

PACKET

SEP 21

2015



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

BOARD OF SELECTMEN Monday, September 21, 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.) Open Meeting and 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 to Discuss the Exchange, Lease or Value of Real Estate in regard to the Municipal Parcel at Town Center
- 7:00 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Discuss and Potential Vote to Authorize Expenditure not to exceed \$9,000 for Site Evaluation Survey regarding Conservation Guidelines for Municipal Pad
- 7:25 pm 5.) Joint Meeting with the School Committee to Interview and Potential Appointment to the Youth Advisory Committee of One Candidate to Represent the School Committee for a Term to Expire on June 30, 2017, and One Candidate to Represent the Board of Selectmen for a Term to Expire on June 30, 2016
- Malcolm Astley
 - Elisa Elkin Cleary
 - Stefanie Janoff
 - Rebecca Lloyd
 - Brenda Ross
- 7:45 pm 6.) Interviews and Potential Committee Appointments
- Carol Glick, Council on Aging/Community Center Advisory Committee, for a Term to Expire at the 2016 Annual Town Meeting
 - Randall Moore, Audit Committee, for a Term to Expire on June 30, 2017, or June 30, 2018
- 8:00 pm 7.) Committee Matters:
- a. Vote to Dissolve Cable Advisory Committee
 - b. Vote to Revise the Charge of the Senior Tax Relief Committee and to Reappoint Current Members to Staggered Three-Year Terms

BOARD OF SELECTMEN
Monday, September 21, 2015
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda Page Two

- 8:10 pm 8.) Meet with Special Town Meeting Petitioners
- 8:20 pm 9.) Discussion and Vote Positions on Special Town Meeting Articles
- Amend FY2016 Budget Funding Sources
 - Pay Previous Fiscal Year Unpaid Bills
 - Current Year Transfers
 - OPEB Trust Fund Legislation and Governance
 - Authorize Procurement and Appropriate Funds for Energy Resiliency Project at the Middle School
 - Acceptance of Chapter 71 Section 71E
 - Seek Special Legislation for Chapter 44 Section 53E ½ Municipal Revolving Fund
 - Resolution Regarding Surface of Rail-Trail in Wayland
 - Appropriate Funds to Update the Open Space and Recreation Plan
 - Permanent Municipal Building Committee Involvement in Stone's Bridge Restoration
 - Amend Chapter 36 of Current Bylaws (36-1)
- 9:05 pm 10.) Joint meeting with Representatives of the Personnel Board, Finance Committee, and School Committee to Discuss and Recommend a Move to the Group Insurance Commission and Vote to Elect to Change Health Insurance Under Massachusetts General Laws Chapter 32B, Sections 21-23
- 9:25 pm 11.) Minuteman
- Review Letter to Towns about Wayland's Withdrawal
 - Respond to Request of Town of Lexington to Meet with Wayland regarding Proposed Withdrawal from District
- 9:40 pm 12.) Review and Comment on Town Administrator Goals
- 9:55 pm 13.) Discussion and Potential Vote on Public Hearing and Alcohol Policies
- 10:10 pm 14.) Review and Approve Consent Calendar (See Separate Sheet)
- 10:15 pm 15.) Review Correspondence (See Separate Index Sheet)
- 10:25 pm 16.) Report of the Town Administrator
- 10:35 pm 17.) Selectmen's Reports and Concerns
- 10:45 pm 18.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:50 pm 19.) Adjourn



Kenneth Keefe
PUBLIC BUILDINGS DIRECTOR
TEL. (508) 358-3786
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

4. MUNICIPAL PAD:

SITE EVALUATION
SURVEY

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

DATE: September 21, 2015
TO: Nan Balmer, Town Administrator
FROM: Kenneth "Ben" Keefe, Public Buildings Director
RE: Board of Selectman update from Public Buildings Director.

REQUESTED ACTION:

Vote to authorize expenditure of funds not to exceed \$9,000.00 in conjunction with Council On Aging/Community Center Advisory Committee (COA/CC AC) feasibility study for Site Evaluation Survey conducted by CMG Environmental, Inc. (CMG) regarding conservation guidelines for the "Municipal Pad".

BACKGROUND:

Per COA/CC AC request CMG submitted a proposal to conduct Site Evaluation Survey concentrating on the issues required to be answered prior to purchasing the "Municipal Pad". Study emphasis will be on existing conditions and alternative site configurations in relationship to Conservation Commission guidelines.

5. Youth Advisory
Appointments

DATE: September 18, 2015
TO: Board of Selectmen
FROM: MaryAnn DiNapoli, Executive Assistant
RE: APPOINTMENT TO THE YOUTH ADVISORY COMMITTEE

REQUESTED ACTION:

MEET WITH THE SCHOOL COMMITTEE TO INTERVIEW AND CONSIDER FIVE CANDIDATES FOR TWO POSITIONS ON THE YOUTH ADVISORY COMMITTEE

There are two opening on the Youth Advisory Committee. Both appointments are made by the Board of Selectmen.

One applicant will be chosen, by the Board of Selectmen, to serve as the representative of the Board of Selectmen to the Youth Advisory Committee, for a term to expire on June 30, 2016.

Another applicant should be chosen, by the School Committee, to serve as their representative to the Youth Advisory Committee. The Board of Selectmen will then vote to appoint that person to the Youth Advisory Committee, as the representative of the School Committee, for a term to expire on June 30, 2017.

Malcolm Astley has applied to serve as the representative of the School Committee only. The remaining four applicants, Elisa Elkin Cleary, Stefanie Janoff, Rebecca Lloyd, and Brenda Ross, have applied to fill either position.

MOTIONS:

That the Board of Selectmen appoint _____ to serve as the representative of the Board of Selectmen to the Youth Advisory Committee, for a term to expire on June 30, 2016.

That the Board of Selectmen appoint _____ to serve as the representative of the School Committee to the Youth Advisory Committee, for a term to expire on June 30, 2017.

Attached: Letters of Interest from Elisa Elkin Cleary, Stefanie Janoff, Rebecca Lloyd, and Brenda Ross

DiNapoli, MaryAnn

From: Elisa Elkin Cleary <elkinclary@gmail.com>
Sent: Monday, August 31, 2015 10:45 PM
To: Marobella, Diane; DiNapoli, MaryAnn
Subject: Wayland youth Advisory Committee

Dear Members of the Wayland School Committee and Members of the Board of Selectmen:

I am writing to express my interest in serving as a town representative on the Wayland Youth Advisory Committee. I have attached my linked In profile for your review. I care deeply about the social-emotional issues the children in our community are facing and I feel I am in a unique position to help support them by bringing specific speakers and opportunities as well as involving the parents and increasing awareness. Thank you for your consideration.

best regards,
Elisa Elkin-Cleary

<https://www.linkedin.com/pub/elisa-elkin-cleary-licsw/7/2b2/997>

Elisa Elkin Cleary, LICSW
www.elisaelkinclary.com
W: # 774-421-9282

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



Elisa Elkin-Cleary, LICSW

307 connections

Private Practice

Greater Boston Area | Mental Health Care

Current Private Practice, Cultural Care Au Pair, Private NH Charitable Trust

Previous Children's Alliance of New Hampshire

Education Columbia University

Recommendations 2 people have recommended Elisa

Websites Company Website

Join LinkedIn and access Elisa's full profile. It's free!

As a LinkedIn member, you'll join 300 million other professionals who are sharing connections, ideas, and opportunities.

- See who you know in common
- Get introduced
- Contact Elisa directly

[View Elisa's Full Profile](#)

Summary

Integrative Psychotherapy with The Comprehensive Resource Model

Elisa Elkin-Cleary, LICSW, holds a clinical MSW from Columbia University with specialization in a preventative and systemic approach. Her twenty years of clinical experience began as a team leader on an intensive home-based individual and family therapy team and later in community-based settings. Since 2001, she has worked in private clinical practice. She is a certified trauma therapist from the Colin Ross Institute, has extensive training in ego state work, trauma, dissociation, maternal mental health, attachment, and performance enhancement. Elisa has several areas of specialized work that include helping families create secure attachment specifically in a preventative framework when expecting additions to their family systems, as well as integration of The Comprehensive Resource Model (CRM) philosophy and skills into corporate performance and leadership, sports and musical performance, and clinical consultation with residential treatment programs nationally and internationally.

Experience

Individual and Family Therapy

Private Practice

January 2001 – Present (14 years 9 months)

Provides psychotherapeutic, mind-body-spirit healing opportunities for individuals and families. Provides clinical supervision for clinical social work and psychology students and professionals. Provides consultation services for high schools, graduate schools, corporate and residential treatment programs.

Search by name

Over 300 million professionals are already on LinkedIn. Find who you know.



Example: Jeff Weiner

People Also Viewed



Katrina Frolo-Mazzie
MSP, Sergeant



Lillith Guerrero
Founder Badge Global



Nicole Starrett
Assistant District Attorney at Commonwealth of Massachusetts-Eastern District Attorney's Office



Kerstin Yohann
Executive Administrative Assistant at The State Police Association of Massachusetts



Meghan Riordan
Litigation Attorney | Product Liability | Toxic Tort Defense



Charlotte Ryan
Milieu Counselor at The Manville School



David Rost



Jennifer Menegas
Realtor at Coldwell Banker Tomlinson



Emanuel Matos
Senior Operations Manager at Explorica

Search Inbox (Ctrl + E)

Arrange by: Date Newest on top

▲ Today

CAREER Experteer 8:29

A Recruiter wants to contact you

CAREER Experteer 8:28

A Headhunter has just posted a job offer in your city

experteer [VIEW ALL JOBS](#) →

Program Counselor

Cultural Care Au Pair

April 2007 – Present (8 years 6 months)



Conduct phone assessments of au pair functioning and provide strength based, strategic recommendations.
Create monthly online training materials and family newsletter articles.
Provide consultation to Program Directors regarding clinical issues related to au pairs and host families.

Board Member

Private NH Charitable Trust

January 1992 – Present (23 years 9 months)

The Trust provides grants to non-profit organizations that serve children in need of physical, psychological, and educational assistance. Work includes site visits, need assessments, and budget analysis.

Board Member

Children's Alliance of New Hampshire

September 2003 – September 2006 (3 years 1 month)

Board Member, Executive and Development Committees

The Children's Alliance of New Hampshire promotes policies and practices that enable all children to lead healthy lives and to reach their full potential. Led Development Committee with first significant fund raising event and annual giving. Worked on Board policy and Program objectives as a member of the Executive Committee.

Certifications

Comprehensive Resource Model

Teacher Training Level

Trauma Model Therapy Certification

The Colin A. Ross Institute for Psychological Trauma

Certified in Brainspotting

Brainspotting Association USA

LICSW: Licensed Independent Clinical Social Worker

State of Massachusetts and New Hampshire

Skills

Adolescents

Family Therapy

Psychotherapy

Stress

Clinical Supervision

Mental Health Psychology Life Transitions Performance Enhancement

Child Development Brainspotting Maternal Mental Health Healing from Trauma

Crisis Intervention Training [See 3+](#)

Education

Columbia University

Master, Clinical Social Work

1992 – 1994

Work: Prevention Project. The Prevention Project is an innovative focus limited to twenty students.

Recommendations

A preview of what LinkedIn members have to say about Elisa:

“ I have had the great pleasure of working with Elisa since 2007. She plays a critical role in our organization as a Program Counselor and contributing writer to our online corporate...

[See more](#)

“ Elisa served on the Board of Governors at the Children's Alliance of New Hampshire for many years, taking a leadership role on matters ranging from financial management to strateg...

[See more](#)

[Sign up to see who recommended Elisa](#)

Groups



Columbia Alumni As...



Brainspotting: Profe...



National Association ...



The Derryfield School

NETWORK OF PROF...

Infant-Parent Trainin...

View Elisa's full profile to...

- See who you know in common
- Get introduced
- Contact Elisa directly

[View Elisa's Full Profile](#)

Not the Elisa Elkin-Cleary, LICSW you're looking for? [View more](#)

LinkedIn member directory [a](#) [b](#) [c](#) [d](#) [e](#) [f](#) [g](#) [h](#) [i](#) [j](#) [k](#) [l](#) [m](#) [n](#) [o](#) [p](#) [q](#) [r](#) [s](#) [t](#) [u](#) [v](#) [w](#) [x](#) [y](#) [z](#) [more](#) [Browse members by country](#)

DiNapoli, MaryAnn

From: Stefanie Janoff <j.janoff@comcast.net>
Sent: Tuesday, July 14, 2015 9:18 PM
To: Marobella, Diane; DiNapoli, MaryAnn
Subject: Youth Advisory Committee: Appointment for Consideration
Attachments: bio 2014.docx; ATT00001.htm; Stefanie Resume.docx; ATT00002.htm

To the members of the Wayland School Committee and Wayland Board of Selectman;

It is with great excitement I submit my name for consideration for the appointment on the Wayland Youth Advisory Committee. As you will see from my attached background, I have been an active member of the Wayland community for several years, including the Elementary PTO and two School Councils. In addition to my comprehensive volunteer roles, my professional brand marketing experience has primarily focused in the juvenile industry, requiring a strong understanding of the consumer needs of parents and children. Currently, as a board of trustee member at Temple Shir Tikva, I am leading the launch of the new preschool, transitioning from the management of the JCC. Personally, I have always had a passion for each phase of child-development, spending extensive hours researching the socio-emotional development of children, as well as participating in many educational seminars.

I am confident, if appointed, my professional expertise, knowledgeable involvement in the Wayland community thus far and personal passion for child-development would be an asset to the Wayland Youth Advisory Committee.

I have attached a brief professional bio and resume, highlighting relevant experience on page 1. Feel free to contact me at any time, if you require any additional information.

Thank you for your consideration and I look forward to hearing from you.

Stefanie Janoff
23 Rice Spring Lane
Wayland, MA 01778
508-276-1211

Stefanie Janoff

i.janoff@comcast.net

Stefanie is an independent marketing consultant, recognized for her expertise in overall brand strategy, product development, and marketing planning. With over 20 years of marketing experience, Stefanie is accomplished at leading impactful branding campaigns for schools, juvenile products and large manufacturers. As Director of Marketing at Gann Academy, she spearheaded the schools brand positioning process and developed the marketing department structure. As a Senior Product Manager at Dorel Juvenile Group, she launched an \$80M juvenile product category. Stefanie was responsible for all aspects of brand marketing at Stride Rite Children's Shoe, including the launch of Stride Baby; *Next Best Thing to Barefoot Walking*. Stefanie's marketing career started at Hill, Holliday Advertising, serving clients including: AutoNation USA, John Hancock and TJX-Marshalls. Through the years, Stefanie has actively contributed to the community, serving as a board member for the Boston Children's Museum, Wayland Elementary and Middle School Council and PTO President for Happy Hollow and Loker Elementary schools. Stefanie is currently a member of the Temple Shir Tikva Board of Trustees and is the co-chair for the TST Preschool Committee, overseeing the launch of the new preschool initiative.

Stefanie is a graduate of the University of Massachusetts at Amherst with a degree in Communication. She and her husband, Jason, live in Wayland with their two children.

Stefanie L. Janoff
(617) 548-6922
j.janoff@comcast.net

PROFESSIONAL EXPERIENCE

TEMPLE SHIR TIKVA

Board of Trustees

2015-Present

Co-Chair of Preschool Task Force

2014-Present

Spearheading transition of Temple Shir Tikva Preschool program from JCC

Partner with Executive Director on daily management of preschool development, including operations, marketing, fundraising

Provide marketing brand expertise to determine positioning opportunity in community

Participated and selected new preschool Director

Developed Mission Statement in collaboration with key task force members

WAYLAND PUBLIC SCHOOLS

School Council – Parent Representative

Wayland Middle School

2015-Present

Happy Hollow Elementary School

2009-2010

Collaborate with School Principals and community members on current needs of the schools

Provided input and implementation on school survey

Reviewed Middle School website and dress code verbiage to ensure appropriate communication

GANN ACADEMY

Waltham, MA

Director of Marketing

2009-2010

Oversaw brand marketing message and process of school communication, website, PR, Advertising, ensuring brand consistency

Partnered with Head of School short and long term marketing plans, budgets, objectives

Developed strategy for improving the effectiveness of communications with schools various stakeholders

Worked closely with the leadership team to help improve communication with families and students

Worked directly with admissions/development on brand and creative marketing materials

Managed relationships with outside marketing agencies

PTO PRESIDENT

Wayland, MA

Happy Hollow and Loker Elementary Schools

2007-2009

Develop strategic event and fundraising plan consistent with town wide educational initiatives

Foster strong relationships with administration, staff and families, developing programs that support the school community

Oversee 60 committee chairs with over 400 volunteers

Managed transition challenges associated with school reconfiguration, developing new process and procedures

Run monthly board meetings and bi-monthly school-wide PTO meetings: Spokesperson for school community

Write monthly newsletter, email blasts and develop content for website in development

BOSTON CHILDREN'S MUSEUM

Boston, MA

Board of Overseers/Marketing Taskforce

2005-2012

Appointed in 2006 to Boston Children's Museum Board of Overseers

Contributed to overall marketing strategy development for Museum's groundbreaking renovations

Provided input to research development and results conducted by *Inspire! Research Consulting Group*

Offer input to generate traffic for new visitors and museum members

Participate in bi-monthly marketing strategy meetings

Evaluated creative direction and messaging for museums grand-reopening, scheduled for April 2007

Strategize *out of the box* marketing events to increase donor base with a specific target audience

Stefanie L. Janoff
(617) 548-6922
j.janoff@comcast.net

CONSULTANT

Marketing Consultant
Adgenuity

Developed strategies and marketing media plans for tourist programs

Wayland, MA
2005-Present

NIA

Provided insight on launching business and developing business plan
Facilitated brainstorming session to determine growth opportunity and market entry

Summer Infant

Competitive market place analysis for new market entry

Little Kids, Inc.

