

PACKET

AUG 31

2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN Monday, August 31, 2015 Wayland Town Building Selectmen's Meeting Room

Proposed Agenda

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

- 6:30 pm 1.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Disposition of the Wayland/Sudbury Septage Facility
- 7:00 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:15 pm 4.) Joint Meeting with Planning Board to Interview Candidates and Potential Vote to Appoint Associate Planning Board Member for a Term to Expire at the 2016 Annual Town Election
- Nicole W. Riley
 - Jennifer Steel
- 7:35 pm 5.) Discuss Potential to Waive Attorney Client Privilege of Letter submitted by Attorney Toomey of Murphy, Hesse, Toomey & Lehane; Meet with School Committee Representative to Discuss and Potential Vote to Co-Sponsor Article to Adopt State Statute for School Revolving Funds
- 8:05 pm 6.) Meet with Representatives of the Recreation Commission to Discuss Special Town Meeting Article to Authorize the Board of Selectmen to Petition the Legislature for a Special Act to Increase the Cap on the Recreation Revolving Fund; Discussion of Recreation Budget Structure for FY17
- 8:35 pm 7.) Discussion and Vote to Submit Articles Sponsored by the Board of Selectmen
- a. Amend Minuteman Regional Vocational School District Agreement to Allow Withdrawal by the Town of Wayland
 - b. Vote to Co-Sponsor with the Finance Committee the Article to Revise Sources of Funding for the Fiscal Year 2016 Operating Budget
 - c. Rescind Town's Special Act to Create an OPEB Fund and Adopt Massachusetts General Laws 32B Section 20 to Establish an OPEB Trust Fund

**BOARD OF SELECTMEN
Monday, August 31, 2015
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda Page Two

- | | | |
|----------|------|---|
| 9:20 pm | 8.) | Review and Approve Consent Calendar (See Separate Sheet) |
| 9:25 pm | 9.) | Review Correspondence (See Separate Index Sheet) |
| 9:35 pm | 10.) | Report of the Town Administrator |
| 9:45 pm | 11.) | Selectmen's Reports and Concerns |
| 9:55 pm | 12.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 10:00 pm | 13.) | Adjourn |

4. PLANNING BOARD INTERVIEW

DATE: AUGUST 28, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: APPOINTMENT TO VACANT POSITION AS ASSOCIATE TO THE PLANNING BOARD

REQUESTED ACTION:

- 1. MEET WITH THE PLANNING BOARD TO INTERVIEW AND CONSIDER NICOLE W. RILEY AND JENNIFER STEEL TO FILL ONE VACANT POSITION FOR AN ASSOCIATE TO THE PLANNING BOARD, VACATED BY DANIEL HILL WHEN HE WAS APPOINTED AS A FULL MEMBER OF THE BOARD ON MAY 11, 2015.**
- 2. VOTE TO APPOINT EITHER NICOLE W. RILEY OR JENNIFER STEEL AS AN ASSOCIATE MEMBER OF THE PLANNING BOARD, EFFECTIVE IMMEDIATELY WITH A TERM TO EXPIRE UPON THE ANNUAL ELECTION IN 2016. (ROLL CALL VOTE OF A QUORUM OF THE BOARD OF SELECTMEN AND PLANNING BOARD IS REQUIRED)**

BACKGROUND

Process for Appointment: This is an elected position. The requirements for filling this vacancy are addressed in state statute (MGL 41, S. 11), the Town Code (Ch. 198-204.3), and the Board Policy on Appointments to Boards and Committees. Taking these into account, after review by Town Counsel the following summarizes the process to fill the position:

1. Daniel C. Hill, the former Associate Member to the Planning Board, applied to be a full member of the Planning Board and was appointed by the Board of Selectmen and the Planning Board at a joint meeting on May 11, 2015.
2. Notice of the vacancy for the Associate Position was posted thereafter in the Town Building foyer and the website, meeting the requirement for a 7-day posting.
3. Applications to fill this position were submitted Nicole W. Riley, Jennifer Steel, and Steven Glovsky. Mr. Glovsky submitted a letter of withdrawal on August 21, 2015.
4. The Planning Board and Board of Selectmen, after consideration, jointly appoint by majority vote of a quorum of each board, an applicant to fill the position.
5. The term of the position will be through the next annual town election.

Attached: Letters of Interest from Nicole W. Riley, Jennifer Steel, and Steven M. Glovsky
Letter of 8/21/15 from Steven M. Glovsky requesting Withdrawal from Consideration

From: Riley, Nicole W [mailto:NRiley@goodwinprocter.com]
Sent: Tuesday, July 14, 2015 4:08 PM
To: Balmer, Nan
Subject: Resume for possible ZBA Vacancy

Good afternoon, Nan –

My husband, Jim Riley, was at the Town Selectman meeting last night for an interview related to the PMBC and mentioned to me when he got home that there may be a vacancy on the ZBA that is in need of being filled. If that is the case I would like to send along my resume for possible consideration.

As for a little more backgroup, I am currently a commercial real estate and leasing attorney at Goodwin Procter LLP in Boston, having worked previously for 4 ½ years doing residential transaction work for a smaller firm also in the city. Working as a legal intern with the Department of Public Safety during law school, I spent a good portion of my time drafting Appeals Board decisions for the Building Code Appeals Board and always loved attending the board meetings whenever possible for the various boards under the DPS purview. After attending last night's meeting, my husband mentioned you may be looking for someone who can read plans, which is something I do on a regular basis in my current position for our transactional work.

If there is any further information I might be able to provide I am happy to do so.

Thank you for your time,
Nicole

Nicole W. Riley
Goodwin Procter LLP
Exchange Place
Boston, MA 02109-2881
T: 617-570-1763
F: 617-801-8939
nriley@goodwinprocter.com
www.goodwinprocter.com

This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are

Nicole W. Riley

15 Shawmut Avenue Ext, Wayland, MA 01778
617-794-8005 – nriley@goodwinprocter.com

- EDUCATION:**
- Suffolk University Law School** Boston, MA
Juris Doctor, May 2011
Honors: 2008-2009; 2009-2010; 2010-2011 Dean's List
2008-2009 LPS Distinguished Oral Advocate Award
Activities: Section Representative (2008-2009)
Alumni Affairs Association (2008-2010); External Affairs Association (2010-2011);
VP of Events- Real Estate Law Student Organization (2009-2011)
- Boston University** Boston, MA
Bachelor of Arts, Political Science and English, May 2006
Activities: Sigma Alpha Lambda Honor Society (2005-2006)
Pre-law Society (2005-2006)
Gamma Phi Beta Sorority- Fundraising Chair (2004-2006)
Student Alumni Council (2005-2006)
Dublin Study Abroad Internship Program (Spring 2004)
- EXPERIENCE:**
- Goodwin Procter LLP** Boston, MA
Department Attorney, March '14 - Present
Member of the firm's Real Estate, REITs and Real Estate Capital Markets Group, with a focus on the Transactional and Leasing practices
Recent representative transactional work includes: representation the purchaser of a three building portfolio of fully leased office space and a parking garage in Boston's Fort Point neighborhood; representation of the seller of a 45% interest in three trophy properties in the Boston and New York markets, for a portfolio valuing over \$4 billion
Recent representative leasing work includes: representation of institutional landlords and developers in the leasing of major office building, suburban office and industrial park properties; representation of tenants ranging from tech and biotechnology companies to internet start-ups and finance firms in the Boston, New York, D.C., Boulder and San Francisco markets
- George Warshaw & Associates, P.C.** Boston, MA
Associate Attorney, November '11 – present; *Law Clerk*, January '10 – November '11
Overseeing and performing all aspects of residential and commercial purchasing, selling, refinancing and developing of real estate from offer stage to post closing; writing title policies; title research and remedies including curative matters involving discharges, certificates of compliance, drafting of licensing agreements and encroachments, negotiating affirmative coverage, etc.; Purchase & Sale drafting and negotiations
Entity formation, such as Limited Liability Companies and Corporations
Estate planning including trust, will and health care proxy drafting, client meetings and probating estates
- Department of Public Safety** Boston, MA
Legal Intern, August '09 – April '10
Assisted General Counsel on research and drafting of legislation, and drafting of regulations and Board decisions
- CRA International (f/k/a: Charles River Associates)** Boston, MA
Research Administrator- New Client Management Operations, November '06 – August '08
Performed technology, corporation, litigation, and individual research projects
Creation and dissemination of "Potential Conflict Reports" to platform heads
Implementation of new Legal Key system in first non-law firm setting
- WG Bradley Solicitors** Dublin, Ireland
Legal Intern, February '05 – May '05
Assisted on in-court tasks and trial cases
Proofread and researched case files
Conducted insurance law research for Lloyd's of London sole representative in Ireland

PROFESSIONAL MEMBERSHIPS AND LICENSES:

Boston Bar Association & REBA Member: Part of the Real Estate Sections with a focus on
Condominiums, Commercial Leasing, Real Estate Finance and Land Use
Licensed Real Estate Broker in Massachusetts 2012 – 2014 (currently in Lapsed status)
Licensed Notary in Massachusetts

VOLUNTEER EXPERIENCE/INTERESTS:

Fundraising/Philanthropy Co-Chair, Gamma Phi Beta Boston Alumnae Chapter (2007, 2008)
Triathlons, Book Club Member, Tennis and Running

DiNapoli, MaryAnn

From: Jennifer Steel <jennifermsteel@gmail.com>
Sent: Monday, August 10, 2015 9:42 AM
To: Selectmen
Subject: Planning Board Associate Member

To whom it may concern,

I am a life-long resident of Wayland and am interested in re-engaging in municipal government. I am particularly interested in the Planning Board Associate Member vacancy. I would like to know more about the process of appointment: Is the associate member position an appointed position or is it, like the full member position, an elected position?

Thanks very much in advance for any information you can forward to me about the position and the requisite process for appointment.

Jennifer Steel
16 Mayflower Path

To: Board of Selectmen, c/o MaryAnn DiNapoli, Executive Assistant
From: Jennifer Steel
Date: August 20, 2015
Re: Planning Board Associate Member vacancy

Dear Selectmen,

I am a life-long resident of Wayland and am interested in re-engaging in local government. I am particularly interested in the Planning Board Associate Member vacancy.

I am currently the Senior Environmental Planner for the City of Newton, essentially the Conservation Agent and Conservation Planner rolled into one. I have, been a municipal conservation agent (and Mass. Audubon Advocacy professional and conservation consultant) since "cutting my teeth" in Wayland under Carol Gumbart in 1996. I received my undergraduate degree from Wesleyan University and my graduate degree from Duke University.

I really enjoy engagement at the municipal level and have a fairly strong background in municipal government, so I feel I will be able to contribute to discussions fairly early in my undoubtedly steep learning curve. I have served on a number of committees in town, including the High School Building Committee, Town Meeting Committee, and Surface Water Quality Committee. I have also served on the Happy Hollow School Council and Middle School Council. I welcome the opportunity to engage in a new, but somewhat familiar, venue.

Thanks very much for your consideration.

Steven M. Glovsky
36 Shaw Drive
Wayland, MA 01778
508-358-3540
glovsky@aol.com

RECEIVED
JUL 17 2015
Board of Selectmen
Town of Wayland

July 18, 2015

Town Administrator
Wayland Town Building
Wayland, MA 01778

Re: Associate Member of Planning Board

Dear Madam Administrator:

Please accept this letter as my expression of interest in being appointed to the Planning Board as an Associate Member.

I have had opportunity to speak as an abutter before the Board in recent months and have fairly thoroughly familiarized myself with Wayland's various zoning and subdivision rules.

It would be my pleasure to serve.

Sincerely,

Steven M. Glovsky



Steven M. Glovsky

36 Shaw Drive
Wayland, MA 01778
508-358-3540
Glovsky@aol.com

Wayland Resident Since 2000

Education

Harvard College (A.B. 1976)
Boston University School of Law (J.D. 1979)
Boston University School of Management (M.B.A. 1979)
New York University School of Law (LL.M. Tax 1982)

Tax - Estate Planning - Construction Law: Retired

Miller Canfield, Detroit, MI (1979-1981)
Choate Hall, Boston, MA (1982-1984)
Glovsky & Glovsky, Beverly, MA (1984-1986)
Solo Practice, Salem, MA (1986-1997)
Glovsky Law Offices, Beverly, MA (1997-2001)

Associations

Goodwill Industries: local advisory board (1985)
American Lung Association: local advisory board (1985 - 1987)
House of the Seven Gables, trustee (1988-1999)

Steven M. Glovsky
36 Shaw Drive
Wayland, MA 01778
508-358-3540
glovsky@aol.com

August 21, 2015

Town Administrator
Wayland Town Building
Wayland, MA 01778

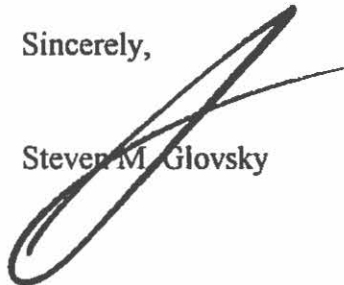
Re: Associate Member of Planning Board

Dear Madam Administrator:

Please accept this letter as notice of my withdrawal from consideration for appointment to the Planning Board as an Associate Member. It appears likely that I will need to appear before the Board as an abutter to a proposal coming under review, and I would not want that conflict to interfere with efforts needed to be performed by an Associate member on behalf of the town.

Sincerely,

Steven M. Glovsky



RECEIVED

AUG 21 2015

Board of Selectmen
Town of Wayland

5. SCHOOL COMMITTEE
REVOLVING FUNDS
7:35

DATE: August 31, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: School Committee: Co-Sponsor Article on School Revolving Funds

REQUESTED ACTIONS:

- 1. VOTE TO WAIVE ATTORNEY CLIENT PRIVILEGE AND RELEASE TO PUBLIC THE LETTER FROM ATTORNEY JAMES TOOMEY ON SCHOOL REVOLVING FUNDS**
- 2. VOTE TO SUBMIT AND CO-SPONSOR WITH THE SCHOOL COMMITTEE A SPECIAL TOWN MEETING ARTICLE TO ACCEPT THE PROVISIONS OF MGL 71 SECTION 71E TO PERMIT THE MAINTENANCE OF SCHOOL REVOLVING FUNDS**

BACKGROUND:

A representative of the School Committee and School Business Manager Susan Bottan will meet with the Selectmen. Assistant Town Administrator John Senchyshyn worked on this matter for the town and will be available to provide his perspective.

The School Department, through the town Finance Department, operates several programs through revolving funds which separately account for receipts received from user fees and for program expenses. In March of 2015, town and school personnel received questions from the public about whether these funds are properly established under Massachusetts General Law.

The Board of Selectmen and School Committee agreed to hire Special Counsel James Toomey to review the accounts and issue a legal opinion on how the proper establishment of the accounts. As part of the preparation of the legal opinion, Mr. Toomey and town officials (School Superintendent, School Business Manager, Town Administrator, Assistant Town Administrator and Finance Director) met with Tony Rassias, Deputy Director of the Bureau of Accounts of the Department of Revenue and Kathleen Colleary, Bureau Chief for Municipal Finance Law.

Mr. Toomey's opinion lays out the status of each account and necessary administrative steps and approvals regarding each fund. The first step will be to present to Special Town Meeting an article to accept the provisions of Chapter 71, Section 71 E for the Building Use and Pegasus accounts. The Department of Revenue officials said its practice is to provide communities reasonable time to resolve such problems locally.

Mr. Toomey's opinion letter is provided to the Selectmen and School Committee under Attorney Client privilege and is not a public document. The School Committee and the Board may wish to consider waiving the privilege.

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

CROWN COLONY PLAZA
300 CROWN COLONY DRIVE
SUITE 410
QUINCY, MA 02169

75-101 FEDERAL STREET
BOSTON, MA 02110

ONE MONARCH PLACE
SUITE 1310R
SPRINGFIELD, MA 01144

TEL: 617-479-5000 FAX: 617-479-6469
TOLL FREE: 888-841-4850

www.mhll.com

Arthur P. Murphy
James A. Toomey
Katherine A. Hesse
Michael C. Lehane
John P. Flynn
Regina Williams Tate
Edward F. Lenox, Jr.
Mary Ellen Sowyrda
David A. DeLuca
Donald L. Graham
Andrew J. Waugh
Geoffrey P. Wermuth
Kathryn M. Murphy
Alisia St. Florian
Thomas W. Colomb

Doris R. MacKenzie Ehrens
Clifford R. Rhodes, Jr.
Karis L. North
Bryan R. Le Blanc
Brandon H. Moss
Michael J. Maccaro
Kevin F. Bresnahan
Brian P. Fox
Lauren C. Galvin
Tami L. Fay
Kier B. Wachterhauser
Sarah A. Catignani
Lena-Kate Ahern
Felicia S. Vasudevan

Ann M. O'Neill, Senior Counsel

Please respond to Quincy

August 25, 2015

Board of Selectmen
Town of Wayland
Wayland Town Hall
41 Cochituate Road
Wayland, MA 01778-2614

School Committee
Wayland Public Schools
41 Cochituate Road
Wayland, MA 01778

Dear Members of the Board of Selectmen and School Committee:

As you know, I have been retained to provide legal guidance concerning certain revolving accounts held by the Town Treasurer for the School Committee. Following is my legal analysis as to the statutory authority for the accounts in question. Also, based on a meeting with the Director of the Bureau of Accounts and his legal counsel, I have formulated recommended actions to assure that these accounts can be maintained in compliance with legal requirements as interpreted by the Bureau.

Scrutiny of the revolving accounts has been required due to a question as to whether the funds may be held separately from the Town general fund and expended without a town meeting appropriation. Specifically, the concern is that these funds can be so segregated and expended only under Section 71E of Chapter 71. Since this section of the law must be accepted by a Town and Wayland has not done so, there is a question whether the funds are being held illegally and should be placed in the Town's general fund.

