prudently investing the trust's money.

Fox made the point that trustees who are not investment professionals need a paper trail to document that they sought professional advice in order to fulfill their fiduciary duty. This should reduce the litigation risk to both the trustees and to the OPEB trust itself. Documenting the process of being a prudent investor is important in proving that the trustees are fulfilling their fiduciary duties to the trust.

We noted that Fox indicated that the investment policy recommendations of a volunteer OPEB Advisory Board (no matter the background of the individuals on it), nor the vote of the Board of Selectmen are by themselves a mandate for the trustees to establish a particular OPEB investment policy.

The trustees must act prudently in the selection of investments and other vendors. A prudent process may involve paying for outside investment advice and counsel from a firm that holds itself out as an investment expert, as well as consulting the investment professionals from the firms of Rockland Trust or Bartholomew which currently manage the OPEB investment account. Trustees have a continuing duty to monitor the investments regularly, which means there likely would be an ongoing cost for this outside investment advice.

Fox said that for Wayland, 32B-20 would require the designation of the Town Treasurer as custodian of the OPEB trust. This is similar to Section 4 of Wayland's special act. The custodian's obligation is to faithfully execute the policies established by the board of trustees. The custodian does not vote or set policy but would have day-to-day responsibility for monitoring the OPEB trust. The custodian ensures that OPEB money appropriated by Town Meeting moves to the OPEB investment manager(s). The custodian ensures that monthly and quarterly statements from the OPEB investment managers are provided to the Board of Trustees, and may also provide some analysis of investment performance to inform the deliberations and decisions of the Board.

Rescinding the special statute and embracing 32B-20 requires an affirmative vote of town meeting, and suitable language must then be introduced by Wayland's state legislators for approval by both houses and signature by the governor. This is not technically difficult, but probably requires some time and nagging of legislators to get it done. Until 32B-20 becomes effective for Wayland, the Town continues to operate under its special statute.

A single trust agreement can be drafted in August 2015 by Fox to cover both forms of trustee organization. The trust agreement will be amendable. It would first be adopted by a vote of the two current trustees, TA Nan Balmer and FD Brian Keveny.

Once 32B-20 is formally in force for the Town, Balmer and Keveny would amend the trust agreement to create a new board. Under this scenario, one or both would then resign as trustees, and be replaced by a new board of trustees, which may include appointees by the Board of Selectmen, the TA, or other town officials, in Fox's view.

In Fox's experience, the common practice is that the new Board of Trustees should continue to have at least one town employee on it, complemented by other non-employees appointed by the BOS. The governmental entity (here the Town) has to have control over the Section 115 Trust to satisfy IRS requirements. If a majority of the new Board of Trustees has the appropriate investment expertise, there would no longer be a need to retain outside investment counsel, since the Board would already have it. The Town or trust should enjoy some cost savings as a result. On the other hand, use of an outside investment consultant may offer the trustees another level of protection from charges of breach of fiduciary duty, as long as the consultant is prudently selected and monitored.

Fox stated that available guidance indicates an OPEB trust governed by a Board of Trustees with a majority of non-employees should be deemed a "municipal trust" by the IRS, and thus treated as a non-profit trust under the provisions of IRS section 115, if the trust is used for municipal purposes and its trustees are appointed by appropriate municipal officials, such as the BOS or other officials.

Fox noted that a non-employee trustee would need to become a "provisional town employee" for this purpose. There are state statutes that recognize this kind of employee status and provide some level of protection to the provisional employee.

Fox went on to strongly recommend that in any circumstance, the Town should indemnify all trustees (whether employee or non-employee) against personal liability for breaches of fiduciary duty, which the Town ought to be able to do via its insurance carriers. Such fiduciary liability insurance could be paid out of trust assets, if prudently selected, or could be paid for by the Town.

## 4. PUBLIC WORKS

**DATE: AUGUST 10, 2015**  
**TO: BOARD OF SELECTMEN**  
**FROM: NAN BALMER, TOWN ADMINISTRATOR**  
**RE: BOARD OF PUBLIC WORKS UPDATE**

**REQUESTED ACTION: NONE**

### BACKGROUND:

Chris Brown, Chair of the Board of Public Works and Stephen Kadlik, DPW Director will attend to update the Board on DPW projects and discuss two Special Town Meeting Articles.

### SPECIAL TOWN MEETING – POTENTIAL ARTICLES

- 1) Amendment to by-law on water conservation – Required to apply for DEP permit renewal
- 2) Accept gifts on land for Rt. 27 / Rt. 30 intersection project

### PROJECTS – BRIEF UPDATE:

1. Rt. 27 / Rt. 30 Intersection Project – This is a federally funded project at top of the regional Transportation Improvement Plan (TIP). The DPW Director, working with Mass DOT and the Town Traffic Engineer (TEC) are working to secure the last land donations to construct this project this year. After donations are received Board of Selectmen as authorized by Town Meeting will adopt Order of Taking to clear title. Town meeting will then accept gifts of land.
2. Sherman's Bridge – Repair of the bridge was a joint project with Sudbury and MassDOT. MassDOT withdrew funds due to citizen concerns. The two DPW Directors continue to monitor safety and make temporary repairs where possible.
3. School and East Plain: Temporary traffic mitigation is in place. Final design, bid documents and cost estimate for permanent changes are in process. Will be a FY 17 capital project unless end of FY 16 funds are available.
4. Glezen Lane: Design in process
5. Stone Bridge Road – Traffic calming discussions ongoing



## Memorandum

**To:** All Boards, Committees, Commissions, Departments and Staff  
**From:** Board of Selectmen  
**Date:** August 10, 2015  
**Re:** Special Town Meeting

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At a meeting on Monday, August 10, 2015, the Board of Selectmen voted 5-0 to hold a Special Town Meeting on Monday, November 9, 2015, at 7:30 p.m. in the Wayland High School Auditorium, and the warrant for said Special Town Meeting will be open from Tuesday, August 25, 2015, at 8:30 a.m. through Wednesday, September 2, 2015, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Wednesday, September 2, 2015.

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Cherry C. Karlson, Chair

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Mary M. Antes, Vice Chair

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Lea T. Anderson

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Tony V. Boschetto

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Joseph F. Nolan

6. REVIEW SPECIAL TOWN MEETING ARTICLES

POTENTIAL 2015 FALL TM ARTICLES			
SPONSOR	ARTICLE	COMMENT	FUNDS REQUIRED
FINANCE COMMITTEE	1. Current year transfer of indirect and OPEB costs from Water and Wastewater Enterprise Funds to General Fund.	a. Purpose of this article is to correct an error in the FY 16 budget in which revenue from indirect costs and OPEB were budgeted in the general fund but not shown as a transfer from the enterprise funds. b. BOPW – Current Year Transfer from capital account to Appropriate Funds for Vehicle	a. NONE b. Water Truck with \$34,000 replacement cost was totaled - \$21,000 available from insurance proceeds. Balance \$14,000
FINANCE COMMITTEE	2. Free Cash	Increase free cash spending in FY 16	NONE
SCHOOL COMMITTEE	3. Town Meeting adoption of statute for school revolving funds	A report from Special Counsel is expected by the end of July identifying the correct statutes for TM to adopt for for school revolving funds.	NONE
BOPW	4. Amend By-Law on Water Conservation	DEP Requirement	NONE
BOPW	5. Accept donated property for Rt. 27 / 30 Intersection	The Rt. 27 / 30 intersection is high priority, federally funded and at the top of the 12 year "TIP". Only one piece of land has yet to be donated which will be followed by Selectmen adoption of an Order of Taking to clear title and recording. TM must accept the donated land.	NONE
LIBRARY	6. Appropriate funds: Site Investigation	State grant deadline	TBD \$60,000
CPC (HA)	7. Fund sprinkler project at Cochituate Village		TBD CPA
CPC (RAIL TRAIL)	8. Change to project design	Change in trail material	NONE
CPC (CONSERVATION COMMISSION)	9. Open Space and Recreation Plan	Necessary for self-help grants.	CPA - \$30k
RECREATION COMMISSION	10. Authorize request for special legislation to increase the cap on the Recreation Revolving Fund	The Recreation and Finance Directors expect to have a recommendation by the end of July. Necessary to avoid exceedance of cap in FY 16	NONE
BOS (COA – CC)	11. Acquire Municipal Parcel at Town Center	The COA – CC expects to have completed sufficient work to make a recommendation this article.	NONE
BOS	12. Appropriate Funds for IT Projects	Long term plan, including priority short term needs, is expected by end of August.	Firewall (\$30K), Patch mgmt. (\$12k), Server Lic (\$6k), Backup software – (\$8k), Storage (\$70k) = \$126k
BOS ( OPEB)	13. Rescind OPEB Special Act and Adopt 32B Section 20		NONE
BOS	14. Withdrawal from Minuteman	As a result of Wayland's TM action to withdraw from the District, all 16 towns are asked to place an article on their fall or spring warrants to amend the Regional Agreement to remove Wayland as a member of the District. Given the timing, the earliest effective date of withdrawal is 7/1/17.	NONE
BOS (ENERGY / FACILITIES)	15. Solar – Resiliency Grant – Matching funds and authorization for 20 year contract	Enter into a 20 year contract to install and manage solar resiliency equipment; Appropriate funds to match \$260 k grant	Appropriate \$13,500 matching funds

## 7. BOARD POLICY

DATE: AUGUST 10, 2015  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER  
RE: BOARD POLICIES

### REQUESTED ACTION:

1. VOTE TO APPROVE BOARD POLICY ON MANAGEMENT OF THE LEGAL AFFAIRS OF THE TOWN
2. VOTE TO APPROVE POLICY ON PUBLIC HEARINGS
3. VOTE TO APPROVE POLICY ON OPPORTUNITIES FOR PUBLIC COMMENT (PUBLIC HEARINGS) ON REGULATIONS AND FEES
4. VOTE TO APPROVE POLICY ON COMMUNICATIONS WITH BOARD OF SELECTMEN
5. VOTE TO APPROVE POLICY ON ACKNOWLEDGEMENT OF CORRESPONDENCE FROM THE PUBLIC
6. VOTE TO APPROVE POLICY ON PUBLICATION OF LIST OF PUBLIC RECORDS PROVIDED TO THE BOARD OF SELECTMEN

### BACKGROUND:

- The Board has undertaken a systematic review of Board Policy.
- The Board policy on "Town Counsel Access" is now restated as "Management of the the Legal Affairs of the Town". Edits were made by the Selectmen on on July 13 and July 27. An additional edit, not previously considered by the Selectmen is suggested by the Town Administrator on page 2 under #2.
- The remaining 5 policies are presented for the first time with edits suggested by the Town Administrator:

## MANAGEMENT OF THE LEGAL AFFAIRS OF THE TOWN (DRAFT 8/10/15)

### I. GENERAL AUTHORITY, RESPONSIBILITY, AND ACCOUNTABILITY

The Board of Selectmen shall supervise the legal affairs of the Town and shall have full authority as agents of the Town to employ Counsel to commence, prosecute and defend suits in the name of the Town unless otherwise especially ordered by a vote of the Town. (See section 58-1 of the Town Code as amended in 2014.)

The Town Administrator is responsible for oversight of Town legal activities. (See Section 60.2.1 of the Town Code). Oversight includes but is not limited to managing access to Town Counsel, procurement of legal services, management of the legal budget and making recommendations to the Selectmen for approval of legal bills.

Town Counsel will maintain a log of all ongoing legal matters assigned to Town Counsel and will make a semi-annual report to the Board of Selectmen on the status of each matter. Legal bills will be presented in line item form on each subject upon which Counsel advises. Legal bills will specifically reference legal costs applicable to enterprise funds or the School Committee.

### II. APPOINTMENT OF TOWN COUNSEL

The Board of Selectmen will appoint by majority vote an attorney or law firm, on the basis of qualifications **and cost, alone**, to serve as Wayland Town Counsel to provide legal advice to the Board of Selectmen, Town Administrator, Town Departments, and other appointed **or and** elected governmental bodies of the Town.

Town Counsel will be available to advise the School Department which will also be represented by separate Counsel appointed by the School Committee.

**The Board may, as it sees fit, seek proposals from attorneys and law firms to serve in the capacity of Town Counsel.** The Board of Selectmen will approve the **contract terms of for** the engagement of Town Counsel, which will include **but not be limited to the** terms for **evaluation**, reappointment and removal.

### III. ACCESS TO TOWN COUNSEL

All requests for access to Town Counsel from Departments, Boards and Committees shall be approved by the Town Administrator or the Board of Selectmen as indicated below. Except for Town Meeting petitioners, citizen requests for access to Town Counsel are not generally granted.

#### 1. Requests for Advice on Routine Legal Matters

Governmental bodies, municipal officials, and department directors may request advice from Town Counsel on routine legal matters through a written **or electronic** request to the Town Administrator. The request will include a specific legal question and sufficient background information to understand the request. Such written requests are necessary only for new legal matters and can be waived at the discretion of the Town Administrator. The purpose of this requirement is to use

Counsel to respond to legal questions only and to promote the appropriate use of other available legal resources including but not limited to legal resources available through offices of state government.

## **2. Requests for Formal Written Legal Opinions**

**The Town Administrator may request a written legal opinion when necessary to comply with what he or she believes is the general direction of the Board of Selectmen. Other governmental** bodies, municipal officials, and department directors may request formal written legal opinions through a written **or electronic** request to the Town Administrator who shall forward a recommendation on **the** request to the Board of Selectmen for consideration and approval. The request will include a specific legal question and sufficient background information to understand the request. Requests from governmental bodies for formal written legal opinions must be pursuant to a majority vote of the body.