Evaluated product concept and developed product launch and marketing strategy for new category
Directed and trained marketing team on product launch process and framework

Dorel Juvenile Group

Analyzed account businesses and provide strategic recommendations on business growth opportunities

Summit Sales & Marketing

Analyzed new business growth opportunities and provide strategic marketing recommendations

DOREL JUVENILE GROUP, Safety 1st/Cosco/Eddie Bauer Brands/Disney
Senior Product Manager 2003-2004

Canton, MA
2001-2004

Launched and innovated Large Furniture category (\$80M) by developing overall marketing strategy and leading cross-functional teams to ensure timely and profitable delivery of product

Introduced *Eddie Bauer* wood furniture program, delivering an incremental \$10MM in sales

Lead the development of annual business plans, incorporating market trends, competitive analysis, consumer research and financial targets

Partnered with Sales to establish strong customer relationships and developed exclusive programs and collections

Developed and presented product/marketing strategies and concepts at Senior Management line review, key sales meetings and accounts

Oversaw all marketing materials and programs associated with product strategies

Supervised and developed Associate Product Managers and Coordinator

Managed and maintained financial P&L

Product Manager: 2001-2003

Managed product development for parent convenience category, including strategy, product cycle, and marketing materials

Awarded Dorel Juvenile Group Innovative Product of the Year – *On the Go Bouncer*

Revolutionized Diaper Disposal category with the *neat! Diaper Disposal System* and partnered with advertising agency to launch \$1MM advertising and PR campaign.

Coordinated all print ads, on-line advertising, promotional brochures, instructional video, press release, and packaging.

Supported key accounts by creating specific product sell sheets, pricing and promotional materials, including in-store signage, POP displays, and informational brochures

STRIDE RITE CORPORATION, Stride Rite Children's Group

Lexington, MA

Brand Marketing Manager: 2000-2001

1998-2001

Marketing Manager: 2000-2001

Managed all aspects of brand marketing; including budget planning, strategy development, media recommendations, national advertising, packaging, licensing, collateral, and promotions

Determined all marketing programs and umbrella brand strategies, including seasonal product stories and brand concepts

Developed and managed all public relations initiatives; organized seasonal mailings, special events and daily opportunities

Stefanie L. Janoff
(617) 548-6922
j.janoff@comcast.net

Oversaw communication with agency partners and managed program executions
Developed marketing programs for new product launches; Successfully launched brand to new channel of distribution
Supervised account coordinator on all collateral projects
Ensured brand standards were adhered to in all marketing materials
Provided recommendation and managed all interactive initiatives with striderite.com, nordstrom.com, and babycenter.com
Appointed contact on Stride Rite interactive and public relations agency search
Represented division on corporate internet task force

Assistant Retail Marketing Manager: 1998-1999

Developed and implemented retail strategies for key and trade accounts, leased departments, Great Feet!, and outlets
Educated Sales Force on all marketing efforts at seasonal sales meetings
Managed all marketing initiatives associated with the Nine West Kids' brand; Daily contact with Nine West
Facilitated process for advertising coop/meet competition programs

HILL, HOLLIDAY, CONNORS, COSMOPULOS, INC Boston, MA Account Executive-AutoNation USA: 1997-1998 1994-1998

Assistant Account Executive- AutoNation USA, John Hancock, Marshalls: 1995-1996

Account Coordinator-Marshalls: 1994

Managed 25 million dollar account
Integrated strategic efforts between client, account services, media, creative, and outside vendors
Served as primary Boston agency contact to ensure daily deliverables and updated client on current status of projects
Managed all aspects of television, radio, print and design production
Developed strategies, coordinated research projects with group strategic planner and analyzed client's competitors
Prepared annual production and media budgets, set up billing procedure for new client, and supervised client billing
Developed client quarterly scope of service and plan monthly client event advertising
Supervised and train assistant account executive and account coordinator
Managed advertising documentation process: open work orders, organized estimate procedure for production, processed broadcast traffic instructions, created production schedule and maintained files with all paperwork relating to jobs
Participated in account service training program

OTHER EXPERIENCE

**NBC TODAY SHOW
NY**

**New York,
Spring 1993**

Participated in NBC internship program
Researched story segments interviewing experts, attending media events, utilizing research libraries, and databases

EDUCATION

**University of Massachusetts at Amherst
Bachelor of Arts in Communications**

**Amherst, MA
May 1993**

UMass/UK International Exchange Program at Sheffield Hallam University, Sheffield, England
UMass Division I Varsity Field Hockey team member

Rebecca B. Lloyd
15 Morse Rd
Wayland, MA 01778

August 14, 2015

Dear Board of Selectmen,

I am interested in serving on the Youth Advisory Committee. I am the mother of four children ages 5-13 who will attend Claypit Hill and the Middle School in the fall. I hold a Master's in Teaching from Boston University and although I haven't taught high school in years, I spend a lot of time teaching.

For the past three years, I have served as the president of the young women's organization at my church. My responsibilities were to oversee the activities of young women ages 12-18. In our congregation, members come from Maynard, Sudbury, Wayland, Weston and Waltham. I taught Sunday lessons twice a month, helped the girls plan activities and organized skill based classes for the girls such as bread making, painting and car repair. I also helped run the church girl's camp that took place for one week every summer in New Hampshire.

I have served on the PTO as one of the co-chairs of the World's Fair Committee since 2012. Last year, I taught the science curriculum to my daughter's second grade class. I volunteer for the Friends of the Library, I enjoy being involved in the community and I am very interested in helping the Youth Advisory Committee support the families and youth of Wayland.

I look forward to talking with you more about this important work. I can be reached at rebeccalloyd57@gmail.com or 617.285.5009.

Sincerely,

Rebecca Lloyd

DiNapoli, MaryAnn

From: Brenda Ross <brross@berklee.edu>
Sent: Thursday, July 09, 2015 9:23 AM
To: Dowd, Lynn
Cc: DiNapoli, MaryAnn
Subject: Re: Appointment consideration

Thank you Lynn and MaryAnn.

If I am selected, it would be my pleasure to serve in any capacity. I will await further discussion after the posting closing date. In the meantime, enjoy these beautiful summer days!

Sincerely,
Brenda

On Jul 9, 2015, at 8:53 AM, Dowd, Lynn wrote:

> Hi Brenda,
>
> Thanks so much for your interest! There is no significant difference between the two appointments, unless the boards make requests about reporting back to them (which they usually don't). I am on my way out of the office and going on vacation until next Thursday, but would be more than happy to talk with you after I return. I can tell you more about the committee and our department if you would like. Thanks for connecting us, MaryAnn.
>
> Lynn
>
> Lynn Dowd, Psy.D.
> Director
> Wayland Youth & Family Services
> Wayland Town Building
> 41 Cochituate Road
> Wayland, MA 01778
> 508-358-4293
> 508-358-3627 (fax)
>
> _____
> From: DiNapoli, MaryAnn
> Sent: Thursday, July 09, 2015 8:17 AM
> To: Brenda Ross
> Cc: Dowd, Lynn
> Subject: RE: Appointment consideration
>
> I've copied this message to Lynn Dowd, the Director of Youth Services. She can give you the details of the committee membership; I'm afraid I've reached the end of my expertise here!
>
> Thank you, Brenda, and thank you, Lynn.
>
> MaryAnn

>
> From: Brenda Ross [mailto:brross@berklee.edu]
> Sent: Wednesday, July 08, 2015 3:11 PM
> To: DiNapoli, MaryAnn
> Subject: Re: Appointment consideration
>
> Hello MaryAnn,
>
> Thank you for updating me on the process. From my viewpoint serving as either representative would be fine. Are there distinctions in the two roles that are important for me to understand?
>
>
>
> Best,
> Brenda
>
>
>
> Brenda Stevens Ross, MBA
> Manager, Music Therapy Institute
> 1140 Boylston St. MS-7MTHE
> Boston, MA 02215
> P: 617 747 2765
> F: 617 747 2605
> brross@berklee.edu<mailto:brross@berklee.edu>
> In office Monday, Wednesday and Thursday
>
>
>
>
>
>
>
> On Jul 8, 2015, at 11:52 AM, DiNapoli, MaryAnn wrote:
>
>
> Hi Brenda. I don't know if anyone has gotten back to you. First of all, thank you again for your willingness to serve the town!
>
> Secondly, the vacancies are going to be posted until Monday, August 31, 2015, at which time the School Committee and the Board of Selectmen will issue invitations for interviews. As you probably know, there are two openings on the Youth Advisory Committee: one to represent the School Committee, and one to represent the Board of Selectmen. Would you also be willing to consider taking the position as the Selectmen appointee?
>
> Thanks, Brenda. I look forward to hearing from you.
>
> MaryAnn DiNapoli
> Executive Assistant
> Board of Selectmen
> (508) 358-3621
>

>

>

> -----Original Message-----

> From: Brenda Ross [mailto:brross@berklee.edu]

> Sent: Thursday, July 02, 2015 11:31 AM

> To: Marobella, Diane

> Cc: DiNapoli, MaryAnn

> Subject: Appointment consideration

>

> Dear Ms. Marobella,

>

> I was excited to read about the opportunity to serve on the Youth Advisory Committee. Please consider me for appointment to this position. The attached summary can provide an overview of ways in which I can contribute to the group.

>

>

>

> Sincerely,

> Brenda S. Ross

>

>

>

>

>

>

>

>

Ms. Diane Marobella
Wayland School Committee
41 Cochituate Rd
Wayland, MA 01778

July 2, 2015

Dear Diane

It would be a privilege and a great pleasure for me if selected to serve on the Wayland Youth Advisory Council. I offer the following about myself for consideration.

I wholeheartedly embrace the notion of diversity, not because it is mandated but because of the richness that results from gathering those who bring different experiences and perspectives. I have had a rich array of diverse experiences that have resulted in my 'unique' perspective.

Experience	Benefit(s) of the Experience
Prep school educated minority student	Empathy and some insight into the Metco student experience.
Bachelor of Music	Creative spirit, lover of the arts, highly value the arts in education
First Career- Music Therapist	Understand the importance of relationships and human connections.
MBA	Understand business function and operations. Skilled in strategy development and implementation planning.
Strategy consulting background	Skilled at information gathering, problem resolution and leveraging technology to support organizational goals.
Current position as Manager in Higher Education	Understand the challenges of curriculum development and educating students. Skilled in the business of relationships.
African American Woman	Ability to share cultural perspective that extends beyond society and media stereotypes.
Mother	Firsthand understanding of the importance of parenting in nurturing children.
15 year Wayland resident	Insight into the overall personality of the community.

Additionally, I just completed a two-year term on the Wayland Middle School Council.

I would welcome the opportunity to share my gifts, talents and perspective and to serve with others who bring ideas and thoughts different than my own. Thank you for your consideration.

Sincerely,
Brenda S. Ross
508-358-3389
<mailto:brsross@comcast.net>

6. APPOINTMENTS
CoA/Comm - Audit

DATE: September 18, 2015
TO: Board of Selectmen
FROM: MaryAnn DiNapoli, Executive Assistant
RE: APPOINTMENTS TO THE COUNCIL ON AGING/COMMUNITY CENTER ADVISORY COMMITTEE AND THE AUDIT COMMITTEE

REQUESTED ACTION:

INTERVIEW AND CONSIDER CANDIDATES FOR OPEN POSITIONS ON THE COUNCIL ON AGING /COMMUNITY CENTER ADVISORY COMMITTEE AND THE AUDIT COMMITTEE

There is one opening on the Council on Aging/Community Center Advisory Committee. Carol Glick is the applicant, and her résumé is attached. The appointment is for a term to expire at the 2016 Annual Town Meeting.

MOTION:

That the Board of Selectmen appoint _____ to the Council on Aging/Community Center Advisory Committee for a term to expire at the 2016 Annual Town Meeting.

There are two opening on the Audit Committee; one term expires on June 30, 2017, and one term expires on June 30, 2018. Randall Moore is the applicant, and letter of interest is attached.

MOTION:

That the Board of Selectmen appoint _____ to the Audit Committee for a term to expire on June 30, (2017 or 2018).

Attached: Letters of Interest from Carol Glick and Randall Moore

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Friday, September 04, 2015 4:42 PM
To: DiNapoli, MaryAnn
Subject: Fwd: COA/ Community Center Advisory Committee opening
Attachments: Carol Glick resume - 2015.pdf; ATT00001.htm

Carol said she'd be available for an interview on 9/21. Please keep her information
Thanks

Sent from my iPhone

Begin forwarded message:

From: Carol Glick <csglick@ymail.com>
Date: September 4, 2015 at 3:15:46 PM EDT
To: "Balmer, Nan" <nbalmer@wayland.ma.us>
Cc: Bill Sterling <bill@sterlingarchitects.com>, "Secord, Julie" <jsecord@wayland.ma.us>
Subject: Fw: COA/ Community Center Advisory Committee opening
Reply-To: Carol Glick <csglick@ymail.com>

Nan:

Attached is the email and resume that I emailed to MaryAnn DiNapoli last June.

Carol Glick

----- Forwarded Message -----

From: Carol Glick <csglick@ymail.com>
To: MaryAnn DiNapoli <mdinapoli@wayland.ma.us>
Sent: Sunday, June 28, 2015 3:07 PM
Subject: COA/ Community Center Advisory Committee opening

Board of Selectmen:

I am interested in serving on the Council on Aging/ Community Center Advisory Committee. As you can see from my attached resume, I am an attorney currently focusing my practice on elder law, and, in particular, helping elders to age at home. I currently serve on the Boards of the Wayland Council on Aging, and on Bay Path Elder Services Agency as Wayland's representative. I am also on the Board of Boston Senior Home Care. As you can also see from my resume, I formerly practiced in the area of environmental law, including for six years as an Assistant Attorney General in the Environmental Division of the Massachusetts Attorney General's Office. This background as an environmental attorney, I believe, would be very helpful with regard to understanding some of the environmental considerations surrounding the siting of the senior/community center.

As a member of the Council on Aging, and also, as a Wayland resident for 23 years, with 2 children who have gone through the school system (starting with the Children's Way), I see a very great need in this town for a Senior/ Community Center. Elders need a vital senior center if they are to age at home without being isolated. Also, as my own children (who graduated from Wayland High School in 2010) have told me, Wayland teens need a center where they can congregate, play games, and just hang out, away from school and parents. A multi-generational community center would serve this need, and, I believe, greatly enhance our town. It is for this reason, as well as my background as stated above, which I think could add to the Committee, that I would like to serve on this Advisory Committee.

Thank you for your consideration.

Carol Glick
35 Brooks Rd, Wayland
(508) 650-0322

CAROL SNEIDER GLICK

35 Brooks Road
Wayland, MA 01778
(508) 650-0322
csglick@ymail.com

CURRENT or RECENT PROFESSIONAL AND VOLUNTEER POSITIONS:

Squillace & Associates, P.C., Boston, MA (2009 to present)

Of Counsel

Practice exclusively in the area of elder law, with a focus on helping elders to age at home; tax, estate and Medicaid planning; probate and administration of estates; and some probate litigation

Wayland Council on Aging (September, 2014 to present)

Board Member

Bay Path Elder Services (October, 2014 to present)

Board Member representing Wayland

Boston Senior Home Care - Boston, MA (2012 to present)

Board of Directors, Program Committee Member

Boston Senior Home Care is a designated Massachusetts Aging Service Access Point: a private, non-profit agency funded in part by the Massachusetts Executive Office of Elder Affairs, which is dedicated to providing services that enable elders and persons with disabilities to remain at home

New England Community for Cancer Survivorship (2010 to May, 2015)

Board of Directors, Treasurer

NECCS is a small non-profit organization that focuses on issues affecting cancer survivors and caregivers

PRIOR PROFESSIONAL EXPERIENCE:

Conn, Kavanaugh Rosenthal, Peisch & Ford, Boston, MA (2008 to 2009)

Associate Attorney

Estate, tax and Medicaid planning; and probate of estates

Friedler & Zuroff - Newton, MA (2002 to 2007)

Associate Attorney

Estate, tax and Medicaid planning; probate of estates; and probate litigation.