In summary, most of these accounts can be maintained without town meeting approval with certain administrative actions under various sections of Chapter 71 of the Massachusetts General Laws. Acceptance of Section 71E at the upcoming Special Town Meeting is required only for two accounts. Finally, at the next Annual Town Meeting it will be necessary to establish a departmental revolving account. A description of each account and the actions(s) required with respect to its maintenance is included in the attached chart.

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

APPROVED FOR RELEASE
8-31-2015

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

Board of Selectmen
Town of Wayland
School Committee
Wayland Public Schools
Wayland, MA 01778
August 25, 2015
Page 3 of 5

The Full Day Kindergarten, BASE (before and after school), The Children's Way, Global Language, Tutoring, and Enrichment accounts all entail "extended school services". Thus, these accounts may be maintained under Section 26C without regard to section 71E.

The four other accounts, Building Use, Pegasus, Professional Development and Curriculum must be analyzed. The issue is whether the programs run under these funds are "adult and continuing education", "summer school" or for "building use" under Section 71E, or whether they should be considered as other activities "not expressly provided for" in Chapter 71. Unfortunately there are neither administrative rulings nor court decisions which define these statutory terms. Would the Pegasus program be considered "summer school" under Chapter 71E or "games and play" or "other activities for ages" under Section 47? Are the professional development and curriculum programs "adult or continuing education" under Section 71E or "other activities" under Section 47?

Based on principles of statutory construction it is my opinion that proper legal analysis would favor an interpretation permitting these accounts under Section 47. The language "all other accounts" indicates an expansive intent in the reach of Section 47, where the exclusionary language of Section 47 for programs "expressly provided for" indicates a limited exclusion. Thus, in my opinion the Pegasus, Professional Development and Curriculum accounts should be considered as authorized under Section 47.

The final fund in question is Building Use. In my opinion this fund encompasses receipt and expenditures for "the use of school property under section 71" and Town Meeting acceptance of Chapter 71, Section 71E is necessary for this fund.

In addition to my legal review and opinion expressed above, we have had the opportunity to meet with the Director of Accounts and his General Counsel (the Bureau of accounts) on August 17, 2015.

Because the Bureau of Accounts is the final administrative authority on municipal financial issues, I felt it prudent to get their legal and practical guidance before making final recommendations on the steps necessary to assure that the School Department's revolving accounts fully comply with the law as administered by the Bureau of Accounts.

Although the legal conclusions stated above differ somewhat from the direction of the Bureau of Accounts, I do recommend that the Town proceed in accordance with the Bureau's guidance.

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

Board of Selectmen
Town of Wayland
School Committee
Wayland Public Schools
Wayland, MA 01778
August 25, 2015
Page 2 of 5

Per our discussions with the Bureau of Accounts, the accounts, the current balances and ongoing receipts and expenditures from the accounts may be continued, provided that the Town pursues the recommended actions promptly.

Chapter 71E allows a school committee to segregate receipts from building use, adult education and continuing education programs and summer and community school programs and to expend them without town meeting appropriation.

As detailed below, it is my opinion that most of these accounts are not dependent upon the acceptance of Section 71E, as they can be maintained pursuant to other sections of Chapter 71. However, for the Property Use and Pegasus accounts, acceptance of Chapter 71, Section 71E should be pursued.

In addition to Section 71E, other sections of Chapter 71 allow the creation of a number of the accounts in question. These include: Sections 26A, 26B and 26C for funds received for extended day services; Section 37A for educational gifts and grants; Section 71C for community school programs; and Section 47 for a number of purposes as discussed in more detail below.

Section 26C provides for a separate account for contributions and fees from parents under Sections 26A to F of Chapter 71. Section 26A provides that a school committee may establish

“extended school services for children between three and fourteen years of age of parents who are employed and whose employment is determined by said committee to be necessary for the welfare of their families”.¹

Section 47 of Chapter 71 permits separate funds for fee based programs for physical education, athletics, games and play and for

“receipts by the committee in connection with the conduct of activities provided for by this section or any other activity not expressly provided for in this chapter but sponsored by the school committee in which participation is contingent upon the payment of a fee by the participant”.

It is clear that a number of the funds referenced above are covered by Section 26B or Section 47, or the two sections in combination.

¹ The extended day programs must be approved by a vote of the Board of Selectmen and also approved by the Commissioner of Education.

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

Board of Selectmen
Town of Wayland
School Committee
Wayland Public Schools
Wayland, MA 01778
August 25, 2015
Page 4 of 5

With respect to several of the accounts, my legal opinion and the guidance of the Bureau coincide. The Bureau has indicated that the Full Day Kindergarten, Before and After School (BASE), The Children's Way, Global Language, Tutoring, and Enrichment Accounts may properly be maintained under Section 26C of Chapter 71. While certain administrative steps (outlined below) must be taken, town meeting action is not required for these accounts.

Regarding the Building Use Account, my legal opinion and the Bureau's guidance are the same, namely, acceptance of Section 71E of Chapter 71 is necessary to maintain this account.

The Bureau has also advised that acceptance of Section 71E is necessary to maintain the Pegasus Account, although they agreed that it is not an unreasonable argument that Pegasus could be maintained under Section 47. Nevertheless, with the need established to accept Section 71E for Building Use, doing so will resolve the question in favor of maintenance of the account under that section.

The final two accounts in question, Professional Development and Curriculum, were deemed by the Bureau not to fit into any of the categories of revolving accounts authorized under Chapter 71. Thus, per the Bureau, these accounts can be maintained only via establishment of a departmental revolving account under General Laws Chapter 44, Section 53E½. Since such action can be taken only at an annual town meeting, as opposed to a special town meeting, it is my recommendation that an article be presented to the Wayland Annual Town Meeting in the Spring.

Based on the above, I recommend that the following actions be taken for the accounts as indicated below.

1. Building Use and Pegasus

An article should be presented to the upcoming Special Town Meeting to accept Section 71E of Chapter 71. The article would take the following form:

"Will the Town accept the provisions of Chapter 71, Section 71E so as to permit the maintenance of revolving funds as authorized by said section; or take any other action relative thereto?"

2. Full Day Kindergarten, Before and After School (BASE), The Children's Way, Global Language, Tutoring, and Enrichment Accounts

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys At Law

Board of Selectmen
Town of Wayland
School Committee
Wayland Public Schools
Wayland, MA 01778
August 25, 2015
Page 5 of 5

- a. The School Committee should adopt a plan for the extended school services provided via the Full Day Kindergarten, Before and After School (BASE), The Children's Way, Global Language, Tutoring, Enrichment and Full Day Kindergarten programs;
- b. the plan should be submitted to the Commissioner of Education for approval; and
- c. the School Committee should request the approval of the programs by the Board of Selectmen.

3. Professional Development and Curriculum Accounts

An article for these accounts to be maintained as departmental revolving accounts should be presented to the Annual Town Meeting in the Spring in accordance with Chapter 44, Section 53E½.

Pending action on the steps recommended above, per my opinion and the recommendation of the Bureau of Accounts, all of the accounts should continue to be held and administered as revolving accounts.

I hope the above provides the information needed by the Board and School Committee to resolve the status of the accounts in question. Please do not hesitate to contact me if you have any questions.

Very truly yours,

James A. Toomey

JAT\sd
Enclosure doc #868818v1
868767v1

6. RECREATION
REVOLVING FUND

DATE: August 31, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: Recreation Commission: Article for Special Act to Increase the Cap on MGL 44
Section 53 E ½ Revolving Fund and Discuss Recreation Budget Structure for FY 17

REQUESTED ACTION: NONE

BACKGROUND:

The Recreation Department receives user fees to pay for expenses incurred by the town for playing fields, recreation programs and beach expenses. These user fees are accounted for in a revolving fund established under MGL Chapter 44, Section 53 E ½. A Work Group was established by the Selectmen and facilitated by Selectman Nolan met and discussed two questions on the management of the recreation revolving fund. *

1. **Exceedance of legal cap on expenses:** A 53 E ½ Revolving Fund can pay expenses up to 1% of taxation under state law. The cap on expenses is set at \$595,000. Because of the high demand for recreation in Wayland, recreation program expenses exceed the legal cap.
 - **Agreed Upon Solution:** Four options were considered to avoid exceeding the legal cap: 1) Special Legislation to increase the 53E ½ cap up to 5% of taxation; 2) Adoption of a Revolving Fund under Section 53 D, 3) Creation of an Enterprise Fund, and 4) Budgeting receipts and expenditures in the General Fund. There is agreement that Option 1, requesting special legislation to increase the cap on a 53 E ½ fund is the best solution. The Recreation Commission will submit the attached article to Special Town Meeting to authorize the Board of Selectmen to seek special legislation to increase the cap on recreation expenses to 5% of taxation.
2. **Fund Balance:** A second question about the size of the year-end revolving fund balance was raised by the town's auditors in the audit management letter. The auditors "Recommend the town review the revolving funds to ensure that all applicable costs (expenditures) are charged to the fund and not to the General Fund appropriation, and / or prepare cash flow projections for all funds with significant surpluses and review and / adjust program fees accordingly."
 - Although there is no agreed upon solution, the Work Group has made progress in its discussions about how to allocate recreation operating and capital expenses to the Revolving Fund and to the General Fund. The fund balance question, including discussion about the appropriate allocation of expenses to Revolving and General Funds and the appropriateness of user fees, will be discussed by the Finance Committee with the Recreation Department as the Finance Committee considers this special town meeting article and plans the FY 17 budget.

**Attached are sections of the 2/23/15 minutes of the Board of Selectmen and the Finance Committee regarding the revolving fund cap and requesting a Work Group develop a plan to establish a new budget model.*

ARTICLE FOR SPECIAL FALL TOWN MEETING

SPONSOR: RECREATION DATE RECEIVED: 8/31/15
CONTACT PERSON: Jessica Brodie TELEPHONE/Day: 508-358-3662
TELEPHONE/Evening: _____
BOARD VOTE: _____ DATE OF VOTE: August 19th (Rec) &
August 31st (BOS)
TITLE: Seek Special Legislation for Chapter 44 Section 53 E ½ Municipal Revolving Fund

COST: _____ NO COST: COST ESTIMATE: _____

TEXT:

To see if the town will agree to submit a special legislative act to increase the allowable expenditure limit of the Recreation Department's Chapter 44, § 53E½ Municipal Revolving Fund of the Massachusetts General Laws to a minimum of 5% of taxation.

COMMENTS:

The current recreation revolving fund structure is not viable. The 1% of taxation ceiling limits the ability of the Department to operate a municipal revolving fund under Chapter 44 Section 53 E ½.

The following background investigative work has been completed to support this recommendation:

- 1) The Abrahams Group was hired to complete a comprehensive report on the Recreation Department's Revolving Fund (February 4, 2015), and concluded with this recommendation.
- 2) The Recreation Commission & Director, Finance Committee & Director, Town Administrator, and Board of Selectmen have met and agree on submitting a special act as specified above as the next step.
- 3) House Number 1852, presented by Stephen Kulik, has already been submitted as "An Act relative to streamlining municipal finance". In Section 5 of this act, line 66-71, specifies a new five (5%) spending cap within the 53E1/2 Revolving Fund that, if passed, would apply to all municipalities in the Commonwealth.

Alternatives to seeking special legislation have been outlined in the Abraham's Report, as well as the report from the Finance Director. Alternatives have been discussed and investigated by all boards and staff involved since the Fall of 2014.

(continued page 2)

Submitting the Special Act:

The Board of Selectman will submit the Special Act to the State House. The wording of the Special Act to be submitted to the State House is as follows:

Section 1: Notwithstanding section 53E1/2 of chapter 44 of the General Laws or any other general or special law to the contrary, the Recreation Director/Commission of the Town of Wayland may expend in any one (1) fiscal year from the Recreation Department Municipal Revolving Fund under his direct control under said section 53E1/2 an amount up to five percent (5%) of the amount raised by taxation by the town in the most recent fiscal year for which a tax rate has been certified under section 23 of chapter 59 of the General Laws.

Section 2: This act shall take effect upon its passage.

PROS:

CONS:

SIGNATURE OF CHAIR _____ **DATE** _____

Mark Lanza Approval _____ **DATE** _____

A7. Recess to Attend Finance Committee Budget Presentation At 7:25 p.m., the Board recessed to attend the Finance Committee's budget presentation.

A8. Reconvene for Consideration and Potential Vote to Approve Change of Manager Application, Bertucci's Restaurant, 14 Elissa Avenue The Board reconvened at 8:48 p.m., with T. Boschetto in attendance. The Board was joined by Michael Reilly, the new manager of Bertucci's Restaurant. M. Reilly described his background and experience, and his interest in working in the community. J. Nolan reminded M. Reilly of the importance of educating staff about TIPS. E. Collins moved, seconded by M. Antes, to approve the Change of Manager application for Michael Reilly at Bertucci's Restaurant at 14 Elissa Avenue. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Update on Solar Project The Board was joined by Ellen Tohn, John Harper and Michael Stati of the Energy Initiatives Advisory Committee to provide an update on the solar project. E. Tohn noted that the Energy Initiatives Advisory Committee had voted to support a 1.3 MW project at four sites: the DPW roof and carports at the Town Building, the Middle School and the High School. The purpose of the project is to meet the town's Green Community commitment and reduce the town's energy load. She said the project is a good financial deal and reduces greenhouse gases. An Owner's Representative, funded under a grant, will provide a review of the project by the end of the week. E. Tohn said a public forum is scheduled for March 18. Committee members said the proposal was reviewed with town committees and town staff. The Board discussed the financial structure of the power purchase agreement (PPA), including net metering, the cost of power, and the taxation of the facilities. T. Boschetto asked about leasing space to AMERESCO as an alternative to the financial structure of the PPA in order to be a fixed and stable arrangement, assumptions about quantity of power generation, the life of the solar equipment, the bid process for the selection of the developer, the price of power, the commitment to purchase quantity, and the tracking of performance through the accounting system. Members of the committee responded to these questions by saying their analyses showed an advantage to the town, assuming varying assumptions. The Board will vote a position after the consultant review and review by all committees. T. Boschetto requested a proposal to structure the PPA with a lease payment only. The Energy Initiatives Advisory Committee will follow up with Town Counsel regarding the use of license vs. lease.

A10. Discussion and Potential Vote to Increase FY15 Cap on Recreation Revolving Fund to \$595,862.92 N. Balmer advised the Board that the Finance Committee voted an increase in the Recreation Revolving Fund FY 15 Revolving Fund cap to \$595,862.92. The Board discussed how the Recreation Commission and its Director will manage its programs under the new cap, including indirect costs and OPEB funding. The Board discussed a transition period until a new financial model for Recreation can be recommended by September 2015 to the Finance Committee, Board of Selectmen and Recreation Commission by a working group. During the transition period, it would be the goal that there is no reduction in recreation programming. C. Karlson moved, seconded by M. Antes, to increase the FY15 Recreation Revolving Fund cap to the maximum amount allowed of \$595,862.92. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Discussion and Potential Vote on Warrant Article, "Fund Payment in Lieu of Sewer Betterment Assessment for Town Owned Buildings" C. Karlson moved, seconded by M. Antes, to remove the article, "Fund Payment in Lieu of Sewer Betterment Assessment for Town Owned Buildings" from the warrant for the 2015 Annual Town Meeting. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

FinCom has tried to maintain a 3 to 5 year look quantitative look ahead but for this year also looked at qualitative factors.

- Joe Nolan, BoS – 1) There is a need to be careful not to use too much free cash to pay for re-occurring costs; 2) Discussion on how property value assessments trail the budget by approximately 18 months; 3) How does our debt service compare to other peer communities?
- Tony Bochetto, BoS – 1) Can we forecast out the levy limit calculation? 2) Can FinCom provide a projection of out year exempt debt?
- Cherry Karlson, BoS – Query on capital budget funding sources and how are they applied to the FY16 capital items. N.F. responded with the projected funding source allocations for the FY16 items.
- Anette Lewis, Claypit Hill Rd – 1) ref page 23, how does the FY16 capital budget compare to the 5 yr budget projections? T.G. responded with a discussion on integration of the CIP forms into the 5 yr plan. 2) ref page 27, Surplus Bond Proceeds – what is the discipline going forward on determining the amount of money to borrow? T.G. replied that the Town Administrator and Treasurer control this activity; A.L. responded that the BoS should provide oversight. 3) ref page 30 – who owns the capital budget items? 4) ref page 31 – how much does Information Technology cost by department? 5) each department should show a fully loaded budget. 6) ref page 15 – same presentation as last year – what is in each line? A discussion ensued re: functional expense analysis vs by dept; building the budget from the bottom up; and discussion of variance in numbers of School Dept FTEs due to differing state and federal reporting requirements.

The FY16 Budget Hearing closed at 8:45pm. FinCom recess for 10 minutes.

VI. Public Comment (II)

Dennis Berry, Town Moderator queried FinCom on how we plan to present the budget at Town Meeting. T.G. – FinCom has a voice in the Warrant, we try not to take too much time at TM. N.F. – capital budget process has become muddled, need to insure accuracy of information presented. D.Berry commented on how the operating budget has less apparent opportunity to be altered and that the capital budget can be touched more readily – people need an opportunity to discuss. T.G. – we plan to spend 10 minutes each on the operating budget and the capital budget. The pre-TM budget process is intended to try and avoid surprises on TM floor. Further discussion on Q&A process & protocol, the number of capital items (35), should motions be restricted to certain “sets” of items, and motions & their allow ability by the Moderator.

VII. Reconsider & Revote Operating & Capital Budgets (if needed)

B.K. discusses need to add \$85k of debt service (operating debt) for the new DPW Facility; this will entail revising some revolving fund amounts.