The formal opinions of the Town Counsel shall be delivered in writing, and a permanent public file of such opinions shall be established under the care of the Town Administrator which, if deemed a public record, shall be made available for inspection to those requesting it.

## **3. Approval for Representation of the Town in Litigation**

Approval of the Board of Selectmen is required to commence, prosecute and defend suits in the name of the Town unless otherwise especially ordered by a vote of the Town.

## **IV. APPOINTMENT OF SPECIAL COUNSEL**

Requests to the Board of Selectmen to seek Special Counsel originate from: 1) the Board of Selectmen, 2) Town Counsel, 3) the Town Administrator, or 3) other appointed or elected bodies of the Town.

Requests must clearly state:

- 1) the legal work requested,
- 2) the estimated length and costs of the engagement, and
- 3) the reason appointment of Special Counsel is in the best interest of the Town.

The Board of Selectmen will appoint Special Counsel based on a majority vote on the basis of qualifications to undertake the legal work requested.

Unless specified by the Board of Selectmen, Special Counsel will be advisory to the Board of Selectmen and under the supervision of the Town Administrator or as delegated by the Town Administrator to a Department Head. **The Town Administrator will maintain a log of all ongoing legal matters assigned to Special Counsel. Special Counsel will make a report to the Board of Selectmen on the status of each matter as required. Legal bills will be presented in line item form on each subject upon which Counsel advises.**

*Approved January 12, 2004; revised and restated on October 13, 2010; Revised **August 10, 2015***



## PUBLIC HEARINGS

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

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

Approved on February 9, 2004; revised and restated on October 13, 2010, *Reviewed August XX, 2015*

## OPPORTUNITIES FOR PUBLIC COMMENT [PUBLIC HEARINGS] ON REGULATIONS AND FEES

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

Approved on February 9, 2004; revised and restated on October 13, 2010, Reviewed August XX, 2015

## COMMUNICATIONS WITH THE BOARD OF SELECTMEN

The Town Administrator shall provide to the Board of Selectmen copies of all formal written communications received or sent by regular mail by the Town Administrator or the Board of Selectmen to or from any person or organization including, but not limited to, federal, state, and local (non-Wayland) governmental organizations and officials; other Wayland boards, elected and appointed officials, and their employees; and the public. Obvious unsolicited "junk mail" or routine scheduling matters or similar correspondence is excluded.

The Town Administrator is expected to exercise his discretion in bringing to the attention of the Board any other communications, electronic, written or oral, from any source relevant to the activities and interests of the Board of Selectmen.

*Approved February 9, 2004; revised and restated on October 13, 2010, Reviewed August XX, 2015*

## ACKNOWLEDGMENT OF CORRESPONDENCE FROM THE PUBLIC

Correspondence addressed to the Board of Selectmen shall be acknowledged promptly, in writing. The Board does not routinely acknowledge receipt of memoranda and letters addressed to other boards or officials or impersonal correspondence. Copies of all responses, other than routine acknowledgements, shall be provided to the Board in the next packet.

*Approved February 9, 2004; revised and restated on October 13, 2010, Reviewed August XX, 2015*

## PUBLICATION OF LIST OF PUBLIC RECORDS PROVIDED TO BOARD OF SELECTMEN

For each regular meeting of the Board of Selectmen, a list of all public records provided to the Board of Selectmen subsequent to the last regular meeting shall be published. Scheduling items, invitations, junk/spam correspondence shall be excluded from this list.

*Approved March 9, 200; restated on October 13, 2010, Reviewed August XX, 2015*

8. REVIEW PORTFOLIO  
ASSIGNMENTS

DATE: AUGUST 10, 2015  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: BOARD PORTFOLIO ASSIGNMENTS

**POSSIBLE ACTION:**

**VOTE TO CHANGE BOARD PORTFOLIO ASSIGNMENTS**

**BACKGROUND:**

The Chair requested a review of shared portfolio assignments to be sure they are appropriate and managed in a way that does not violate the Open Meeting Law.

## **Board of Selectmen Portfolio Assignments for April 2015 through April 2016**

### **Mary Antes - term expires 2018**

Conservation Commission  
Community Preservation Committee  
Council on Aging, Senior Property Tax Relief Committee  
Council on Aging/Community Center Project (Shared)  
Historical Commission  
Historic District Commission  
Housing: Housing Authority, Housing Partnership, Affordable Housing, 40B projects  
WayCAM Public Access Corporation; Cable Television Advisory Committee  
Municipal Space Advisory Committee (New)  
Technology Planning, Electronic Communication and Improvements to Town Website (Shared)  
Youth Advisory Committee

### **Tony Boschetto - term expires 2016**

Audit Committee  
Finance Committee, Fiscal/Budget Strategy; Capital Planning; Financial Reporting(Shared)  
Minuteman Regional Vocational Technical School  
OPEB Advisory Committee  
Permanent Municipal Building Committee  
Town Center, Town Green, Municipal Parcel (Shared)  
Wastewater Management District Commission

### **Lea Anderson - term expires 2018**

Board of Assessors; Overlay Estimate; Tax Classification/ Tax Rate Hearing  
Board of Health  
Council on Aging/Community Center Project (Shared)  
Emergency Preparedness  
Planning Board and Zoning Board of Appeals  
Public Safety Issues (Police, Fire, Including Ambulance, ALS Committee, Paramedic Services)  
Surface Water Quality Committee  
Technology Planning, Electronic Communication and Improvements to Town Website (Shared)  
Open Meeting Law / Town Clerk

### **Joe Nolan - term expires 2017**

Board of Public Works; DPW facility Project  
Library Board of Trustees  
MetroWest 495 Partnership, MetroWest Regional Collaborative  
Recreation Commission  
River's Edge Project/Sudbury Agreement (Shared)  
Town Center, Town Green, Municipal Parcel (Shared)  
Transportation Issues (Rail Trail, Canoe Launch, Senior/Disabled Transit, TIP Projects/Funding)

### **Cherry Karlson - term expires 2017**

Economic Development Committee  
Energy Initiatives Advisory Committee  
Finance Committee, Fiscal/Budget Strategy; Capital Planning; Financial Reporting (Shared)  
Personnel Board, Collective Bargaining, Negotiation Strategy; Health Insurance  
River's Edge Project/Sudbury Agreement (Shared)  
Schools  
Town Counsel and Legal Services

**May 11, 2015**

**TOWN ADMINISTRATOR'S REPORT  
WEEK ENDING AUGUST 7, 2015**

**1. RIVER TRAIL AT TOWN CENTER – PROJECT PROGRESS**

There are 42 units in this project. 13 certificates of occupancy were issued. 23 units are under construction. All but 8 units are sold. Completion of construction is expected in February and finish landscaping and road work will be done in spring. (UPDATE REQUESTED BY MR. NOLAN)

**2. CMG PHASE 1 SITE ASSESSMENT AND CHANGE ORDER**

The Phase I Site Assessment was accepted by the COA / CC and is posted on the town website at [http://www.wayland.ma.us/Pages/WaylandMA\\_TownNews/021A6634-000F8513](http://www.wayland.ma.us/Pages/WaylandMA_TownNews/021A6634-000F8513)  
In follow-up to the report, I authorized a change order for soil testing. (Attached)

**3. AFFORDABLE HOUSING – COMPLIANCE WITH DEED RESTRICTION**

The attached letter was prepared by Town Counsel and sent to the owner of an affordable house as a step toward enforcement of the rental terms of the unit's deed restriction. A second owner, believed to be violating the deed restriction, is not doing so at this time.

**4. RECREATION REVOLVING FUND**

Mr. Nolan facilitated a meeting of the Work Group which agreed that the Recreation Commission should propose a special town meeting article to authorize the Selectmen to petition the legislature to allow the town to use an MGL Chapter 44, Section 53 E ½ Revolving Fund with an increased spending cap. The fund would continue to operate as described in the attached copy of the 53 E ½ statute except that additional spending, funded by user fees would be permitted. Prior to the Work Group meeting the Finance Director provided a financial model under 53 E ½ for recreation. As a result of the discussion, the Recreation Commission will develop a financial model to support the proposed special town meeting article. Under discussion is the approach to funding year round salaries, field maintenance, and capital projects and how to appropriately use the accumulated revolving fund balance.

**5. OPEB / PRIT INVESTMENT OPTION**

At the recommendation of Special Counsel to perform due diligence prior to re-investing OPEB funds, an RFP will be issued this week to seek an expert financial advisor to the fund trustees. As an alternative to using an investment advisor to directly manage the investment, the Town Administrator and Finance Director could invest the OPEB funds in "PRIT" (Pensions Reserves Investment Management Board) which would not require an investment advisor. PRIT could consider an application from the town at its meeting meeting October 1<sup>st</sup> or December 3<sup>rd</sup> Withdrawal from PRIT requires 30 days' notice.

**6. SCHOOL / TOWN END OF YEAR REPORT**

Please see attached additional information from Mr. Senchshyn. (REQUESTED BY MR. BOSCHETTO)

**7. FINANCE DIRECTOR: FISCAL 15 BUDGET STATUS REPORT – ATTACHED**

**8. ENGINEERING**

We are procuring an engineering firm that can provide on-call engineering services for small projects including the rail trail, COA-CC project (pre-design only), and recreation projects. This will help fill a gap in professional resources as the town does not employ a Town Engineer.

*CMG Change Order*

# CMG ENVIRONMENTAL, INC.

---

July 31, 2015

Wayland Board of Selectmen  
% Town Administrator Nanette F. Balmer  
Wayland Town Building  
41 Cochituate Road  
Wayland MA 01778

**Re: Soil Sampling for Polychlorinated Biphenyls (PCBs)  
"Municipal Parcel" Portion of Wayland Town Center  
400-440 Boston Post Road, Wayland MA  
CMG ID 2014-055**

Dear Ms. Balmer:

CMG Environmental, Inc. (CMG) is pleased to submit this Change Order to our proposal of June 19, 2015 (which you authorized on June 26, 2015). This work was to prepare an ASTM Phase I Environmental Site Assessment (ESA) report regarding the above-referenced property (the Site), which CMG completed on July 21, 2015.

As noted in Section 2.3.2 of our ESA Report, in 2000 Wayland Business Center, LLC (who owned the Site at the time) retained Haley & Aldrich, Inc. (H&A) to conduct a limited subsurface investigation in the vicinity of former Raytheon Buildings 12 & 21 which were then located on the Site. H&A collected 13 shallow soil samples near Buildings 12 & 21, and had 8 of these samples analyzed for PCBs. This testing identified PCBs in 3 of the samples tested. Soil sample SS-6 exhibited the highest concentration, at 1.25 mg/Kg total PCBs. The applicable reportable concentration promulgated by the Massachusetts Department of Environmental Protection (DEP) for PCBs was 2 mg/Kg in 2000, to the H&A findings did not raise any concern at that time. However, DEP since revised the reportable concentration for PCBs in soil to 1 mg/Kg. Thus the H&A results at SS-6 exceed the currently-applicable reportable concentration for PCBs in soil.

Wayland Public Building Director Kenneth "Ben" Keefe requested that CMG test soil from the Site for PCBs, to confirm or refute the historic H&A results at sampling location SS-6.

## SCOPE OF WORK

CMG proposes to collect 8 samples from the Site: Four of these will be from the vicinity of H&A sampling location SS-6, and the other 4 will be in the open recreation space at the northeasterly corner of the Site as illustrated on the "Wayland Community Center Concept Plan" provided to CMG by Sterling Associates, Inc. CMG collect the first four soil samples based on H&A sampling locations identified by Environmental Resources Management, Inc. (ERM) on Figure 6 of their November 27, 2001 "Phase II Comprehensive Site Assessment Report" for the former Raytheon facility. We will also collect samples from the upper 3" of soil, which is the depth that ERM reported for the H&A samples. (As noted in our ESA Report, CMG does not

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67 HALL ROAD  
STURBRIDGE, MA 01566  
PHONE (774) 241-0901  
FAX (774) 241-0906

560 SOUTH MAIN STREET  
NEW BRITAIN, CT 06051  
PHONE (866) 304-7625  
FAX (860) 223-5454

currently have access to the primary source of information for the H&A sampling, their 11/10/00 report titled "Soil and Ground Water Sampling Results, Planned Daycare Facility.")

CMG will submit the 8 soil samples we collect from the Site to a certified laboratory for Soxhlet extraction and analysis of PCBs via EPA Method 8082. Upon receipt of the laboratory results, we will prepare an addendum Report including the following:

- Narrative describing completed activities, findings, and conclusions,
- Tables summarizing laboratory results and applicable DEP reporting standards,
- Figure showing sampling locations, and
- Laboratory reports.

CMG will provide documentation in electronic (Adobe .pdf) format via email unless you specifically request bound printed copies.

#### ESTIMATED COSTS & SCHEDULE

CMG proposes to conduct this project for the lump-sum fee of \$2,300.

CMG is prepared to complete the soil sampling within one week (5 business days) from your authorization. The laboratory analysis typically takes another 5-10 business days, so we anticipate it will take a total of three weeks (15 business days) to provide you with the results of our soil sampling.

#### ACCEPTANCE

This letter is a Change Order to "the Proposal" of June 19, 2015 in accordance with Section 3 of our standard Terms & Conditions, which in total constitutes "the Agreement." If the terms of this Agreement are acceptable to you, please sign one of the originals and return it to our office along with the retainer fee.