Mendel & Associates, Newton, MA (1999 to 2001)

Associate Attorney

Estate and tax planning; and probate of estates

Carol Sneider Glick

Resume

Page 2

Sessa, Glick & Quiroga, Boston, MA (1994 to 1999, Part-time)

Associate Attorney

Practice increasingly in the area of estate planning; probate of estates, and probate litigation, including litigation to enforce the Massachusetts Elder Abuse statute; also environmental law, lead paint poisoning litigation; and domestic relations.

Sneider & Glick, Boston, MA (1989 to 1991)

Partner

Practiced in a wide area of civil law, including representation of children in lead paint poisoning litigation, real estate, and environmental law.

Massachusetts Department of the Attorney General, Boston, MA (1983 to 1989)

Assistant Attorney General

Environmental Protection Division & Nuclear Safety Unit

Litigation in Massachusetts Superior Court, Massachusetts and United States Appeals Court, United States Bankruptcy Court and state administrative agencies of a wide variety of environmental law cases, including acting as lead attorney on the Seabrook nuclear power plant licensing case and other related nuclear power plant licensing issues, and coordinating activities with and providing legal advice on nuclear issues to state executive departments, state legislators and federal and state legislative committees.

EDUCATION

Boston University School of Law, Boston, MA

LL.M. in Tax - 2004

Boston College Law School, Newton, MA

J.D. *magna cum laude* -1982

University of Rochester, Rochester, New York

A.B. in Comparative Religions and South Asian Studies

BAR MEMBERSHIP AND PROFESSIONAL ORGANIZATIONS

Admitted to practice in Massachusetts in 1982

National Academy of Elder Law Attorneys, Member

DiNapoli, MaryAnn

From: Karlson, Cherry
Sent: Monday, September 14, 2015 12:49 PM
To: Christopher Cullen; randall.c.moore@gmail.com
Cc: Balmer, Nan; DiNapoli, MaryAnn
Subject: Fwd: Audit Committee

Randall,

Thanks for your interest in the Audit Committee. Chris Cullen is the chair of the committee and has offered to talk with you about the responsibility, time commitment, meeting schedule and workload. You can reach him at the email above or at 617-218-7459.

We also recently revised the Audit Committee's charge based on its feedback. You can find the new charge on the Audit Committee's town web page.

If you are interested in proceeding, please send a resume/CV to MaryAnn DiNapoli and she will get you scheduled for an interview. I anticipate that the BoS will conduct some interviews for other committee appointments on Sept 21. We could add you if that date works with your schedule and gives you time to gather the necessary information.

Thanks again for your interest and willingness to volunteer!

Best,
Cherry

Sent from my iPad

Begin forwarded message:

From: Cherry Karlson <cckarlson@comcast.net>
Date: September 11, 2015 at 5:11:51 PM EDT
To: "Karlson, Cherry" <ckarlson@wayland.ma.us>
Subject: Fwd: Audit Committee

Begin forwarded message:

From: Randall Moore <randall.c.moore@gmail.com>
Subject: Audit Committee
Date: September 11, 2015 at 5:08:52 PM EDT
To: "cckarlson@comcast.net" <cckarlson@comcast.net>
Cc: "nbalmer@wayland.ma.us" <nbalmer@wayland.ma.us>

Hello Cherry,

I would like to be considered for appointment to the Audit Committee. I believe my experience in public and private sector management consulting would enable me to make a strong contribution to this team and the Town.

Regards,
Randall

Randall Moore
+1 774 573 0200

7. COMMITTEE
MATTERS

DATE: September 18, 2015
TO: Board of Selectmen
FROM: MaryAnn DiNapoli, Executive Assistant
RE: COMMITTEE MATTERS

CABLE ADVISORY COMMITTEE, REQUESTED ACTION:

VOTE TO DISSOLVE THE CABLE ADVISORY COMMITTEE

The Chair of the Cable Advisory Committee, Richard Turner, has requested that the Board of Selectmen dissolve the Cable Advisory Committee, as there are only two members and the committee has not been called for any action since the current licensing was approved three years ago. Mr. Turner's letter is attached, along with the Cable Advisory Committee Charge.

Motion: That the Board of Selectmen dissolve the Cable Advisory Committee.

SENIOR TAX RELIEF COMMITTEE, REQUESTED ACTION:

VOTE TO REVISE THE CHARGE OF THE SENIOR TAX RELIEF COMMITTEE TO EXTEND APPOINTMENTS TO STAGGERED THREE-YEAR TERMS; AND VOTE TO REAPPOINT THE CURRENT MEMBERS TO STAGGERED THREE YEAR TERMS.

The members of the Senior Tax Relief Committee have requested that the appointments be extended to three-year terms.

Motion: That the Board of Selectmen revise the Charge of the Senior Tax Relief Committee to extend appointments to staggered three-year terms, and to extend the terms of Linwood Bradford and Pauline DiCesare to a three-year term that will expire on June 30, 2018, and to extend the terms of Joan Bradford and Rebecca MacGregor to a two-year term that will expire on June 30, 2017.

Attached: Email of Richard Turner, 9/2/15, requesting that the Cable Advisory Committee be Dissolved
Current Charge of the Cable Advisory Committee
Revised Charge of the Senior Tax Relief Committee
Email of Rebecca MacGregor, Senior Tax Relief Committee, 9/11/15, with Recommended Staggered Terms of Current Members

DiNapoli, MaryAnn

From: Turner, Richard
Sent: Wednesday, September 02, 2015 3:24 PM
To: DiNapoli, MaryAnn
Cc: Balmer, Nan
Subject: Cable Advisory Committee

Maryann & Nan

The Cable advisory Committee has been inactive since the passing of Mr. Steven Allen 3 years ago there are only (2) Members on the committee Myself and Tom Klem we do not have a quorum to hold meetings My suggestion is to dissolve the committee and reappoint it prior to the (license) for Comcast which expires on 01/23/2023 Verizon license expires on September 17 2020

Respectfully

Richard P. Turner USN Ret
Town Of Wayland Veterans Graves Officer
7 Nob Hill Road
Wayland , Mass 01778-2216
Tel #508-358-4294
Fax #508-358-0842
Mobile # 508-320-5398
email rturner@wayland.ma.us

Cable Advisory Committee

[Meeting Agendas](#)

[Meeting Minutes](#)

Additional Links:

[Wayland Comcast Renewal License 2010](#)

[Explanation of Comcast Billing 2010-11](#)

[Wayland Amended Verizon License 2011 Conformed](#)

Members

Name	Title	Term
Thomas J. Klem		6/30/2016
Richard Turner		6/30/2016

Wayland Cable Advisory Committee Mission Statement

The purpose of the Cable Advisory Committee (CAC), which is appointed by and reports to the Wayland Board of Selectmen (BoS), is to advise the BoS on all issues relating to cable television (CATV) services provided within the Town. The BoS is the Issuing Authority that grants CATV franchise licenses to service providers. The CAC's principal responsibilities are to negotiate the terms of initial and renewal CATV licenses with service providers, to recommend that the BoS grant such licenses once they are negotiated, and to monitor the performance by the licensees of their obligations under such licenses in order to ensure compliance with license terms and conditions. The CAC also attempts to resolve disputes brought to its attention between CATV subscribers and CATV service providers. In addition, the CAC advises and consults with various Town organizations with respect to CATV matters on an ad hoc basis.

Implementation of the CAC's Mission

- The CAC typically works with Town-appointed legal counsel specializing in CATV matters to negotiate licenses with CATV service providers. When negotiated, such licenses are subject to approval by the BoS. At present, two CATV providers, Verizon and Comcast, offer service to Town residents.
- The CAC, as in other Commonwealth communities, is recognized by the State and CATV service providers as representing the Issuing Authority (BoS) in many matters.
- The CAC works with members of the Town's local cable access corporation (Wayland Community Access & Media, Inc. or WayCAM) with respect to the provisions of CATV licenses that directly affect WayCAM's activities, including its funding requirements.
- In monitoring performance by CATV service providers the CAC seeks to ensure that all license requirements are fulfilled in accordance with their terms. Such requirements may include, among others, making timely payments; submitting required reports and ancillary information; completing CATV subscriber networks; installing and maintaining free municipal and school subscriber connections; providing video returns from designated municipal and school sites to WayCAM's studio; ensuring the provision of local (Wayland) origin public access, governmental, and educational cable signals to CATV subscribers on designated channels; and complying with Customer Service Standards, as defined in the licenses.
- In overseeing the installation and maintenance of the free municipal and school subscriber sites, the CAC works with the persons in charge of those sites, or their designees, to ensure optimum placement of the required outlet, to coordinate changes in required equipment and services, and to develop specialized

instructions for use of these services, if needed.

- As appropriate, the CAC participates in discussions with other technology focused organizations in the Town to promote effective audio-visual communications, and provides advice, as requested by the BoS, with respect to the condition and operation of the Town's Municipal Area Network to the extent it is used for the provision of video returns from designated municipal and school sites to WayCAM's studio.
- The CAC has occasionally agreed to intercede in disputes between customers and service providers to promote timely resolution of issues.
- Neither the BoS nor the CAC is authorized to address internet and telephone services that are also provided by CATV service providers. Nor is the BoS or the CAC authorized to approve the rates charged by CATV service providers to their CATV customers.

SENIOR TAX RELIEF COMMITTEE CHARGE

Purpose: To identify and develop strategies for the Town and legislature to ease the property tax burden on Wayland residents age 65 and over

Charge: The Tax Relief Committee shall be concerned with identifying, researching, developing, and promoting a variety of strategies designed to ease the property tax burden on Wayland residents age 65 and over, including but not limited to:

Researching existing options for providing tax relief and informing citizens of their benefits and drawbacks

Seeking alternative methods for easing the property tax burden

Working to gain support for changes to state legislation and local bylaws and practices

Working with similar committees in other communities and with state legislators identify and file legislation

Appointed by: Board of Selectmen

Membership: The seven-member committee shall include one member representing the Council on Aging, one member representing the Board of Assessors, one member representing the Finance Committee, two members representing the Board of Selectmen, and two members representing the community at large. Members shall be appointed for three (3) years with staggered terms.

Adopted: November 16, 1998

Revised: June 21, 1999, to expand the Committee to eight members

Revised: September 9, 2013, to reduce the Committee to seven members

Revised: September 21, 2015, to extend appointments to staggered three-year terms.

From: Rebecca R. MacGregor [mailto:rmacgregor@wcfllp.com]
Sent: Friday, September 11, 2015 11:26 AM
To: Secord, Julie
Cc: mantes2@verizon.net
Subject: RE: Senior Tax Relief Committee

Mary and Julie –

Our committee decided to implement the following staggered terms to get us into the 3 year rotation:

3 years term for Linwood Bradford and Pauline DiCesare

2 years term for Joan Bradford and Rebecca MacGregor

1 year term for Steve Collela and Anne Gilbert


Please let me know if you need anything further. Thanks.

Rebecca MacGregor

rmacgregor@wcfllp.com | Tel: 781.235.5500 | Fax: 781.235.5577

Wellesley Office Park, 20 William Street | Suite 130, Wellesley, MA 02481

wcfllp.com

View my profile on 

WILCHINS | COSENTINO | FRIEND LLP

Privileged and Confidential Attorney Communication NOT FOR DISTRIBUTION This email communication (and any attachments) are confidential and are intended only for the individual(s) or entity named above and others who have been specifically authorized to receive it. If you are not the intended recipient, please do not copy, use or disclose the contents of this communication to others. Please notify the sender that you have received this email in error by replying to the email or by telephoning the sender. Please then delete the email and any copies of it. This information may be subject to legal, professional or other privilege or may otherwise be protected by work product immunity or other legal rules.

Communications from our firm may contain or incorporate federal tax advice. Under recently promulgated US Internal Revenue Service (IRS) standards, we are required to inform you that only formal, written tax opinions meeting IRS requirements may be relied upon by taxpayers for the purpose of avoiding tax-related penalties. Accordingly, this communication is not intended or written to be used and it cannot be used, for the purpose of avoiding tax-related penalties under the Internal Revenue Code. Please contact a member of our firm if you require a formal, written tax opinion that satisfies applicable IRS requirements, or if you have any other questions regarding federal tax advice. Thank You.

9. STM ARTICLES

DATE: SEPTEMBER 21, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: SPECIAL TOWN MEETING ARTICLES

REQUESTED ACTION: VOTE POSITIONS ON SPECIAL TOWN MEETING ARTICLES

BACKGROUND:

1. The highlighted articles on the attached Article List are on tonight's agenda for the Board to take a position.
2. Article text is included in the September 8th packet.
3. The Finance Director provided the attached article with numbers for:

B) Pay Previous Year Unpaid Bill:	\$4,920
C) Current Year Transfer:	\$496,725*

*Please see the Town Administrator's report for an update on IT and the basis for a request for a current year transfer for \$150,000 to fund high priority projects. The Board is asked to advise regarding this request.

ARTICLE LIST FOR NOVEMBER 9, 2015 SPECIAL TOWN MEETING

Article	November 2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Amend FY2016 Budget Funding Sources	Board of Selectmen Finance Committee	C. Karlson	N. Funkhouser		
B	Pay Previous Fiscal Year Unpaid Bills	Finance Committee	C. Karlson	N. Funkhouser		
C	Current Year Transfer	Finance Committee	C. Karlson	N. Funkhouser		
D	Amendment to Minuteman Regional Agreement	Board of Selectmen	T. Boschetto	G. Wolin		
E	Acquire Municipal Parcel in Town Center	Board of Selectmen	M. Antes/ J. Nolan	B. Steinberg		
F	OPEB Trust Fund Legislation and Governance	Board of Selectmen	T. Boschetto	G. Cliff		
G	Authorize Procurement and Appropriate Funds for Energy Resiliency Project at the Middle School	Board of Selectmen	C. Karlson	D. Watkins		
H	Acceptance of Chapter 71 Section 71E	School Committee Board of Selectmen	C. Karlson	C. Martin		
I	Appropriate Funds for Library Planning and Design	Board of Library Trustees	J. Nolan	B. Steinberg		
J	Seek Special Legislation for Chapter 44 Section 53 E ½ Municipal Revolving Fund	Recreation Commission	J. Nolan	C. Martin		

ARTICLE LIST FOR NOVEMBER 9, 2015 SPECIAL TOWN MEETING

Article	November 2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
K	Resolution Regarding Surface of Rail-Trail in Wayland	Community Preservation Committee	J. Nolan	T. Abdella		
L	Appropriate Funds to Update the Open Space and Recreation Plan	Community Preservation Committee	M. Antes	T. Abdella		
M	Permanent Municipal Building Committee Involvement in Stone's Bridge Restoration	Petitioners	M. Antes	G. Wolin		
N	Amend Chapter 36 of Current Bylaws (36-1)	Petitioners	T. Boschetto	G. Cliff		

ARTICLE ??: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- (a) pay the bills of the prior fiscal years,
- (b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and
- (c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

Fiscal 2015 liabilities to be paid using Fiscal 2016 appropriations;

- | | | |
|--|---------|--------------------|
| 1) Unemployment-State of Massachusetts | \$4,920 | Fiscal 2016 Budget |
|--|---------|--------------------|

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. The unpaid bills from Fiscal Year 2014 are summarized in the article.

ARGUMENTS IN FAVOR: This is a standard Article that allows the Town to pay bills for the previous fiscal year.

ARGUMENTS OPPOSED: There are no apparent arguments against this Article.

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

QUANTUM OF VOTE: Four-fifths – see Massachusetts General Laws Chapter 44, Section 64.

For more information about this article, contact Brian Keveny, Finance Director, at (508) 358-3611, or email bkeveny@wayland.ma.us.

ARTICLE XX: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee

Estimated Cost: \$496,725

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

CURRENT YEAR TRANSFERS FY 2015	
PURPOSE:	AMOUNT
1 Water Enterprise Fund	\$346,725
2 Town Information Technology	\$150,000
3	
4	
5	
TOTAL CURRENT YEAR TRANSFERS	\$ 496,725
FUNDING SOURCES:	
1 Fiscal 2016 Water Enterprise Revenues	\$346,725
2 Unreserved Fund Balance	\$150,000
3	
4	
5	
TOTAL	\$ 496,725

FINANCE COMMITTEE COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. These transfers are required for the following reasons:

Water Enterprise Fund. This request is to cover the cost of the Fiscal 2016 Indirect Cost Transfer to the General Fund-(\$331,725). This amount was not included in the spring 2015 Town Meeting Water Enterprise Fund voted appropriation. Additionally the request covers the cost of a new water vehicle that was totaled in an accident. The difference between the insurance reimbursement and cost of new vehicle is (\$15,000)

Town Information Technology.