- Motion and second to reconsider the FY16 budget, approved 6-0-0.
- Motion and second to recommend FY16 Omnibus Budget of \$76,754,992 consisting of general funds of \$72,637,814 and enterprise funds of \$4,117,178, and to recommend the Transfer Station fund at \$549,726, Recreation at \$595,315, and Council on Aging at \$50,000. Discussion followed on whether free cash could be used for operating debt service (no) and ability of Recreation to develop a budget and business model for FY16. The motion was approved 6-0-0.

There was further discussion on the capital budget and the 10% desired ceiling. B.K. replied that we need to reduce FY16 by at least \$50k to see this occur in FY17.

- Motion and second to reconsider the FY16 capital budget, approved 6-0-0.
- Motion and second to reclassify Item #9 DPW Light Trucks \$90,000 and Item #12 DPW Heavy Equipment \$80,000 from borrowing to free cash, approved 6-0-0.

Comments by C.Martin on Article 5: 1) Is a motion required under the Revolving Fund to provide for Recreation Department indirect costs? No – covered under Operating Budget motion per B.K.; 2) Is a

7. ARTICLES Sponsored
a) by BOS:
Minuteman

DATE: August 31, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: Article Sponsored by Selectmen:
Amend Minuteman Regional Vocational School District Agreement to Allow Withdrawal
by the Town of Wayland

REQUESTED ACTION: VOTE TO APPROVE SUBMISSION OF SPECIAL TOWN MEETING ARTICLE TO ACCEPT AND APPROVE THE "AMENDMENT TO MINUTEMAN REGIONAL SCHOOL AGREEMENT REGARDING THE WITHDRAWAL OF THE TOWN OF WAYLAND FROM THE MINUTEMAN REGIONAL SCHOOL DISTRICT"

BACKGROUND:

2015 Annual Town Meeting approved a warrant article to allow for the town's withdrawal from the Minuteman Regional Vocational School District. Under the terms of the Regional Agreement, Wayland notified the District of its intent to withdraw. On July 16th, the District sent the attached letter and warrant article to all 16 member towns requesting each town place the article to permit Wayland's withdrawal on its next annual or special town meeting warrant. Of the 16 member towns, ten including Acton, Arlington, Carlisle, Lancaster, Lexington, Lincoln, Needham, Stowe, Wayland and Weston will have or are considering a fall town meeting.

In preparation for the Board's vote I discussed this matter with counsel who advised:

1. Under the terms of the Regional Agreement, the member towns are required to place the article provided by the district on the next annual or special town meeting warrant.
2. Assuming all 16 member towns approve a town meeting article to allow Wayland to withdraw, the Commissioner of DESE must approve the withdrawal and probably can veto any withdrawal which is based on unacceptable terms.
3. Under state regulation, if all member towns voted to allow withdrawal by December 31, 2016, DESE I could permit withdrawal on July 1, 2017.
4. The Board's key concern about withdrawal concerns the right of Wayland students to attend Minuteman if Wayland withdraws from the district. On Minuteman's website, it states that non-member town residents are eligible to apply subject to available openings.

Additional information on the Minuteman High School Project is included in the Town Administrator's Report.



MINUTEMAN
A REVOLUTION IN LEARNING

July 16, 2015

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

Dear Chair Karlson:

On April 15, 2015 the Wayland Town Meeting voted to seek the Town of Wayland's withdrawal from the Minuteman Regional School District. Section IX of the current Minuteman Regional Agreement requires the Minuteman Regional School Committee, under such circumstances, to draft an amendment to the Regional Agreement setting forth the terms by which the town seeking to withdraw may withdraw from the District. To this end, the Regional School Committee on July 7, 2015 voted to submit the enclosed Amendment to the member towns for their approval.

Thus, I am writing to request on behalf of the Minutemen Regional School Committee that the Board of Selectmen include in the warrant for your town's next annual or special Town Meeting an article calling for the acceptance of the enclosed Amendment. For your convenience, we are also enclosing the draft of a possible warrant article that you can consider utilizing.

Please understand that this Amendment, as well as the withdrawal of the Town of Wayland from the District, will only occur if all sixteen of the current member towns of the District, as well as the Commissioner of Education, approve this Amendment.

Please feel free to contact Superintendent Edward Bouquillon, who would be happy to provide whatever further information you or the other Selectmen might desire. Thank you for your cooperation.

Sincerely,

David Horton, Secretary
Minuteman School Committee

cc: Nan Balmer, Town Administrator
Enclosures

Approved by Minuteman School Committee 7.7.15

Amendment to Minuteman Regional Agreement regarding the Withdrawal of
The Town of Wayland from the Minuteman Regional School District

Whereas the Wayland Town Meeting voted on April 15, 2015 to seek withdrawal from the Minuteman Regional School District, and whereas Section IX of the Minuteman Regional Agreement requires the Minuteman Regional School Committee under such a circumstance to draft an amendment to the Regional Agreement setting forth the terms by which a town seeking to withdraw may withdraw from the District, the Regional School Committee voted at a meeting on July 7, 2015 to submit the following amendment to the Regional Agreement to the member towns for their approval.

Amendment No. 4 to the Minuteman Regional Vocational Technical School District Agreement

1. The references to the Town of Wayland will be stricken from the prefatory language of the Regional Agreement as well as from Section I and from wherever else a reference to Wayland appears in the Regional Agreement.
2. The Town of Wayland, even after the date that its withdrawal becomes effective, will remain responsible, consistent with the terms of Section IX of the Regional Agreement, for its share of the indebtedness of the District which is outstanding as of the effective date of Wayland's withdrawal.
3. Pursuant to the terms of 603 CMR 41.03, assuming that the approval of this amendment has been voted by the town meetings in all of the member towns, as well as having been approved by the Commissioner of Education, by December 31 of a given year, the effective date of this amendment and the effective date of Wayland's withdrawal will be the July 1 following that December 31 date.

Article _____

To see if the Town will accept and approve the “Amendment to Minuteman Regional Agreement regarding the Withdrawal of the Town of Wayland from the Minuteman Regional School District” which was approved by the Minuteman Regional School Committee on July 7, 2015 and which has been submitted to the Board of Selectmen consistent with the current Minuteman Regional Agreement.

7. ARTICLES Sponsored
by BOS
b) Co-sponsor: Free Cash

DATE: August 31, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: Article Co - Sponsored by Selectmen:
Revise Sources of Funding for the Fiscal Year 2016 Operating Budget

REQUESTED ACTION:

VOTE TO CO-SPONSOR WITH THE FINANCE COMMITTEE AN ARTICLE TO REVISE THE SOURCES OF FUNDING FOR THE FISCAL YEAR 2016 OPERATING BUDGET TO INCLUDE AN ADDITIONAL \$2 MILLION IN FREE CASH

BACKGROUND:

The Selectmen met with the Chair of the Finance Committee and Finance Director on August 24th and discussed the Finance Committee's recommendation regarding the use of \$2 million in additional free cash in support of the FY 16 operating budget. The Board agreed to co-sponsor the article to make this change in the FY 16 Budget. A draft article is attached.

The Board requested a clear public statement so the public can understand the effect this change in the FY 16 operating budget will have on the FY 16 tax rate and future tax rates. The Finance Director is working on this statement and expects to prepare a draft fore Finance Committee consideration on August 31st.

ARTICLE XXX: AMEND FY2016 BUDGET FUNDING SOURCES

Sponsored by: Board of Selectmen and Finance Committee

To determine whether the Town will vote to amend its vote under Article __ of the Warrant for the 2016 Annual Town Meeting relative to the Fiscal Year 2016 Omnibus Operating Budget by decreasing the amount to be raised by taxation by \$2,000,000 and increasing the amount to be transferred from the unreserved fund balance of the General Fund by \$2,000,000, without making any changes to the amounts appropriated under said Article __.

FINANCE COMMITTEE COMMENTS:

Background: The FY2016 budget was discussed and approved at Annual Town Meeting (ATM) in April 2015. Once the budget article closed, if the budget or its funding sources were to be reconsidered during that same ATM, a 2/3 vote would have been required to do so. Now, the Board of Selectmen and the Finance Committee jointly submitted an article requesting an additional \$2 million be used from the unreserved fund balance to fund the FY2012 budget. This is presented here as Article __ in the Warrant.

A chart of Town accounts with balances and definitions is posted on the Town website and included in Appendix __. This chart is provided so residents understand the accounts, their balances and their limitations on use.

To give some historic perspective, a chart of free cash balances since 1994 is shown in Appendix __.

Each year, actions at Town meeting can impact the free cash balance. The chart below illustrates the free cash activity over the course of FY2016 resulting in the ending balance of \$XXX million:

Wayland Finance Committee

FY 2016 Free Cash projection a/o ATM

Certified balance as of July 1, 2014		<u>6,384,000.00</u>	<u>8.92%</u>
<i>Less planned ATM uses</i>			
Special Articles	(270,000.00)		
Support FY 2016 Operating Budget	(2,350,000.00)		
Fund OPEB	(210,000.00)		
Fund Capital Projects	(565,000.00)		
Current year transfers	<u>(525,000.00)</u>	<u>(3,920,000.00)</u>	
<i>Plus increases to free cash</i>			
Estimated dept. turn backs	1,285,000.00		
Estimated budget revenue / misc surplus	879,000.00		
Revolving / Enterprises OPEB retro	<u>594,000.00</u>	<u>2,758,000.00</u>	
Projected free cash balance at end of ATM		<u>5,222,000.00</u>	<u>7.10%</u>
Free Cash Certification as of July 1, 2015		<u>6,894,000.00</u>	<u>9.37%</u>
Variance from end of ATM and FY 16 budget as voted		<u>1,672,000.00</u>	

Detail of Free Cash changes

Increases

Revenue variance	1,072,000.00
Turn back variance	813,000.00
Other increases	489,000.00

Decreases

Net increase in overlay balance	(442,000.00)
Chapter 90 reimbursement	(110,000.00)
Use of overlay for FY 2016 budget	(150,000.00)
	<u>1,672,000.00</u>

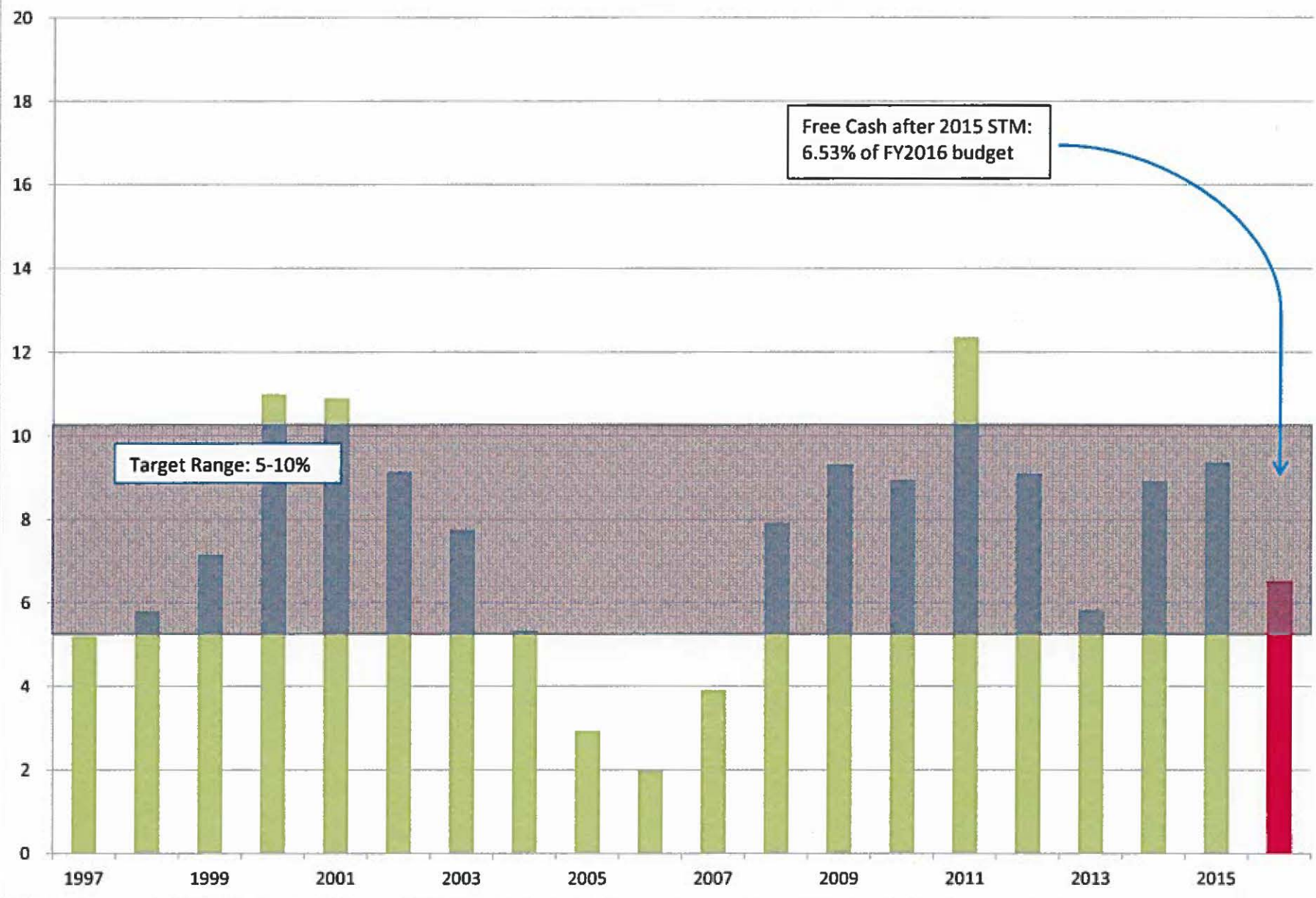
Based on this chart, free cash is \$1.67 million higher than the Finance Committee anticipated after ATM actions last April.

RECOMMENDATION: The Finance Committee recommends \$2,000,000. Vote: 6-0. The Board of Selectmen recommends _____

QUANTUM OF VOTE: Majority.

For more information about this article, contact Nan Balmer, Town Administrator, at nbalmer@wayland.ma.us or 508-358-3620.

Free Cash as a Percentage of Operating Budget by Fiscal Year



7. ARTICLE SPONSORED
BY BOS
C) OPEB

DATE: August 31, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: Article Sponsored by Selectmen:
Repeal OPEB Special Act and Accept State Statute for OPEB Trust Fund

ACTION REQUESTED BY OPEB COMMITTEE:

VOTE TO SUBMIT AN ARTICLE TO SPECIAL TOWN MEETING TO:

- 1) AUTHORIZE THE SELECTMEN TO PETITION THE LEGISLATURE TO REPEAL THE TOWN'S OPEB SPECIAL ACT AND,
- 2) ADOPT THE PROVISIONS OF MGL 32b SECTION 20 TO ESTABLISH AN OPEB TRUST FUND WHEN THE REPEAL OF THE EXISTING SPECIAL ACT BECOMES EFFECTIVE

BACKGROUND:

- The Selectmen met with representatives of the OPEB Committee on August 10th.
- The OPEB Committee voted on August 27th to recommend to the Selectmen the attached special town meeting article and "Reasons to Proceed".

Special Town Meeting OPEB Warrant Article Reasons to Proceed this Fall August 26, 2015

The following are the primary reasons to proceed with the OPEB Warrant Article at the Fall 2015 Special Town Meeting:

HISTORY:

Several years ago, Wayland got way ahead of the game in OPEB Funding. At the time, there was no legislation in Massachusetts covering how municipalities were to hold their OPEB assets. To address that issue, the Town of Wayland requested an article of special legislation that would allow the Town of Wayland to establish and maintain its OPEB assets. This article is known as the Town of Wayland OPEB Special Act and is found in Chapter 372 of the 2010 Session Laws of the General Court (i.e. Massachusetts general legislature).

Subsequent to the request for the Legislature to act on the Town of Wayland OPEB Special Act, the Legislature went forward with its own version of an act to allow Municipal entities the opportunity to create their own OPEB Trust Funds. The general statute is in Chapter 32B, Section 20 of the Massachusetts General Laws.

SCOPE:

The Massachusetts General Law has a somewhat broader scope than does the Wayland Special Act. There two principle differences. The first is in the naming of the Trustees of the OPEB Investment Account. The Wayland Special Act specifically names the Town Administrator and the Town Finance Director. The Massachusetts General Law allows each town to establish its own Trust Document for the OPEB Investment Account and name the trustees.

The second main difference is that the Massachusetts General Law requires the Town to prepare an annual summary of the costs, obligations and other related information required under GASB 45. The Town of Wayland Special Act is silent on the reporting requirements, although there is an implication that the Custodian of the OPEB Investment Account prudently fulfill the duties of a Custodian, which would normally include some sort of report of assets.

REASONS TO PROCEED:

The above are the main reasons to proceed. A further enumeration of the reasons to proceed are more definitively described by Jay Sherry in the accompanying document.

REASONS TO PROCEED at the 2015 Fall Special Town Meeting:

1) First, the OEPB Committee is planning to have concluded its work prior to the 2015 Fall Special Town Meeting. At that point, the ongoing duties required for successfully meeting the OPEB obligation, will become duties of the Town's employees. It is important to make a clean hand-off in the responsibilities. Leaving loose ends for the Town employees to pick up, or for anyone, for that matter, to pick

up is an invitation for dropping the baton and the important business not being realized.