#### Approval of Change Order:

Name: Nan Balmer  
(Signature)

Name: Nan Balmer  
(Printed)

Title: Town Administrator

Date: 8-5-15



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

*AFFORDABLE HOUSING*  
**TOWN OF WAYLAND** *DEED RESTRICTION*

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

*COMPLIANCE*

BOARD OF SELECTMEN

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

August 6, 2015

BY HAND

Jennifer Jenkins-Critides  
213 Willow Brook Drive  
Wayland, MA 01778

RE: 213 Willow Brook Drive, Wayland, MA -  
Affordable Housing Restriction

Dear Ms. Jenkins-Critides:

I am Town Administrator for the Town of Wayland. The above-referenced condominium unit, which you own, is subject to an affordable housing deed rider dated October 6, 1997, which you signed on November 14, 1997. The Town of Wayland has the right to enforce the rider. The deed rider restricts the use of your unit to single-family residential affordable housing purposes. It does not authorize the lease or rental of the unit for profit.

I have been informed that you have leased the above-referenced property to tenants at rates that exceed established affordability guidelines. Leasing or renting your unit to tenants, especially at rates greater than those set forth in the affordability guidelines promulgated by the Massachusetts Department of Housing and Community Development, violates the deed rider as well as the conditions of the special permit issued by the Town of Wayland Planning Board for the Willowbrook Condominium Development. Unit 213 may be occupied and used by eligible occupant for residential dwelling purposes only.

The Town of Wayland hereby gives you notice to immediately cease using Unit 213 as a rental income property occupied by ineligible tenants. Your failure to comply with this notice will result in legal action by the Town to enforce the terms and conditions of the deed rider and special permit.





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

Thank you for your attention to this matter.

Sincerely,

Nan Balmer  
Town Administrator

cc Massachusetts Department of  
Housing and Community Development

Wayland board of Selectmen  
Planning Board  
Wayland Housing Authority  
Town Counsel

RECREATION  
REVOLVING FUND

<b>PART I</b> ADMINISTRATION OF THE GOVERNMENT
<b>TITLE VII</b> CITIES, TOWNS AND DISTRICTS
<b>CHAPTER 44</b> MUNICIPAL FINANCE
<b>Section 53E1/2</b> Revolving funds

Section 53E1/2. Notwithstanding the provisions of section fifty-three, a city or town may annually authorize the use of one or more revolving funds by one or more municipal agency, board, department or office which shall be accounted for separately from all other monies in such city or town and to which shall be credited only the departmental receipts received in connection with the programs supported by such revolving fund. Expenditures may be made from such revolving fund without further appropriation, subject to the provisions of this section; provided, however, that expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund nor in excess of the total authorized expenditures from such fund, nor shall any expenditures be made unless approved in accordance with sections forty-one, forty-two, fifty-two and fifty-six of chapter forty-one.

Interest earned on any revolving fund balance shall be treated as general fund revenue of the city or town. No revolving fund may be established pursuant to this section for receipts of a municipal water or sewer department or of a municipal hospital. No such revolving fund may be established if the aggregate limit of all revolving funds authorized under this section exceeds ten percent of the amount raised by taxation by the city or town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine. No revolving fund expenditures shall be made for the purpose of paying any wages or salaries for full time employees unless such revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid; provided, however, that such prohibition shall not apply to wages or salaries paid to full or part-time employees who are employed as drivers providing transportation for public school students; provided further, that only that portion of a revolving fund which is attributable to transportation fees may be used to pay such wages or salaries and provided, further, that any such wages or salaries so paid shall be reported in the budget submitted for the next fiscal year.

A revolving fund established under the provisions of this section shall be by vote of the annual town meeting in a town, upon recommendation of the board of selectmen, and by vote of the city council in a city, upon recommendation of the mayor or city manager, in Plan E cities, and in any other city or town by vote of the legislative body upon the recommendation of the chief administrative or executive officer. Such authorization shall be made annually

prior to each respective fiscal year; provided, however, that each authorization for a revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; (4) a limit on the total amount which may be expended from such fund in the ensuing fiscal year; and, provided, further, that no board, department or officer shall be authorized to expend in any one fiscal year from all revolving funds under its direct control more than one percent of the amount raised by taxation by the city or town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine. Notwithstanding the provisions of this section, whenever, during the course of any fiscal year, any new revenue source becomes available for the establishment of a revolving fund under this section, such a fund may be established in accordance with this section upon certification by the city auditor, town accountant, or other officer having similar duties, that the revenue source was not used in computing the most recent tax levy.

In any fiscal year the limit on the amount that may be spent from a revolving fund may be increased with the approval of the city council and mayor in a city, or with the approval of the selectmen and finance committee, if any, in a town; provided, however, that the one percent limit established by clause (4) of the third paragraph is not exceeded.

The board, department or officer having charge of such revolving fund shall report to the annual town meeting or to the city council and the board of selectmen, the mayor of a city or city manager in a Plan E city or in any other city or town to the legislative body and the chief administrative or executive officer, the total amount of receipts and expenditures for each revolving fund under its control for the prior fiscal year and for the current fiscal year through December thirty-first, or such later date as the town meeting or city council may, by vote determine, and the amount of any increases in spending authority granted during the prior and current fiscal years, together with such other information as the town meeting or city council may by vote require.

At the close of a fiscal year in which a revolving fund is not reauthorized for the following year, or in which a city or town changes the purposes for which money in a revolving fund may be spent in the following year, the balance in the fund at the end of the fiscal year shall revert to surplus revenue unless the annual town meeting or the city council and mayor or city manager in a Plan E city and in any other city or town the legislative body vote to transfer such balance to another revolving fund established under this section.

The director of accounts may issue guidelines further regulating revolving funds established under this section.

SCHOOL TOWN  
END OF YEAR  
FOLLOW-UP

DATE: August 10, 2015  
TO: Board of Selectmen  
FROM: John Senchyshyn, Asst. Town Administrator/HR Director  
RE: **School/Town End of Year Pupil and Financial Report (EOYR) Agreement – Follow-Up**

At the July 13, 2015 Selectmen's meeting the Board was asked to approve an update to the School/Town End of Year Pupil and Financial Report (EOYR) Agreement and to authorize the Chair of the Selectmen to sign the EOYR Agreement. Selectmen Boschetto inquired if other Town-supported items should be added to the Agreement.

I reviewed the Town-side expenditures included in the report with School Business Manager Susan Bottan. Permissible municipal expenditures for services on the School Department's behalf are identified in 603 CMR 10.04. School Districts do not have the flexibility to expand upon the items included in the EOYR. Reportable items are limited to those identified in the CMR so that state-wide district comparisons are consistent with baseline expenses.

The School Department indicates that all allowable expenditures are included in their EOYR.

A copy of 603 CMR 10.04 is attached.



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- > Legal Advisories
- > Arbitration Awards
- > Litigation Reports

## Education Laws and Regulations

### 603 CMR 10.00: School Finance

#### Section:

- 10.01: Authority, Scope and Purpose
  - 10.02: Definitions
  - 10.03: Accounting and Reporting: School Districts
  - 10.04: Financial Accounting and Reporting: Other Municipal Departments
  - 10.05: Documentation Requirements
  - 10.06: Annual School Spending Requirements
  - 10.07: Special Education Payments and Reimbursements
  - 10.08: Transportation Reimbursement, Resident Students
  - 10.09: Transportation Reimbursement, School Choice, Homeless and Charter School Students
  - 10.10: Audit Procedures
- [View All Sections](#)

Most recently amended by the Board of Education: June 25, 2013.

#### 10.04: Financial Accounting and Reporting: Other Municipal Departments

(1) The following expenditures from local revenues by a municipal department other than the school department which result in services to or on behalf of the school district shall be reported to the Department on or before September 30 of each year in accordance with the expenditure categories and cost allocation methods set forth in guidelines published by the Department. The cost of insurance and retirement benefits for non-school district employees shall not be included or reported.

(a) **Administrative Services.** The cost of municipal accounting, auditing, central data processing, central purchasing, employee benefits administration, financial services provided to the school department.

(b) **Educational Media and Library Services, Exclusive of Capital Outlay.** The activities of librarians and catalogers, and the costs associated with cataloguing books, pamphlets, periodicals and other materials for use by school district students where there is an agreement between the school district and the library board for specific services to be provided to students.

(c) **Health Services.** The salaries of health personnel who provide direct services or instruction to public school students or school department employees pursuant to an agreement between the school district and the municipality for the provision of these services and related costs for supplies, materials and other direct expenditures in support of services covered by the agreement; the salaries of public safety officers, on an hourly basis, who provide direct classroom instruction on alcohol and substance abuse and violence prevention to public school students pursuant to an agreement between the school district and the municipality for the provision of these services; the salaries of health personnel who provide direct services which state law requires be provided to non-public students or non-public school employees and who make regularly scheduled visits to non-public schools for this purpose and related costs for supplies, materials and other direct expenditures in support of these and other services provided in accordance with M.G.L. c. 71, § 57.

(d) **School Security Services.** Salaries and other expenses of security staff or school police who are scheduled solely on school grounds where there is an agreement between the school committee and the municipality for specific services to be provided.

(e) **Student Transportation Services.** All costs incurred as a result of programs transporting public school students once daily to and from school, and the costs incurred in transporting non-public school students once daily to and from school to the extent required by M.G.L. c. 76 § 1.

(f) **Operation and Maintenance of School Facilities.** The direct costs of salaries, supplies, materials and contractual expenses for the ordinary and extraordinary maintenance of school buildings, grounds and equipment. School maintenance expenditures shall be reported for services performed within a school building or on school grounds, and shall include other property used by the public schools only where there is an agreement between the municipality and the school district concerning the use and maintenance of that property. Overhead costs for non-school buildings shall not be included or reported.

(g) **Employee Benefits.** The actual costs of pensions paid to school department retirees or the actual costs of assessments paid to state, county or municipal retirement systems on account of school department employees or retirees, including any special assessments for early retirement incentive programs for school department employees; the direct insurance premiums for active and retired school district employees, after deducting all employee contributions; contributions to self-insurance trust funds from the municipality's general fund; and the indirect costs of administering employee benefit programs.

(h) **Non-Employee Insurance.** The direct insurance premiums for school buildings, grounds, equipment and liability coverage, contributions to non-employee self-insurance trust funds from the municipality's general fund, and the indirect costs of administering school facilities and liability insurance programs.

(i) **Rental/Lease of School Buildings and Non-Instructional Equipment.** Expenditures for the lease or rental, at the request of the school district, of buildings and non-instructional equipment for the public schools, not including any capital lease which provides for the municipality's acquisition of the leased building or equipment at the conclusion of the lease term.

(j) **Interest on Borrowing for School District Purposes.** Actual interest paid in borrowing for Revenue Anticipation Notes to support current year school district operations, interest on bonds and loans used to finance the purchase or construction of schools, textbooks, instructional equipment and technology, non-instructional equipment, and school building maintenance.

(k) **Other Recurrent School-Related Expenditures.** Other items of a recurrent nature for school purposes such as the salaries of crossing guards and the costs of public safety inspections.

(l) **Acquisition, Improvement and Replacement of School Sites, Buildings, Equipment and Student Transportation Vehicles.** Such costs shall be limited to funds expended for school capital construction and major reconstruction projects, maintenance projects which exceed the cost limit for extraordinary maintenance, the actual cost of student transportation vehicles, amortized in accordance with guidelines published by the Department, and other specific appropriated items, including school building planning costs and lease/purchases of buildings or non-instructional equipment, that are intended to acquire a new asset for the school district.

(m) **Programs with Other Public and Private Schools and Educational Collaboratives.** The tuition or assessment paid for instructional programs provided by other school districts or private schools to students resident in the municipality who attend those schools by agreement of the district school committee or as a result of placement by a state agency.

(2) Where the Department's guidelines permit districts to select among two or more permissible methods for allocating the municipal expenditures set forth in 603 CMR 10.04 (1) (a) through (m), one method shall be chosen by the school district and used consistently from year to year. The allocation method used to report expenditures by municipal departments other than the school department may be changed only with the approval of the Commissioner.

(3) When school and municipal officials cannot agree on the correct reporting, allocation and documentation of expenditures by municipal agencies for educational purposes, they shall so notify the Department. The Commissioner shall, upon receipt of such notice, appoint a designee to conduct an informal hearing to encourage the parties to reach an agreement and make a final determination on the issues in dispute if no agreement is reached within a reasonable time period. The Commissioner shall consult with and seek assistance from the Commissioner of Revenue or his designee in attempting to resolve such disputes.

Last Updated: July 2, 2013

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# TOWN OF WAYLAND DIRECTOR

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

FY 15 FINANCE  
CLOSURE  
REPORT

BRIAN KEVENY  
FINANCE DIRECTOR  
TEL. (508) 358-3610  
www.wayland.ma.us

To: Finance Committee

Nancy Funkhouser ( Chair )   Dave Watkins   Gil Wolin   Carol Martin  
Gordon Cliff   Bill Steinberg   Thomas Abdella

From: Brian Keveny, Finance Director

Date: July 20, 2015

Subject: Pre Close Fiscal 2015 Budget Status Report

Please find enclosed the pre close budget status reports for the General Fund, Enterprise Funds and Revolving Funds as of June 30, 2015 for the Town of Wayland. The reports detail actual revenues and expenditures to budget as well as a year to year comparison to Fiscal 2014. We have plan on closing the Fiscal 2015 accounting system in early August 2015. There may be additional transactions posted prior to closing.