10. Health Insurance

DATE: September 21, 2015
TO: Board of Selectmen
FROM: John Senchyshyn, Asst. Town Administrator/HR Director
RE: Discussion and Potential Vote to Accept M.G.L. Sections 21-23

REQUESTED MOTION:

I MOVE THAT THE TOWN OF WAYLAND, THROUGH A VOTE OF ITS BOARD OF SELECTMEN, ELECTS TO ENGAGE IN THE PROCESS TO CHANGE INSURANCE BENEFITS UNDER MGL C.32B, §§21 THROUGH 23.

BACKGROUND:

On September 8, 2015 Sue Shillue of Cook and Company presented information concerning a potential move to the Group Insurance Commission (GIC). Enrollment in the GIC for 7/1/16 requires completion of negotiations and notification to the GIC no later than 12/1/15. A mid-year alternative exists that allows for a 1/1/17 GIC entry with a 7/1/16 notification date. However, the West Suburban Health Group (WSHG) agreement does not provide for a mid-year withdrawal.

There is a clearly defined path that provides for communities entry to the GIC. The rules are stated in 801 CMR 52.00. The process begins with the Selectmen's vote to pursue health insurance changes utilizing Sections 21-23. Prior to scheduling the vote, all unions and the Retired State, County Municipal Retirees (RSCME) Association must be notified. Notification letters were mailed on September 15, 2015.

An affirmative vote is only required once; there is no obligation to take immediate action following the vote. The Board has the option to wait as long as it deems appropriate before moving forward with changes. If the Board determines that it wants to move forward with the migration to GIC effective 7/1/16, there are milestones that must be met within specified timeframes. Enclosed in the packet is a schedule of events prepared by Labor Counsel. Meeting the 12/1/15 notification deadline to GIC is aggressive and would require immediate action. Should the Board determine that it wants to move forward, Cook and Company is poised to accept an engagement to assist in the process.

I have requested that the Personnel Board, Finance Committee and School Committee develop a recommendation regarding the GIC option. The boards/committees intend to participate in Monday's meeting or send a representative to the meeting to share their recommendation with you.

Copies of the Cook and Company's 9/8/ 15 presentation, a copy of M.G.L. Ch. 32B, Sections 21-23, 801 CMR 52.00 Rules and Regulations and Labor Counsel's timeline are in your drop box in the folder titled Health Insurance.

Municipal Health Insurance (Acts of 2011, Chapter 69)
Municipal Health Insurance Regulations (801 CMR 52.00)

Step 1	Advance notice of intent to vote for local acceptance	Time Frame: At least 2 calendar days in advance of any vote electing to change group health insurance pursuant to G.L. c. 32B, §§21-23. <i>801 CMR 52.02(1)</i> .	Notice: To be sent by Appropriate Public Authority to each collective bargaining unit and the Retired State, County Municipal Employees Association (RSCME) of Political Subdivision's intent to vote to change group health insurance pursuant to G.L. c. 32B, §§21-23. <i>801 CMR 52.02(1)</i> .	
Step 2	Local acceptance	Vote: Must be taken by Political Subdivision in order to change health insurance benefits under G.L. c. 32B, §§ 22 or 23. <i>G.L. c. 32B, §21(a) and 801 CMR 52.02(1)</i> .	Sample vote: "The [name of political subdivision] elects to engage in the process to change insurance benefits under MGL c.32B, §§21-23". <i>801 CMR 52.02(1)</i> .	

Step 3(a)	Development of documents to be submitted to the Insurance Advisory Committee (“IAC”)	Requirement: The Appropriate Public Authority must evaluate its health insurance coverage and determine the savings that may be realized after the first 12 months of implementation of plan design changes or upon transfer of subscribers to the Group Insurance Commission (“GIC”). <i>G.L. c. 32B, §21(b) and 801 CMR 52.02(2).</i>	Documents/Information: To be submit to the IAC: (1) The proposed changes to health insurance benefits; (2) Cost sharing plan design features of plan with largest subscriber enrollment offered by GIC. (3) A report and documentation with respect to the determination of the estimated savings. (4) A mitigation proposal. <i>G.L. c. 32B, §21(b) and 801 CMR 52.03.</i>	
Step 3(b)	Notification to IAC	Notice: The Appropriate Public Authority must notify the IAC of the health insurance coverage evaluation and assessment of savings as well as provide the IAC with the required documents. <i>G.L. c. 32B, §21(b) and 801 CMR 52.02(2).</i>	Documents/Information: To be submit to the IAC: (1) The proposed changes to health insurance benefits; (2) Cost sharing plan design features of plan with largest subscriber enrollment offered by GIC. (3) A report and documentation with respect to the determination of the estimated savings. (4) A mitigation proposal. <i>G.L. c. 32B, §21(b) and 801 CMR 52.03.</i>	Composition of IAC: The IAC shall be comprised of eight members as follows: seven persons to be duly elected or appointed to membership on such committee by organizations of the employees affected, and one person who shall be a retiree of a governmental unit who shall be duly appointed to membership on said committee by the Appropriate Public Authority. <i>G.L. c. 32B, §3.</i>

Step 3(c)	Meeting with IAC	Time Frame: Within 10 days after IAC receives notice it shall meet with Appropriate Public Authority to discuss estimated savings and any reports or other documentation requested by IAC prior to the meeting. <i>G.L. c. 32B, §21(b) and 801 CMR 52.02(2).</i>	Failure to meet: If the IAC does not meet with Appropriate Public Authority within 10 days after receiving notice, it will be considered to have met with the Appropriate public Authority. <i>801 CMR 52.02(2).</i>	
Step 4(a)	Notification to Public Employee Committee (“PEC”) to enter into negotiations to implement changes to health insurance benefits	Time Frame: Within 2 business days of meeting with IAC or 10 days after IAC received notice (whichever occurs first), Appropriate Public Authority shall provide notice of its decision, in writing, to president or designee of each collective bargaining unit and to the RSCME. <i>801 CMR 52.02(2).</i>	Documents/Information: To be submit to the PEC within 2 business days following the appropriate public authority’s receipt of notice of reps for the PEC: (1) The proposed changes to health insurance benefits; (2) Cost sharing plan design features of plan with largest subscriber enrollment offered by GIC. (3) A report and documentation with respect to the determination of the estimated savings. (4) A mitigation proposal. <i>G.L. c. 32B, §21(b) and 801 CMR 52.03.</i>	Composition of PEC: If no existing PEC, notice shall request designated representatives for PEC from collective bargaining units and RSCME. If not response within 5 business days, collective bargaining units principal officer and president of RSCME shall be the representatives. <i>801 CMR 52.02(2).</i> If PEC already exists, within 2 business days of receipt of notice collective bargaining units and RSCME provide information regarding designated representatives for PEC. <i>G.L. c. 32B, §21(b) and 801 CMR 52.02(2).</i>

Step 4(b)	Negotiations between the Appropriate Public Authority and PEC	<p><u>Time Frame:</u> The parties shall have 30 days from the date of receipt of notice to negotiate all aspects of the Appropriate Public Authority’s proposal. <i>G.L. c. 32B, §21(c) and 801 CMR 52.04.</i></p> <p>**Appropriate Public Authority and PEC should remember to comply with requirement of 801 CMR 52.05 regarding creation of Review panel during 30 days of negotiations. <i>801 CMR 52.05.</i></p>	<p><u>Terms of Agreement:</u> Agreement shall be in writing, include plan design changes or transfer to GIC. Copy of Agreement shall be sent to Secretary of A&F within 3 business days after execution and notify municipal review panel. All subscribers shall be provided 60 days notice of changes in plan design or transfer to GIC. <i>801 CMR 52.04.</i></p>	<p><u>Weighing of Votes on PEC:</u></p> <p>Any agreement shall be approved by a <u>majority vote</u> of the PEC. Vote shall be weighted in accordance with G.L. c. 32B, §19. <i>G.L. c. 32B, §21(c)</i></p>
Step 5(a)	Review Panel if agreement is <u>NOT</u> reached between the Appropriate Public Authority and the PEC	<p><u>Time frame:</u> If the parties have not entered into a written agreement after 30 days, the matter shall be submitted to a municipal health insurance review panel (“Panel”) within 3 business days after end of 30 day negotiation period. <i>G.L. c. 32B, §21(c) and 801 CMR 52.05.</i></p>	<p><u>Composition of Panel:</u></p> <p>The Panel is created during the 30 day negotiation period between the Appropriate Public Authority and PEC; the Panel is comprised of 3 members; 1 member appointed by the PEC, 1 member appointed by the Appropriate Public Authority and 1 neutral member. The third member will be selected from a potential list of three, provided by the Secretary of Administration and Finance. The parties shall have 3 business days to select the member before the Secretary is given the authority to do so. <i>G.L. c. 32B, §21(c) and 801 CMR 52.05.</i></p>	<p><u>Fees:</u></p> <p>Any fee or compensation provided to panel members shall be shared equally between the PEC and the Appropriate Public Authority. <i>G.L. c. 32B, §21(c) and 801 CMR 52.05.</i></p>

Step 5(b)	Review Panel Process	<p><u>Suspension of Panel:</u> At any time prior to the Panel decision the parties may agree to terminate or suspend the Panel process to extend negotiations, reach an agreement or resume negotiations pursuant to G.L. c. 150E or GL. c. 32B, §19. <i>801 CMR 52.06.</i></p> <p><u>Panel Convenes:</u> Otherwise, panel convenes within 2 business days of notice of submission to Panel. <i>801 CMR 52.06.</i></p>		
Step 6	Implementation of Changes	Subscribers shall receive at least <u>60 days notice</u> before changes in plan design or transfer to GIC. <i>801 CMR 52.07.</i>	<p>Implementation of changes pursuant to G.L. c. 32B, §22 shall occur <u>no later than 90 days</u> after agreement or, if agreed, at the end of the current health insurance policy year. <i>801 CMR 52.07.</i></p> <p>Implementation of changes pursuant to G.L. c. 32B, §23 (transfer to GIC) shall occur in accordance with GIC procedures. <i>801 CMR 52.07.</i></p>	

<p>Things to Remember</p>		<p>*Any changes in the health benefits shall be delayed if changes would alter the dollar amounts of copayments, deductibles or other plan design features which are specifically included in the body of the collective bargaining agreement or a section 19 agreement which is currently in effect. These changes may only be implemented after the initial term stated in the collective bargaining agreement or section 19 agreement has ended. <i>Acts 2011, Ch. 69, §4.</i></p>	<p>*In most cases, contribution ratios remain an issue to be negotiated by the parties. <i>G.L. c. 32B, §21(f), §23(a) and Acts 2011, Ch. 69, §7.</i></p>	
---------------------------	--	---	---	--

DATE: September 21, 2015
TO: Board of Selectmen
FROM: Nan Balmer, Town Administrator
RE: Minuteman

REQUESTED ACTIONS:

- 1. Determine response to request from Town of Lexington to for Wayland representatives to meet with Lexington representatives regarding town meeting actions to amend the Minuteman regional agreement to allow Wayland to withdraw.**
- 2. Consider and vote to approve a letter to Minuteman towns requesting Town Meeting action to allow Wayland's withdrawal.**

Background:

Attached are:

1. Request from Lexington
2. Draft letter to Minuteman towns

Balmer, Nan

To: DiNapoli, MaryAnn
Subject: FW: Fwd: Wayland Officials Meeting with Lexington Officials re: Wayland's request to withdraw from the Minuteman District

Please forward to Board and keep in folder for next meeting
Thanks

From: Tony Boschetto [mailto:tboschetto@yahoo.com]
Sent: Monday, September 07, 2015 7:59 AM
To: Mary Ellen Castagno; Balmer, Nan; Karlson, Cherry
Subject: Re: Fwd: Wayland Officials Meeting with Lexington Officials re: Wayland's request to withdraw from the Minuteman District

Hi Nan,

I am sending this along to you.

I think we will need our special council to prepare for the meeting. Bottom line is that Wayland will meet its obligations under the current regional agreement and secures all rights it is entitled to under the process, including the value of any assets.

Tony

From: paulrevereroad@aol.com
Date: September 3, 2015 at 9:02:08 PM EDT
To: mecastagno@aol.com
Subject: Wayland Officials Meeting with Lexington Officials re: Wayland's request to withdraw from the Minuteman District

Hello Mary Ellen!

I received a phone call from Lexington Town Manager Carl Valente asking me to contact my Minuteman School Committee counterpart in Wayland - who happens to be you! - to ask you to arrange for Wayland to assemble a group of its officials to meet with a Lexington group: representatives from the Board of Selectmen, School Committee, Capital Expenditures, and the Appropriation Committee (the latter being the "financial" committees of the town). The town manager would also be part to the Lexington group. I very likely will attend such a meeting as well.

The purpose of the meeting is to hear from Wayland regarding the town's request to withdraw from the Minuteman District, including what financial responsibilities related to Minuteman that Wayland might have, even if it gained approval to withdraw. I imagine that Kevin Mahoney might also attend or at the very least, draft a document that spells out what fiduciary responsibilities a withdrawing town might have.

So! Would you kindly contact your town manager or the person who in Wayland is best suited to gather a group of officials to meet with their Lexington counterparts to discuss Wayland's request to withdraw from the Minuteman District? After identifying the person, would you kindly let me know who it is and I will then let Carl Valente know who it is. Then the two of them can work out the details for the meeting. Would you kindly include contact information for that person, too.

Carl Valente is suggesting a Thursday evening to meet, because Lexington's boards/committees meet on the other three days. He says he could also organize an early morning meeting: 7:30 a.m. or such.

Lexington is holding a special town meeting on the first three Monday evenings in November and the Wayland request will be on the warrant.

If you want to talk with me first about what I have written or need any clarification before you reach out to and identify your contact in Wayland, do give me a call or send me an email. My telephone number is: 781-862-3293.

Hope you have had a rewarding summer! Hard to be exchanging sandals for "tie" shoes!

Best wishes,

Dave H.

11 MINUTEMAN
DRAFT LETTER
TO TOWNS



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

DATE: SEPTEMBER 8, 2015

TO: CHAIR, BOARDS OF SELECTMEN OF MINUTEMAN MEMBER TOWNS

FROM: BOARD OF SELECTMEN, TOWN OF WAYLAND

RE: REQUEST TO PLACE WARRANT ARTICLE ON FALL OR SPRING TOWN MEETING
WARRANTS TO PERMIT THE WITHDRAWAL OF THE TOWN OF WAYLAND FROM THE
MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL

We are writing to request the Boards of Selectmen of the member towns of the Minuteman Regional School District place an article on each town's next town meeting warrant to amend the regional agreement to allow the Town of Wayland to withdraw from the district.

If your town is planning a fall town meeting, we respectfully request that your Board place an article on the fall warrant. If your town plans no town meeting in the fall, we request that the article be placed on the spring town meeting warrant. Attached is a letter sent to the member towns on July 16th from Minuteman explaining the amendment to the regional agreement that must be adopted by each member town for Wayland to withdraw. A model warrant article is attached.

The Wayland Board of Selectmen is supportive of the district and the educational programs it provides. The Town of Wayland has, however, a very small number of students taking advantage of the educational offerings of the district and Wayland's continued membership no longer makes economic sense. Because of this, Wayland's 2015 Annual Town Meeting voted to withdraw from the district. All member towns must approve the article to amend the regional agreement for Wayland's withdrawal to become effective.

Placing this article on the warrant will provide a clear understanding of Wayland's future position with Minuteman and is helpful for the District to move ahead with planning for a new regional high school. If Wayland withdraws from the district, Wayland will meet all of its obligations under the current regional agreement.

We would appreciate hearing from you about your plans with regard to Wayland's request. The Board will be happy to send a representative from the Wayland Board of Selectmen to discuss its request to include an article on your town meeting warrant at a meeting of your Board.

You may reach Selectman Anthony Boschetto or Town Administrator Nan Balmer by calling the Wayland Town offices at (508) 358-7701 to discuss this matter.

Respectfully,

Board of Selectmen

Cherry C. Karlson, Chair

Mary M. Antes, Vice Chair

Lea T. Anderson

Tony V. Boschetto

Joseph F. Nolan



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.