2) Second, neither of the present trustees of the present OEPB Investment Account are investment professionals and investment acumen is not part of any job description for any Town employee. It is unreasonable to assume that professional management of the account will consistently proceed over the long term when none of the Trustees has the background and experience to manage large amounts of money. We have seen this lack of professional investment expertise early in the life of the Wayland OPEB Investment account; where, in the first several years, all the assets were invested in a very short-term investment paying virtually no interest, when the obligations were not due for 30 years. In the time period of the first years of the account the foregone investment return that resulted amounted to about \$3 million, which is a very large return on an account worth approximately \$10 million at the time. Any postponement of revisions to the governance of the Town's OPEB Investment account means a continuation of investment returns that today are not meeting the 7% required to fund the account.

3) Third, delaying the consideration of the proposed change would put it on the agenda for the Regular Town Meeting to be held in the Spring, where the FinCom, the Selectmen and the Town staff would be responsible for carrying the ball. All of these people are completely focused on the annual Town budget and would have scant time to put to the OPEB article. In the case of the OPEB Warrant article, putting it off does not make the situation better, but quite the opposite.

ARTICLE XX: OPEB TRUST FUND LEGISLATION AND GOVERNANCE

Proposed by: OPEB Advisory Committee

To determine whether the Town will vote to:

- a) authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to repeal Chapter 372 of the Acts of 2010, "An Act Establishing a Postemployment Benefits Trust Fund in the Town of Wayland", and to concurrently
- b) adopt the provisions of Massachusetts General Law Chapter 32B Section 20 entitled "Other Post-Employment Benefits Liability Trust Fund" when the repeal becomes effective.

FINANCE COMMITTEE COMMENTS [proposed]: The intent of this article is to provide the Town with more flexibility in the appointment of the Board of Trustees to its OPEB Trust Fund, with the aim of improving the investment expertise on the Board as well as improving Board governance and Trust Fund oversight. This expertise should improve investment returns achieved by the Trust, which should in turn help hold down the size of future OPEB contributions that Wayland taxpayers will need to make to the Trust.

OPEB Introduction

The Town of Wayland, like virtually all municipalities in Massachusetts, offers its retirees both pensions and health insurance benefits. The health insurance benefits fall into a category known as "Other Post-Employment Benefits" or OPEB. OPEB benefits accrue for Wayland's current active employees and are then paid to them during their retirement many years in the future. Money for these benefits is appropriated each year and invested in Wayland's OPEB Trust Fund which must grow over decades as the future benefit accrues.

As of June 30, 2015, the OPEB Trust Fund balance was \$12,486,717, but the Town's estimated OPEB liability was \$26,900,000. Given anticipated healthcare inflation, this OPEB liability is expected to grow to \$80,300,000 by 2038. The Town aims to fully fund this amount by 2038 by skillfully investing its OPEB money, as well as by adding new annual contributions made by taxpayers to the OPEB Trust Fund. Achieving a 7% investment return on average by the Trust Fund is critical to holding down the size of these annual taxpayer contributions.

History of OPEB in Wayland

This timeline of OPEB in Wayland will provide some historical context:

- May 2008: Wayland makes its first \$750,000 OPEB contribution, but the Town has no established trust fund. The money goes into a Town savings account yielding approximately 0.3% per year.
- Nov 2008: Town Meeting votes to authorize the Board of Selectmen (BOS) to petition the Massachusetts legislature to establish an OPEB trust in Wayland. The Town recommends language giving the Town Administrator and Finance Director supervisory and management responsibilities for the trust, while making the Town Treasurer the custodian of the trust funds.

- 2009 – 2012: Wayland continues to make annual OPEB contributions to the Town savings account.
- Nov 2010: After 24 months, the Massachusetts Legislature enacts Wayland’s requested special statute, called “An Act Establishing a Postemployment Benefits Trust Fund in the Town of Wayland”. See the full text in Appendix A of this Warrant.
- July 1, 2011: Effective date of Massachusetts General Law (MGL) Chapter 32B section 20, “Other Post-Employment Benefits Liability Trust Fund”. This general law governs OPEB trusts for any municipality that accepts the law, which is the case for most Massachusetts municipalities that have an OPEB trust. Significantly, the law does NOT specifically mandate the makeup of the Board of Trustees. Acceptance of this law by Wayland requires an affirmative vote of Town Meeting. See the full text of this law in Appendix B of this Warrant.
- Apr 2012: Town Treasurer moves Wayland’s OPEB money from the savings account into dedicated OPEB investment accounts at Bartholomew & Company and Rockland Trust, two professional investment management firms. New OPEB contributions for fiscal 2013 through fiscal 2016 are split evenly between these two accounts.
- June 2013: BOS creates OPEB Advisory Committee
- May 2015: OPEB Advisory Committee recommends appointment of the law firm Murphy Hesse Toomey & Lehane as OPEB Special Counsel to provide specialized legal advice on Wayland’s OPEB trust agreement and trust governance. BOS approves appointment.

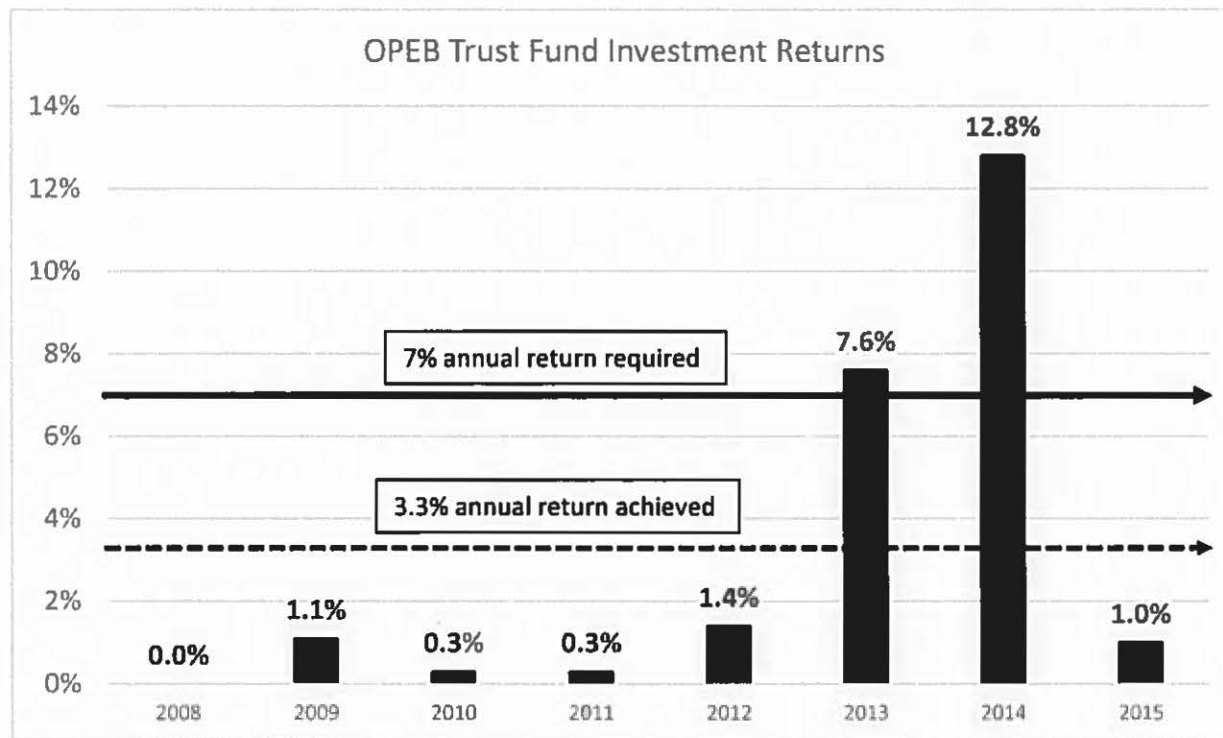
History of OPEB Trust Contributions and Investment Returns

Fiscal Year	New Contribution to OPEB Trust*	OPEB Trust Balance at Fiscal Year End*	Annualized Investment Return %**
2008	\$750,000	\$750,000	0.0%
2009	\$1,110,319	\$1,880,791	1.1%
2010	\$1,860,319	\$3,753,630	0.3%
2011	\$3,150,000	\$6,921,160	0.3%
2012	\$2,800,000	\$9,859,540	1.4%
2013	\$0	\$10,606,911	7.6%
2014	\$98,534	\$12,078,313	12.8%
2015	\$285,425	\$12,486,717	1.0%
Total	\$10,150,182	Average 5/1/08-6/30/15:	3.3%

The average investment return for the last three years of 7/1/12 to 6/30/15 is 7.0% per year.

*Sources: Town of Wayland 2014 Financial Statements, page 53 for FY 2008 to FY2014; Minutes of Annual Town Meeting April 4, 2014 for FY 2015 new contribution; June 30, 2015 accounts statements from Bartholomew and Rockland Trust for FY 2015 trust fund balance.

** Investment returns assume new contributions are made July 1 of each fiscal year, except FY 2008 which assumes a May 1, 2008 contribution. Average returns for multiple years are time-weighted returns, i.e. geometric averages of the returns for the number of years in the period.



Summary of Legal Advice from OPEB Special Counsel

OPEB Special Counsel advises that Wayland's OPEB Trust was effectively established by the November 2010 special statute, despite the lack of a formal trust agreement. The Town Administrator and Finance Director effectively form a two person "Board of Trustees" which has a fiduciary duty to invest the funds prudently for the benefit of the Trust's beneficiaries. These beneficiaries are the Town of Wayland's retirees (current and future), along with their qualifying spouses and dependents. No other trustees beside these two *ex officio* members may be appointed to the Board as it would violate the special statute. If these two individuals don't have the requisite investment expertise they must document how they sought out advice and counsel from qualified investment professionals. The Town Treasurer is custodian of the fund's money, but is not a trustee.

OPEB Advisory Committee's Analysis and Recommendation

Achieving the 7% average annual investment return objective in Wayland's OPEB Trust Fund over the long term is the single most important factor that will help limit the increase in future OPEB contributions by Wayland taxpayers. The Board of Trustees must have the requisite investment expertise to make prudent and expeditious investment decisions to achieve the 7% objective.

Wayland's current OPEB statute restricts the Board membership to only the Town Administrator and Finance Director, neither of whom were hired for their investment expertise. The Town cannot afford subpar investment returns due to a Board that has limited or no investing skill.

Purely from a good governance perspective, Wayland's OPEB trust fund should not:

- Have a board restricted to two town officials not selected for their investment expertise.

- Have a board where one trustee (Finance Director) formally reports to the other (Town Administrator).
- Have a board where all trustees are themselves beneficiaries of the trust.
- Have a board with no citizen taxpayer representation.

Wayland needs an OPEB Board of Trustees a majority of whom are citizen taxpayers with qualified investment expertise, and all of whom are appointed to staggered terms by the Board of Selectmen. Repealing Wayland's special OPEB statute and adopting Chapter 32B section 20 provides the Town with the flexibility to make these changes in trust governance.

The Town did not have the option of accepting MGL Chapter 32B section 20 in November 2008, since it was not enacted and thus not available as a choice until July 1, 2011. The OPEB Advisory Committee recommends its acceptance now. Once the repeal is enacted by the Legislature, the Trustees can amend the trust agreement governing the OPEB Trust allowing the appointment of a new Board of Trustees.

The OPEB Committee voted 4-0 to support this article.

The Personnel Board voted x-x to support this article.

The Board of Selectmen voted x-x to support this article.

ARGUMENTS IN FAVOR: *[proposed]* Arguments for this article include

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 the trust from today's \$12 million to the \$80 million required by 2038 in order for Wayland's OPEB to be fully funded. Since these individuals 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.

ARGUMENTS OPPOSED: *[proposed]* Some may argue that the benefits of changing the composition of the Board of Trustees are not worth the time and effort required and will make little long term difference in the investment returns achieved.

Some may argue that finding qualified citizens with investment expertise who are also willing to volunteer to serve on this municipal Trust Fund Board will be difficult. Making this change may only add to the long list of vacancies on the Town's boards, committees and commissions.

RECOMMENDATION: The Finance Committee recommends approval. Vote: x-x.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44. Section 33B

For more information about this article, contact Jay Sherry, OPEB Advisory Committee at (508) 308-3422, email sherry.jay@gmail.com, or Gordon Cliff, Finance Committee, at gordoncliff59@gmail.com.

DRAFT

APPENDIX A: Article XX, Wayland's Special OPEB Statute

Session Laws: Chapter 372 of the Acts of 2010, 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 PostEmployment 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.

APPENDIX B: Article XX, MGL Chapter 32B Section 20

Massachusetts General Laws: Chapter 32B, Section 20

(a) A city, town, district, county or municipal lighting plant that accepts this section may establish an Other PostEmployment 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 1395w132 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 postemployment 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.

This section 20 made law by Chapter 68 of the Acts of 2011, section 57, and became effective July 1, 2011.

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING AUGUST 28, 2015**

INFORMATION TECHNOLOGY

Please see attached memo from Elizabeth Doucette which lists the projects likely to be a priority for the current fiscal year. Due to the Board's time constraints, we were not yet able to schedule a presentation to the Board by McGladrey Associates on the IT planning project. There will be a request for a current year transfer for at least two essential IT projects with other projects funded in the FY 16 budget. The Finance Director requests a final number for September 8th for presentation to the Finance Committee with revisions allowed until the end of September.

SPECIAL SPEED REGULATION

The special 25 mph speed regulation for Pelham Island Road was approved by MassDOT.

APPROVAL OF BY-LAWS DELAYED BY ATTORNEY GENERAL

Town Counsel agreed on n the town's behalf to the AG's office request for a 30 day extension because the AG needed more time to review citizens' article 32, amending the litter bylaw. The AG will also delay implementation of Articles 10 (Private Fire Hydrants), 18 (Reconsideration of Articles at Town Meeting), and 19 (Stormwater).

NOTICE OF LAWSUITS RECEIVED

The Town has 2 current legal matters involving the School Department. One involves former Athletic Director Stephen Cass. The other is lawsuit brought by a former student who is identified as John Doe. Both issues were forwarded to our insurer, MIIA under the Town's liability policy. MIIA has assigned each issue to legal counsel. MIIA attorneys have contacted the School Department. Under the Town's liability policy, there is a \$25,000 deductible per claim.

MINUTES

Attached are the minutes of August 10th for your review. Please send your comments to Mary Ann.

MINUTEMAN HIGH SCHOOL PROJECT

At my request, Minuteman's Assistant Superintendent of Finance provided the attached new data on the estimated annual cost to Wayland for debt for the proposed new High School. To be eligible under Minuteman's current application for 40% MSBA funding of the \$144.9 M project, the 16 towns must vote at town meeting or through a ballot to incur debt by June 30, 2016. Counsel advises that the actual date on which debt is incurred may be the date of the vote or as contractual obligations are incurred, subject to interpretation by the Department of Revenue. Under the Regional Agreement, towns that withdraw from the District after debt is incurred remain responsible for debt incurred before withdrawal. The Regional Agreement apportions capital costs for each fiscal year "by computing the ratio which the town's pupil enrollment in the regional district school on October 1 of the [prior] fiscal year ... bears to the total pupil

enrollment from all the member towns on the said date”, with each town being assessed a minimum enrollment number of five. Wayland’s responsibility would therefore have some variation each year.

The District may call a special election to incur the debt. The following is a summary of this election process:

1. The election shall be called by a warrant addressed to the registered voters in the member towns and signed by a majority of the members of the district committee which shall set forth the date of the election, the polling place or places in each town, the hours during which the polls are to be open and the question which is to appear upon the ballot.
2. Notice of the election shall be given by posting a copy of the warrant attested by the secretary of the committee in at least one public place in each town and by publishing a copy thereof at least once in a newspaper of general circulation in the district, said posting and publishing to occur at least ten days before said election.
3. A certificate of the secretary shall be conclusive evidence that the warrant was duly posted and published. The number and location of the polling place, or places, in each town shall be determined by the district committee after consultation with the selectmen thereof; and the hours during which all the polls in the district are open shall be uniform throughout the district and shall be not less than four nor more than eight consecutive hours.
4. The district committee shall be responsible for preparing the ballots used at the election.
5. The town clerk of each town shall certify the results of the election to the district committee.
6. Except as provided herein the election shall be conducted in each town in the same manner as town meetings for the election of town officers. The expenses of the election shall be paid by the regional school district as an operating expense of the district.
7. DESE has advised us that the vote is a majority, un-weighted vote of all the district’s registered voters, so the total number of votes would be accumulated and the total “yes” votes accumulated.
8. The election costs are borne by the district as an operating cost (which would then indirectly be allocated proportionally as part of the district’s operating budget).

DATE: AUGUST 31 2015
TO: BOARD OF SELECTMEN
FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST
RE: INFORMATION TECHNOLOGY SHORT-TERM RECOMMENDATIONS

BOARD ACTION REQUESTED:

NONE AT THIS TIME – PURPOSE IS TO PROVIDE AN UPDATE ON IT PROJECTS RECOMMENDED FOR IMPLEMENTATION IN FY16

BACKGROUND:

The Town engaged McGladrey, LLP in June 2015 to develop an Information Technology Master Plan. In advance of the final Master Plan, McGladrey, LLP reported their preliminary recommendations on projects to consider for implementation in FY16. A meeting took place on August 26, 2015 to review these preliminary recommendations with staff and several community members, resulting in agreement that there is a need to implement four projects in FY16. The remaining priorities/preliminary recommendations have been prioritized and will be considered at the Annual Town Meeting.

The four projects recommended for implementation in FY16 are:

1. MUNIS maintenance
The Munis server has reached end-of-life and requires upgrade
2. Email server maintenance
The Email server requires upgrade to the latest release
3. Firewall maintenance
The Firewall will be upgraded to technology with enhanced protections to mitigate risk
4. Storage Area Network (SAN) maintenance
The SAN will replace aged storage and additional space for processing requirements to ensure business continuity and reliability

The FY16 IT Operating Budget is under review to determine if funding may be available for MUNIS and Email server upgrades.