### ***General Fund Expenditures:***

Town Departments have expended and encumbered \$34,650,400 or 95% of budget. The School Department has expended and encumbered \$35,319,765 or 99% of budget. The total Fiscal 2015 net-appropriation turn back is \$1,890,791 or 2.5% of budget and the Fiscal 2014 rollover turn back is \$212,983. For your review I have prepared an analysis of the Town and School turn backs. The total combined turn back amounts to \$2,121,166 which is less than last fiscal year. Prior to closing Fiscal 2015, more encumbrances may be record that will change these totals slightly. The current balance in Fiscal 2015 encumbrance that may be rolled into Fiscal 2016 is \$579,739.

### ***General Fund Revenues:***

The Town has collected approximately 100% of Property Tax-net of overlay, Local Receipts, Transfers from Other Fund and State Aid budgeted revenue. The Local Receipts category achieved 108% of budget and surplus revenue in the amount of \$338,803. Strong collections where achieved in Motor Vehicle Excise and Building Permit revenue. Collection of unbudgeted revenue amounted to \$2,052,844 which includes collections of prior year Real Estate and Personal Property receivables. Additionally the general fund received the Fiscal 2014 school revolving fund reimbursements totaling \$218,000.

### ***Wastewater Enterprise Fund:***

Revenue:

The Wastewater Enterprise fund obtained revenue collections of \$1,099,971 or 167% of budget. The increase is attributable to unapportioned betterment and unapportioned interest town center revenue in the amount of \$523,768 and \$207,494 respectfully. The June 2015 ending fund balance is \$729,422.

**Expenditures:**

Total expenses were \$678,464 or 95% of budget which is consistent with prior year. All of the Fiscal 2015 liabilities have been paid.

***Water Enterprise Fund:***

**Revenue:**

The Water Fund collected 112% of direct budgeted revenue or \$3,861,099. Water Meter Charges revenue exceeded budget by \$259,433. The actual increase in budget to revenue was \$429,045.

**Expenditures:**

The Water Fund has expended \$3,460,765 in operation expenses and \$775,000 capital appropriations and \$300,000 in unbudgeted expenses related to capital closeouts. Total fund balance in the fund is \$2,988,435.

Respectfully submitted,

Brian Keveny

Finance Director



**Town of Wayland**  
**Pre Close Summary Status Report, June 30, 2015**

<b>General Fund</b>			
8/17/2015	Fiscal 2015 Budget	Fiscal 2015 Actual	% Budget Spent
<i>Revenue</i>			
Taxation	58,636,762	58,688,224.00	100.09%
State Aid	4,550,673	4,547,482.00	99.93%
Local Receipts	4,180,401	4,519,207.00	108.10%
Transfers from Other Funds	1,539,247	1,539,247.00	100.00%
Other Sources	0.00	0.00	
<b>Total</b>	<b>68,907,083.00</b>	<b>69,294,160.00</b>	<b>100.56%</b>
Non Budgeted	0.00	2,051,853.00	n/a
<b>Total Revenue</b>	<b>68,907,083.00</b>	<b>71,346,013.00</b>	<b>103.54%</b>
<i>Expenditures</i>			
Town Budget	36,427,909.00	34,650,400.00	95.12%
School Budget	35,433,047.00	35,319,765.00	99.68%
<b>Total Expense</b>	<b>71,860,956.00</b>	<b>69,970,165.00</b>	<b>97.37%</b>
<b>Water Enterprise Fund</b>			
	Fiscal 2015 Budget	Fiscal 2015 Actual	% Budget Spent
<i>Revenue</i>			
Operating revenue	3,432,054.00	3,861,099.00	112.50%
Use of Water Capital	920,712.00	0.00	0.00%
Unbudgeted Revenue	0.00	0.00	0.00%
<b>Total Revenue</b>	<b>4,352,766.00</b>	<b>3,861,099.00</b>	<b>88.70%</b>
<i>Expenditures</i>			
Operating expenses	3,577,766.00	3,460,765.00	96.73%
Use of Water Capital	775,000.00	775,000.00	100.00%
<b>Total Expense</b>	<b>4,352,766.00</b>	<b>4,235,765.00</b>	<b>97.31%</b>
Unbudgeted Expense	0.00	308,693.00	0.00%
<b>Total Expenses</b>	<b>4,352,766.00</b>	<b>4,544,458.00</b>	<b>104.40%</b>
<b>Wastewater Enterprise Fund</b>			
	Fiscal 2015 Budget	Fiscal 2015 Actual	% Budget Spent
<i>Revenue</i>			
Operating revenue	707,405.00	1,108,664.00	156.72%
<b>Total Expense</b>	<b>707,405.00</b>	<b>1,108,664.00</b>	<b>156.72%</b>
<i>Expenditures</i>			
Operating expenses	707,405.00	678,464.00	95.91%
<b>Total Expense</b>	<b>707,405.00</b>	<b>678,464.00</b>	<b>95.91%</b>

**Town of Wayland, Massachusetts**  
**General Fund Revenue Report**  
**Fiscal 2015**

Pre Close June 30, 2015

8/17/2015

	Fiscal 2015 YTD-Actual	Fiscal 2015 Budget	B / A Fiscal 2015 \$ Variance	% of Budget Collected	Estimated Variance Budget / Actual
<b>Taxation:</b>					
Real Estate	57,952,892.00	58,845,550.00	(892,658.00)	98.48%	
Personal Property	735,332.00	740,741.00	(5,409.00)	99.27%	
Overlay	-	(949,529.00)	949,529.00	0.00%	
<b>Total</b>	<b>58,688,224.00</b>	<b>58,636,762.00</b>	<b>51,462.00</b>	<b>100.09%</b>	<b>51,462.00</b>
<b>State Aid:</b>					
School Construction	-	-	-	-	
Local Aid : Cherry Sheet	-	-	-	-	
Chapter 70	3,644,813.00	3,644,813.00	-	100.00%	
Charter Tuition Assessment	-	751.00	(751.00)	0.00%	
Unrestricted Aid	804,349.00	801,292.00	3,057.00	100.38%	
Veterans Benefits Chapter 115	6,731.00	8,049.00	(1,318.00)	83.63%	
Exemption : Vets, Blind, Surviving Spouse	34,474.00	31,702.00	2,772.00	108.74%	
State Owned Land Reimbursement	57,115.00	64,066.00	(6,951.00)	89.15%	
Unknown	-	-	-	-	
<b>Total</b>	<b>4,547,482.00</b>	<b>4,550,673.00</b>	<b>(3,191.00)</b>	<b>99.93%</b>	<b>(3,191.00)</b>
<b>Local Receipts:</b>					
Motor Vehicle Excise	2,380,617.00	2,045,000.00	335,617.00	116.41%	
Other Excise	217,287.00	170,000.00	47,287.00	127.82%	
Penalties and Interest	223,338.00	215,000.00	8,338.00	103.88%	
Payment in Lieu of Taxes	26,092.00	25,000.00	1,092.00	104.37%	
Fees	471,561.00	535,000.00	(63,439.00)	88.14%	
Licenses and Permits	999,261.00	1,000,000.00	(739.00)	99.93%	
Special Assessments	6,604.00	10,000.00	(3,396.00)	66.04%	
Fines and Forfeits	61,781.00	80,000.00	(18,219.00)	77.23%	
Investment Income	127,262.00	95,000.00	32,262.00	133.96%	
Miscellaneous Recurring	5,404.00	5,404.00	-	100.00%	
Miscellaneous Non Recurring	-	-	-	-	
<b>Total</b>	<b>4,519,207.00</b>	<b>4,180,404.00</b>	<b>338,803.00</b>	<b>108.10%</b>	<b>338,803.00</b>
<b>Transfers from other funds:</b>					
Ambulance	360,000.00	360,000.00	-	100.00%	
Fund 61-Water	348,583.00	348,583.00	-	100.00%	
Fund 24-Transfer Station	42,895.00	42,895.00	-	100.00%	
Fund 24-Recreation	88,027.00	88,027.00	-	100.00%	
Fund 25-Food Service	225,017.00	225,017.00	-	100.00%	
Fund 25-BASE	191,105.00	191,105.00	-	100.00%	
Fund 25-TCW	200,741.00	200,741.00	-	100.00%	
Fund 25-Full Day Kinder	43,377.00	43,377.00	-	100.00%	
Fund 62-Septage	39,502.00	39,502.00	-	100.00%	
Fund 63-Wastewater	-	-	-	-	
	<b>1,539,247.00</b>	<b>1,539,247.00</b>	<b>-</b>	<b>100.00%</b>	<b>-</b>
<b>Total Budgeted Revenue</b>	<b>69,294,160.00</b>	<b>68,907,086.00</b>	<b>387,074.00</b>	<b>100.56%</b>	<b>387,074.00</b>
<b>Unbudgeted Revenue:</b>					
OPEB Transfer- Article 4	594,835.00	-	-	0.00%	
Capital Closeouts	9,780.00	-	-	0.00%	
Full Day Kinder garden- FY 2014	7,913.00	-	-	0.00%	
Food Service - FY 2014	210,935.00	-	-	0.00%	
Tax Title Liens	390,423.00	-	-	0.00%	
Prior Year RE collections	375,757.00	-	-	0.00%	
Bond Premium	462,210.00	-	-	0.00%	
<b>Total Unbudgeted Revenue</b>	<b>2,051,853.00</b>	<b>-</b>	<b>2,051,853.00</b>	<b>0.00%</b>	<b>2,051,853.00</b>
<b>Total All Revenue</b>	<b>71,346,013.00</b>	<b>68,907,086.00</b>	<b>2,438,927.00</b>	<b>103.54%</b>	<b>2,438,927.00</b>

Town of Wayland  
Fiscal 2016 Total Revenue and Expenditures-GAAP  
Pre Close June 30, 2015

8/17/2015	FISCAL 2016 BUDGET TO ACTUAL				FISCAL 2014 ROLLOVER BUDGET TO ACTUAL			COMBINED VARIANCE FY 15 / FY 14
	Final Budget	YTD Actual	Encumbrance	FY 2015 Total (Uncollected) / Unspent	FISCAL 2014 CARRYFORWARD	FISCAL 2014 ACTUAL	CARRYFORWARD VARIANCE BUDGET / ACTUAL	
<b>REVENUES:</b>								
Taxation	58,636,762	58,688,224	n/a	51,462	n/a	n/a	n/a	51,462
State Aid:	4,550,673	4,547,482	n/a	-3,191	n/a	n/a	n/a	-3,191
Local Receipts	4,180,404	4,519,207	n/a	338,803	n/a	n/a	n/a	338,803
Transfers From Other Funds	1,539,247	1,539,247	n/a	0	n/a	n/a	n/a	0
Non Budgeted Revenue	0	2,051,853	n/a	2,051,853	n/a	n/a	n/a	2,051,853
Free Cash	1,664,094	0	n/a	-1,664,094	n/a	n/a	n/a	
Free Cash FY 15 ATM	523,196			-523,196	n/a	n/a	n/a	
Other Reserves	766,583	0	n/a	-766,583	n/a	n/a	n/a	
<b>Total Revenues</b>	<b>71,860,959</b>	<b>71,346,013</b>	<b>0</b>	<b>-514,946</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,438,927</b>
<b>EXPENDITURES:</b>								
General Government	3,981,412	3,549,469	185,172	246,771	182,154	44,331	137,823	384,594
Public Safety	5,905,553	5,641,327	590	263,636	15,483	14,998	485	264,121
Education	35,433,047	35,006,823	312,942	113,282	276,126	230,050	46,076	159,358
Minuteman Reg School	203,026	203,026	0	0	0	0	0	0
Public Works	2,870,236	2,644,352	71,908	153,976	9,976	9,976	0	153,976
Health and Human Services	1,216,915	1,174,160	0	42,755	0	0	0	42,755
Culture and Recreation	1,284,314	1,223,012	0	61,302	0	0	0	61,302
State and County Assessments	122,112	109,179	0	12,933	0	0	0	12,933
Debt Service	7,789,058	7,692,910	0	96,148	0	0	0	96,148
Pension	3,740,468	3,740,468	0	0	0	0	0	0
Unclassified	8,402,321	7,431,924	26,496	943,902	40,228	11,629	28,599	972,501
<b>Other Expenditures</b>	<b>88,400</b>	<b>6,183</b>	<b>0</b>	<b>82,217</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>82,217</b>
Overlay 2015	949,529	0	0	949,529	0	0	0	0
Overlay 2015	-949,529	0	0	-949,529	0	0	0	0
Transfers To Other Funds	249,094	249,094	0	0	0	0	0	0
Transfer to Other Funds-Capital	575,000	701,131	0	-126,131	0	0	0	-126,131
								0
	<b>71,860,956</b>	<b>69,373,058</b>	<b>597,107</b>	<b>1,890,791</b>	<b>523,967</b>	<b>310,984</b>	<b>212,983</b>	<b>2,103,774</b>