DATE: SEPTEMBER 8, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOOR
RE: TOWN GOALS: TOWN ADMINISTRATOR’S PRIORITY OBJECTIVES AND ACTIONS

Please review and provide your comments on the draft Town Administrator objectives and actions below. The objectives and actions to achieve them under general organizational goals set by the Board of Selectmen which may be further developed. Over time, a more comprehensive action plan including objectives and actions for each department will be developed. Objectives are intended to fit “SMART” criteria – Specific, Measurable, Achievable and Timebound. Additional information about timelines will be provided in the next draft. The objectives and actions below comprise an ambitious outline of work already assigned to the Board’s administrative staff. Other high priority work, which we expect to include in a a comprehensive organizational action plan, includes other key priorities such as energy management and improvement of the town’s advanced life support services.

Thanks to the Board, Assistant Town Administrator and Department Heads for contributing their ideas to this task!

GOALS, OBJECTIVES ACTIONS
DRAFT 9/8/15

- GOAL 1:** Sustain and improve the quality of life in Wayland.
- OBJECTIVE A:** Provide well-designed market rate and affordable rental housing at Rivers Edge at a reasonable cost to the town.
- ACTION:** Conduct a procurement process to select a developer for the River’s Edge Project which complies with the law and includes an effective deliberation process.
- OBJECTIVE B:** Maximize the effectiveness of town boards and committees that are planning for the future development of the town.
- ACTION:** Provide adequate staff resources and monitor on a monthly basis the work of the WRAP and COA / CC Committees and provide ongoing communication to the Board of Selectmen.
- ACTION:** Identify and complete tasks to establish an understanding of roles and responsibilities of the town departments and Town Center property owners regarding the use and maintenance of the Town Green.

GOAL 2: Assure that local government resources are used responsibly and efficiently.

OBJECTIVE A: Create a cohesive financial management group that is in compliance with MA General Law and serves the needs of the town.

ACTION: Apply to the Division of Local Services for a grant or technical support for a financial management study which will evaluate and map out the functionality of finance offices and provide recommendations.

OBJECTIVE B: Provide excellent information technology for the town and schools.

ACTION: Complete the IT planning study, and working with the Superintendent of Schools, implement recommendations.

ACTION: Identify the staff resources to develop and manage a town wide document management system.

OBJECTIVE C: Continuously improve the effectiveness of town services to the public.

ACTION: Develop an action plan including measurable objectives for all departments. Working with the Personnel Board, institute a performance evaluation program for regular personnel.

ACTION: Identify the resources and organizational approaches to managing the roles and relationships for assets that are jointly managed by the Schools, Board of Public Works and Recreation Commission.

OBJECTIVE D: Maintain a responsible investment approach for the OPEB Fund.

ACTION: Convene the Board of Trustees for the OPEB fund at least quarterly to select an investment management model, investment advisor and investment managers, and monitor fund performance.

GOAL 3: Improve the responsiveness of Wayland town government to its residents.

OBJECTIVE A: Create public awareness about the actions of the Board of Selectmen and the activities of town departments.

ACTION: Provide residents with information about local government through a quarterly newsletter and periodic programs broadcast on WayCam.

OBJECTIVE B: Provide efficient permitting processes that are user friendly for the public.

ACTION: Through a team approach with the permitting departments, identify and develop ways to insure the permitting process is coordinated among departments and user friendly for the applicants.

OBJECTIVE C: Promote a culture of open government within all town departments, boards and committees..

ACTION: Plan and institute a program to increase compliance with the open meeting, public records and ethics laws including training for staff and volunteers, adoption of board of selectmen policies and / or town by-laws and systematic communication with appointed and elected bodies.

ACTION: Identify resources and effective work group organization to redesign and update town website.

DATE: September 21, 2015

TO: Board of Selectmen

FROM: Nan Balmer, Town Administrator

RE: Public Hearing Policy

REQUESTED ACTION: VOTE REVISIONS TO THE POLICY ON PUBLIC HEARINGS

BACKGROUND: POSSIBLE CHANGES BELOW - TOWN COUNSEL'S REVIEW AND COMMENT WILL BE AVAILABLE AT THE MEETING

PUBLIC HEARINGS

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

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

Approved on February 9, 2004; revised and restated on October 13, 2010, Reviewed September 21, 2015

13. Liquor License
Policy

DATE: SEPTEMBER 18, 2015
TO: BOARD OF SELECTMEN
FROM: MARYANN DINAPOLI, EXECUTIVE ASSISTANT
RE: REVISED LIQUOR LICENSE POLICY

REQUESTED ACTION:

VOTE TO APPROVE BOARD POLICY ON "PROVISION AND CONSUMPTION OF ALCOHOLIC BEVERAGES"

BACKGROUND:

The Board has undertaken a systematic review of Board Policies.

The policy on "Provision and Consumption of Alcoholic Beverages" is presented for Board consideration. Attached is a red-lined version showing the recommended changes, as well as a clean copy with the changes accepted.

Also attached is a Memorandum with the quota figures for the town, a list of the associated license holders, and the Massachusetts General Law reference that establishes the quota numbers.

Finally, as background information, I've attached the Wayland Town Code Chapter 72, Section 4, regarding the denial of a license based on the failure to pay taxes, which is referenced in the beginning of Section I, COMMERCIAL ESTABLISHMENT LICENSES.

PROVISION AND CONSUMPTION OF ALCOHOLIC BEVERAGES

These rules supplement the General Laws of the Commonwealth of Massachusetts and the Code and other Rules and Regulations of the Town of Wayland, Massachusetts.

I. COMMERCIAL ESTABLISHMENT LICENSES

The Board of Selectmen has the authority to grant licenses to owners of establishments that sell alcoholic beverages for consumption on or off the premises of the establishment (see Wayland Code §72-4 regarding authority to deny, revoke, or suspend license for failure to pay taxes).

- A. The Police Chief and the officers within his/her command shall be the liquor agent for the Board of Selectmen.
- B. Licensees shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. Violations of any laws, rules, or regulations may result in suspension or revocation of the license after a hearing conducted by the licensing authority.
- C. Holders of off-premises liquor licenses (package stores selling all alcoholic beverages or convenience or grocery stores selling beer & wine wine and malt beverages) may be open on Sundays, subject to the following conditions:
 1. No sales shall be made prior to 12:00 noon, except as noted in Section D below;
 2. No sales shall be made after 9:00 p.m.;
 3. The employee compensation and work schedule provisions of Section 31 of Chapter 141 of the Acts of 2003 shall be complied with; and
 4. No sales by such licensees may be permitted on any of the following days:
 - Memorial Day (usually last Monday in May);
 - Thanksgiving Day;
 - Christmas Day;
 - Monday following Christmas Day if Christmas Day falls on a Sunday.
- D. On March 16, 2015, the Board of Selectmen voted to accept the provisions of Massachusetts General Laws Chapter 138, Section 33B, which are to allow the sales of alcoholic beverages by on-premise licensees, licensed by the Board of Selectmen, on Sundays and certain legal holidays, between 10:00 a.m. and 12:00 p.m. Application for the allowance of such sales must be submitted to the Board of Selectmen for approval.
- E. It shall be the responsibility of each licensee of an establishment granted a license to sell alcoholic beverages on premises to assure that, prior to his/her initial shift, each manager or assistant manager of the licensee meets with the Police Chief or his/her designee to discuss expectations and responsibilities of managing such establishments. A list of all managers or assistant managers shall be posted in public view in the establishment.

A designated manager or assistant manager will be on-site at all times the establishment is open. The on-site manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the town's rules and regulations for the provision and consumption of alcoholic beverages. The on-site manager shall be certified in intervention procedures by servers of alcohol in accordance with Section F of these rules. The on-site manager will also be responsible for maintaining the building occupancy limits, as listed on the liquor license, and will be the point of contact for police, fire, or building officials that may inspect the premise at any time. The designated manager shall have full authority to make decisions concerning the operation of the establishment.

- F. Applications for extension of hours on New Year's Eve until 2:00 a.m. must be made in writing to the Town Administrator. No alcoholic beverages shall be served after 1:30 a.m. All patrons shall be off the premises by 2:00 a.m.
- G. All commercial establishments shall participate in a program designed to train employees who engage in either package sales or pouring, in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors.
 - 1. Listed below are programs currently available which meet the requirements of this regulation:
 - a. Techniques of Alcohol Management (T.A.M.) sponsored by the Massachusetts Package Store Association,
 - b. Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.), offered by Health Communication,
 - c. Alcohol Intervention Methods (A.I.M.) offered by Campbell/Trent, or
 - d. Any Insurance Industry approved and qualified program offered by a certified trainer and approved by the Board of Selectmen.
 - 2. All establishments must maintain a roster or certificate of trained personnel in an accessible place during operating hours. An updated roster shall be submitted with the annual application for renewal of the license. The roster shall include:
 - a. Employee Name
 - b. Employee Date of Birth
 - c. Employee Social Security Number
 - d. Position
 - e. Type of Training (Name of Trainer and/or Company)
 - f. Date Valid
 - g. Date of Expiration (no more than three (3) years)
 - h. Date of Hire
 - 3. All personnel shall be required to be recertified once every three (3) years by an approved program, as noted above.
 - 4. All newly hired employees that sell or serve alcohol shall complete a training program within sixty (60) days of their hiring, or show proof of training

certification at a course approved by the Board of Selectmen within the past three (3) years. Proof of certification must be submitted to the Board of Selectmen.

5. Failure to comply with this policy may result in revocation of the license. Fines may also be levied against the license holder should any violation of this policy occur.

II. NON-COMMERCIAL LICENSES

The Board of Selectmen is authorized to grant permission to serve ~~beer, wine, champagne, and sherry wine and malt beverages under Section A. below as outlined in the following Section A, and to issue a temporary license under Section B. below under the following conditions and is authorized to issue a One-Day Special Event License to serve wine and malt beverages and/or all alcoholic beverages as outlined in the following Section B.~~ Copies of all such permissions and licenses shall be forwarded to the Police Chief.

A. Town Property

1. No alcoholic beverage of any kind may be sold or purchased in Town buildings or on Town property.
2. Non-profit and public service organizations that are eligible to use Town buildings or property may provide ~~beer, wine, champagne, and sherry wine and malt beverages~~ only under the following conditions:
 - Permission is requested in writing at least two weeks before the event and the Board of Selectmen issues a license.
 - Beverages are served without charge.
 - Consumption is by the glass on the premises.
 - The request is supported and approved by the Town board responsible for oversight of the property.

B. Property Open to the Public But Not Governed by the Board of Selectmen

The Board will review requests for One-Day Special Event Licenses in accordance with Massachusetts General Laws Chapter 138, Section 14, after receipt of a completed application. A public hearing is not required for the issuance of a One-Day Special Event License.

1. Requests for the sale of alcohol under a One-Day Special Event License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on Monday through Saturday, and 12:00 p.m. and 12:00 a.m. on Sundays.
2. One-Day Special Event Licenses for the sale of wine and malt beverages may be issued to the responsible manager of any indoor or outdoor activity or enterprise. However, One-Day Special Event Licenses for the sale of all alcoholic beverages may ONLY be issued to the responsible manager of non-profit organizations. Proof of non-profit status must be provided.

3. Organizations may be granted a One-Day Special Event License under the following conditions:

- Permission is requested in writing at least two (2) weeks before the event and the Board of Selectmen issues a license.
- A fee of \$25.00, paid in advance and made payable to the Town of Wayland, is required for each 24 hour period, not to exceed 72 consecutive hours. No person may be granted a one-day license for more than a total of thirty (30) days per calendar year.
- Written confirmation by the owner of property where the event is being held must accompany the application. The letter must state that approval is given for sale/service of alcohol and specify the occupancy number for the location. Proof of insurance must be provided.
- The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, and shall be physically present during the duration of the entire event. The One-Day Special Event Manager shall display such One-Day Special Event License where the sale of alcoholic beverages is taking place.
- A floor plan or diagram (8-1/2 x 11 sketch is acceptable) showing the exact location within the event area where alcoholic beverages will be dispensed
- Alcohol must be dispensed at the event by someone who is server trained and/or familiar with the laws regarding the service of alcohol.
- The area where the alcoholic beverages are being sold and consumed must be controlled and supervised. Individuals may not carry their alcoholic beverages outside the area approved for consumption.
- A police detail will be required if 150 or more people will be attending the event. It is the applicant's responsibility to contact the Police Department to arrange for these details. The Board reserves the right to require additional police details if the event seems to warrant this.

C. A One-Day Special Event License is NOT necessary for:

- A function at a private dwelling where there is no direct or indirect sale of alcohol (i.e., a caterer providing alcohol at a cost)
- An event in a facility or establishment that already has a valid liquor license

III. COMMERCIAL ESTABLISHMENTS WITHOUT LICENSE TO SELL ALCOHOLIC BEVERAGES

1. Patrons of an establishment granted a common victualler's license for the sale of food to be consumed on the premises which have not been granted a license for the sale of alcoholic beverages may not consume alcoholic beverages on the premises (prohibits practice commonly referred to as "BYOB").

2. The Board of Selectmen will reconsider this policy at such time all available licenses for the sale of alcoholic beverages in restaurants are granted.

History:

Section I, Commercial (adopted 12/11/88, revised 1996).

Section II, Non-Commercial (adopted 12/1/88, revised 1996).

Section III, Establishments without license to sell alcoholic beverages (added 7/8/10).

Section I., C., Sunday sales and holiday restrictions (added 1/26/04, revised 2/9/04).

Section I., D., Duties and responsibilities of managers of on-premise establishments (added 7/8/10); list of managers publicly posted (added 10/13/10).

Section I., E., Extending hours (adopted 12/3/90, revised 1996).

Section I., F., Training of employees to serve alcoholic beverages (adopted 6/5/06).

Revised and restated on October 13, 2010. **Revised on August 10, 2015.**

PROVISION AND CONSUMPTION OF ALCOHOLIC BEVERAGES

These rules supplement the General Laws of the Commonwealth of Massachusetts and the Code and other Rules and Regulations of the Town of Wayland, Massachusetts.

I. COMMERCIAL ESTABLISHMENT LICENSES

The Board of Selectmen has the authority to grant licenses to owners of establishments that sell alcoholic beverages for consumption on or off the premises of the establishment (see Wayland Code §72-4 regarding authority to deny, revoke, or suspend license for failure to pay taxes).

- A. The Police Chief and the officers within his/her command shall be the liquor agent for the Board of Selectmen.
- B. Licensees shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. Violations of any laws, rules, or regulations may result in suspension or revocation of the license after a hearing conducted by the licensing authority.
- C. Holders of off-premises liquor licenses (package stores selling all alcoholic beverages, or convenience or grocery stores selling wine and malt beverages) may be open on Sundays, subject to the following conditions:
 - a. No sales shall be made prior to 12:00 noon, except as noted in Section D below;
 - b. No sales shall be made after 9:00 p.m.;
 - c. The employee compensation and work schedule provisions of Section 31 of Chapter 141 of the Acts of 2003 shall be complied with; and
 - d. No sales by such licensees may be permitted on any of the following days:
 - Memorial Day (usually last Monday in May);
 - Thanksgiving Day;
 - Christmas Day;
 - Monday following Christmas Day if Christmas Day falls on a Sunday.
- D. On March 16, 2015, the Board of Selectmen voted to accept the provisions of Massachusetts General Laws Chapter 138, Section 33B, which are to allow the sales of alcoholic beverages by on-premise licensees, licensed by the Board of Selectmen, on Sundays and certain legal holidays, between 10:00 a.m. and 12:00 p.m. (noon). Application for the allowance of such sales must be submitted to the Board of Selectmen for approval.
- E. It shall be the responsibility of each licensee of an establishment granted a license to sell alcoholic beverages on premises to assure that, prior to his/her initial shift, each manager or assistant manager of the licensee meets with the Police Chief or his/her designee to discuss expectations and responsibilities of managing such establishments. A list of all managers or assistant managers shall be posted in public view in the establishment.

A designated manager or assistant manager will be on-site at all times the establishment is open. The on-site manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the town's rules and regulations for the provision and consumption of alcoholic beverages. The on-site manager shall be certified in intervention procedures by servers of alcohol in accordance with Section F of these rules. The on-site manager will also be responsible for maintaining the building occupancy limits, as listed on the liquor license, and will be the point of contact for police, fire, or building officials that may inspect the premise at any time. The designated manager shall have full authority to make decisions concerning the operation of the establishment.