The Firewall and SAN replacements are being further-defined for consideration as a Fall Town Meeting funding request.

Balmer, Nan

From: Mahoney, Kevin <k.mahoney@minuteman.org>
Sent: Thursday, August 27, 2015 12:08 PM
To: Balmer, Nan
Cc: Bouquillon, Ed
Subject: Minuteman - Building Project Information
Attachments: Proj Assessments-New Bldg 8.25.15.pdf; Proj Debt Service - New Bldg 8.25.15.pdf; Proj Tax Rate Impact - New Construction 8.25.15.pdf

Good Afternoon Nan,

To follow-up your request on Monday, attached you will find projected member town assessments, debt service and tax rate impact by member towns once the new school building project is complete and permanent bonding is issued in FY20. Some of the key assumptions include member town enrollment at 524 students, with 104 non-member students paying a capital fee in addition to the nonresident tuition rate to offset member town debt service costs in accordance with recent changes to Ch. 74 regulations. We project an operating budget of \$21.0M with all operating and capital assessments based under the current Regional Agreement. Total cost of the project is \$144.9M, of which 40% of eligible costs will be funded by MSBA, and the remaining amount to be financed using a 30 year level debt service bond.

I hope this information is helpful. Please contact me if you have questions.

Regards,

Kevin

Kevin F. Mahoney
Assistant Superintendent of Finance

Minuteman High School
758 Marrett Road, Lexington, MA 02421
T 781.861.6500 x7220
F 781.863.1747
www.minuteman.org

MINUTEMAN

A REVOLUTION IN LEARNING

Prepare for College and Life | Learn from the Experts | Make a Fresh Start | Be More Than Just Another Student | Experience The Modern American High School | Believe In Yourself

Minuteman Regional High School
Five year Projected Revenue Plan and Assessments - New School Construction Project

Revenue Plan	FY20 PROJECTED	Member Town	Min. Req. Contribution	Transportation	Other Operating Assessment	Debt/Capital	Total Assessments
Non-Assessment Revenue		Acton	464,409	66,848	137,585	298,783	967,626
Chapter 70 State Aid	2,868,943	Arlington	2,607,837	375,377	772,595	1,677,783	5,433,592
Transportation Reimbursement	660,664	Belmont	517,995	74,561	153,461	333,258	1,079,275
Non-Member Tuition	2,060,368	Bolton	178,619	25,711	52,917	114,917	372,164
Non-Member Capital Fee	779,879	Boxborough	71,448	10,284	21,167	45,967	148,866
E & D Contribution	275,000	Carlisle	142,895	20,569	42,334	91,933	297,731
Total - Non-Assessment Revenue	6,644,853	Concord	214,343	30,853	63,501	137,900	446,597
		Dover	53,586	7,713	15,875	42,234	119,408
Assessment Revenue		Lancaster	571,581	82,274	169,336	367,733	1,190,924
Minimum Required Contribution	6,885,462	Lexington	741,269	106,700	219,607	476,904	1,544,480
Transportation	990,996	Lincoln	71,448	10,284	21,167	45,967	148,866
Debt	4,453,313	Needham	392,962	56,564	116,418	252,817	818,760
Assessments over Minimum Contribution	2,039,651	Stow	321,514	46,279	95,251	206,850	669,895
Total = Assessment Revenue	14,369,423	Sudbury	428,686	61,706	127,002	275,800	893,193
		Wayland	53,586	7,713	15,875	42,234	119,408
		Weston	53,287	7,559	15,558	42,234	118,638
Total Budget	21,014,276	Total	6,885,462	990,996	2,039,651	4,453,313	14,369,423
Assumptions:			Projected Per Pupil Cost:				
Debt Service effective FY20				Total Operating Budget		21,014,276	
Projected Enrollment (based on 8% annual increase in member enrollment)				LESS:			
In-District	524			Debt		(5,233,192)	
Out-of-District	104			Capital		(190,000)	
	628			Community Services		(100,000)	
Inflation Rate - 2% Annually (FY17 to FY20) For Foundation Budget				Net Operating Budget		15,491,084	
Transportation Reimbursement = 60%				Total Enrollment		628	
This model uses the formulas as required in the Current Regional Agreement and valid within the assumptions listed above.				Per Pupil Cost		24,667	
This is prepared in response to requested information by member towns and the assumptions used must be considered when analyzing projected future costs to each member town.							
Five year model used to align with expected enrollment and debt planning. Subject to change as required.							

**Minuteman Regional High School
New School Building Project
Projected Annual Debt Service**

Member Towns	Projected Enrollment for Current Method Debt/Capital Assessment	Enrollment Method Debt/Capital Assessment Share	ESCO Lease	New Building Project	Total Capital Assessment
Acton	35	6.71%	\$33,971	\$264,812	\$298,783
Arlington	199	37.67%	\$190,761	\$1,487,023	\$1,677,783
Belmont	39	7.48%	\$37,891	\$295,368	\$333,258
Bolton	14	2.58%	\$13,066	\$101,851	\$114,917
Boxborough	5	1.03%	\$5,226	\$40,740	\$45,967
Carlisle	11	2.06%	\$10,453	\$81,481	\$91,933
Concord	16	3.10%	\$15,679	\$122,221	\$137,900
Dover	5	0.95%	\$4,802	\$37,432	\$42,234
Lancaster	44	8.26%	\$41,811	\$325,923	\$367,733
Lexington	56	10.71%	\$54,223	\$422,681	\$476,904
Lincoln	5	1.03%	\$5,226	\$40,740	\$45,967
Needham	30	5.68%	\$28,745	\$224,072	\$252,817
Stow	24	4.64%	\$23,518	\$183,332	\$206,850
Sudbury	33	6.19%	\$31,358	\$244,442	\$275,800
Wayland	5	0.95%	\$4,802	\$37,432	\$42,234
Weston	5	0.95%	\$4,802	\$37,432	\$42,234
Total	527	100.00%	\$506,333	\$3,946,980	\$4,453,313

Annual Debt Service	
ESCO Debt	\$506,333
Bldg. Project:	
Proj. Annual Debt Service	\$4,726,859
LESS: OOD Capital Fee	(\$779,879)
Net Annual Debt Service	\$3,946,980
Total Net Debt	\$4,453,313

Capital Fee Calculation	
Enrollment Capacity	628
Projected In-District Enrollment (5 min. not incl.)	-524
Projected Non-resident Enrollment	104
Annual Debt Service - Per Pupil Cost	\$4,726,859
Divided by Enrollment Capacity	628
Capital Fee Per Student	\$7,527
Projected Capital Fee Revenue	
Non-resident Capital Fee Per Pupil	\$7,527
Times Projected Non-resident enrollment	104
Total Projected Capital Fee Revenue	\$779,879

*Current Method based on projected enrollment data (with 5 minimum)
Project based on a 30 year pay back, 40% reimbursement with a 3.5% interest rate

**Minuteman Regional High School
New School Building Project
Projected Tax Impact to Median Home by Member Town**

MEMBER TOWN	Median Home Value	New Building Project Only			
		Projected Debt Assessment	Residential Tax Impact	Estimated Tax Impact Per Median Home	Estimated Tax Impact Per \$100,000
Acton	476,700	\$264,812	\$0.0678	\$32.32	\$6.78
Arlington	498,700	\$1,487,023	\$0.1914	\$95.44	\$19.14
Belmont	638,600	\$295,368	\$0.0498	\$31.82	\$4.98
Bolton	477,300	\$101,851	\$0.1133	\$54.09	\$11.33
Boxborough	492,700	\$40,740	\$0.0417	\$20.55	\$4.17
Carlisle	754,700	\$81,481	\$0.0646	\$48.75	\$6.46
Concord	684,200	\$122,221	\$0.0226	\$15.45	\$2.26
Dover	909,400	\$37,432	\$0.0161	\$14.69	\$1.61
Lancaster	295,800	\$325,923	\$0.3934	\$116.36	\$39.34
Lexington	704,600	\$422,681	\$0.0404	\$28.44	\$4.04
Lincoln	854,300	\$40,740	\$0.0216	\$18.49	\$2.16
Needham	662,500	\$224,072	\$0.0223	\$14.79	\$2.23
Stow	437,500	\$183,332	\$0.1585	\$69.33	\$15.85
Sudbury	632,800	\$244,442	\$0.0585	\$37.01	\$5.85
Wayland	591,600	\$37,432	\$0.0116	\$6.83	\$1.16
Weston	1,000,000	\$37,432	\$0.0067	\$6.67	\$0.67
Totals		\$3,946,980			



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

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

DRAFT

Board of Selectmen Meeting Minutes August 10, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Tony V. Boschetto, Cherry C. Karlson, Joseph F. Nolan (arrived 7:27 p.m.)

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:01 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. C. Karlson thanked the DPW for its rapid response to the recent storm. She noted that the water ban remains in effect, and announced that the last summer concert in the Wayland Town Center will be Wednesday, August 16, at 5:30 p.m.

A2. Public Comment Dorothy Dunlay, 27 Sherman's Bridge Road, said Sherman's Bridge has historic significance. She said that the neighbors got together in the late 1990's to protect the design and support federal legislation to preserve at least one wooden bridge in each state. Tom Sciacca, 31 Rolling Lane, also expressed support for maintaining the current design of Sherman's Bridge; he said it allows residents a sense of a wild and scenic river. Susan Koffman, 66 Sherman's Bridge Road, said the neighbors are concerned about the proposed design of Sherman's Bridge and the lack of information provided to the public. She said the design can be engineered to maintain its historical integrity.

A3. OPEB: Discuss Proposed Changes to Governance, Special Town Meeting Article, and Potential Vote to Authorize Preparation of Trust Document Jay Sherry, OPEB Advisory Committee, appeared before the Board to discuss the preparation of an OPEB trust, the governance of the trust, and proposed Special Town Meeting articles. He said the OPEB committee learned from Special Counsel Brian Fox, of Murphy, Hesse, Toomey & Lehane, that the current OPEB Trust is deficient in meeting GASB 45 requirements, and recommended the preparation of a formal trust agreement document for review by the Board and adoption by the OPEB Trust's Board of Trustees. He noted that no Town Meeting action is required to adopt the trust agreement, and he said the OPEB Advisory Committee voted 3-0 to recommend a request for an additional \$1,000 for legal costs to prepare the trust document.

J. Nolan arrived at 7:27 pm.

The Board discussed the potential changes to the governance model under consideration. Members discussed increasing the number of trustees, and the importance of expertise and diversity. J. Sherry said the current trustees are compelled to hire an investment advisor to fulfill their fiduciary responsibilities. The Board discussed the advantages and drawbacks of using PRIT (Pension Reserves Investment Trust). T. Boschetto asked if the entire trust must be put into PRIT; J. Sherry said no, it can be split between accounts. J. Sherry said it was the opinion of Special Counsel that a change to the current model should be put into effect by a vote of Town Meeting to petition the Legislature to revoke Wayland's special OPEB Trust Statute, and adopt the provisions of Chapter 32B Chapter 20. Following Town Meeting, he said the Board would

then amend its Trust Agreement regarding the composition of the Board of Trustees. The Board considered the employment status of the trustees, and the need for indemnification. T. Boschetto thanked the committee for its work. C. Karlson said she was inclined to go forward with the adoption of the trust, but would like more direction on the amendment. T. Boschetto moved, seconded by M. Antes, to authorize an additional \$1,000 for the preparation of an appropriate OPEB Trust Document by the OPEB Special Counsel, consistent with Wayland's Special OPEB Trust Statute. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: none. ABSTAIN: J. Nolan. Adopted 4-0-1.

A4. Meet with the Chair of the Board of Public Works and DPW Director to Discuss Special Town Meeting Articles and for Update of DPW Projects The Board was joined by Chris Brown, Chair of the Board of Public Works, and Stephen Kadlik, Director of Public Works, to discuss potential Special Town Meeting articles and DPW projects. C. Brown said funding is ready for the Route 27/30 intersection project, and there is one parcel of land left to be donated or taken by eminent domain. J. Nolan emphasized the need to retain the funding from TIP (Transportation Improvement Plan), and asked that Town Counsel record all the parcels at a nominal fee; he said that if one owner wants fair market value, it can be addressed. The Board directed the Town Administrator to confirm that the legal requirements have been met in regard to the article that passed at the 2015 Annual Town Meeting. C. Karlson noted the public comment regarding Sherman's Bridge. C. Brown said there were numerous citizen concerns brought up at the Conservation Commission hearing for permitting, and the state Department of Transportation withdrew the funding. C. Brown said there is a need for a reconstruction plan, as the bridge is currently unsafe. He said the Board of Public Works authorized the Director of Public Works to close the bridge if Sudbury and Wayland deem the bridge to be unsafe. S. Kadlik noted that the reconstruction of the current wooden deck will be much more expensive, and C. Brown said state funding may be contingent upon state design requirements. C. Brown said the School Street and East Plain Street project is in the design phase, and will be ready for the 2016 Annual Town Meeting as a capital project. A cost estimate and issues with the turn radius by fire apparatus will be addressed. T. Boschetto asked if Option Three was still viable, and C. Brown said it could be a long-term solution. C. Brown said design plans are underway for Glezen Lane. He discussed traffic calming on Stonebridge Road, and said his sense is that speed bumps are not a likely solution, as both the Police and Fire Chief are opposed due to ice and damage to equipment. The Board discussed the potential need for a Special Town Meeting article, as the Department of Environmental Protection requires a Water Conservation Bylaw in order for the town to get a new water permit. C. Brown advised the Board that a draft bylaw is sufficient for a one-year extension until the 2016 Annual Town Meeting. If the bylaw is approved at that time, the DEP will issue the remaining 19-year permit. C. Brown provided the Board with background on the current water ban. He said the town is authorized to withdraw 1.7 million gallons a day, and the town is pumping too much water. He said that at the end of August, there will be a need to temporarily shut down the wells while one more well is added at Happy Hollow. T. Boschetto asked if there was a long-term plan for meeting water needs. C. Brown said there will be one additional well at Happy Hollow; the other option is to request an increase in daily capacity from the DEP. M. Antes suggested making the water bills more informative by including the number of daily gallons used per household, and asking residents to limit their usage. The Board thanked the DPW for the cleanup work done during the recent storm.

A5. Vote to Open Warrant for Special Town Meeting T. Boschetto moved, seconded by M. Antes, to hold a Special Town Meeting on Monday, November 9, 2015, at 7:30 p.m. in the Wayland High School Field House, and the warrant for said Special Town Meeting to 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. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson noted that should a second night of Special Town Meeting be required, it would be held on Tuesday, November 10.

A6. General Discussion and Review of Special Town Meeting Articles The Board reviewed the draft list of articles for the November 9, 2015, Special Town Meeting. Members discussed potential articles and the ability to address them effectively within the time constraints. C. Karlson said she would like to include the Board's vote on each article in the warrant.

A7. Board Policy Discussion and Vote J. Nolan moved, seconded by L. Anderson, to approve as amended the Board policy, "Management of Town Legal Affairs." YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson said the next policies for review were Public Hearings, Opportunities for Public Comment on Regulations & Fees, Communication with the Board of Selectmen, Acknowledgement of Correspondence, and Publication of the List of Public Records. T. Boschetto asked for clarification of the requirement to schedule public comment on regulations and fees. The Board reviewed the policy regarding communications with the Board, and suggested revisions be made for further review.

A8. Review and Potential Vote on Board Portfolio Assignments The Board reviewed and revised the portfolio assignments by re-assigning shared portfolios to individual members so as to avoid any potential Open Meeting Law violations.

A9. Discuss Communications with Public M. Antes led a discussion regarding improved communication with the public. She proposed that the Board meet with focus groups over a period of two to four weeks, to present a standard set of questions and get feedback. She recommended that specific invitations be issued to assure a diversity of geography, age, and household income. Board members also considered publishing a quarterly Selectmen's newsletter, scheduling more Selectmen's office hours, and holding regular meetings with the media. C. Karlson recommended a "public conversations project" to facilitate discussions where there is conflict.

A10. Discuss Open Meeting Law The Board discussed ways to communicate and educate the town's board and committees in regard to the Open Meeting Law. M. Antes suggested providing more information, such as updates on Open Meeting Law decisions. C. Karlson said the effort should be coordinated by a staff member. L. Anderson noted the need to support the town's volunteers. N. Balmer said she will meet with the Town Clerk regarding this issue.

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

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. L. Anderson reported on the August 3 meeting in Sudbury with representatives of member towns' Boards of Selectmen. She said the towns are evenly split over their support of the proposed size of the school, but they are opposed to a district-wide vote. She said the MSBA voted to support the project. She asked if there was a way for the town to ascertain its current cost. T. Boschetto noted the cost under the current agreement is less than under the proposed agreement, and that the town would be obligated to its portion of the debt up to the date of withdrawal.

M. Antes highlighted the letter to the owner of an affordable housing unit with an illegal rental. J. Nolan suggested that the Board request a meeting with the editorial board of MetroWest News; he expressed concern that the media does not reach out to the town before publishing critical opinions.

A13. Report of the Town Administrator N. Balmer provided an update on the construction at River Trail. She said the Phase I Site Assessment was received for the Town Center Municipal Pad, and the soil testing will now be conducted. She updated the Board on the Recreation revolving fund, and said that an RFP will be issued this week for an expert financial advisor to the OPEB fund trustees. The Board discussed liability coverage for the staff's fiduciary responsibility; N. Balmer said MIIA requires a separate officers and directors policy. N. Balmer noted the Finance Director had provided the Fiscal Year 2015 Budget Status Report. She advised the Board that procurement has begun for an on-call engineering firm, as the town does not employ a Town Engineer.