Fiscal 2015 Budget  
 Estimated Budget Turnback  
 6/30/2015

8/17/2015

PRE CLOSE TURNBACK PROJECTIONS

DEPARTMENT	BUDGET	Highes to Lowest	\$ Turnback as	% of Total
		\$ Turnback	% of Budget	Total Turnback
RESERVE FUND	325,000.00	280,783.00	86.39%	13.92%
INSURANCE 328	6,339,710.00	275,527.00	4.35%	13.66%
RESERVE FOR SAL ADJUSTMENTS	288,091.00	259,827.00	90.19%	12.88%
FIRE PERSONNEL SERVICES	2,311,164.00	188,804.00	8.17%	9.36%
SCHOOL DEPARTMENT	35,000,000.00	113,282.00	0.32%	5.62%
FACILITIES UTILITIES	567,665.00	98,280.00	17.31%	4.87%
DEBT	7,789,058.00	96,147.00	1.23%	4.77%
WAYLAND CARES	88,400.00	82,216.00	93.00%	4.08%
HIGHWAY PERSONNEL SERVICES	944,527.00	74,553.00	7.89%	3.70%
RECREATION P.S.	288,364.00	55,320.00	19.18%	2.74%
BOARD OF HEALTH EXPENSES	177,041.00	36,704.00	20.73%	1.82%
LEGAL EXPENSES	190,000.00	21,806.00	11.48%	1.08%
TRANSFER STATION	65,000.00	32,083.00	49.36%	1.59%
POLICE EXPENSES	334,950.00	29,638.00	8.85%	1.47%
UNEMPLOYMENT	125,000.00	29,235.00	23.39%	1.45%
INSURANCE GENERAL	600,000.00	26,388.00	4.40%	1.31%
RETIREMENT/BUYBACK	53,000.00	25,500.00	48.11%	1.26%
SNOW AND ICE	974,041.00	23,113.00	2.37%	1.15%
CONSERVATION	170,344.00	22,772.00	13.37%	1.13%
JCC COMMUNICATIONS	499,750.00	22,680.00	4.54%	1.12%
FACILITIES EXPENSES	240,952.00	18,321.00	7.60%	0.91%
MISC COMMITTEES	49,775.00	17,228.00	34.61%	0.85%
TOWN MEETING	90,000.00	13,324.00	14.80%	0.66%
BUILDING & ZONING	299,818.00	13,173.00	4.39%	0.65%
STATE ASSESSMENTS	122,112.00	12,933.00	10.59%	0.64%
POLICE/FIRE DISABILITY	15,000.00	12,173.00	81.15%	0.60%
FACILITIES PERSONNEL SERVICES	273,192.00	10,084.00	3.69%	0.50%
STREET LIGHTING	130,000.00	8,986.00	6.91%	0.45%
HIGHWAY SUPPLIES	74,800.00	8,786.00	11.75%	0.44%
FINANCE DEPARTMENT	366,861.00	8,130.00	2.22%	0.40%
SELECTMEN EXPENSES	30,000.00	7,224.00	24.08%	0.36%
PARKS PERSONNEL SERVICES	407,168.00	6,905.00	1.70%	0.34%
SURVEYOR	191,768.00	6,771.00	3.53%	0.34%
TOWN OFFICE	547,664.00	6,350.00	1.16%	0.31%
OCCUPATIONAL HEALTH	8,000.00	6,338.00	79.23%	0.31%
PERSONNEL BOARD P S	16,750.00	6,261.00	37.38%	0.31%
TREASURER	296,039.00	5,616.00	1.90%	0.28%
LIBRARY	995,950.00	5,979.00	0.60%	0.30%
HIGHWAY EXPENSES	206,700.00	5,465.00	2.64%	0.27%
MEDICARE	567,000.00	5,037.00	0.89%	0.25%
FIRE EXPENSES	219,245.00	4,313.00	1.97%	0.21%
COUNCIL ON AGING	228,080.00	4,312.00	1.89%	0.21%
ELECTIONS	35,198.00	4,255.00	12.09%	0.21%
POLICE PERSONAL SERVICES	2,196,125.00	3,952.00	0.18%	0.20%
FACILITIES SUPPLIES	38,500.00	3,390.00	8.81%	0.17%
PLANNING	110,490.00	3,310.00	3.00%	0.16%
PARKS EXPENSES	100,500.00	2,997.00	2.98%	0.15%
ASSESSOR	323,037.00	2,898.00	0.90%	0.14%
TOWN CLERK	137,103.00	2,639.00	1.92%	0.13%
NON-CONTRIBUTORY RETIREMENT	19,000.00	1,462.00	7.69%	0.07%
VETERANS	43,200.00	1,257.00	2.91%	0.06%
EMERGENCY MANAGEMENT	22,204.00	795.00	3.58%	0.04%
INFORMATION TECHNOLOGY	391,799.00	621.00	0.16%	0.03%
YOUTH SERVICES	171,176.00	478.00	0.28%	0.02%
DOG OFFICER	21,228.00	237.00	1.12%	0.01%
REGISTRAR	4,275.00	200.00	4.68%	0.01%
PARKS SUPPLIES	97,500.00	64.00	0.07%	0.00%

2,016,922.00

100.00%

Town of Wayland, Massachusetts  
Water Enterprise Fund  
Fiscal 2015  
Pre Close June 30, 2015

8/17/2015

	Fiscal 2015 Budget	Fiscal 2015 YTD-June 30	% Budget Collected	Fiscal 2014 YTD-June 30	\$ Variance FY 15 / FY 14
<b>REVENUES</b>					
<i>Operating Revenue:</i>					
Penalties and Interest	25,000.00	23,289.00	93.16%	22,135.00	1,154.00
Water Meter Charges	3,009,054.00	3,268,487.00	108.62%	3,353,695.00	(85,208.00)
Liens	-	133,088.00	n/a	123,819.00	9,269.00
Water Capital Improvement	-	-	n/a	369.00	(369.00)
Water Administration Fee	300,000.00	295,965.00	98.66%	251,100.00	44,865.00
Water Service Order	40,000.00	23,497.00	58.74%	16,288.00	7,209.00
Misc. Revenue	50,000.00	110,500.00	221.00%	48,087.00	62,413.00
Interest on Savings	8,000.00	6,273.00	n/a	7,978.00	(1,705.00)
<b>Total</b>	<b>3,432,054.00</b>	<b>3,861,099.00</b>	<b>112.50%</b>	<b>3,823,471.00</b>	<b>37,628.00</b>
<i>Unbudgeted Revenue</i>					
Closeouts from Fund 42	-	-	0.00%	429,597.00	(429,597.00)
	-	-	0.00%	429,597.00	(429,597.00)
<b>EXPENDITURES</b>					
<i>Operating Expenditures:</i>					
Personal Services	713,881.00	655,093.00	91.77%	658,358.00	3,265.00
Expenditures	1,283,387.00	1,264,924.00	98.56%	1,265,194.00	270.00
Funded Debt	1,086,203.00	1,046,453.00	96.34%	1,167,749.00	121,296.00
Indirect Fringe Transfers to GF	489,766.00	348,583.00	0.00%	435,928.00	87,345.00
Indirect Fringe Transfers to GF and OPEB	4,529.00	145,712.00	0.00%	12,285.00	(133,427.00)
<b>Total</b>	<b>3,577,766.00</b>	<b>3,460,765.00</b>	<b>96.73%</b>	<b>3,539,514.00</b>	<b>78,749.00</b>
<i>Unbudgeted Expenses</i>					
Transfer to Fund 63 for Prior Year Correction	-	8,693.00		0	(8,693.00)
Transfer to Fund 42 for Prior Year Correction	-	300,000.00		0	(300,000.00)
	-	308,693.00		-	(308,693.00)
<b>OTHER FINANCING TRANSFERS TO WATER CAPITAL</b>					
<i>Other Financing Uses:</i>					
Transfers to Capital Projects	775,000.00	775,000.00	100.00%	1,095,000.00	-
<i>Other Financing Sources:</i>					
Water Surplus to Fund 42	920,712.00	-			
<b>Total YTD Revenues</b>	<b>4,352,766.00</b>	<b>3,861,099.00</b>	<b>88.70%</b>	<b>4,253,068.00</b>	
<b>Total YTD Expenditures</b>	<b>4,352,766.00</b>	<b>4,544,458.00</b>	<b>104.40%</b>	<b>4,634,514.00</b>	
<b>Net YTD Operating Surplus / ( Deficit )</b>		<b>(683,359.00)</b>		<b>(381,446.00)</b>	
<b>FUND BALANCE</b>					
Undesignated Fund balance 7/01/2014		3,027,692.00			
Reserve for expenditure- Fiscal 2015		645,292.00			
Current outstanding encumbrances		-			
YTD expenditures ( Current Year & FY 14 rollover)		(4,545,648.00)			
YTD revenues		3,861,099.00			
Undesignated Fund balance-April 2013		2,988,435.00			

**Town of Weyland, Massachusetts**  
**Wastewater Enterprise Fund**  
**Fiscal 2015**  
**Pre Close June 30, 2015**

**8/17/2015**

REVENUE:	Fiscal 2015 Budget	Fiscal 2015 YTD-June 30	% Budget Collected	Fiscal 2014 YTD-June 30
<b>Operating Revenue:</b>				
Penalties and Interest	-	3,391.00	0.00%	321.00
Wastewater User Charges	203,125.00	298,221.00	146.82%	679,305.00
Liens	-	16,879.00	0.00%	-
Betterments	248,180.00	26,721.00	10.77%	25,551.00
Betterment Interest	203,600.00	7,508.00	3.69%	8,380.00
WW Betterment TC RE	-	207,494.00	0.00%	-
WW Betterment TC Interest	-	12,589.00	0.00%	-
Unapportioned WW Betterment Town Center	-	523,768.00	0.00%	-
Unapportioned WW Betterment-Interest Town Center	-	1,311.00	0.00%	-
Interest on Savings	-	2,089.00	0.00%	825.00
Misc Revenue	-	-	-	3,430.00
<b>Total</b>	<b>654,905.00</b>	<b>1,099,971.00</b>	<b>167.96%</b>	<b>717,812.00</b>
<b>EXPENDITURES:</b>				
<b>Operating Expenditures:</b>				
Personal Services	-	16,534.00	0.00%	22,626.00
Expenditures	255,625.00	197,545.00	181.67%	189,363.00
Funded Debt	451,780.00	464,385.00	102.79%	450,644.00
<b>Total</b>	<b>707,405.00</b>	<b>678,464.00</b>	<b>95.91%</b>	<b>662,633.00</b>
<b>Unbudgeted Revenue:</b>				
Transfer from Fund 61 prior year correction	-	8,693.00	0.00%	-
<b>Other Financing Sources / ( Uses )</b>				
Use of Retained Earnings	52,500.00	-	0.00%	-
<b>Total</b>	<b>52,500.00</b>	<b>-</b>	<b>0.00%</b>	<b>-</b>
<b>Total YTD Revenues</b>	<b>707,405.00</b>	<b>1,108,664.00</b>	<b>156.72%</b>	
<b>Total YTD Expenditures</b>	<b>707,405.00</b>	<b>678,464.00</b>	<b>95.91%</b>	
<b>FUND BALANCE</b>				
Undesignated Fund balance 7/01/2013		300,201.00		
Reserve for expenditure- Fiscal 2014		24,288.00		
Current outstanding encumbrances		(703,710.00)		
YTD expenditures ( Current Year & FY 13 rollover)		1,108,663.00		
YTD revenues		1,108,663.00		
Undesignated Fund balance-March 26, 2014		729,442.00		

Town of Wayland, Massachusetts  
Major Town Revolving Funds  
Pre Close June 30, 2015

8/17/2015	24220900 Ambulance Revolving Fund			24494000 Transfer Station Fund			24652000 Recreation Revolving Fund		
	FY 2015 YTD-June 30	FY 2014 Actual	FY 15 / FY 14 Variance	FY 2015 YTD-June 30	FY 2014 Actual	FY 15 / FY 14 Variance	FY 2015 YTD-June 30	FY 2014 Actual	FY 15 / FY 14 Variance
	Beginning Fund Balance-7/01/14	1,157,409.00	1,377,479.00	(220,070.00)	331,836.00	318,377.00	13,459.00	534,858.00	446,084.00
<b>REVENUE:</b>									
Revenue from services :	439,673.00	414,790.00	24,883.00	418,163.00	408,432.00	9,731.00	-	-	-
Revenue from programs:	-	-	-	-	-	-	-	-	-
Sudbury Recreation	-	-	-	-	-	-	4,150.00	44,930.00	(40,780.00)
Beach	-	-	-	-	-	-	15,845.00	19,165.00	(3,320.00)
Field Permits	-	-	-	-	-	-	171,817.00	111,009.00	60,808.00
Summer Camps	-	-	-	-	-	-	9,478.00	3,572.00	5,906.00
Youth Programs	-	-	-	-	-	-	4,324.00	6,256.00	(1,932.00)
Adult Programs	-	-	-	-	-	-	29,640.00	23,893.00	5,747.00
Misc revenue	-	-	-	-	-	-	573,776.00	748,331.00	(174,555.00)
Other revenue	-	-	-	-	-	-	8,359.00	-	8359
<b>Total</b>	<b>439,673.00</b>	<b>414,790.00</b>	<b>24,883.00</b>	<b>418,163.00</b>	<b>408,432.00</b>	<b>9,731.00</b>	<b>817,389.00</b>	<b>957,156.00</b>	<b>(139,767.00)</b>
<b>EXPENDITURES:</b>									
Operating Expenditures									
Personal Services	-	-	-	134,443.00	131,574.00	2,869.00	131,611.00	152,935.00	(21,324.00)
Expenses	40,621.00	-	40,621.00	310,288.00	263,399.00	46,889.00	411,186.00	375,227.00	35,959.00
<b>Total</b>	<b>40,621.00</b>	<b>-</b>	<b>40,621.00</b>	<b>444,731.00</b>	<b>394,973.00</b>	<b>49,758.00</b>	<b>542,797.00</b>	<b>528,162.00</b>	<b>14,635.00</b>
Other Financing Sources / ( Uses )									
Transfers to Other Funds	510,000.00	640,000.00	(130,000.00)	-	-	-	150,699.00	209,696.00	(58,997.00)
Transfers From Other Funds	253.00	-	253.00	-	-	-	-	-	-
<b>Total</b>	<b>510,253.00</b>	<b>640,000.00</b>	<b>(129,747.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>150,699.00</b>	<b>209,696.00</b>	<b>(58,997.00)</b>
<b>Total YTD Revenues</b>	<b>439,926.00</b>	<b>414,790.00</b>	<b>25,136.00</b>	<b>418,163.00</b>	<b>408,432.00</b>	<b>9,731.00</b>	<b>817,389.00</b>	<b>957,156.00</b>	<b>(139,767.00)</b>
<b>Total YTD Expenditures</b>	<b>550,621.00</b>	<b>640,000.00</b>	<b>(89,379.00)</b>	<b>444,731.00</b>	<b>394,973.00</b>	<b>49,758.00</b>	<b>693,496.00</b>	<b>737,858.00</b>	<b>(44,362.00)</b>
<b>Year to date Fund Balance total:</b>									
Beginning Fund Balance-7/01/14	1,157,409.00	1,377,479.00	(220,070.00)	331,836.00	318,377.00	13,459.00	534,858.00	446,084.00	88,774.00
Total YTD Revenues	439,926.00	414,790.00	25,136.00	418,163.00	408,432.00	9,731.00	817,389.00	957,156.00	(139,767.00)
Total YTD Expenditures	550,621.00	640,000.00	(89,379.00)	444,731.00	394,973.00	49,758.00	693,496.00	737,858.00	(44,362.00)
<b>6/17/2015</b>	<b>1,046,714.00</b>	<b>1,157,409.00</b>	<b>(110,695.00)</b>	<b>305,268.00</b>	<b>331,836.00</b>	<b>(26,568.00)</b>	<b>658,751.00</b>	<b>665,382.00</b>	<b>(6,631.00)</b>