- F. Applications for extension of hours on New Year's Eve until 2:00 a.m. must be made in writing to the Town Administrator. No alcoholic beverages shall be served after 1:30 a.m. All patrons shall be off the premises by 2:00 a.m.
- G. All commercial establishments shall participate in a program designed to train employees who engage in either package sales or pouring, in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors.
 - 1. Listed below are programs currently available which meet the requirements of this regulation:
 - a. Techniques of Alcohol Management (T.A.M.) sponsored by the Massachusetts Package Store Association,
 - b. Training for Intervention Procedures by Servers of Alcohol (T.I.P.S.), offered by Health Communication,
 - c. Alcohol Intervention Methods (A.I.M.) offered by Campbell/Trent, or
 - d. Any Insurance Industry approved and qualified program offered by a certified trainer and approved by the Board of Selectmen.
 - 2. All establishments must maintain a roster or certificate of trained personnel in an accessible place during operating hours. An updated roster shall be submitted with the annual application for renewal of the license. The roster shall include:
 - a. Employee Name
 - b. Employee Date of Birth
 - c. Employee Social Security Number
 - d. Position
 - e. Type of Training (Name of Trainer and/or Company)
 - f. Date Valid
 - g. Date of Expiration (no more than three (3) years)
 - h. Date of Hire
 - 3. All personnel shall be required to be recertified once every three (3) years by an approved program, as noted above.
 - 4. All newly hired employees that sell or serve alcohol shall complete a training program within sixty (60) days of their hiring, or show proof of training

certification at a course approved by the Board of Selectmen within the past three (3) years. Proof of certification must be submitted to the Board of Selectmen.

5. Failure to comply with this policy may result in revocation of the license. Fines may also be levied against the license holder should any violation of this policy occur.

II. NON-COMMERCIAL LICENSES

The Board of Selectmen is authorized to grant permission to serve wine and malt beverages as outlined in the following Section A, and is authorized to issue a One-Day Special Event License to serve wine and malt beverages and/or all alcoholic beverages as outlined in the following Section B. Copies of all such permissions and licenses shall be forwarded to the Police Chief.

A. Town Property

1. No alcoholic beverage of any kind may be sold or purchased in Town buildings or on Town property.
2. Non-profit and public service organizations that are eligible to use Town buildings or property may provide wine and malt beverages only under the following conditions:
 - Permission is requested in writing at least two weeks before the event and the Board of Selectmen issues a license.
 - Beverages are served without charge.
 - Consumption is by the glass on the premises.
 - The request is supported and approved by the Town board responsible for oversight of the property.

B. Property Open to the Public But Not Governed by the Board of Selectmen

The Board will review requests for One-Day Special Event Licenses in accordance with Massachusetts General Laws Chapter 138, Section 14, after receipt of a completed application. A public hearing is not required for the issuance of a One-Day Special Event License.

1. Requests for the sale of alcohol under a One-Day Special Event License are limited to between the hours of 11:00 a.m. and 12:00 a.m. (midnight) on Monday through Saturday, and 12:00 p.m. (noon) and 12:00 a.m. (midnight) on Sundays.
2. One-Day Special Event Licenses for the sale of wine and malt beverages may be issued to the responsible manager of any indoor or outdoor activity or enterprise. However, One-Day Special Event Licenses for the sale of all alcoholic beverages may ONLY be issued to the responsible manager of non-profit organizations. Proof of non-profit status must be provided.
3. Organizations may be granted a One-Day Special Event License under the following conditions:

- Permission is requested in writing at least two (2) weeks before the event and the Board of Selectmen issues a license.
- A fee of \$25.00, paid in advance and made payable to the Town of Wayland, is required for each 24 hour period, not to exceed 72 consecutive hours. No person may be granted a one-day license for more than a total of thirty (30) days per calendar year.
- Written confirmation by the owner of property where the event is being held must accompany the application. The letter must state that approval is given for sale/service of alcohol and specify the occupancy number for the location. Proof of insurance must be provided.
- The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, and shall be physically present during the duration of the entire event. (One-Day Special Event Licenses for the sale of wine and malt beverages may be issued to the responsible manager of any indoor or outdoor activity or enterprise. However, One-Day Special Event Licenses for the sale of all alcoholic beverages may ONLY be issued to the responsible manager of non-profit organizations.) The One-Day Special Event Manager shall display such One-Day Special Event License where the sale of alcoholic beverages is taking place.
- A floor plan or diagram (8-1/2 x 11 sketch is acceptable) showing the exact location within the event area where alcoholic beverages will be dispensed.
- Alcohol must be dispensed at the event by someone who is server trained and/or familiar with the laws regarding the service of alcohol.
- The area where the alcoholic beverages are being sold and consumed must be controlled and supervised. Individuals may not carry their alcoholic beverages outside the area approved for consumption.
- A police detail will be required if 150 or more people will be attending the event. It is the applicant's responsibility to contact the Police Department to arrange for these details. The Board reserves the right to require additional police details if the event seems to warrant this.

C. A One-Day Special Event License is NOT necessary for:

- A function at a private dwelling where there is no direct or indirect sale of alcohol (i.e., a caterer providing alcohol at a cost)
- An event in a facility or establishment that already has a valid liquor license

III. COMMERCIAL ESTABLISHMENTS WITHOUT LICENSE TO SELL ALCOHOLIC BEVERAGES

1. Patrons of an establishment granted a common victualler's license for the sale of food to be consumed on the premises which have not been granted a license for the sale of alcoholic beverages may not consume alcoholic beverages on the premises (prohibits practice commonly referred to as "BYOB").
2. The Board of Selectmen will reconsider this policy at such time all available licenses for the sale of alcoholic beverages in restaurants are granted.

History:

Section I, Commercial (adopted 12/11/88, revised 1996).

Section II, Non-Commercial (adopted 12/1/88, revised 1996).

Section III, Establishments without license to sell alcoholic beverages (added 7/8/10).

Section I., C., Sunday sales and holiday restrictions (added 1/26/04, revised 2/9/04).

Section I., D., Duties and responsibilities of managers of on-premise establishments (added 7/8/10); list of managers publicly posted (added 10/13/10).

Section I., E., Extending hours (adopted 12/3/90, revised 1996).

Section I., F., Training of employees to serve alcoholic beverages (adopted 6/5/06).

Revised and restated on October 13, 2010. Revised on August XX, 2015.

Memo

Town of Wayland Board of Selectmen

To: Board of Selectmen
From: MaryAnn DiNapoli
Date: September 3, 2015
Re: Quota of Alcoholic Beverages Licenses

Wayland has the following quotas and active licenses:

Section 12 On-Premises (Restaurant):

All Alcoholic	Allowed: 14	Active: 12
		Bertucci's, Broomstones, China Rose LLC, Coach Grill, Dudley Chateau, J.J. McKays (currently closed), Primebar Grill, Sandy Burr, The Villa, Wayland Country Club, The Local, Takara
Wine & Malt	Allowed: 5	Active: 2
		Water Lily, Mel's Commonwealth Café

Section 15 Off-Premises (Package Stores):

All Alcoholic	Allowed: 3	Active: 3
		Post Road, Lavins, Wayland Wine and Spirits
Wine & Malt	Allowed: 5	Active: 3
		Donelans, Wayland Variety and Deli, Sperry's Fine Wine Brew and Cigars

The Massachusetts Liquor Control Act places a quota or limit on the number of alcoholic beverages licenses a city or town can issue. The quota is based on the population of the community as determined by the most recent federal census.

On-Premises License (M.G.L. c. 138, §12)

Each city or town may grant one on-premises all alcoholic license for each unit of 1,000 persons (or fraction thereof) with a minimum of 14. An additional all-alcoholic beverages license may be granted for each population unit of 10,000 (or fraction thereof) over the first 25,000. One wine and malt license may be granted for each unit of 5,000 persons (or fraction thereof) with a minimum of 5.

Veteran's Club License

The local licensing authority may grant an all-alcoholic beverages license, outside the quota system, subject to ABCC approval, to any corporation whose members are war veterans which owns, hires or leases a building, or space in a building, for the use and accommodation of a post of any war veterans' organization incorporated by the Congress of the United States, to sell to members of that post only, and, subject to local licensing authorities, to guests introduced by such members and to no others.

Off-Premises (M.G.L. c. 138, §15)

Each city or town may issue one off-premises (Section 15) all-alcoholic beverages license for each unit of 5,000 persons (or fraction thereof) with a minimum of 2. One wine and malt license may be granted for each unit of 5,000 persons (or fraction thereof) with a minimum of 5.

Chapter 72. TREASURER AND COLLECTOR

[HISTORY: Adopted by the Annual Town Meeting 4-29-1991 by Art. 10 (Art. 10 of the 1973 Bylaws). Amendments noted where applicable.]

GENERAL REFERENCES

Finances — See Ch. 19.

§ 72-4. Denial, revocation or suspension of licenses and permits for failure to pay taxes or other municipal charges.

[Added 5-6-1998 ATM by Art. 20]

- A. The Town Collector shall annually furnish to each department, board, commission or official, hereinafter referred to as the "licensing authority," that issues licenses or permits, including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the "party," that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.
- B. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the Town Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Town Collector; provided, however, that written notice is given to the party and the Town Collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Town Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Town Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the town as of the date of issuance of said certificate.
- C. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder is given notice and a hearing as required by applicable provisions of law.
- D. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in MGL c. 268A, § 1 in the business or activity conducted in or on said property.
- E. This section shall not apply to the following licenses and permits: open burning, MGL c. 48, § 13; bicycle permits, MGL c. 85, § 11A; sales of articles for charitable purposes, MGL c. 101, § 33; children work permits, MGL c. 149, § 69; clubs, associations dispensing food or beverage licenses, MGL c. 140, § 21E; dog licenses, MGL c. 140, § 137; fishing, hunting, trapping license, MGL c. 131, § 12; marriage licenses, MGL c. 207, § 28; and theatrical events, public exhibition permits, MGL c. 140, § 181.

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING SEPTEMBER 18, 2015**

COA / CC PUBLIC FORUM

The COA / CC Public Forum is scheduled for November 5th at 6:30 pm.

WAYLAND REAL ASSET PLANNING COMMITTEE

The WRAP Committee will meet with boards and committees on Wednesday September 30, 2015 at 7:30 pm.

IT

To meet the Finance Committee's deadline, a request for \$150,000 to fund priority IT projects was submitted by me (with the Superintendent's support) to the Finance Committee with the understanding that additional review may be required by the Board of Selectmen and School Committee. The request is unchanged from prior requests presented to the Selectmen but includes a staff summary of the requested technical justification which is emerging from the work of IT consultants.

The Finance Committee voted unanimously to approve the IT project with the understanding that the Finance Committee's IT liaison David Watkins will review peak load testing results for the system as the data becomes available next week.

Leisha Simon and Beth Doucette summarized in the attached memo the technical justification for high priority projects agreed upon by McGladrey Associates and by the town's technical consultant Mike McCann. The 3 year plan for IT, requested and funded by the Finance Committee last year, is still underway with a full report expected in mid-October. More detail on all IT needs will be available then.

OPEB

The Finance Director and I are considering Town Counsel's advice that no legal trust will exist if the trust agreement is adopted for the fund. This advice may affect decisions about how the fund is managed in the coming year. We will work to get clarification by your next meeting to determine if this advice has any effect on the warrant article.

MINUTES

The Executive Secretary prepared the following sets of minutes for your review and comment to her prior to inclusion on the consent calendar: 8/24/15, 8/31/15, and 9/11/15.

DATE: SEPTEMBER 16 2015
TO: NAN BALMER, PAUL STEIN
FROM: LEISHA SIMON & ELIZABETH DOUCETTE
RE: INFORMATION TECHNOLOGY SHORT-TERM RECOMMENDATIONS

ACTION REQUESTED:

IT PROJECT FUNDING TO IMPLEMENT RECOMMENDED PROJECTS 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 released their preliminary recommendations on projects to consider for implementation in FY16. A meeting took place, with staff and several community advisors, on August 26, 2015 to review these preliminary recommendations; agreement was reached to implement four projects in FY16. All other projects identified by McGladrey, LLP as preliminary recommendations will be reevaluated upon receipt of the final IT Master Plan.

RECOMMENDATION:

Four projects are recommended for implementation in FY16:

1. **MUNIS Server Upgrade to vendor cloud (*see attached memo*)**

Justification: Current Munis version is unsupported and must be upgraded by January 2016. Physical production server does not meet requirements for upgrade.

Other alternatives considered:

- Upgrade current physical server: some risk to production services;
- Purchase new physical server: purchase of temporary hardware, may not be feasible in timeframe required;
- Virtualize server: there is not adequate processing capacity in the data center.

Fiscal Impact: FY16: No increase to operating expense
FY17: Increased operating expense \$23,096.00
FY18: Increased operating expense \$28,454.00

2. **Email Server Upgrade to Office 365**

Justification: Current server is unsupported and must be upgraded to mitigate security risks.

Other alternatives considered:

- Upgrade current virtual server: some risk to production services. While this is feasible the current trend for email support is with vendor cloud to mitigate security risk as well as reduce third party purchases and staff resources to support in-house.

Fiscal Impact: FY16: \$20,000.00
Recurring annual expense: \$20,000.00

3. **Firewall replacement to a technology with enhanced protections to mitigate risk**

Justification: Current firewalls have reached peak CPU load and use 2011 technology; advanced technology is available to mitigate risk to Town and School systems that includes:

- **Layer 7 Visibility** that can look inside application level data to determine if unsafe content is present, provide strong detection capabilities with low rates of false positive detections, and

inspect SSL traffic by decrypting the data, inspecting it and then re-encrypting it prior to delivery.

- **Nex-Gen Features** for intrusion detection that possess awareness of various application protocols and capability to detect anomalies which are often a sign of malware or an attack, as well as Improved inspection of packets that will fail the traffic and in essence block (and protect) the end user.
- **Improved logging and Alerting functionality.** The current firewall has reached peak load, resulting in the inability to continually produce logs. Further, the logging capability is limited to writing raw log information to a file, does not possess analysis tools and is incapable of alerting staff of problematic traffic or behavior. Third party software is required to provide insight into network traffic content and behavior.
- **Improved Ease of Use** to facilitate maintaining and analyzing logs to increase security, as well as cross-training of staff.

Fiscal Impact: FY16: \$50,000.00

Recurring annual expenses will vary depending on vendor selected (may or may not be higher than current firewall operating expenses)

4. Storage Area Network (SAN) replacement to ensure Town and School business continuity and reliability

Justification: A SAN is a dedicated high-speed network that interconnects and presents shared pools of storage devices to multiple servers and is measured, not only by disk capacity but, by input/output processing per second (IOPS) or the speed of reading and writing data off of the device. If storage capacity alone were the issue device reorganization could easily provide additional space. However, performance / IOPS is a key factor in maintaining the Town and School production environment. Another key factor is that the existing SAN has exceeded the leading best practice recommendation for replacement in a production environment (4-5 years).

The Town and School production environment consists of 43 virtual servers and a virtual desktop infrastructure (VDI) of 200 installed desktops. This expansion into VDI technology places greater demand upon the system to read and write data quickly. The IOPS available in the existing SAN are limited and thus end users experience delays in traffic servicing, and worse, system hangs and disconnects resulting in loss of productivity.

Further, the existing SAN will not support full deployment to 245 virtual desktops, resulting in the necessity of staff to support, maintain, upgrade and replace individual desktop systems until such time as the VDI can be fully deployed.

In summary, an increase in IOPS is required for:

- reliability and continuity of business for existing servers, VDI, and other usage;
- required server upgrades, additional VDI deployment and other anticipated increases in usage.

With school now back in session, detailed analysis during peak load testing is currently under analysis for verification of peak IOPS and will result in detailed data around the current usage and limitations.

Fiscal Impact: FY16: \$80,000.00



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

To: Nan Balmer, Town Administrator
From: Brian Keveny, Finance Director
Date: September 14, 2015
Subject: Tyler Technologies MUNIS Cloud

In Fiscal 2007 the Town of Wayland installed MUNIS Software as the town's operating information system. The town's Information Technology department houses the software on a Dell server located on the second floor of the Wayland Town Building. The MUNIS server is five years old and in need of replacement. The Information Technology staff maintains the server and provides nightly tape backups of the server. Additionally the town has purchased from MUNIS a nightly data backup system to support the tape system.

Tyler Technologies is offering the town the opportunity to move from the in house maintenance of the Dell server to a MUNIS Cloud System. The system involves having MUNIS maintain our current 9.3 version on their servers in Falmouth Maine. The town would need to perform minimal changes to make this transition. This option would provide the town the opportunity to upgrade to the 10.5 version in December 2015 which would enable the town to generate 2015 W-2 forms for employees.

The town uses MUNIS 9.3 as the current version. This version does not allow the town to function to generate the 2015 W-2 forms for town employees or address the requirements of the Affordable Care Act. The town needs to upgrade to 10.5 in order run both of these functions. The current server does not have the capacity to download MUNIS 10.5 version. The two options to resolve these issues would be to purchase new server or change to the MUNIS Cloud System. My recommendation is the change to the MUNIS Cloud System in early October 2015. This will allow the town to continue to use the 9.3 version as our live system and at the same time look at the new 10.5 version which would be in the MUNIS Training module.