A14. Selectmen's Reports and Concerns C. Karlson reviewed upcoming meeting schedules. L. Anderson said the Board of Assessors will be discussing the overlay amount tonight, and the Finance Committee will discuss it next week. C. Karlson said the Board needs to review the status of executive session minutes.

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

A16. Adjourn There being no further business before the Board, L. Anderson moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:35 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 10, 2015

1. None.

Items Included as Part of Agenda Packet for Discussion During the August 10, 2015 Board of Selectmen's Meeting

1. OPEB Advisory Committee Notes, Draft of August 6, re: Proposed Changes to Governance, Special Town Meeting Article, and Potential Vote to Authorize Preparation of Trust Document
2. Memorandum of 8/10/15 from Nan Balmer, Town Administrator to Board of Selectmen, re: Board of Public Works Update
3. Memorandum of 8/10/15 from Board of Selectmen to All Boards, Committees, Departments and Staff re: Special Town Meeting
4. Draft List of Potential 2015 Fall Special Town Meeting Articles
5. Memorandum of 8/10/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Board Policies
6. Memorandum of 8/10/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Board Portfolio Assignments
7. Report of the Town Administrator for the Week Ending August 7, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, August 31, 2015
Wayland Town Building
Selectmen's Meeting Room

REVISED CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice of CMG Environmental Inc., Soil Sampling, Invoice 4990, August 17, 2015: \$2,300.00
3. Vote the Question of Approving the Invoice of Murphy, Hesse, Toomey & Lehane for Legal Services through July 31, 2015, Bill Number 61352: \$1,543.00
4. Vote the Question of Approving the Invoice of Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through August 20, 2015, Invoice 166, Account 5673-01M: \$1,522.75
5. Vote the Question of Approving the Minutes of July 27, 2015, and August 3, 2015

CMG ENVIRONMENTAL, INC.

INVOICE

67 Hall Road
 Sturbridge, MA 01566
 Phone 774.241.0901 Fax 774.241.0906

DATE: 8/17/15
 INVOICE # 4990
 CMG ID # 2014-055

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

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

RECEIVED

AUG 20 2015

Board of Selectmen
 Town of Wayland

Comments or Special Instructions: Per 7/31/15 Change Order to 6/19/15 Proposal, authorized 8/5/15

SALESPERSON	P.O. NUMBER	SHIP DATE	CMG ID	TERMS
BG	Verbal	8/17/15	SA	Net 30

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Soil Sampling for Polychlorinated Biphenyls (PCBs) Collection of 8 soil samples and preparation of 8/17/15 Soil Sampling Addendum Letter to 7/21/15 Phase I Environmental Site Assessment Report (lump-sum fee)	\$ 2,300.00	\$ 2,300.00

SUBTOTAL	\$ 2,300.00
TAX RATE	0.00%
SALES TAX	-
SHIPPING & HANDLING	-
TOTAL	\$ 2,300.00

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

THANK YOU FOR YOUR BUSINESS!

MURPHY, HESSE, TOOMEY & LEHANE, LLP
Attorneys at Law

TEL: (617) 479-5000

300 CROWN COLONY DRIVE, SUITE 410
P.O. BOX 9126
QUINCY, MA 02269-9126

FAX: (617) 479-6469

Billing Summary

Nan Balmer, Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Bill date 08/19/15
Bill number 61352
Billing through 07/31/15

00002 OPEB Issues

Total fees for this matter	\$1,543.00
Total disbursements for this matter	\$0.00

INVOICE SUMMARY:

TOTAL FEES FOR THIS BILL	6.10 hrs	\$1,543.00
TOTAL EXPENSES FOR THIS BILL		\$0.00
TOTAL DUE THIS BILL		\$1,543.00

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

INVOICE FOR LEGAL SERVICES

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

Page 1
08/20/2015
Account No. 5673-01M
Invoice No. 166

Attn: Town Administrator

RECEIVED

AUG 24 2015

Board of Selectmen
Town of Wayland

Labor

TOTAL CURRENT INVOICE

1,522.75

BALANCE DUE

\$1,522.75



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes July 27, 2015

Attendance: Lea T. Anderson, Tony V. Boschetto (arrived 7:23 p.m.), Cherry C. Karlson, Joseph F. Nolan (arrived 6:45 p.m.)

Absent: Mary M. Antes

Also Present: Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli (left at 7:00 p.m.)

A1. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Disposition of the Wayland/Sudbury Septage Facility; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Collective Bargaining Pertaining to the School Custodians and Potential Vote to Instruct the Selectmen's Representative to those Negotiations on a Potential School Committee Vote; and to Review and Consider for Approval the Minutes of May 18, 2015, June 24, 2015, and July 13, 2015, Relative to Said Subjects: Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), a Discussion of Potential Litigation regarding Illegal Affordable Housing Rentals; and a Discussion of Strategy with Respect to a Pending Action regarding Bernstein et al v. Wayland Planning Board et al, and a Discussion of Strategy with Respect to Pending Actions regarding Ide, et al, v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board Cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and a Discussion of Collective Bargaining Strategy Pertaining to Contract Negotiations with the Police Union, the Fire Union, and the AFSCME Clerical Union, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), a Discussion of the Exchange, Lease or Value of Real Estate in regard to the Municipal Parcel at Town Center At 6:45 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss the disposition of the Wayland/Sudbury Septage Facility; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to collective bargaining pertaining to the school custodians and potential vote to instruct the Selectmen's representative to those negotiations on a potential school committee vote; and to review and consider for approval the minutes of May 18, 2015, June 24, 2015, and July 13, 2015, relative to said subjects: pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), a discussion of potential litigation regarding illegal affordable housing rentals; and a discussion of strategy with respect to a pending action regarding Bernstein et al v. Wayland Planning Board et al, and a discussion of strategy with respect to pending actions regarding Ide, et al, v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and a discussion of collective bargaining strategy pertaining to contract negotiations with the Police Union, the Fire Union, and the AFSCME Clerical Union, and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), a discussion of the exchange, lease or value of real estate in regard to the municipal parcel at Town Center. The Chair declares that a public discussion of pending and potential litigation and collective bargaining will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: L. Anderson, C. Karlson, J. Nolan.

NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Assistant Superintendent of Schools Brad Crozier, Finance Committee member Carol Martin, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

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

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:22 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

T. Boschetto arrived at 7:23 p.m.

A3. Public Comment George Harris, 8 Holiday Road, commented on the Board policies under review on the agenda. He said that the term "leadership" should be defined to include ethics, communication, spending, taxation, and adherence to the open meeting law. He noted that Board members are required to abide by the decisions of Board, and questioned whether a Board member could then speak against a policy. He said the appointment of counsel should take into consideration the cost as well as the qualifications. Finally, he said the Town Counsel should have a contract, and the Board should create a process for an annual review.

A4. Consideration and Potential Vote to Approve Change of Manager Application, Bertucci's Restaurant, 14 Elissa Avenue The Board was joined by Derrick A. Plante, the new manager of Bertucci's Restaurant. D. Plante described his background and experience, and his interest in working in the community. J. Nolan emphasized the need for the proper training of the staff and service of alcoholic beverages. L. Anderson moved, seconded by J. Nolan, to approve the Change of Manager application for new manager Derrick A. Plante at Bertucci's Restaurant Corporation LLC, 14 Elissa Avenue in Wayland. YEA: L. Anderson, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0.

A5. Update from Ben Keefe, Facilities Director The Board was joined by Public Buildings Director Ben Keefe, and Energy Initiatives Advisory Committee members Ellen Tohn and John Harper, to provide an update on capital projects and planning, utility usage, the solar photovoltaic panel project, and the disposition of the previous DPW site.

B. Keefe discussed the installation of Capital Forecasting software. He said the software will help evaluate the 30-year capital replacement needs of the town, and can be used to develop five-year capital plans and annual capital budgets. In regard to utility usage, he said he is using the Mass Energy Insight website to track changes. He noted that if last year's usage were adjusted for weather, it would equate to 4-5% less usage. The changes to the average energy costs can be related to the budget, posted on the town website, and updated monthly. He said the impact of the solar project will be more straightforward; Ameresco will be providing data to the website. J. Nolan asked how the data will line up with the budget; he said the Board would like to see the savings over time. B. Keefe said it will be difficult, and needs to be prepared in a usable form. C. Karlson noted that the first data to consider is usage and weather normalization, as the actual cost savings could be disguised by increased rates.

B. Keefe said the Power Purchase Agreement (PPA) for the solar project was signed and delivered on July 24. He said Ameresco is at 90% in their construction drawings and ready to get bids. He reviewed the issues faced at each site and noted that there may be delays until next summer. He will contact the school building administrators to coordinate the schedule, and Ameresco will review the effect on the financial model. He noted that work was being held up at the Middle School by the Massachusetts DOER (Department of Energy Resources) because of issues regarding resiliency, and said he may need to include an article for Special Town Meeting to address the need for matching funds. He reviewed the status of the facilities capital projects, and described the steps being taken to make the former DPW site safe. J. Nolan asked that he consider the aesthetics of the structure while it is being made secure. B. Keefe reviewed the changes made to the office space at the town building.

A6. Update on Minuteman and Related Special Town Meeting Article The Board was joined by State Representatives Carmen Gentile and Alice Peisch, Wayland Representative to Minuteman Mary Ellen Castagno, and School Committee member Jeanne Downs. M. Castagno noted that efforts to change the regional agreement have been suspended. C. Karlson said the Board received a request for representatives of the Boards of Selectmen from member towns to meet. T. Boschetto said there has been ongoing discussion on the Minuteman school building project. J. Nolan said the real concern is the attempt to hold a district-wide vote. M. Castagno said there are 388 students at Minuteman (one student from Wayland), and the proposed building is planned for 628 students. T. Boschetto said there is no purpose in asking for a funding of debt without MSBA (Massachusetts School Building Authority) approval. L. Anderson noted that negotiations with the MSBA begin with the number of students, and is followed by a Town Meeting vote for approval of full funding. The Board discussed the appropriateness and viability of a district-wide vote. J. Nolan noted that is an aggregate vote, not a vote by each town. Rep. Peisch said they were led to believe that a new agreement would make it easier for towns to withdraw, but there is not a lot of confidence in the new agreement. She said the MSBA will be reluctant to participate in a project where the proposed size is not appropriate, and where the member towns have not voted. T. Boschetto asked about the timing of the ballot; A. Peisch said the issue would generally not go to ballot without MSBA approval. C. Karlson said Minuteman should be public about the MSBA process. She said there are three topics to address in a letter to the MSBA and the Minuteman School Committee, with copies to interested parties: no support for the district-wide election, the need to right size the school, and the need for improved communication surrounding the MSBA process. T. Boschetto said he will prepare a draft letter for the August 3 meeting; he said the MSBA Board meeting is August 6. C. Karlson said an article needs to be drafted for Special Town Meeting to amend the Minuteman Regional Vocational School District Agreement to allow withdrawal by the Town of Wayland.

A7. Discussion and Vote to Approve River's Edge RFP and to Authorize the Town Administrator to Execute All Related Documents The Board was joined by Rebecca Stanizzi of the River's Edge Advisory Committee to review the process and the resolution of issues regarding the preparation and issuance of the River's Edge RFP. J. Nolan moved, seconded by T. Boschetto, to approve the following with respect to the land located at 484-490 Boston Post Road in Wayland, Middlesex County, Massachusetts, identified on the Wayland Assessor's Map as Parcels #22-3, 22-6 and 22-7, and commonly known as River's Edge (the "Property"),

- (a) To approve the issuance of a Request for Proposals, substantially in the form of the Request for Proposals captioned "RFP # 15-24 - River's Edge Wayland, Disposition of Town-Owned Property for Multifamily Housing including Affordable and Senior Housing Components" (the "RFP") presented to the Board at this meeting and approved by this vote, with such corrections and updates that do not

materially change the RFP as may be approved by the Town Administrator, Town Counsel and Special Town Counsel prior to issuance, for the disposition of the Property to a bidder to be selected and approved by the Board (including all exhibits to the RFP, including without limitation, the form of Land Disposition Agreement to be entered into between the Town and such to-be-selected bidder); and

- (b) To authorize the Wayland River's Edge Advisory Committee to assist the Board and the Town Administrator in the bidding of the Property, the implementation of the RFP and the review and examination of bids submitted to the Town; and
- (c) To authorize the Town Administrator to execute and deliver any and all documents and instruments necessary or proper, as determined in the Town Administrator's discretion, to carry out the foregoing votes.

YEA: L. Anderson, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0. The Board thanked the River's Edge Advisory Committee members for their work.

A8. Discuss Potential Special Town Meeting Articles The Board reviewed potential Special Town Meeting articles. J. Nolan asked if the amendment to the bylaw on water conservation was time-sensitive; C. Karlson said it needs to be determined whether it must be done before the next water permit. The Board asked if funds to secure the former DPW building could be found elsewhere in the budget. C. Karlson said the request to the Community Preservation Committee for funds for the sprinkler project at Cochituate Village should also be diverted to a different source of funding. She said the change of material on the rail trail project could be a resolution and not an article, and the request from the Conservation Commission for an open space and recreation plan was necessary to update the plan for land grants and access to other sources of funding. N. Balmer said the funding for IT projects is still being prepared, and she does not yet know the outcome. She said the Finance Committee is proposing to increase free cash spending in the FY16 budget due to an increase in local revenue, and she noted that there may be a need for an article to match funding for a resiliency grant for the Middle School. The Board asked that the sponsors of the articles meet with the Board over the next few weeks.

A9. Board Policy Discussion and Vote The Board reviewed the revised policy, "Board Description and Guiding Principles." J. Nolan expressed concern that any further definition of the term "leadership" would risk leaving out important qualities. In regard to the policy that members must abide by the decisions of the Board, he said he felt it does not diminish the Board members' ability to express an opinion. He suggested the language, "actions taken at official meetings represent the position of the Board." T. Boschetto questioned that the Chair "serves as chief elected official of the town," and the Board agreed to remove it. T. Boschetto asked the Board to consider changes in the extent to which Selectmen must go through the Town Administrator to talk with Department Heads.

The Board reviewed the revised policy, "Management of Legal Affairs." C. Karlson said requests should include either written requests or electronic requests. The Board discussed including the need for a contract with the Town Counsel, including an annual review, terms of engagement, terms for removal, the length of the contract, and the need to solicit by RFP on occasion when necessary. As per the public comment earlier in the evening, the Board asked N. Balmer to include the language under Appointment of Special Counsel, "on the basis of qualifications and costs." The Board asked N. Balmer to make the proposed changes to the policy and bring a revised version before the Board for approval.

The Board reviewed the revised policy, "Petitioners' Access to Town Counsel."

J. Nolan moved, seconded by L. Anderson, to approve the Board policies, "Board Description and Guiding Principles" and "Petitioners' Access to Town Counsel" as revised and approved on July 27, 2015. YEA: L. Anderson, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0.

A10. Discuss Town Administrator Goals and Timetable for Review N. Balmer reviewed a list of suggested organizational goals for Board review and input. She said she interviewed department heads, and combined their priorities with four general goals: improve responsiveness to residents, improve government efficiency, protect and plan for town infrastructure and assets, and provide sustainability through planning for a livable community. She noted that a resident also suggested improving customer service and responsiveness in land use. She said she would like to see improvements to the website, more effective use of WayCAM, and organized efforts regarding Open Meeting Law and public records requests. She discussed the need to integrate the land use departments through software and customer service, and suggested a complete review of financial management. T. Boschetto said it was a great start, and he suggested fiscal improvements. J. Nolan supported the idea of better customer service and seeking public input regarding the website. In regard to the Open Meeting Law, he said Wayland is as transparent as any town. C. Karlson read suggestions from M. Antes, who could not be present. She recommended the use of decision trees, a newsletter from the Board of Selectmen, and focus groups. C. Karlson suggested that the list of goals be edited to focus on what is most important over the next year; she asked that the goals be measurable and attainable. J. Nolan suggested differentiating between short and long term goals. C. Karlson said the Board owes N. Balmer an evaluation and feedback, and needs to consider what form it should take. N. Balmer noted there is an ICMA evaluation form to assist in the thought process. J. Nolan suggested that Town Counsel be asked to define the legal parameters for a review.

A11. Vote to Authorize the Expenditure of \$17,000 from the Town Center Gift Funds for an Existing Conditions Survey and Final Design for the Intersection of Glezen Lane and Old Sudbury Road L. Anderson recused herself from debating or deliberating on this issue, as she is a resident of the Glezen Lane neighborhood, and she left the room. J. Nolan requested a report of prior expenditures from the Town Center gift funds. J. Nolan moved, seconded by T. Boschetto, to approve the authorization of the expenditure of \$17,000 from the Town Center gift funds for an existing conditions survey and final design for the intersection of Glezen Lane and Old Sudbury Road. YEA: T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson, M. Antes. ABSTAIN: none. Adopted 3-0.

L. Anderson returned to the discussion at 10:14 p.m.

T. Boschetto left for a brief recess from the meeting at 10:14 p.m.

A12. Review and Approve Consent Calendar (See Separate Sheet) J. Nolan moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

T. Boschetto returned to the meeting at 10:21 p.m.

A13. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. C. Karlson and L. Anderson agreed to attend the meeting of representatives of Boards of Selectmen in Sudbury on August 3 regarding the Minuteman issue.

A14. Report of the Town Administrator N. Balmer reported that the OPEB Advisory Committee is creating a Trust Document for the current OPEB fund, and will come before the Board for possible adoption. She reviewed the sale of homes at Twenty Wayland; the Board asked for a continuing update. J. Nolan said both the Finance Director and the Recreation Commission has created a revolving fund model for recreation; he said he has arranged a meeting to find consensus.