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 10, 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 Signboard Request for WCPA for its Annual Beach Party at the Town Beach on 9/12/15
3. Vote the Question of Approving Town Counsel Invoice of 7/31/15 for \$9,608.82



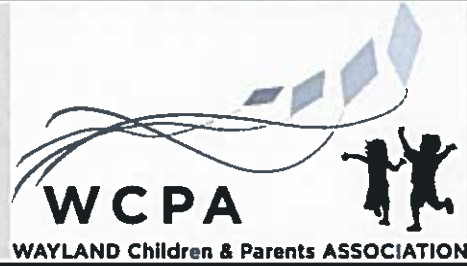
***Date:*** August 7, 2015

***To:*** Board of Selectmen

***From:*** Paula Dettorre, Human Resources Assistant

***Re:*** Request by the WCPA for placement of sandwich board signs at designated places to promote the WCPA Annual Beach Party at the Town Beach on September 12<sup>th</sup>.

The WCPA may post signs at the locations requested for seven (7) days per Chapter 97-3: Special Permits may be granted by the Selectmen from time to time. Town By-laws also state that town-wide civic and nonprofit sandwich boards may be displayed adjacent to the Town signboards. Signs may be placed at the following four locations: Below the permanent signs at Station Two in Cochituate, Old Connecticut Path and Cochituate Road (Five Paths), Route 20/Old Connecticut Path by the Coach Grill, and Town Center (corner of Routes 20 and 27). The signs may be placed at the approved locations from September 4<sup>th</sup> to September 10<sup>th</sup>. Upon approval the WCPA will be advised of the following guidelines when displaying temporary signs. The sandwich boards must be secured firmly. High winds have a tendency to displace temporary signboards causing a hazard to public safety. The temporary signs shall not obstruct any other signs or create any public safety hazard. The Town assumes no liability for any damage to the signs.



August 4, 2015

Via Email ([mdinapoli@wayland.ma.us](mailto:mdinapoli@wayland.ma.us))

Ms. MaryAnn DiNapoli  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

**RECEIVED**

**AUG -5 2015**

Board of Selectmen  
Town of Wayland

**Re: Signboard Request**

Dear Ms. DiNapoli:

The Wayland Children and Parents Association is hosting its annual beach party at the Wayland Town Beach on Saturday, September 12<sup>th</sup>, 2015.

We are requesting permission to post our sandwich boards to promote this event starting September 4<sup>th</sup>, 2015 at the following locations:

- "Five Corners" of Rt. 126 and Rt 27
- Cochituate Fire Station
- Corner of Route 20 and Route 27
- Coach Grill

Thank you for your consideration and we look forward to hearing from the Selectmen regarding our request.

Sincerely,  
Laura Jacques  
WCPA External Marketing/Public Relations

✓

**Mark J. Lanza**  
**Attorney at Law**  
9 Damonmill Square - Suite 4A4  
Concord, MA 01742  
Tel. # (978) 369-9100  
Fax # (978) 369-9916  
e-mail: mjlanza@comcast.net

**INVOICE - TOWN OF WAYLAND - 7/31/2015**

**SUMMARY**

FEE CALCULATION: 53.8 HOURS X \$160.00 PER HOUR =	\$ 8,608.00
DISBURSEMENTS (See below for detail)	1,000.82
TOTAL 7/31/15 INVOICE.....	<b><u>\$ 9,608.82</u></b>
AMOUNT PAYABLE FROM GENERAL FUND LEGAL BUDGET.....	<b><u>\$ 9,608.82</u></b>
AMOUNT PAYABLE FROM GENERAL FUND ECONOMIC DEVELOPMENT COMM. PROFESSIONAL SERVICES ACC'T .....	<b><u>\$0.00</u></b>

**DISBURSEMENTS**

7/2015	Long Dist. Tel. Charges (Detail on File)	8.88
7/2015	Postage	18.44
7/2015	FAXing (978) 369-9916 & (978) 261-5034	0.00
7/2015	Copying	8.50
7/14/15	Sage Hill, LLC Cert. of Good Stndg. Fee	37.00
7/17/15	Recording Fees - Mid. S. ROD	875.00
7/17/15	Mileage: 46 @ \$.50 =	23.00
7/17/15	Parking	4.00
7/17/15	Tolls	5.00
7/29/15	Mileage: 42@ \$ .50	21.00

Total Disbursements **\$1,000.82**



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JOSEPH F. NOLAN

**LIST OF PUBLIC DOCUMENTS PROVIDED TO  
THE BOARD OF SELECTMEN FROM JULY 31,  
2015, THROUGH AND INCLUDING AUGUST 6,  
2015, OTHERWISE NOT LISTED AND INCLUDED  
IN THE CORRESPONDENCE PACKET FOR  
AUGUST 10, 2015**

**Deferred until August 24, 2015**



# TOWN OF WAYLAND

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JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, August 10, 2015**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

## CORRESPONDENCE

### Selectmen

1. Letter of 7/20/15 from Town of Sudbury RE: Minuteman Technical High School
2. Letter of 8/5/15 from Town of Sudbury RE: Minuteman Technical High School
3. Agenda from Minuteman Vocational Technical High School, August 3, 2015
4. Memorandum of 8/3/15 from Wayland Board of Selectmen RE: Concerns with Minuteman Building Process
5. Email from L. Segal to the Wayland School Committee and Board of Selectmen RE: Attorney General's Office Open Meeting Law Determination
6. Letter to Town Administrator from G. Harris RE: Ignoring the Law in Wayland
7. Letter to J. Jenkins-Critides RE: 213 Willow Brook Drive Affordable Housing Restriction
8. News Release: MA School Building Authority (MSBA) Endorses Construction of a New Minuteman High School

### Conservation Commission

9. Determination of Applicability, Lake Cochituate Gatehouse, Wayland, MA

### Reports

10. Police Monthly Report, July 2015
11. DPW Director's Report, August 11, 2015



## TOWN OF SUDBURY

Office of Selectmen  
[www.sudbury.ma.us](http://www.sudbury.ma.us)

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776-1843  
978-639-3381  
Fax: 978-443-0756

Email: [selectmen@sudbury.ma.us](mailto:selectmen@sudbury.ma.us)

July 20, 2015

Dear Boards of Selectmen,

As you know, the Minuteman Regional Vocational Technical High School is moving ahead with plans for a new 628-student building and a district-wide vote to finance the new building.

In addition, Minuteman is applying to the Massachusetts School Building Authority (MSBA) for funding for the new building. MSBA will be discussing funding a new school on August 6, and will be able to distribute written comments received by July 30 to the members for consideration during this discussion.

The Minuteman School Committee will discuss and possibly vote on the district wide election at a special meeting on September 8, 2015.

Several towns in the Minuteman District have already voiced their opposition, in various forms, to both the 628-student school and the district wide vote. By my count, there are at least six such towns, including Sudbury.

On July 14, 2015, the Sudbury Board of Selectmen voted a position including these two summary points:

- The Sudbury Board of Selectmen opposes Minuteman's proposed 628-student building project.
- The Sudbury Board of Selectmen opposes the district-wide election proposed by the Minuteman School Committee and the Minuteman School Building Committee.

You should have received a copy of this position or will receive it shortly.

At our July 14 meeting the Sudbury Board of Selectmen felt it would be persuasive for those Boards of Selectmen in the Minuteman District that are opposed to the 628-student school and the district wide election to deliver a unified message conveying that opposition to the Minuteman Administration, the Minuteman School Committee, and the MSBA. We believe a single document, signed by the district town's Boards of Selectmen, would be more persuasive than separate documents and would demonstrate a unified position and common concern. Such a document could not easily be ignored by Minuteman, or the MSBA, and could serve as a valuable reference point in future discussions and meetings.

Time is of the essence.

Sudbury is offering to host a meeting of representatives of the several Boards of Selectmen to discuss positions upon which we can agree concerning the building size, the district wide elections and other related Minuteman issues on Monday, August 3, at 7:30 PM at our Town Hall. Sudbury will be represented by one or two of our five selectmen at the meeting.

①

Please address any questions and concerns to: [boardofselectmen@sudbury.ma.us](mailto:boardofselectmen@sudbury.ma.us)

The contact selectman for Sudbury's Board of Selectmen for this meeting is Len Simon. Phone- 978-443-4206.

Thank you for your attention to the above.

Very truly yours,

A handwritten signature in black ink, appearing to read "Len Simon". The signature is written in a cursive style with a large initial "L" and a long, sweeping underline.

Len Simon  
Sudbury Board of Selectmen



## TOWN OF SUDBURY

Office of Selectmen  
[www.sudbury.ma.us](http://www.sudbury.ma.us)

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776-1843  
978-639-3381  
Fax: 978-443-0756

Email: [selectmen@sudbury.ma.us](mailto:selectmen@sudbury.ma.us)

August 5, 2015

To: Massachusetts School Building Authority Board of Directors

Thank you for the July 21, 2015 memo from Mary Pichetti to John K. McCarthy regarding Minuteman Technical High School which has critical background facts and information.

The timing of distribution of the memo was both coincidental and serendipitous. On July 20, 2015, on behalf of the Sudbury Board of Selectmen, I wrote to the 16 towns in the Minuteman District offering to host a selectman-level meeting of the towns in the district on August 3, 2015. A copy of Sudbury's July 20 letter is enclosed for your reference. The purpose of the meeting was to discuss a 628-seat school and a district wide vote for capital funding.

On July 22, 2015, the MSBA distributed copies of correspondence from Arlington, Belmont, and Sudbury to all towns in the district, and included its July 21, 2015, memo.

This, then, was the setting in which the August 3 selectman-level meeting took place:

- Independent letters of concern from Arlington, Belmont, and Sudbury to MSBA
- MSBA's July 21 memo recapitulating the chronology and outlining its funding position
- The request by Sudbury for a selectman-level meeting

Thirteen of the sixteen towns in the district sent one or more selectmen, or a high level administrator, to the August 3 meeting. For over an hour and a half we had a candid exchange of views, including discussions of school size and capital funding mechanisms. We agreed to continue meeting at the selectmen level.

In his July 22 letter to the Boards of Selectmen Mr. McCarthy wrote:

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 move forward.

Mr. McCarthy's suggestion to resolve issues among the member communities, and the proposal to meet in Sudbury, were independent, but temporally and causally related. Both point to the necessity for member community dialog.

The member communities have met, and have agreed to continue to meet to resolve the issues. The three towns that did not send a representative will be invited to all future discussions.

To be sure, there are differences of opinion about school size and funding, and questions about towns that wish to withdraw from the district that merit selectman-level consideration and discussion. Some member communities contend that the building issue cannot be resolved absent a change in the Regional Agreement. Others argue that it is critical to proceed with the building project. We need breathing room for those discussions.





## TOWN OF SUDBURY

*Office of Selectmen*  
[www.sudbury.ma.us](http://www.sudbury.ma.us)

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776-1843  
978-639-3381  
Fax: 978-443-0756

Email: [selectmen@sudbury.ma.us](mailto:selectmen@sudbury.ma.us)

Speaking as an individual Selectman, I respectfully ask that the item on your August 6, 2015, regarding funding for a 628-seat Minuteman High School be indefinitely postponed. Please keep Minuteman open and do not foreclose any option. This will allow member towns to continue our dialog at the town policy setting level.

To me, a sustainable, right-sized school is linked to a (roughly) equivalent number of in-district students. Indeed, it is the current great disparity between in-district and out-of-district students that is one of the key concerns troubling a number of member towns.

It has occurred to some involved that the Legislature may be of assistance in resolving one or more of the difficult obstacles we are facing.

Thank you for your consideration of the above.