The following are the benefits of the MUNIS Cloud system and an analysis of what the change will mean to the Fiscal 2016 to Fiscal 2018 budgets. As you will see the town will achieve savings in Fiscal 2016. Starting in Fiscal 2017 there will be an increase in cost related to the change

Self Hosted/As Is Fiscal Year '16 Costs		
<u>Date</u>	<u>Amount Due</u>	<u>Description</u>
1-Jan	\$2,700.00	GUI Maintenance
15-Jan	\$51,525.48	Munis Support and Maintenance
15-Jan	\$7,863.68	OSDBA Services
1-Jun	\$7,279.53	Disaster Recovery Services
	<u>\$69,368.69</u>	<u>Total FY '16</u>
	<u>\$72,836.00</u>	<u>Total FY '17</u>
	<u>\$76,478.00</u>	<u>Total FY '18</u>

Munis Hosted Fiscal Year '16 Costs		
<u>Date</u>	<u>Amount Due</u>	<u>Description</u>
1-Oct	\$4,000.00	VPN Device, Installation
	\$26,233.00	Hosting Fees
	<u>-\$23,485.20</u>	Credit
1-Oct	\$6,747.80	Total
1-Jan	\$26,233.00	Hosting Fees
1-Apr	\$26,233.00	Hosting Fees
	<u>\$59,213.80</u>	<u>Total FY '16</u>
	<u>\$104,932.00</u>	<u>Total FY '17</u>
	\$104,932.00	Total FY '18

Reasons for going with the MUNIS SaaS hosted system:

- 1) MUNIS has a built in Disaster Recovery service. All of the points of failure are double and triple backed up. If anything happened to make the Town offices inaccessible, we can still access and process within MUNIS remotely via internet.
- 2) MUNIS Data Center is housed in Yarmouth, Maine where all of the development and support technicians work. In the event that MUNIS needs to do any critical trouble shooting or ever run a critical process, such as payroll, for us, they have the experts to do so.
- 3) MUNIS will handle all technical aspects of the MUNIS system. This includes hardware, licensing and software upgrades and ongoing maintenance.
- 4) The VPN connection ensures data security. They offer unlimited client VPN's so users can access MUNIS remotely.

- 5) The town will no longer need to purchase and maintain a server for MUNIS as it currently does. In house back up procedures will no longer be needed.
- 6) The town will no longer need to purchase the SQL licensing on a continuous basis based on Microsoft upgrade plans.
- 7) MUNIS will bill the town quarterly and not yearly as it currently does.
- 8) MUNIS will hold the current rates steady for the three year term of contract. Rates typically increase less the 5% per year.

Respectfully submitted,

Brian Keveny
Finance Director



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

DRAFT

Board of Selectmen Meeting Minutes August 24, 2015

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

Absent: 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 7:04 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.

A2. Public Comment Molly Upton, 23B Bayfield Road, said she would like to see the Board work with the Finance Committee to develop a five-year goal for operating budgets, so that it can be referenced while negotiating contracts. She also suggested a discussion between the Board and the Finance Committee on creating clear budget guidelines.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. C. Karlson noted the email from the Town Planner advising that the Town Center project was sold to Zurich Assets Management. M. Antes highlighted the issue of wastewater capacity for the library in Board of Library Trustees minutes. L. Anderson noted the letter from the Massachusetts School Building Authority announcing the approval for Minuteman to proceed to schematic design for the new high school; she said she would address the issue later in the evening.

A11. Report of the Town Administrator N. Balmer updated the Board on the town's new contract with an on-call engineering firm, and the results of the soil testing at the municipal pad.

A3. Petitioners' Workshop for Special Town Meeting Chair C. Karlson opened the Petitioners' Workshop at 7:15 p.m. The Board was joined by Town Counsel Mark Lanza. C. Karlson reviewed the purpose of the workshop and noted the documents that were available on the website. M. Lanza said he is available to assist petitioners. M. Antes said that petitioners to Special Town Meeting must have one hundred signatures to submit an article. M. Upton asked how petitioners can get access to Town Counsel; C. Karlson said a request should be made to the Town Administrator. Linda Segal, 9 Aqueduct Road, asked how soon the public will see the articles being put in the warrant; C. Karlson said they are in process and will be posted on the website after the warrant closing date. The workshop was closed at 7:22 p.m.

A4. Meet with Representatives of the Finance Committee to Discuss Special Town Meeting Articles for: 1) Current Year Transfer; and 2) Use of Free Cash to Fund FY16 Budget; Finance Update and Presentation of Fund Balance Policy and Financial Policies The Board was joined by Nancy Funkhouser, Chair of the Finance Committee, and Brian Keveny, Finance Director. B. Keveny reviewed the current year transfer article for inclusion in the Special Town Meeting. H noted that the transfers are funded by water and wastewater revenues. The Board considered other potential transfer needs, including funding for solar resiliency and IT. N. Funkhouser said the Finance Committee voted unanimously to support the article.

B. Keveny reviewed the article to return free cash to the FY16 budget. He said that free cash is currently estimated at \$6.8 million, which had originally been estimated at \$5.2 million at the Annual Town Meeting. He reviewed the factors that led to the increase in free cash, including escalated turnbacks and a reduction in the overlay account. He said the Finance Committee agreed to request the use of an additional \$2 million in free cash to balance the Fiscal 2016 budget, which is approximately 6.5% of the FY16 budget. The Board asked about the effect of swings in the tax rate; B. Keveny said the goal is to stabilize the budgets and adopt a five-year model without large variations. The Board discussed co-sponsoring the article. C. Karlson said there should be clear communication with the public that there may not be additional funds to contribute to future budgets, which could lead to future tax rate increases. J. Nolan said the Board should err on the side of returning funds to the taxpayers when it can. It was the sense of the Board to support the free cash article.

B. Keveny discussed the fund balance which was approved by the Finance Committee and was requested by the town's auditors. He reviewed the undesignated fund balances and the financial policies related to year-end reductions through encumbrances and town meeting actions. N. Funkhouser said the Finance Committee is documenting its procedures. B. Keveny said he is still working with the Board of Public Works and the Wastewater Management District Commission regarding the certified retained earnings of the enterprise funds. He said the water fund works very well, and is well-controlled. He said the Wastewater Management District Commission is leaning towards certified retained earnings of 10% of next year's revenue. Members reviewed the timeline for the audit. B. Keveny said the Finance Committee voted the Free Cash Policy at 5% to 10%, noting Wayland had no additional stabilization funds, and that Moody's was comfortable with that range. C. Karlson asked about unbudgeted revenues in the general fund revenue report, including bond premiums. B. Keveny said these funds are not in the tax recap. M. Antes asked the Finance Director to assess the impact on the revenue received from the state-owned land at the MWRA aqueducts, if the town is given access. The Board thanked B. Keveny and the Finance Committee for its work.

A11. Report of the Town Administrator N. Balmer noted the revised Special Town Meeting schedule. She said the Board of Public Works has asked the police to post signs and enhance oversight on Stonebridge Road; M. Antes noted there is also a dangerous intersection at Oak Hill and Stonebridge Roads. N. Balmer said she met with the Department of Revenue regarding the school revolving funds, and the School Committee will have an article for Special Town Meeting to bring to the Board at its next meeting. In regard to the request from Fred Knight about the purchase of excess wastewater capacity for the library, she said Public Buildings Director Ben Keefe is analyzing the request and will provide a recommendation.

A5. Meet with Representatives of the Council on Aging/Community Center Advisory Committee to Discuss and Potential Vote to Submit Special Town Meeting Article to Acquire Municipal Parcel The Board was joined by Council on Aging/Community Center Advisory Committee members Bill Sterling, Steve Correia, and Mark Foreman, Town Counsel Mark Lanza, and Public Buildings Director Ben Keefe. B. Sterling reviewed the progress on Phase I of the committee charge, saying the committee was pursuing the activities necessary to make the decision to acquire the parcel. C. Karlson said the Wayland Real Assets Planning Committee met last week and may do the alternative site analysis. S. Correia said the environmental

analysis confirmed that the site could be used for most municipal purposes. J. Nolan said there is an existing Activities and Use Limitation (AUL) and asked whether the restriction would be lifted; B. Keefe said he will meet with Raytheon to address it. The Board considered sponsorship of the article. C. Karlson said the Board needs a commitment from Raytheon to lift the deed restriction, and a structural assessment of the building, before Special Town Meeting. She said article comments can be changed through September 28. S. Correia said that archeological studies will also be done. M. Antes said she sees no downside to acquiring the parcel. The Board discussed the timing of the article. B. Sterling said the committee would like to bring the article to Special Town Meeting now, as costs may increase by several percentage points in the coming year. S. Correia said there could be a change in the commitment due to the sale of the Town Center to a new owner, and M. Foreman noted the purchase will take time. Linda Segal, 9 Aqueduct Road, asked that the parcel be cleaned so that the public can gain easier access.

J. Nolan moved, seconded M. Antes, to accept for inclusion in the 2015 Special Town Meeting warrant the article, "Acquire Municipal Parcel in Town Center." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

C. Karlson said that M. Antes is the Board liaison to the article. B. Sterling asked for the Board's support in organizing a "Pop Up Park" to let the public know about the parcel, and the Board agreed that the event should go forward.

A6. Meet with Representatives of the Energy Initiatives Advisory Committee to Discuss and Vote to Request Current Year Transfer to Appropriate Matching Funds for Solar Resiliency Grant and Discuss Structured Tax Agreement for Solar Project The Board was joined by John Harper and Ellen Tohn of the Energy Initiatives Advisory Committee. E. Tohn reviewed the matching funds requirement of the solar resiliency grant, a maximum of \$29,000, for a solar powered generator for the emergency shelter at the Middle School. E. Tohn said the Energy Initiatives Advisory Committee voted unanimously to support the request to authorize the procurement of equipment and to appropriate the funds. She noted that the Department of Energy Resources has not yet determined whether it is necessary, but said she would like construction to begin quickly. C. Karlson said it is still possible the funding could be included in the current year transfer article. M. Antes moved, seconded by L. Anderson, to accept for inclusion in the 2015 Special Town Meeting warrant the article, "Authorize Procurement and Appropriate Funds for Energy Resiliency Project at the Middle School." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0. C. Karlson said she would like to set up a conference call with the Department of Revenue, the Energy Initiatives Advisory Committee and the Board of Assessors to discuss the structured tax agreement.

A7. Meet with Community Preservation Committee Chair to Discuss Special Town Meeting Articles to Adopt Resolution regarding Change in Materials used for Rail Trail Project, and Fund Preparation of Open Space and Recreation Plan; Update on Prior Year Projects The Board was joined by Gretchen Schuler, Chair of the Community Preservation Committee. She said she expects the committee will meet this week to submit a resolution to change the materials to be used for the Rail Trail, in light of the contribution of Eversource for a hard surface for the project. She said a second article will be submitted for funding in preparation for an Open Space and Recreation Plan, which is necessary for any state grants. G. Schuler noted a request for additional funding for a fire suppression system for Cochituate Village, which was withdrawn and will be re-submitted as a capital funding request to Annual Town Meeting. M. Antes said the cost of waiting until the 2016 Annual Town Meeting will be \$25,000; however, the delay will provide an opportunity for the Municipal Affordable Housing Trust Fund Board and the Housing Authority to consider contributions and allow the project for all of the common areas to go forward. G. Schuler reported on prior year projects, including 246 Stonebridge Road, the land management plan, the housing trust funds transfer, and Stone's Bridge.

A8. Meet with Town Moderator to Discuss November 2015 Special Town Meeting The Board was joined by Town Moderator Dennis Berry, who reviewed the logistics for the November Special Town Meeting. In regard to handset management, he said he agrees with the Electronic Voting Implementation Committee that education will solve the problem. The Board discussed the use of slides on an overhead screen during Special Town Meeting. D. Berry said he would like to have all the amendments and motions on the screen. David Bernstein, a member of the Electronic Voting Implementation Committee, said staff will be necessary to coordinate the information for the screens. D. Berry said he would be willing to create the guidelines. He asked to have the motions prepared in time for his Moderators Forum on October 28. The Board discussed methods for controlling the time of the meeting.

A12. Selectmen's Reports and Concerns J. Nolan reported on a meeting of a working group consisting of the Recreation Commission, the Finance Director, and the Town Administrator regarding the issue of the revolving fund. M. Antes said there would be a League of Women Voters forum on the Town Center, with a tentative date of October 20. L. Anderson noted her disappointment in the violation of the liquor license by Bertucci's. She reported on a meeting in Sudbury set up by Representative Carmen Gentile on August 14 about the Minuteman High School project, and said there are concerns about the funding model in which member towns are subsidizing non-member towns. She said Minuteman is likely to call for a district-wide special election, held the same time in all towns, after its meeting on September 8. She noted the weeds coming through the brick pavers at the sidewalks along Routes 20 and 27. C. Karlson said the family at Mainstone, who is considering allowing the town the possible acquisition of their land as early as the 2016 Annual Town Meeting, has invited the Board of Selectmen to walk the land. She reviewed upcoming agendas.

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

A14. Adjourn There being no further business before the Board, J. Nolan moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:02 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

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

1. Background Information on Petitioners Workshop, August 24, 2015
2. Memorandum of 8/24/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Finance Committee Special Town Meeting Article, Finance Update, Fund Balance and Draft Financial Policies with Background Information
3. Memorandum of 8/24/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Special Town Meeting Article to Acquire Municipal Parcel, Proposed Article, Draft Comments, and Council on Aging/Community Center Advisory Committee Charge
4. Memorandum of 8/24/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Special Town Meeting Article, Solar Project Structured Tax Agreement, Proposed Article, Board of Assessors Minutes June 1 and June 15, 2015

5. Memorandum of 8/24/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Special Town Meeting Articles, Community Preservation Committee
6. Memorandum of 8/24/15 from Dennis Berry, Town Moderator, to Board of Selectmen, re: Discussion Items for Meeting on August 24, 2015
7. Town Administrator's Report for the Week Ending August 21, 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

DRAFT

Board of Selectmen Meeting Minutes August 31, 2015

Attendance: Lea T. Anderson, Tony V. Boschetto (arrived at 6:40 p.m.), Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli (left at 6:52 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 At 6:32 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss strategy with respect to the disposition of the Wayland/Sudbury Septage Facility because a public discussion of the purchase, exchange, lease or value of real property in regard to the Wayland/Sudbury Septage Facility may have a detrimental effect on the negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Town Counsel Mark J. Lanza, and Administrative Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 6:52 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 6:53 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. L. Anderson said the Library Planning Committee has posted its report on its website. J. Nolan noted that school begins this week, and M. Antes said the Arts Fair will take place on the grounds of the Wayland Town Building on September 19.

A3. Public Comment Larry Kiernan, 17 Concord Road, and Chair of the Rail Trail Committee, said he is meeting on September 17 with the Historic District Commission regarding the future rail trail route through the railroad depot, and he has already met with the Historical Commission and abutters. He asked the Board to clarify the ownership of the parking lot of the depot, as he would like to have full representation. J. Nolan suggested that cobblestones be added to the bike path for historic ambience and to delineate the track structure.

A4. 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
This agenda item was postponed until a later date.

A5. 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 The Board

was joined by Ellen Grieco, Chair of the School Committee, and Susan Bottan, School Business Manager, to discuss the Special Town Meeting article to adopt the state statute for school revolving funds. E. Grieco said the School Committee voted 5-0 to waive attorney-client privilege in regard to the opinion letter from Attorney James Toomey. The Board discussed concerns about setting a precedent. L. Anderson moved, seconded by M. Antes, to waive attorney-client privilege and release to the public only the letter from Attorney James Toomey dated August 25, 2015, on school revolving funds. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 5-0.

The Board considered whether to co-sponsor the Special Town Meeting article submitted by the School Committee on revolving funds. T. Boschetto asked for more time to discuss and consider the article. E. Grieco said the School Committee voted 4-1 in favor of submitting the article. J. Nolan said he would support the inclusion of the article in order to allow the debate at Town Meeting. The Board postponed its vote to a later meeting.

A8. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. T. Boschetto expressed concern that the Board did not have the details of the legal invoices. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: T. Boschetto. ABSENT: none. ABSTAIN: none. Adopted 4-1. The Board discussed reviewing the policies regarding legal counsel at a future meeting.