A15. Selectmen's Reports and Concerns T. Boschetto said he received a complaint from a resident regarding customer service at the town building; N. Balmer asked that complaints be referred to John Senchyshyn or herself. J. Nolan reported on the grand opening of the Framingham MetroWest Regional Transit Authority hub on July 17, noting the construction was ahead of schedule and under budget. L. Anderson asked that the Town Moderator be invited to a future meeting to provide an update on town meeting procedures and scheduling.

A16. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A17. Adjourn There being no further business before the Board, L. Anderson moved, seconded by T. Boschetto, to adjourn the meeting of the Board of Selectmen at 10:53 p.m. YEA: L. Anderson, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0.

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

1. None

Items Included as Part of Agenda Packet for Discussion During the July 27, 2015 Board of Selectmen's Meeting

1. Memorandum of 7/24/15 to Board of Selectmen re: Licensing, Change of Manager for Bertucci's Restaurant Corporation, and Attached Application
2. Memorandum of 7/22/15 from Ben Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, re: Board of Selectmen Update from the Public Buildings Director
3. Memorandum of 7/27/15 from Nan Balmer, Town Administrator to Board of Selectmen, re: Minuteman
 - Email of 7/21/15 from Mary Ellen Castagno re: Recommendation to Board
 - Newspaper Summaries: Carlisle Mosquito and Your Arlington
 - Table of Minuteman Town Positions
 - Email of 7/8/15 from Minuteman re: Minuteman School Committee Vote
 - Arlington Letter, 7/1/15, on District Wide Vote
 - Sudbury Letter, 7/16/15, on Building Project and Possible District Wide Ballot Vote
 - Belmont Letter, 6/23/15, to MSBA re: Minuteman
 - Letter of 5/3/10 from MSBA to Minuteman re: Building Project
 - Letter of 7/16/15 from Minuteman to Wayland Board of Selectmen re: Amending Agreement to Allow Wayland Withdrawal
 - Letter of 5/11/15 from Beth Klein, Town Clerk, to Minuteman, re: Notification of Town Meeting Action to Withdraw
 - Email of 6/23/15, Survey Questions to Gauge Public Opinion of District Wide Ballot
4. Memorandum of 7/27/15 from Nan Balmer, Town Administrator to Board of Selectmen re: River's Edge, with Attached Record of Vote

5. Table of Potential Special Town Meeting Articles
6. Memorandum of 7/27/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Board Policies
7. Memorandum of 7/27/15 from Nan Balmer, Town Administrator to Board of Selectmen
re: Town of Wayland FY16 Organizational Goals
8. Memorandum of 7/27/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re:
Authorization of Expenditure from Town Center Gift Funds
9. Town Administrator's Report for the Week Ending July 24, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

Board of Selectmen Meeting Minutes August 3, 2015

Attendance: Lea T. Anderson, Cherry C. Karlson, Joseph F. Nolan
Absent: Mary M. Antes, Tony V. Boschetto
Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 6:01 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. J. Nolan announced a mandatory water ban, hand watering only, effective August 5, 2015. C. Karlson said M. Antes asked her to announce the Wayland Community Art Fair on September 19, 2015.

A2. Public Comment Jay Sherry, 18 Pine Needle Road, speaking for himself, said he would support a Board vote to authorize a consultant to analyze health insurance options in order to lower the cost. He also suggested that the Board consider a study of plan design changes.

A3. Review and Vote Letter to Minuteman School Committee The Board was joined by Mary Ellen Castagno, Wayland representative to the Minuteman School. C. Karlson provided a revised letter from the Board to Maureen Valente, Chief Executive Officer of the MSBA, Minuteman managers and administrators, and State elected officials regarding the right sizing of the Minuteman school building project and the potential district-wide vote. C. Karlson said the revised letter addressed new information received from the MSBA. The Board reviewed the letter and suggested edits; it was the sense of the Board that the letter correctly stated the position of the Board. M. Castagno noted that communications from Minuteman are not always distributed to every member town. C. Karlson said she would like to know the purpose of the amendment to increase the size of the new project. J. Nolan said that Wayland should not bear an undue burden of the cost because of the affluence of the town. L. Anderson moved, seconded by J. Nolan, to approve the draft letter as amended, and to authorize the Town Administrator to execute and send the letter. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

A4. Review and Approve Consent Calendar (See Separate Sheet) J. Nolan moved, seconded by L. Anderson, to approve the consent calendar with edits to the minutes of July 13, 2015. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

A5. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A6. Report of the Town Administrator The report of the Town Administrator was postponed until the next meeting.

A7. Selectmen's Reports and Concerns The Selectmen's reports and concerns were postponed until the next meeting.

The Board recessed at 6:25 p.m. and reconvened in the Large Hearing Room at 6:32 p.m.

A8. Joint Meeting with the Personnel Board and the School Committee to Discuss Potential Options for Providing Health Insurance to Employees and Retirees; Potential Vote to Authorize a Consultant to Conduct a Comparative Analysis of Premiums between the West Suburban Health Group and the Group Insurance Commission and Identify Potential Premium Cost Savings between the Organizations

The Board was joined by the Personnel Board, the School Committee, and John Senchyshyn, Assistant Town Administrator/Human Resources Director, to discuss health insurance issues. J. Senchyshyn advised the participants that health insurance rates are increasing dramatically. He reviewed a proposal to hire a consultant to identify what health insurance plans Wayland employees might select if the town moves its employee health insurance to the Group Insurance Commission (GIC). He said the projected cost of a consultant is under \$5,000. Maryanne Peabody, Personnel Board, asked if MILA (Massachusetts Interlocal Insurance Association) was an option. J. Senchyshyn said it was not included in the study. Donna Bouchard, School Committee, asked about the base year; J. Senchyshyn said it is the fiscal year. Ellen Grieco, Chair, School Committee, asked when a decision needed to be made. J. Senchyshyn said there is a tight time frame. M. Peabody said the town would lose control over its health insurance by moving to the GIC. C. Karlson noted that a member of the public earlier in the evening had suggested a study of plan design changes. J. Senchyshyn said plan design changes would be discussed after the study results are received from the consultant. E. Grieco asked how the GIC deficit will be funded; J. Senchyshyn said through premiums. It was the sense of the School Committee and the Personnel Board to support the proposal. J. Senchyshyn reviewed the scope of work for the study. Barbara Fletcher, School Committee, asked if the consultant will analyze the effect on employees; J. Senchyshyn said yes. J. Nolan noted that the authorization is for a study only, and no decisions are being made at this point. J. Senchyshyn said he will be available to answer any questions from employees.

J. Nolan moved, seconded by L. Anderson, to authorize the engagement of a consultant to conduct a comparative analysis of premiums between the West Suburban Health Group and the Group Insurance Commission and identify potential premium cost savings between the organizations. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

A9. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A10. Adjourn There being no further business before the Board, L. Anderson moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 6:45 p.m. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 3, 2015

1. Draft Memorandum and Red-lined Version of Draft Memorandum of 8/3/15 from Wayland Board of Selectmen to Maureen Valente, Chief Executive Officer of the MSBA, Minuteman Managers and Administrators, and State Elected Officials re: Concerns with Minuteman Building Process

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

1. Memorandum of 8/3/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Draft Memorandum 8/3/15 from Wayland Board of Selectmen to Maureen Valente, Chief Executive Officer

of the MSBA, Minuteman Managers and Administrators, and State Elected Officials re: Right Sizing of School Building Project and District-wide Vote

2. Memorandum of 7/21/15 from Mary Pichetti, Director of Capital Planning, to John K. McCarthy, Executive Director, re: Minuteman Regional Vocational Technical School District, Minuteman Technical High School
3. Memorandum of 8/3/15 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen re: Joint Meeting with the Personnel Board and the School Committee to Discuss Potential Options for Providing Health Insurance to Employees and Retirees



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

**REVISED LIST OF PUBLIC DOCUMENTS
PROVIDED TO THE BOARD OF SELECTMEN
FROM AUGUST 21, 2015, THROUGH AND
INCLUDING AUGUST 27, 2015, OTHERWISE
NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR AUGUST
31, 2015**

Items Distributed To the Board of Selectmen – August 21-27, 2015

1. None

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 24, 2015

1. Email of 8/24/15 from Ben Keefe, Director of Public Buildings, to Nan Balmer, Town Administrator, and Library Planning Committee Members, re: Annual Town Meeting Article on Wastewater for Library
2. Suggested Meeting Schedule through Remainder of 2015 prepared by Town Administrator

Items Included as Part of Agenda Packet for Discussion During the August 31, 2015 Board of Selectmen's Meeting

1. Memorandum of 8/28/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Appointment of Vacant Position as Associate to the Planning Board, Applications from Nicole Riley, Jennifer Steel, and Steven Glovsky, and Letter of Withdrawal, 8/21/15, from Steven Glovsky
2. Memorandum of 8/31/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: School Committee, Co-Sponsor Article on School Revolving Funds, and Letter of 8/25/15 from Murphy, Hesse, Toomey & Lehane re: Revolving Accounts
3. Memorandum of 8/31/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Recreation Commission Article for Special Act to Increase the Cap on MGL 44 Section 53 E ½ Revolving Fund and Discuss Recreation Budget Structure for FY17
4. Memorandum of 8/31/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Article Sponsored by Selectmen, Amend Minuteman Regional Vocation School District Agreement to Allow Withdrawal by the Town of Wayland
5. Memorandum of 8/31/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Article Co-sponsored by Selectmen, Revise Sources of Funding for the FY 2016 Operating Budget
6. Memorandum of 8/31/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Article Sponsored by Selectmen, Repeal OPEB Special Act and Accept State Statute for OPEB Trust Fund
7. Town Administrator's Report for the Week Ending August 28, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN Monday, August 31, 2015 Wayland Town Building Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Memorandum of 8/19/15 to Board of Selectmen re: Annual Town Report 2015
2. Email of 8/20/15 from Leonard Simon, Sudbury Board of Selectmen, to Wayland Board of Selectmen re: Minuteman Building Project
3. Letter to the Editor, 8/20/15, from Gretchen G. Schuler, re: Collaboration Works in Wayland
4. Press Release, Wayland Police Department, 8/21/15, Liquor License Violation
5. Memorandum of 8/24/15 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Robert Goldsmith from the Surface Water Quality Committee
6. Notifications of 8/27/15 from EverSource Energy re: Notice of Emergent Vegetation Work, 20 Meadow View Road and 0 Stonebridge Road

Zoning Board of Appeals

7. Decision No. 15-15, 24 Old Tavern Road

Minutes

8. Finance Committee, April 6, 2015
9. Historic District Commission, May 7, 2015

Region

10. Letter of 8/17/15 from BayPath Elder Services to Board of Selectmen, re: Frances Borger Klempner Community Service Award
11. Email of 8/26/15 from Boston Region Metropolitan Planning Organization re: Elections to be Held in October

Memo

Town of Wayland Board of Selectmen

To: Board of Selectmen
From: MaryAnn DiNapoli
Date: August 19, 2015
Re: Annual Town Report 2015

We are preparing to publish Wayland's Annual Reports for the year July 1, 2014 to June 30, 2015. We need your cooperation so that the reports can be published within the time allotted according to Town Code. As per §53-1, a written report must be submitted no later than September 30, 2015.

For reference, attached is your department, board or committee's report as printed in the 2014 Town Reports. Please note that your report may have been edited.

Prepare a final report for 2015, one page only, by Wednesday, September 30, 2015.

You may include graphics such as pictures, clipart, charts and/or graphs, and we will make every attempt to include them if possible.

We encourage you to **email your report** to mdinapoli@wayland.ma.us. You may also fax it to the Selectmen's office, Attention MaryAnn DiNapoli, (508) 358-3627. Graphics must be sent electronically.

Any report not received by September 30, 2015, will NOT be included in the Town Reports, and the delinquent board will have to make its own arrangements to comply with such statutes, by-laws (§53-3 Failure to Report), and public relations as may be applicable.

If you have additional questions, please contact me. Thank you.

BOARD OF SELECTMEN

Following the resignation of Chairman Doug Leard, the Board for much of the year consisted of only four members working under the direction of Vice-Chair Anthony Boschetto. Following the separation of the Town Administrator, professional staff operated under the direction of Interim and Acting Town Administrators.

Working in conjunction with the Personnel Board, the Selectmen spent a good portion of the year devoted to filling Wayland's vacant Town Administrator position. The boards selected Municipal Resources, Inc. to lead two successive searches. A Selection Committee comprised of board and committee members, supplemented by Town residents, conducted interviews with candidates from two successive searches prior to recommending finalists to the Board of Selectmen.

Throughout the year, the Selectmen worked with and appointed citizens to numerous permanent and temporary committees. Citizens offered a wide-variety of professional experience on issues impacting the Town. One of the highlights of the year was the work of the 375th Anniversary Committee. One of the featured 375th events was a parade along Route 27 followed by festivities at the Town Building.

Work continued by other committees whose charges included a study of the best use for Town-owned land east of Dudley Pond, the initiation of a Housing Trust, pursuit of energy efficiencies in Town and School facilities, transition to a successor substance abuse education and prevention program, and continued development of plans for the Rivers Edge housing complex. The Moderator continued his work with committees which he appointed to develop specifications and make technological and logistical recommendations to improve electronic voting and town meeting procedures.

Once again, Other Post Employment Benefits (OPEB) for Town and School retirees garnered considerable attention. The OPEB Committee continued to investigate funding requirements, propose alternative calculations and suggest ways to reduce the Town's long-term financial obligation.

Town Meeting approved the new Department of Public Works (DPW) building. Construction commenced on the facility which will house employees, vehicles and equipment for the Highway, Parks and Water Divisions of DPW. Completion of the facility is expected in the Spring of 2015.

Town Meeting also approved the acquisition of a conservation restriction on a 22.6 acre parcel of land located on Lincoln Road.

The Wastewater Management District Commission and the Selectmen continued to collaborate on the appeal to the adverse decision from the lawsuit with Twenty Wayland. There is an outstanding judgment against the Town in excess of \$1,000,000 with accrued interest.

The Local Emergency Planning Committee (LEPC), along with the Citizens Emergency Response Team (CERT), continued their diligent work throughout the year in order to provide residents with shelter and amenities during times of adverse conditions. A special thanks to all the citizens and staff involved with these initiatives.

Transparency in town government continues to be in the forefront. Open Meeting Law complaints filed with the Attorney General's Office persist against boards and committees. At the April 2014 Town Election, citizens elected Mary Antes and Cherry Karlson to serve on the Board of Selectmen for a one-year term and a three-year term respectively. The Board of Selectmen held their organizational meeting shortly after Annual Town Meeting, electing Joseph Nolan as Chair and Cherry Karlson as Vice Chair, as well as continuing the practice of selecting liaisons to various departments and committees.

The Board extends its gratitude to John Senchyshyn, who as Acting Town Administrator stepped in to ably guide the town in the absence of a Town Administrator.

In closing, the Board wishes to acknowledge and thank the many citizens of Wayland who volunteer countless hours of community service as members of appointed boards and commissions.

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, August 20, 2015 6:06 PM
To: DiNapoli, MaryAnn
Subject: FW: Minuteman Building Project

Correspondence

From: Leonard Simon <lensimon@comcast.net>
Subject: Minuteman Building Project
Date: August 20, 2015 at 1:03:25 PM EDT
To: Leonard Simon <lensimon@comcast.net>

Fellow Selectmen and Minuteman School Committee Reps,
Having read MSBA's July 21, 2015, memo and the August 6, 2015, letter from John McCarthy to Minuteman I was under the impression Minuteman would need to wait until the MSBA Board meeting in March 2016 to ask the member communities for capital funding, by town meetings or district wide vote. I was mistaken.

I just spoke with the Executive Director of MSBA and the Director of Capital Planning who told me some districts choose to ask for capital funding AHEAD of the final approval by MSBA. It looks very much like this is the path Minuteman will take.

This means Minuteman could call for town meeting votes, or, a district wide vote at any time. In light of 1) Minuteman's press release, 2) its pros and cons comparison sheet of TM votes vs. district wide vote, and 3) its FAQ re district wide election, it looks like Minuteman will ask for a district wide vote in the immediate future. Only 10 days notice is required from newspaper posting to the election date. The election would be called under GLM Ch. 71 Section 16 (n).

I believe a majority of communities represented at the August 3 meeting in Sudbury (selectmen and school committee reps) indicated they want to have town meeting votes on the issue of capital funding for a new school, at least before a district wide vote were taken.

The only way to ensure the town meeting votes are held, and to afford the residents of the member towns the opportunity to debate and discuss Minuteman's proposed new building, is to vote down a motion for a district wide election at an upcoming MM SC meeting, probably the Sept. 8 special meeting.

The rationale the Minuteman administration SC leadership will set forth, is the need to 'gauge community support' for the new building project and to have that support in hand as the Schematic Design in Module 4 progresses.

If you would get in touch with me after you have read this it would be appreciated.

Len Simon
978-443-4206

By Gretchen G. Schuler

Print Page

August 20, 2015 2:01AM

Letter: Collaboration works in Wayland!

TO THE EDITOR:

Collaboration among boards and the supervision of the director of the Department of Public Works has resulted in a very fine sidewalk stretching along Old Sudbury Road from the Depot north to the stone piers on the Wayland Common property, providing pedestrian access to the new town center from the historic town center.

Years ago, the residents of the Wayland Center Historic District were promised this sidewalk and thought that it would happen over 10 years ago when a contribution toward the construction was a condition of the comprehensive permit for Wayland Commons.

Over the course of the next several years there was much talk about a sidewalk. Everyone lived through the intersection reconstruction without a sidewalk in the plans, and many requests were made. But there was no one board that "owned" the project.