As I write this letter I do so as one Sudbury Selectman, and not on behalf of the entire Board because time is of the essence, i.e. your August 6 Board meeting. There is not time to notice and hold a Board of Selectmen meeting before your meeting tomorrow.

Sincerely yours,

Len Simon

CC: Minuteman High School Administration  
Selectmen in the Minuteman School District

## AGENDA

Representatives of the Boards of Selectmen of the  
Minuteman Vocational Technical High School District

Date: Monday, August 3, 2015

Time: 7:30 PM

Location: Grange Hall, 326 Concord Rd., Sudbury, MA 01776

1. Call to order
2. Welcome by Sudbury Selectman
3. Introductions
4. Discussion of purpose of meeting
5. Discussion of Minuteman's proposed 628-student building project
6. Discussion of the district-wide election proposed by the Minuteman School Committee and the Minuteman School Building Committee
7. Discussion of actions/positions that can be adopted by the District's Boards of Selectmen
8. Discussion of other matters relating to Minuteman Vocational Technical High School
9. Adjournment

**Please RSVP by Friday, July 31 to:** **Patty Golden or Leila Frank**  
**[BOAdmin@sudbury.ma.us](mailto:BOAdmin@sudbury.ma.us)**  
**(978) 639-3381**

*File: Minuteman  
Correspondence*



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
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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  
John K. McCarthy, Executive Director, MSBA  
Minuteman School Committee  
Edward Bouquillon, Superintendent, Minuteman Vocational Technical School  
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:** Concerns with Minuteman Building Process

The Wayland Board of Selectmen appreciates the value of vocational and technical education and training and is committed to providing a quality education to our students who choose this educational path. For many years Wayland students have been productive members of the Minuteman community, and we enjoyed a collaborative partnership with member communities.

Wayland's request to withdraw from membership stems from our declining enrollment and the proposed future direction of the school; it is not a reflection of our level of support for vocational programs. In the meantime, we will continue to work collaboratively with all member communities and interested authorities to resolve any outstanding issues.

As an existing member community, we share these concerns recently expressed by other Minuteman communities:

Building Size: The Wayland Board of Selectmen does not agree with the size and scope of a building request for 628 students paid for solely by member communities. This is an unsustainable funding model to expect member communities to fund the full construction and it would be more equitable for the State to share in the cost of this mandated education model.

Capital Costs: Thank you for sharing the informative MSBA staff memo dated July 21, 2015 explaining the MSBA decision to accept the 628-student size due to economies of scale related to vocational education programs. We would like to better understand the recent amendment of 603 CMR 4.00 and how this will impact the capital expense to be born by member and non-member communities.

District-wide Election: The Wayland Board of Selectmen opposes the Minuteman District's plan to hold a district-wide election to win approval for funding the proposed building project.

The proposed vote bypasses deliberation at the level of the Minuteman School Committee and the Wayland Board of Selectmen, Finance Committee and town meeting. Further, it circumvents the structure of the regional agreement with one vote per community and creates a costly district-wide ballot with restricted hours and polling sites, which may hinder the public's interest and involvement.

Communication of MSBA process: The Wayland Board of Selectmen requests that the District improve its communication regarding its MSBA process. As mentioned above, the MSBA staff memo of July 21, 2015 was very informative and the District should communicate similar information about the MSBA process on a routine and timely basis. As you state in the same memo, "the District is responsible throughout the MSBA grant process for addressing any concerns and questions raised by its local boards, member towns or from the community."

Additionally, the Board does not support a vote that precedes the project approval through the MSBA process. In our experience with similar MSBA building projects, the details of the project would be completed prior to bringing any funding request to residents.

This letter reflects the vote of the Wayland Board of Selectmen on August 3, 2015.

Respectfully,

Wayland Board of Selectmen

  
Cherry C. Karlson, Chair

**Balmer, Nan**

---

**Subject:** FW: CORRESPONDENCE - courtesy copy of Letter to the Editor

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**From:** Linda Segal [mailto:lmsegal@comcast.net]  
**Sent:** Thursday, August 06, 2015 8:48 AM  
**To:** 'Ellen Grieco'; 'Barb Fletcher'; 'Jeanne Downs'; 'Donna Bouchard'; Kathie\_Steinberg@wayland.k12.ma.us; Karlson, Cherry; Antes, Mary; Anderson, Lea; Boschetto, Anthony V.; Nolan, Joseph F.; Selectmen  
**Cc:** Stein, Paul; Balmer, Nan; Linda L. Segal  
**Subject:** CORRESPONDENCE - courtesy copy of Letter to the Editor

To the Wayland School Committee and Board of Selectmen:

The Attorney General Office's Open Meeting Law determination letters are posted on line:  
<http://www.oml.go.state.ma.us/Default.aspx?section=0>

Click on the July 21, 2015 date to access decision #2015-99, addressed to Wayland Town Counsel Mark Lanza.

The footnote at the bottom of page 1 begins with: "Beginning on December 23, 2014, for Mr. Hams' complaint, and on February 3, 2015, for Mr. Lodge's complaint, our office made repeated requests to the Board's legal counsel for information and documentation necessary to resolve this matter. Counsel ultimately provided the requested documentation to our office on May 5, 2015....."

Below is a courtesy copy of my Aug. 3 Letter to the Editor to the *MetroWest Daily News* and *Wayland Town Crier* newspapers.  
The editors determine the titles used.

## **Segal: Obstructing an investigation in Wayland**

- Posted Aug. 3, 2015 at 10:29 PM

The July 21, 2015 decision from the Attorney General's Office Division of Open Government against the Wayland School Committee (OML 2015-99) included a lengthy footnote on the bottom of page 1 revealing that Wayland Town Counsel Mark Lanza delayed almost five months in providing documents for the agency's investigation of alleged wrongdoing.

The August 2 MetroWest Daily News editorial titled "Ignoring the Law in Wayland" portrays a very sad state of affairs in our community.

<http://www.metrowestdailynews.com/article/20150801/OPINION/150809591/1007/OPINION>

An apparent legal strategy including obstruction of the Attorney General Office's investigation is shocking and unacceptable. The Wayland Board of Selectmen (the board that employs and oversees town counsel) and the School Committee owe Wayland residents and taxpayers a full explanation and apology in writing for this behavior.

LINDA L. SEGAL

*Wayland*

The Attorney General's Office relies on the cooperation of the governmental bodies involved in order to resolve Open Meeting Law complaints in a timely manner.

<http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html#Investigations> See sections 23 and 24.

<http://www.mass.gov/ago/government-resources/open-meeting-law/940-cmr-2900.html> See 29.05 and 29.06.

I look forward to hearing from you on this matter.

Linda

-----Original Message-----

From: George Harris [mailto:geoharris2@gmail.com]

Sent: Monday, August 03, 2015 10:16 AM

To: Balmer, Nan

Subject: Editorial

RECEIVED

AUG - 3 2015

Board of Selectmen  
Town of Wayland

Hi Nan,

I presume you've seen this. But if not, here it is. I'm sending it for inclusion in the Selectmen's packet.

George

**MetroWest Daily News, Sunday, August 2, 2015 Page E4**

## **OPINION**

**Editorial: Ignoring the law in Wayland**

Transparency and accountability aren't just vague promises pledged by politicians; they are the building blocks of public trust. In Massachusetts cities and towns, transparency and accountability aren't just expected by voters, they are written into the law. The Open Meeting Law says decisions on public issues must be made in public. The Public Records Law guarantees citizens access to government documents.

Most MetroWest officials respect the spirit of these laws and their obligations to the public. If they err in the laws' applications and are called to account, they learn their lesson, train their people and make sure it doesn't happen again.

Then there's Wayland.

Wayland is a repeat offender, challenged over and over again by citizens and press for hiding government actions behind closed doors and found in violation, over and over again, by the state Attorney General's Office. According to Wayland Transparency, a website maintained by activist citizens, the AG's office has made determinations on 28 complaints against town boards, and found the boards in violation in 22 cases. In two cases, the AG imposed fines for intentional violations – out of just five such fines imposed on municipalities across the commonwealth. No other town among Wayland's peer communities even comes close.

The latest finding came in response to separate complaints filed by the MetroWest Daily News and George Harris, a Wayland attorney, with the AG's office concluding that, in several instances, the School Committee improperly went behind closed doors to discuss a controversial matter and might have improperly redacted portions of the minutes of the executive session.

A footnote in the AGO ruling indicates the lack of seriousness with which OML complaints are taken in Wayland. It notes that it took nearly five months, and repeated requests by the Attorney

General's Office, before Wayland's town counsel provided documents requested by investigators.

This is not about bureaucratic niceties. The matter in question is a serious charge: the "investigation of charges of criminal misconduct," in the words of the School Committee. The investigation has focused on the use of public funds by the director of the school district's METCO program, and her inability to provide receipts to show how funds were used. Taxpayers deserve the facts about how public money is handled, not secrecy and evasion.

Now there's another controversy testing town officials' willingness to be transparent. The School Committee fired the athletic director, who leveled a string of allegations on his way out the door, including possible violations of Title IX, which requires equal treatment for girls' teams, and a charge that an assistant principal and popular coach steered \$170,000 in school and town business to apparel companies connected to himself and his father.

Wayland residents expect their elected representatives to balance the public interest in learning the truth behind these allegations against the legitimate need to protect the privacy of school employees. They should expect local officials to follow state laws that require open public meetings and accessible public records. But if the past is a guide, they may be expecting too much.

Wayland's record of violating these laws is the exception, not the rule, among local municipal governments. But they point to a need to strengthen these laws, and increase punishments for repeat offenders. The state must get tough on officials who hide their actions from the public and violate the law, but citizens must respond as well, by holding repeat offenders accountable at the ballot box.





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

August 6, 2015

### BY HAND

Jennifer Jenkins-Critides  
213 Willow Brook Drive  
Wayland, MA 01778

RE: 213 Willow Brook Drive, Wayland, MA -  
Affordable Housing Restriction

Dear Ms. Jenkins-Critides:

I am Town Administrator for the Town of Wayland. The above-referenced condominium unit, which you own, is subject to an affordable housing deed rider dated October 6, 1997, which you signed on November 14, 1997. The Town of Wayland has the right to enforce the rider. The deed rider restricts the use of your unit to single-family residential affordable housing purposes. It does not authorize the lease or rental of the unit for profit.

I have been informed that you have leased the above-referenced property to tenants at rates that exceed established affordability guidelines. Leasing or renting your unit to tenants, especially at rates greater than those set forth in the affordability guidelines promulgated by the Massachusetts Department of Housing and Community Development, violates the deed rider as well as the conditions of the special permit issued by the Town of Wayland Planning Board for the Willowbrook Condominium Development. Unit 213 may be occupied and used by eligible occupant for residential dwelling purposes only.

The Town of Wayland hereby gives you notice to immediately cease using Unit 213 as a rental income property occupied by ineligible tenants. Your failure to comply with this notice will result in legal action by the Town to enforce the terms and conditions of the deed rider and special permit.



NAN BALMER  
TOWN ADMINISTRATOR  
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Thank you for your attention to this matter.

Sincerely,

Nan Balmer  
Town Administrator

cc Massachusetts Department of  
Housing and Community Development

Wayland board of Selectmen ✓  
Planning Board  
Wayland Housing Authority  
Town Counsel

**For Release:**  
August 6, 2015

**Contact:**  
Steven C. Sharek  
Work: (781) 861-6500, ext. 7360  
Cell: (508) 965-7757  
[ssharek@minuteman.org](mailto:ssharek@minuteman.org)

**Massachusetts School Building Authority (MSBA)  
Endorses Construction of a New Minuteman High School**

BOSTON – The Massachusetts School Building Authority (MSBA) today unanimously endorsed the building of a new 628-student Minuteman High School on district land adjacent to the existing school.

Meeting in Boston, the MSBA Board of Directors voted 4-0 in favor of the district’s “preferred solution” – construction of a new \$144.9 million school for 628 students. The board also authorized the school to prepare detailed schematic drawings for the new building.

“This is a huge step forward,” said Ford Spalding, chairman of the Minuteman School Building Committee. “Now it’s time for everyone in our member communities to rally around this project and protect the \$58 million that MSBA is offering to invest.”

The new high school, which would be built in the Town of Lincoln on land already owned by the District, would be funded by the MSBA and the 16 district towns. The MSBA would pay a minimum of 40% of eligible costs.

The new school would be smaller in size than the current school, with fewer students, but would still offer a host of advanced career and technical education programs designed to meet the region’s current and emerging workforce needs.

State Treasurer Deborah Goldberg, who chairs the MSBA board, delivered an impassioned plea supporting vocational technical education and the value of schools such as Minuteman across the Commonwealth.

“There’s a direct connection between these schools and sustainable economic development in the state,” said Treasurer Goldberg. She described Minuteman as a “magnet” for students who will be filling 21<sup>st</sup> century jobs. “We need to move forward,” she said, “because of what it means to the state and our future.”

Once parents begin to see the connection between vocational technical education and high-paying jobs, she said she would not be surprised to see Minuteman back at the MSBA seeking to expand.

"It's been a lot of hard work and I'm very pleased," said Superintendent Edward A. Bouquillon, "We've spent six years getting to this point. I'm grateful that the MSBA has stood solidly behind us every step of the way."

Dr. Bouquillon told the MSBA board that Minuteman would continue working with its 16 member towns to inform and educate them about the project. Communication plans, including information meetings throughout the district, are being finalized.