Finally, last winter and spring, a concerted effort was made to bring together the Board of Selectmen, Board of Public Works and Planning Board – and look what happened! Each board asked its staff person to work out a way to build the sidewalk. The town planner had organized the permitting (Conservation Commission and Historic District Commission); the town administrator spoke with the DPW director to consider ways to fund the full project; the DPW director recommended applying for Chapter 90 funds to combine with the already collected funds from the comprehensive permit; and voila, we have a sidewalk. And not just any sidewalk – the full stretch is a concrete sidewalk with brick edging added to the section in the Historic District.

So thank you to the Board of Selectmen, Board of Public Works and Planning Board, and a special thank you to Nan Balmer, Stubby Kadlik and Sarkis Sarkisian for collaborating on behalf of their respective boards. Collaboration works! – Gretchen G. Schuler, Old Connecticut Path

<http://wayland.wickedlocal.com/article/20150820/NEWS/150829882>

Print Page

Wayland Police Department

Press Release

August 21, 2015

On Thursday, August 20th, 2015, the Wayland Police Department conducted undercover alcohol compliance checks of local businesses/establishments that have a liquor license. Two twenty (20) year old individuals were sent into establishments with instructions to attempt to purchase alcohol without showing any identification.

One, of the fifteen establishments checked, sold alcohol to the underage youths. Bertucci's Restaurant, 14 Elissa Avenue, failed the compliance check and allowed the underage individuals to purchase alcohol. It was also determined that the restaurant did not have a designated manager on duty, did not keep a roster of certified servers on premise, and that servers in the restaurant were not certified to serve alcoholic beverages. This establishment will be referred to the Board of Selectman for a Liquor Violation Hearing.

The Wayland Police Department regularly conducts compliance checks at local businesses in an effort to reduce the underage consumption of alcohol.



TOWN OF WAYLAND

MASSACHUSETTS

01778

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

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

TOWN BUILDING
41 COCHITUATE ROAD

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

RECEIVED

AUG 24 2015

Board of Selectmen
Town of Wayland

Date: August 24, 2015
To: Board of Selectmen *BRC*
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

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

Robert Goldsmith Surface Water Quality Committee
Term Expires: 6/30/17

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

cc: Nan Balmer, Town Administrator
Toni Moores, CoChair

5

Robert L. Goldsmith
235 Concord Road
Wayland, MA 01778
(508) 358 5584
bobg1940@gmail.com

August 20, 2015

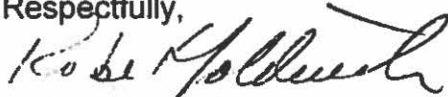
RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2015 AUG 24 PM 1:12

Ms. Beth Klein
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Dear Ms. Klein

This is to advise you of my resignation from the Surface Water Quality
Committee effective September 30, 2015

Respectfully,



Robert Goldsmith

August 27, 2015

Site Address:
0 Stonebridge Road
Wayland, MA 01778

Mailing Address:
Massachusetts Water Resources Authority
Charlestown Navy Yard
100 First Ave, Building 39
Boston, MA 02129

Dear Massachusetts Water Resources Authority:

In accordance with the Commonwealth of Massachusetts regulations (220 CMR 22.00) Eversource Energy is hereby providing notice of emergent vegetation work on the transmission right-of-way on or adjacent to your property this year.

The emergent work will involve the removal of trees (marked with a blue "x") determined to be a hazard within or alongside the transmission right-of-way (ROW) and may include the pruning of incompatible trees within the ROW. The pruning and tree removal work will be performed by qualified line clearance contractors and may include off-road bucket crews or manual climbing crews. The work to be performed is the trimming of 1 Oak tree.

In order to ensure the safe and reliable operation of the transmission system, we are required to manage vegetation so that it does not encroach within minimum distances from the energized conductors. The emergent work noted in your area will ensure that we obtain the clearances required to prevent vegetation encroachment.

As a property owner or abutter of the ROW, you will also be informed either by electronic mail or by a notice left on your door describing the work (and scheduled time frame for the work) to be completed. If you would prefer receiving this additional notification via e-mail – please make contact with your preferred e-mail address.

This letter serves as our notice of the proposed emergent vegetation work activity. If you have any questions on the proposed work, please make contact at (781) 441-3798.

Sincerely,

William N. Hayes Jr.

William Hayes
Senior Arborist
Electric Transmission Vegetation Management

August 27, 2015

Site Address:
20 Meadow View Road
Wayland, MA 01778

Mailing Address:
Thomas Gulley
20 Meadow View Road
Wayland, MA 01778

Dear Thomas Gulley:

In accordance with the Commonwealth of Massachusetts regulations (220 CMR 22.00) Eversource Energy is hereby providing notice of emergent vegetation work on the transmission right-of-way on or adjacent to your property this year.

The emergent work will involve the removal of trees (marked with a blue "x") determined to be a hazard within or alongside the transmission right-of-way (ROW) and may include the pruning of incompatible trees within the ROW. The pruning and tree removal work will be performed by qualified line clearance contractors and may include off-road bucket crews or manual climbing crews. The work to be performed is the trimming of various trees on your property.

In order to ensure the safe and reliable operation of the transmission system, we are required to manage vegetation so that it does not encroach within minimum distances from the energized conductors. The emergent work noted in your area will ensure that we obtain the clearances required to prevent vegetation encroachment.

As a property owner or abutter of the ROW, you will also be informed either by electronic mail or by a notice left on your door describing the work (and scheduled time frame for the work) to be completed. If you would prefer receiving this additional notification via e-mail – please make contact with your preferred e-mail address.

This letter serves as our notice of the proposed emergent vegetation work activity. If you have any questions on the proposed work, please make contact at (781) 441-3798.

Sincerely,

William N. Hayes Jr.

William Hayes
Senior Arborist
Electric Transmission Vegetation Management



TOWN OF WAYLAND
MASSACHUSETTS
01778

BOARD OF APPEALS

RECEIVED *Selectmen*
AUG 27 2015

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

DECISION NO. 15-15

NAME OF APPLICANT:
KEDARNATH BANGALORE

APPLICATION FOR:

Any necessary approvals, special permit and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (construct a family room, dining room, bath addition and open deck) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 302, 401.1.2 and 401.1.3. The property is located at 24 OLD TAVERN ROAD, which is in a SINGLE RESIDENCE DISTRICT.

DATE OF HEARING:
August 11, 2015.

BOARD CONDUCTING HEARING AND RENDERING DECISION:
Eric Goldberg, Thomas White, Aida Gennis, Michael Connors and Linda Segal.

DECISION:
Special Permit granted, with conditions.

VOTE OF BOARD:
5-0 in favor.

CONDITIONS:

1. Construction shall be in substantial conformity with the revised plans filed with the Building Department on July 9, 2015.
2. The applicant must obtain any other necessary permits and approvals from other municipal boards having jurisdiction over this matter as may be required.

FACTS AND REASONS:

The property in question is located at 24 Old Tavern Road. The Applicant seeks zoning relief as may be necessary to construct a family room, dining room, bath addition and open deck behind the existing kitchen extending into the rear yard. The property is pre-existing non-conforming due to insufficient lot area, insufficient frontage and side yard setback along the western property line. However, the existing property conforms with the side yard setback along the eastern boundary where the construction will occur and the proposed addition will continue to conform to the required setback. The Board of Health approved the proposal conditioned on the Applicant recording a three-bedroom deed restriction.

Because the Applicant seeks to alter and extend a pre-existing, nonconforming property, under M.G.L. c. 40A, § 6 and § 401.1.2 of the zoning bylaw, the Applicant needs a special permit, and must demonstrate to the Board that the proposal "shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood." Although the existing house is within the side yard setback on along the western boundary, the proposed construction extends into the rear yard and is predominantly along the eastern boundary which conforms to the side yard setback requirement.

Under § 203 of the bylaw, in order for the Applicant to receive a special permit, he must further demonstrate to the satisfaction of the Board that "the use of the premises [as altered]...shall not be against the public interest, shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety."

The Chairman asked whether any members of the public wished to be heard. No member of the public appeared or asked to be heard.

By a vote of 5-0, the Board finds pursuant to G.L. c. 40A, § 6 that the proposed construction would increase the existing nonconformity by expanding the existing structure on a nonconforming lot. Nonetheless, the Board further finds that the proposed construction is not against the public interest, nor does it derogate from the character of the neighborhood, and is not detrimental, offensive or injurious to the public health or safety and thus meets the requirements of the zoning bylaws.

Thus, the Board concludes that the proposed construction will not be substantially more detrimental than the existing nonconforming structure to the neighborhood and by a vote of 5-0 votes to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING OF DECISION:

August 26, 2015

BY ORDER OF THE BOARD

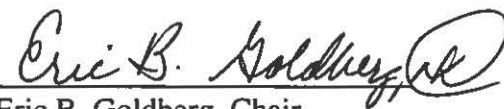


Eric B. Goldberg, Chair

CERTIFICATION:

The Board of Appeals, by delivery of a copy of this Decision to the Applicant, Kedarnath Bangalore, does hereby certify that copies of this Decision and all plans referred to in this Decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

BOARD OF APPEALS



Eric B. Goldberg, Chair



Town of Wayland Massachusetts

Finance Committee

Thomas Greenaway (Chair)

Nancy Funkhouser (Vice Chair)

Tom Abdella

Carol Martin

Bill Steinberg

Dave Watkins

Gil Wolin

Finance Committee Meeting Minutes, April 6, 2015

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

1. Call to Order

The meeting was called to order at 6:55 PM in the High School Field House.

2. Public Comment

- Ms. Molly Upton requested that ATM be scheduled later in the year due to the challenges the various boards, citizens and committees have had in meeting deadlines related to producing the Warrant and associated deliverables.

3. Report from Finance Director

- Mr. Brian Keveny discussed fund transfer requests including the general fund, SPED, drug free grant, Pegasus, hockey club and high school parking.

4. Discuss ATM Articles

- Mr. Tom Abdella discussed the DPW funding requirements. Mr. Michael Lowery discussed the use of funds.
- Mr. Tom Greenaway discussed concerns about school revolving fund and administrative issue with the budget.

5. FinCom members' reports, concerns, and topics for future meetings

- None

6. Chair's Report

- **Items the chair did not reasonably anticipate would be discussed at the meeting**
- **Meeting Minutes:** Mr. Tom Greenaway requested that any outstanding meeting minutes be sent to Ms. Maryanne DiNapoli.
- **OML:** Mr. Tom Greenaway updated the committee on outstanding issues related to Open Meeting Laws.

7. Adjournment: At 7:28 pm C. Martin moved to adjourn the meeting and N.Funkhouser seconded the motion. The motion was approved unanimously (7-0-0).

Respectfully submitted,
/s/Dave Watkins

WHDC Meeting
May 7, 2015

Present: Gretchen Schuler (presiding), Margery Baston, Alice Boelter, Marji Ford, Desmond McAuley, Kathy Steinberg

Others: Michelle Purrington, Steven Kramer

Public Comment: There was none.

Minutes of December 22, 2014 were approved (5-0-0) and minutes of April 16, 2015 were approved as amended (5-0-0).

Public Hearing, 6 Old Sudbury Road - Demolition of rear dormer and new construction of second story. Michelle showed a picture on her phone of the two small dormers that were not structurally supported in the proper way. This led to roof leaks and more. The small dormers will be removed and a new second floor roof will be properly supported. There will be new roof shingles for the entire house, which will be the same color as those originally on the roof. An additional window will be the same as windows previously approved by the HDC in 2008. Desmond suggested Michelle be in touch with her architect for the best type of architectural shingle to suit her house. Marji moved that the HDC accept the application with the request that the homeowner provide the make of the window, and also provide the name of the selected architectural shingle (which will not involve a change of color). This motion was accepted. (6-0-0)

26 Bow Road - Replace roof shingles - change from 3-Tab to Architectural (added 4/23) Currently, it is a black asphalt shingle and it will be replaced with a black architectural asphalt shingle. There was a motion to approve; and the vote was positive and unanimous. (5-0-0)

The HDC voted that the public hearing for 26 Bow Road be waived because the change was inconsequential. (5-0-0) All residents in the Bow Road Historic District will receive a notice of the above HDC decision and HD residents will then have 10 days to challenge the decision to waive the Public Hearing with notification, if they wish to.

Design Review Guidelines - Review of guidelines* - Porches - Decks, Shutters, Stairs & Railings, Trim. There was review, discussion and editing of these items. Good guidelines can lead to authentic restoration, rather than “Disneyfying” (a word coined by Desmond) a home or neighborhood. When trim was being discussed Kathie spoke of its significance. Desmond made the point that trim orders the facade in a classical way. During the general discussion of guidelines Margery asked the HDC to keep in mind the possible challenges to the home owner in the HD (with wood gutters, wood-only shutters, and more). She urged that the language be simple and flexible enough so that future commissions leave room to evaluate each application on an individual basis. Desmond suggested more use of the word “appropriate” rather than “should” or “need to.” This puts the onus on building design, etc. rather than on the commission or applicant.

Next time the HDC will review guidelines for: dormers, doors, gutters and downspouts, painting and fences.

Other business not anticipated prior to the meeting

A resident of the HD has said he will be applying for a post and rail fence with wire mesh for a side yard.

There will be Opening Meeting Law training on Thursday, May 21 at 7 pm at the Town Building.

There will be volunteer brush clearing around the turntable excavation to the west of the Wayland Depot on May 9th, 9 am to 4 pm.

The next HDC meeting will be held on June 18th.

Respectfully submitted,
Margery Baston



BayPath Elder Services, Inc.

33 Boston Post Road West
Marlborough, MA 01752-1853
508-573-7200 • Fax 508-573-7222 • TTY 508-573-7282

August 17, 2015

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

RECEIVED

AUG 24 2015

**Board of Selectmen
Town of Wayland**

Dear Ms. Cherry Karlson,

In celebration of our thirty-eighth anniversary, BayPath is inviting nominations for the Ninth Annual Frances Borger Klempner Community Service Award. This memorial award will be given to an individual who has contributed at the local community level and exemplifies a spirit of civic engagement, community involvement, and support of elders.

Frances Borger Klempner, for whom the award is named, was a member of the Wayland Council on Aging, the BayPath board of directors, and president of BayPath's board from 1999 through 2001. She was keenly interested in older adults, and very active in the life of her community.

The award will be presented at BayPath Elder Services' annual meeting breakfast on Friday, October 2, 2015, at The Courtyard by Marriott in Marlborough.

The nominee must live in one of the fourteen communities that BayPath serves: Ashland, Dover, Framingham, Holliston, Hopkinton, Hudson, Marlborough, Natick, Northborough, Sherborn, Southborough, Sudbury, Wayland, and Westborough and not be employed in a capacity chiefly concerned with advocacy and support of older adults. The nominee need not be associated with an agency or organization, but must demonstrate the qualities listed in the first paragraph above.

Nominations must include the name and contact information for the person or persons offering the nomination. Please return the attached nomination form no later than Wednesday, September 9, 2015, to: BayPath Elder Services, Inc., c/o Stefanie Larsen, 33 Boston Post Road West, Marlborough, MA 01752 or fax 508-573-7203.

We very much look forward to receiving your nomination and seeing you at this year's annual meeting. For further details about the breakfast, registration, and cost, please refer to the invitation which has been mailed separately.

Sincerely,

Christine Alessandro

Executive Director Area Agency on Aging

Serving the Communities of

Enclosure

Ashland - Dover - Framingham - Holliston - Hopkinton - Hudson - Marlborough
Natick - Northborough - Sherborn - Southborough - Sudbury - Wayland - Westborough

~ FRANCES BORGER KLEMPNER COMMUNITY SERVICE AWARD ~

NOMINATION FORM

NAME OF NOMINEE: _____

TOWN/CITY: _____

Please describe how this person exemplifies a spirit of civic engagement, community involvement, and support of elders.

Your Name: _____

Address and Telephone: _____

Relationship to Nominee: _____

Please return this form to Stefanie Larsen, BayPath Elder Services, 33 Boston Post Road West, #510, Marlborough, MA 01752 by Wednesday, October 9, 2015, or fax 508-573-7222

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, August 26, 2015 4:55 PM
To: DiNapoli, MaryAnn
Subject: Fwd: [MPOINFO] Boston Region MPO elections to be held in October

Correspondence

Sent from my iPhone

Begin forwarded message:

From: Elizabeth Moore <emoore@ctps.org>
Date: August 26, 2015 at 2:57:24 PM EDT
To: "mpoinfo@ctps.org" <mpoinfo@ctps.org>
Subject: [MPOINFO] Boston Region MPO elections to be held in October
Reply-To: "mpoinfo+owners@ctps.org" <mpoinfo+owners@ctps.org>

The Boston Region MPO is now accepting nominations for candidates to fill four of the 12 elected municipal seats on the MPO's board, for a three-year term.

The seats open this year are as follows:

- One At-Large Town seat to be filled by any town in the Boston region
- One At-Large City seat to be filled by any city in the Boston region
- The North Suburban Planning Council (NSPC) seat to be filled by a city or town in the NSPC subregion
- The Three Rivers Interlocal Council (TRIC) seat to be filled by a city or town in the TRIC subregion

Nominations papers and a statement of candidacy are due Friday, October 2, 2015 by 5:00 PM to the Metropolitan Area Planning Council (MAPC), the MPO-member agency that administers the election.

The election will occur on Thursday, October 29, at MAPC's Fall Council meeting at the University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard, Boston.

More information is available on the [elections page](#) of the MPO website. You may direct questions to Eric Bourassa, MAPC, at ebourassa@mapc.org, 617.451.2770 ext. 740; or Paul Regan, MBTA Advisory Board, at pregan@mbtaadvisoryboard.org, 617.426.6054.

--

You received this message because you are subscribed to the Google Groups "MPOINFO" group.

To unsubscribe from this group and stop receiving emails from it, send an email to mpoinfo+unsubscribe@ctps.org.