In a four-page memo provided to the Board of Directors, MSBA Director of Capital Planning Mary Pichetti outlined a series of reasons why the MSBA staff was recommending approval of the Minuteman project. Among other things, she said vocational technical education plays an important role in the economic future of the state; Minuteman is an important educational resource for students; the school's Educational Program Plan is "comprehensive", demonstrates demand for proposed programs, and aligns with evolving trends in employment; and there is a need for capital investment in the existing facility.

The July 21 memo also noted that new vocational technical regulations establish a capital fee to be added to non-resident students' tuitions and an additional fee for non-resident students enrolled in special education. According to the memo, this change "...addresses one of the District's long-standing concerns regarding its member's share of supporting non-resident students."

The MSBA memo strongly endorsed the planned 628-student school. It also indicated that a school with an enrollment of 600 is the *smallest* school the agency would be willing to commit state funds to.

"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," wrote Ms. Pichetti. She said a school of 435 students "is not operationally sustainable and would not meet the District's educational goals." According to Ms. Pichetti, "[t]he 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."

Pichetti said a review of enrollment and application data "... demonstrate sufficient demand for program offerings to ensure the facility will be utilized."

MSBA Board member Terry Kwan said she would be "loathe" to support a school with fewer than 600 students.

State Representative Carmine L. Gentile (D-Sudbury) and Representative Alice Peisch (D-Wellesley) also spoke to the MSBA board, noting that some town officials still had concerns about the size of the planned school and how it's going to be funded. However, both also acknowledged the need for a new school.

The new school will include two Career Academies and new programming, including Advanced Manufacturing & Fabrication and Multi-Media Design & Engineering. It will also substantially improve lab space for Robotics, Engineering and Automation; Environmental Science and Technology; Culinary Arts and Hospitality; and Health Assisting, allowing students to access high-level curriculum. It will also continue to offer AP classes, foreign languages, music, art, and a rigorous offering of college prep classes.

Minuteman must still secure local approval for the project.

The Minuteman School Committee has been discussing how best to proceed. State laws allows two options: approval from Town Meetings in each of the 16 member towns or approval through a one-day district-wide referendum. No decision has been made.

Some School Committee members have indicated that they want to hold off making a decision on the best approval process until the 16 communities have an opportunity to learn more about the project and understand critical financial and educational advantages of the new school.

As Building Committee chair, Mr. Spalding has said repeatedly that it's important to preserve MSBA's base reimbursement rate of 40% -- which amounts to \$58 million of a \$144.9 million project. "If we turn down this project," Mr. Spalding says, "the costs to our towns of repairing the building will far exceed what we're going to invest in building a new school."

Earlier this year, the Minuteman School Building Committee hosted public presentations in 15 of its 16 member communities and solicited input on five options, including renovation of the existing school, renovation and addition, and construction of a new school. Of those who completed written or online surveys, 89.1% of the respondents preferred construction of a new school.

A Building Committee Subcommittee estimated that repairing the school piecemeal would be almost twice as expensive as building a new school, take 10 years or more to complete, be more disruptive to students, probably hurt enrollment, and likely lead to the loss of Minuteman's accreditation.

Minuteman entered into a Feasibility Study with MSBA in 2009.

Minuteman is an award-winning regional high school that gives its graduates a competitive edge in the new global economy by providing them with a high-quality career and technical

education, coupled with a rigorous grounding in mathematics, English, science, and social studies.

After graduation, more than 60% of the school's graduates pursue college or advanced training.

Minuteman has been spotlighted in several major media outlets, including The Boston Globe, Boston Herald, and National Public Radio. It was also featured in a book, *Job U: How to Find Wealth and Success by Developing the Skills Companies Actually Need*.

The Minuteman district includes 16 member communities: Acton, Arlington, Belmont, Bolton, Boxborough, Carlisle, Concord, Dover, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland, and Weston.

The school's website is [www.minuteman.org](http://www.minuteman.org).

###



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

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

August 5, 2015

RECEIVED

AUG -5 2015

Board of Selectmen  
Town of Wayland

William Salomaa  
Department of Conservation & Recreation  
251 Causeway Street, Suite 700  
Boston, MA 02114-2119

Re: DETERMINATION OF APPLICABILITY [D-862] - WETLANDS PROTECTION ACT (WPA)  
Lake Cochituate Gatehouse, Wayland, MA

Dear Mr. Salomaa:

Enclosed please find the original Determination of Applicability issued by the Wayland Conservation Commission regarding the approved repair project at the Lake Cochituate Gatehouse at the rear of Commonwealth Road in Wayland. No other work is permitted by this decision.

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

Sincerely,

Brian J. Monahan  
Conservation Administrator

Enclosure

cc: Building Department w/enc.  
Town Clerk w/enc.  
DEP - NERO w/enc.  
Briscoe Lang, P.W.S., Pare Corporation w/enc.  
Board of Selectmen  
Board of Health  
Planning Board  
Abutters  
File



# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

[REDACTED]

AUG -5 2015

Board of Selectmen  
Town of Wayland

## Monthly Update

### July 2015

On July 5<sup>th</sup> officers responded to a 911 call reporting a domestic situation at a home in North Wayland. The male resident was arrested at his home for three counts of Domestic Assault and Battery.

On July 6<sup>th</sup> Officers responded to a report of domestic violence inside the Dunkin Donuts on East Plain Street. Police arrested a Framingham man who was charged with Assault and Battery.

On July 7<sup>th</sup> a following a motor vehicle stop for defective equipment, a Chelsea man was placed under arrest for Operating Without a License.

On July 10<sup>th</sup> following a motor vehicle stop for speeding, a Worcester man was charged with Operating With a Suspended License (subsequent offense).

On July 19<sup>th</sup> an officer stopped a vehicle for failing to stop at a stop sign and speeding. The operator, a Brighton man was arrested for Operating Under the Influence of Alcohol and motor vehicle infractions.

On July 19<sup>th</sup> an officer stopped a truck when he noticed that the front and rear license plates did not match. The operator, a Framingham man was arrested for Operating With a Suspended License (subsequent offense).

On July 19<sup>th</sup> following a motor vehicle stop for an inspection sticker violation the operator was arrested and charged with Unlicensed Operation of a Motor Vehicle.

On July 26<sup>th</sup> at approximately 2:30 a.m. an officer encountered a male who was standing outside his vehicle on Commonwealth Road. After an investigation the Marlborough resident was placed under arrest for Operating Under the Influence of Alcohol.

On July 27<sup>th</sup> the Wayland Police received a call for a disturbance in the parking lot of the Prime 131 Restaurant. Two employees called to report that a former co-worker arrived



at the establishment and she was highly intoxicated. They were unsuccessful in their attempts to keep her from driving. The callers provided the officers with a description of the vehicle.

An officer located the vehicle travelling west on Boston Post Road approaching the town of Sudbury. The officer stopped the vehicle and the operator, a female from Marlborough was charged with Operating Under the Influence of Alcohol and Marked Lanes Violation.

On July 31<sup>st</sup> an officer responded to Brook Trail for a report of obscenities spray painted on the roadway. After an investigation a Wayland man was charged with Malicious Destruction/Defacing Town Property. The arrested person was brought to the station and was waiting to be released on bail. While waiting in the cell, the male subject jumped up and punched the fire sprinkler head located near the ceiling of the cell and caused the fire sprinkler system and fire alarm to activate in the building. He received additional charges for damaging the sprinkler system and triggering the fire alarm. He was brought for a psychological evaluation and released on bail.

The Wayland Police Department plans to seek restitution to repair the damage to the roadway, the damage to the fire suppression system, and the cost of the clean up.

**Wayland Police Department Detective Division Report for July 2015**

**INVESTIGATIONS**

Fraudulent Checks/Larceny over \$250 – Middlesex Savings Bank  
Fraud/Larceny over \$250 – Wayland High School  
Larceny over \$250 – TD Bank  
Larceny/CC Fraud – Whole Foods  
32 MV B&E – Various locations  
Larceny – Verizon Wireless

**MEETINGS/TRAININGS**

Danforth Properties Complaint  
Master IT Plan

**MISCELLANEOUS**

Framingham District Court – MV/Criminal Hearings  
Speed Radar Deployment – Pelham Island, Pemberton and Bow Roads

***Wayland Police Department  
Monthly Training Report***

Officers of the Wayland Police Department attended the following training programs during the month of July 2015:

**Fair and Impartial Policing Training**  
Weston Police

Sgt. William Smith	July 14th 2015
Officer Sean Fitzgerald	July 15th 2015
Officer Chris Hanlon	July 16th 2015

# **Wayland Police Department**

## **Press Release**

**July 13, 2015**

**Chief Robert Irving is pleased to announce the appointment of Justen E. Kazan and Colin M. Fitzpatrick as police officers with the Wayland Police Department. Officers Kazan and Fitzpatrick were selected for these positions in October of 2014**

**Both Officers graduated from the M. P.T.C. Boylston Regional Police Academy, 24<sup>th</sup> Recruit Course July 2<sup>nd</sup>.**

**Officer Fitzpatrick graduated from Xaverian Brothers High School in Westwood in 2003 and attained a Bachelor of Arts Degree in Criminal Justice from Saint Anselm's College in 2008. He enlisted in the United States Army in 2010 and served in Afghanistan as an Intelligence Officer until he was honorably discharged in 2013. While in the Army, Officer Fitzpatrick received several medals and commendations, including the Army Good Conduct Medal, the National Defense Service Medal, the Combat Action Badge and the Parachutist Badge.**

**Officer Kazan graduated from Nipmuc Regional High School in Upton in 2005. He has attended Bridgewater State University and is currently working towards his Bachelor's Degree. Officer Kazan was a member of the United States Marine Corps Reserves and served for more than a year in Afghanistan. While in the Marines, Officer Kazan received the several medals and commendations including the Afghanistan Campaign Medal, the Combat Action Ribbon and the Purple Heart Medal. Officer Kazan worked as a civilian police officer at Hanscom Air Force Base and as a federal police officer at the United States Department of Veteran Affairs in Providence Rhode Island.**

**A swearing in ceremony will take place at the Board of Selectmen's meeting this evening, when Officers Kazan and Fitzpatrick will take the Oath of Office from Wayland's Assistant Town Clerk, Diane Gorham.**

**The hiring of Officers Kazan and Fitzpatrick brings the overall strength of the department to its authorized level of twenty-three.**

# DPW Director's Report

August 11, 2015

## Water Division

- WMA Permitting Process progressing. Application deadline is August 31st
- Began the training of our two new Water Workers
- Mandatory Water Ban went into effect on Aug 5th. Crews were in Wednesday night and found 122 addresses that were in violation of the water ban. Letters of reprimand were handed out along with copies of section 190 of the Town by-law.
- Town-wide Leak Detection progressing. No major leaks discovered yet. They are about 45% complete
- All Well Master Meters were flow tested and calibrated
- The Water Division is now an EPA WaterSense Partner [www.epa.gov/watersense](http://www.epa.gov/watersense). The EPA program will complement the Water Conservation Program that we are currently developing as part of our WMA Permit.
- Don Millette was interviewed on 8/7/15 by the Wayland Town Crier for a public-information article about the increased water ban.

### Treatment

Rebuilt finish water sodium hypo pump at the Water Treatment Plant  
Flushed & cleaned chemical feed lines at the Water Treatment Plant

### Distribution

Repaired water service leak at 74 Lake Shore Drive  
Repaired water service leak at 22 Michael Road  
Replaced main to curb at 20 Riverview Circle  
Investigate 8 leaking Fire Hydrants discovered by our Leak Detection Contractor - All Hydrants were repaired  
Repaired Fire Hydrant at 10 Black Oak Road

## Highway Division

- Final top coat applied to Happy Hollow Rd, Rice Spring Ln, Nolan Farm Rd, Juniper Ln, and Goodman In
- Extensive debris clean-up from Tuesday 8/4/2015 storm
- Rebuilt 7 manhole / catch basins
- Replaced / installed 9 road signs throughout the Town
- Installed wall barrier and paved portion of Pelham Island Rd
- Implemented 2 emergency traffic-control detours at the request of the Police

### Vehicle Maintenance:

Prepped all equipment for annual State inspection  
H-1 – Sent to shop to repair rear crash damage  
H-3 – Rebuilt front suspension components and performed minor electrical repairs  
H-4 – Replaced tailgate cables and windshield  
H-5 – Replaced tires and aligned vehicle  
H-8 – Welded hydraulic tank and charged a/c system  
H-14 – Replaced rear springs and broken taillight  
H-17A – Permanently mounted sander body  
M-1 – Repaired damaged oil pan  
P-51 – Replaced damaged tire  
P-57 – Replaced front hub, replaced tires

## **Park Division**

- Extensive debris clean-up from Tuesday 8/4/2015 storm
- Conducted 7 cemetery interments
- Painted Town Signboard frames
- Responded to 5 emergency call-ins regarding trees fallen in roadways
- Ground several tree stumps left from emergency tree removals

## **Transfer Station Division**

- In FY2016, 1586 Full Stickers have been sold as of August 1. Of those, 1097 were paid by check (70%), 436 were paid by credit card on-site (27%), and 53 were purchased online (3%). Sales in FY16 are currently up 12% - at this point in FY2015, 1389 Full Stickers had been sold.
- In FY2016, 118 Recycle Only Stickers have been sold as of August 1. Of those, 98 were paid by check (83%) and 20 (17%) were paid by credit card. Sales in FY16 are currently exactly on pace with FY15 - at this point in FY2015, 118 Recycle Only Stickers had been sold.
- Ground up collected brush
- Mowed capped landfill