A6. 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
The Board was joined by Recreation Commission members Frank Krasin, Anna Meliones, and Brud Wright, Recreation Director Jessica Brodie, Finance Committee member Carol Martin, and Finance Director Brian Keveny, to consider an article for Special Town Meeting that addresses the issues regarding the Recreation revolving fund. J. Nolan said the Recreation Commission would like the town to petition the legislature to increase the 53E½ cap to 5% of taxation. He expressed concern that the town will continue to absorb the cost of the salaries, and suggested that a placeholder article for an enterprise fund be included as well. B. Keveny recommended that the salaries be paid by the Recreation Commission. He said that the projected balance in the Recreation revolving fund for the end of FY16 is \$880,000, an excess fund balance of 100% of revenues. J. Brodie noted approximately \$100,000 in outstanding FY16 invoices for expenses incurred in FY15. Members discussed the advisability of transferring excess funds to the general fund, or, alternatively, allowing the funds to remain in the revolving fund and to begin to draw it down for the payment of salaries. B. Wright said the recreation staff should be paid from the general fund, noting it is common practice in peer towns, and it was the practice before the formation of the DPW. He suggested that the excess funds in the revolving account be used for capital improvements of the fields and other facilities, and said the users would prefer to have their user fees used in this manner. T. Boschetto said bifurcating the costs of the recreation programs doesn't give a clear picture to the taxpayers and hinders financial management decisions. J. Nolan said the use of the surplus for capital projects excludes recreation projects from the five-year capital plan. C. Karlson noted that recreation did not submit any projects on its five-year capital plan. She said there remains two conflicting plans, with no unified approach to present to town meeting. B. Wright said the Recreation Commission agreed to remain as a 53 E½ revolving fund and to ask the approval of the State legislature to raise the cap to 5%. J. Nolan said he would agree to that approach if the salary expenses were included in the recreation budget. T. Boschetto said he would support an enterprise fund; it was his opinion that the budget could be better managed, and noted that it would allow the Recreation Commission to incur debt and fund capital projects. B. Wright said if an enterprise fund included salaries, the Recreation Commission would need to increase fees. J. Nolan suggested putting two placeholder articles in Special Town Meeting. M. Antes said more work needs to be done so the voters have clarity. C. Karlson said there needs to be agreement on the amount of the cap before town meeting. N. Balmer pointed out that an article to create an

enterprise fund cannot be submitted to a Special Town Meeting. B. Wright said the Recreation Commission has voted to submit this article. It was the sense of the Board that more preparation was necessary to create a unified plan, and if the parties could not agree upon a clear plan and budget, the Board retains the right to withdraw the article.

A7. Discussion and Vote to Submit Articles Sponsored by the Board of Selectmen The Board was joined by Finance Director Brian Keveny to discuss the article submitted by the Finance Committee to revise the sources of funding for the fiscal year 2016 operating budget. J. Nolan moved, seconded by T. Boschetto, to accept for inclusion in the 2015 Special Town Meeting warrant the article, "Amend FY2016 Budget Funding Sources," with the correction from "2016 Annual Town Meeting" to "2015 Annual Town Meeting." YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board was joined by OPEB Advisory members Cliff Lewis and Maryanne Peabody to discuss the article for Special Town Meeting to rescind the town's special act to create an OPEB fund and adopt Massachusetts General Laws 32B Section 20 to establish an OPEB Trust Fund. C. Lewis reviewed the article and the need for investment expertise in order to meet the town's financial goals. He said one member of the committee opposed the article due to concerns of cost to benefit. T. Boschetto noted the article provides flexibility and does not mandate action, and C. Karlson said that should be clarified for town meeting. J. Nolan moved, seconded by L. Anderson, to accept for inclusion in the 2015 Special Town Meeting warrant the article, "OPEB Trust Fund Legislation and Governance." YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board discussed the article to amend the Minuteman Regional Vocational School District Agreement to allow Wayland to withdraw. C. Karlson questioned the need to vote twice to withdraw; T. Boschetto said the town voted first to withdraw, and now must vote to accept and approve the amendment to withdraw. T. Boschetto said the town needs to follow up with other towns and request that they take action at their next town meeting. N. Balmer said the amendment must be sent to DESE (Department of Elementary and Secondary Education), and is expected to be approved by July 2017. Board members discussed the financial impact of the withdrawal, and considered the annual debt service charge, the formula for calculations, and the cost implications of non-member enrollment. C. Karlson suggested that a financial analysis be provided to town meeting to show the cost savings. J. Nolan said the town should also take into consideration the value of a new school facility. T. Boschetto moved, seconded by L. Anderson, to approve and accept for inclusion in the 2015 Special Town Meeting warrant the article, "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. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Board discussed the need to put a zoning article in the next town meeting regarding the sale of used cars.

A9. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A10. Report of the Town Administrator N. Balmer provided an update on the Information Technology project, noting there is still not a sufficient description of the necessary projects to put together a funding request.

A11. Selectmen's Reports and Concerns There were no Selectmen's reports and concerns.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair declared that there were no further topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.

A13. Adjourn There being no further business before the Board, J. Nolan moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:02 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 31, 2015

1. Email exchange, 8/25/15, re: A Message from the Town Clerk
2. Letter of 8/28/15 from Edward Bouquillon, Superintendent, Minuteman School, to Wayland Board of Selectmen re: Clarification of New Minuteman High School Plans

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

DRAFT

Board of Selectmen Meeting Minutes September 11, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, J. Nolan
Participating Remotely via Telephone: Tony V. Boschetto
Also Present: DPW Executive Assistant Dan Cabral

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 12:33 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.

A2. Public Comment Mary Ellen Castagno, 49 Dean Road, discussed the status of the Minuteman High School and relative questions raised by the School Committee. C. Karlson encouraged her to follow-up with T. Boschetto regarding the potential creation of an action item for the Board. Linda Segal, 9 Aqueduct Road, repeated her public comment from the September 8, 2015, Board meeting regarding an environmental report created by Ben Gould. L. Segal noted that B. Gould is ready to make a public presentation to explain his work, and encouraged the Board to schedule the meeting. C. Karlson said that discussions to arrange the meeting are ongoing. Lisa Kra, 9 Saddle Lane, discussed the Glezen Lane turn restrictions. She said that there is neighborhood support for the Town to gather traffic data to determine if the mitigation measures are warranted relative to traffic going to and from Town Center.

A3. 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 C. Karlson announced that T. Boschetto would be participating remotely due to his geographic location. T. Boschetto attested that he is alone and no one else can hear the conversation. At 12:35 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to a pending action regarding Bernstein et al v. Wayland Planning Board et al because a public discussion may have a detrimental effect on the negotiating or litigating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, T. Boschetto (remotely via telephone), C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invited attendance by Town Counsel Mark Lanza, Fire Chief David Houghton, Police Lieutenant Patrick Swanick, Town Planner Sarkis Sarkisian, Director of Public Works Stephen Kadlik, and DPW Executive Assistant Daniel Cabral. The Board will reconvene in open session in approximately twenty minutes.

The Board returned to open session at 1:23 p.m.

A4. Potential Discussion and Vote to Remove Traffic Signage related to Glezen Lane L. Anderson recused herself from debating or deliberating on the issue, as she is a resident of the Glezen Lane neighborhood; she said she would listen but not participate in votes or discussions. C. Karlson described the decision issued by the Middlesex Superior Court on August 26, 2015, allowing for temporary removal of the

Glezen Lane turn restrictions. M. Antes moved, seconded by J. Nolan, to order the removal of all traffic control signs related to motor vehicle turn restrictions relative to Glezen Lane commencing on September 11, 2015, until further order of the Board of Selectmen. YEA: M. Antes, T. Boschetto (remotely via telephone), C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Anderson. Adopted 4-0-1.

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

A6. Adjourn There being no further business before the Board, M. Antes moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 1:26 p.m. YEA: L. Anderson, M. Antes, T. Boschetto (remotely via telephone), 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 September 11, 2015

1. None

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

1. None



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, September 21, 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 from CMG Environmental Inc., Invoice 4990, CMG ID 2014-055, dated August 17, 2015: \$2,300.00
3. Vote the Question of Approving a One Day Liquor License for Russell's Garden Center, 397 Boston Post Road, for the Annual Fall Festival, Beer and Wine Tasting Only, from 12:00 noon to 5:00 p.m., on Saturday, October 17, 2015
4. Vote the Question of Approving the Placement of a Temporary Sign for the Red Barn Nursery Fall Open House at the Intersection of Route 20 and Route 27, from October 15-23, 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!

DiNapoli, MaryAnn

From: Bill Sterling <bill@sterlingarchitects.com>
Sent: Wednesday, September 16, 2015 10:23 AM
To: DiNapoli, MaryAnn
Subject: Re: CMG Invoice

Yes. Last week, 8/24/15.

Bill

On Sep 16, 2015, at 9:29 AM, DiNapoli, MaryAnn wrote:

Bill, was this invoice every approved? MaryAnn

From: Bill Sterling [mailto:bill@sterlingarchitects.com]
Sent: Tuesday, September 01, 2015 4:00 PM
To: DiNapoli, MaryAnn
Cc: Secord, Julie
Subject: Re: CMG Invoice

No. We plan to meet Thursday and will address that item if we get a quorum.

Best Regards,

Bill

On Sep 1, 2015, at 12:35 PM, DiNapoli, MaryAnn wrote:

Bill, the Board of Selectmen approved payment of the attached invoice last night. Has the Council on Aging/Community Center Advisory Committee approved the invoice as well?

Let me know, and we will process the payment.

Thank you!

MaryAnn DiNapoli
Executive Assistant
Board of Selectmen
(508) 358-3621

<CMGAugust2015Invoice.pdf>



RECEIVED

SEP 14 2015

Board of Selectmen
Town of Wayland

September 14, 2015

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

To whom it may concern,

Russell's Garden Center requests a temporary liquor license for Saturday
October 17, 2015 from Noon to 5 pm. At that time we will be offering
beer and wine tasting as part of our 41st annual Fall Festival.

Thanks you in advance for your consideration of our request.

Sincerely,

Marie Winter
Russell's Garden Center
397 Boston Post Road
Wayland, MA 01778

508 358-2283 x 394
mariew@russellsgardencenter.com

DiNapoli, MaryAnn

From: Kerri Majors <kerri.majors@gmail.com>
Sent: Wednesday, September 09, 2015 10:55 AM
To: DiNapoli, MaryAnn
Subject: Sandwich Board Request_Re: Wayland Sandwich Board Request - Found word(s) barn in the Text body

Hi MaryAnn,

I hope you're enjoying this sunny weather!

I'm writing to request a sandwich board permit for Red Barn Nursery School's annual fall open house (as I did last year, per our emails below). Here are the details:

"Trick or Treat" Open House. Friday, October 23 from 4:30-6:30pm.

Red Barn is a cooperative preschool in Weston, MA, and Wayland families have long been a significant part of our community.

We request to place a sandwich board from October 15 through October 23, at the corner of Rt. 20 and 27.

Thanks so much for your consideration, and I look forward to hearing from the selectman regarding this request.

Best,
Kerri Majors
209-992-9840
kerri.majors@gmail.com
Marketing Chair, Red Barn Nursery School

On Sep 16, 2014, at 9:51 PM, Kerri Majors <kerri.majors@gmail.com> wrote:

Thank you, MaryAnn!

—Kerri

On Sep 16, 2014, at 3:43 PM, DiNapoli, MaryAnn <MDiNapoli@wayland.ma.us> wrote:

Kerri, your request for the placement of a temporary sandwich board sign has been approved. The sign may be placed at the corner of Routes 20 and 27 from October 12-18, 2014.

Please keep in mind the following guidelines when displaying a temporary sign. The sandwich



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

**REVISED LIST OF PUBLIC DOCUMENTS
PROVIDED TO THE BOARD OF SELECTMEN
FROM SEPTEMBER 4, 2015, THROUGH AND
INCLUDING SEPTEMBER 17, 2015,
OTHERWISE NOT LISTED AND INCLUDED
IN THE CORRESPONDENCE PACKET FOR
SEPTEMBER 21, 2015**

Items Distributed To the Board of Selectmen – September 4-17, 2015

1. Email of 9/3/15 from Robert Goldsmith to Board of Selectmen re: Municipal Pad Development
2. Email of 9/7/15 from T. Boschetto to Nan Balmer, Town Administrator, re: Wayland Officials Meeting with Lexington Officials re: Wayland's Request to Withdraw from the Minuteman District

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of September 8, 2015

1. Memorandum of 9/8/15 from Board of Selectmen to Boards of Selectmen of Minuteman Member Towns re: Request to Place Warrant Article on Fall or Spring Town Meeting Warrants to Permit the Withdrawal of the Town of Wayland from the Minuteman Regional Vocational Technical School
2. Letter of 9/8/15 from Mary Antes, for the Board of Selectmen, to Frank Dougherty, KGI Properties, LLC, re: Pop Up Park, and List of Activities, October 17, 2015
3. List of School Revolving Accounts with Statutory References and Administrative Action Required

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

1. Memorandum of 9/21/15 from Ben Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, re: Update from Public Building Director
2. Memorandum of 9/18/15 to Board of Selectmen re: Appointment to the Youth Advisory Committee
3. Memorandum of 9/18/15 to Board of Selectmen re: Appointments to the Council on Aging/Community Center Advisory Committee and the Audit Committee
4. Memorandum of 9/18/15 to Board of Selectmen re: Committee Matters
5. Memorandum of 9/21/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Special Town Meeting Articles
6. Memorandum of 9/21/15 from John Senchyshyn, Asst Town Administrator/HR Director, to Board of Selectmen re: Discussion and Potential Vote to Accept M.G.L. Sections 21-23
7. Memorandum of 9/21/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Minuteman
8. Memorandum of 9/8/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Town Goals, Town Administrator's Priority Objectives and Actions
9. Memorandum of 9/21/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Public Hearing Policy
10. Memorandum of 9/21/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Revised Liquor License Policy
11. Town Administrator's Report for the Week Ending September 18, 2015



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

BOARD OF SELECTMEN Monday, September 21, 2015 Wayland Town Building Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Change in Health Insurance for Active and Retired Employees
2. Public Comment, Municipal Pad at Town Center
3. Public Comment, Minuteman Regional Vocational School
4. Notice of Hearing, 9/2/15 from Alcoholic Beverages Control Commission, re: Town & Country Restaurant Inc., dba J. J. McKay's Restaurant
5. Letter of 9/3/15 from CMG Environmental Inc., to Vertex Companies Inc., re: Public Commentary on Draft RAM Completion Report, Former Raytheon Facility
6. Letter of 9/9/15 from Office of the Board of Selectmen to China Rose LLC re: Continuance of Hearing on Alteration of Premises Permit to October 5, 2015
7. Memorandum of 9/11/15 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of William Steinberg from Library Planning Committee
8. Letter of 9/11/15 from Board of Selectmen to KGI Properties LLC re: Request to Use the Municipal Parcel at Town Center for a "Pop-Up Park" on October 17, 2015
9. Letter of 9/14/15 from Attorney Jeffrey L. Roelofs to Middlesex Superior Court re: Plaintiff's Emergency Motion for a Stay, Bernstein et al v. Planning Board et al
10. Director of Public Health Report, September 9, 2015

Conservation Commission

11. Order of Conditions and Chapter 194 Permit, 9/3/15, from Brian J. Monahan, Conservation Administrator, re: 5 Erwin Road
12. Order of Conditions and Chapter 194 Permit, 9/9/15, from Brian J. Monahan, Conservation Administrator, re: 32/34 Covered Bridge Lane
13. Order of Conditions and Chapter 194 Permit, 9/14/15, from Brian J. Monahan, Conservation Administrator, re: 37 Campbell Road
14. Order of Conditions and Chapter 194 Permit, 9/16/15, from Brian J. Monahan, Conservation Administrator, re: 90 Dudley Road

Zoning Board of Appeals

15. Decision No. 15-18, 11 Maguire Road
16. Public Hearing, September 29, 2015, 35 Woodland Avenue, 150 Main Street

Minutes

17. Finance Committee, August 17, 2015
18. Surface Water Quality Committee, September 1, 2015
19. West Suburban Veterans District, June 10, 2015
20. Municipal Affordable Housing Trust Fund Board, August 11, 2015

DiNapoli, MaryAnn

From: Thomas Turner <tommyt891@verizon.net>
Sent: Friday, September 04, 2015 3:12 PM
To: Selectmen
Subject: Your Board Might be Interested in this

I note that the Wayland Board of Selectmen will be hearing a presentation from Cook and Company on Tuesday evening, September 8th, 2015 regarding the possibility of the Town joining the State's Group Insurance Commission to provide healthcare for active and retired employees.

This company also appeared before the Natick Board of Selectmen on August 31st, 2015 to discuss this issue with them. Their meeting can be found at the following link via computer:

www.natickpegasus.org

Go to the "Video-on-Demand" section, and, you'll find the meeting under the "Selectmen" header. One of the major concerns from those who work for that Town was the removal of the healthcare issue from the Collective Bargaining Process. Several employees spoke regarding this issue, are very concerned by it, are quite fearful of the change should it happen, and felt in their case that it was a "Rush to Judgement" on the part of the Town of Natick.

I watched the meeting and found it quite informative. A vote was taken by the Board, and it was not unanimous. One member abstained (A retired employee of the Police Department), and another felt that more research should be done before a final decision was reached.

It is my feeling that your Board might find this of interest as well.

Thomas Turner
7 Nob Hill Road
Wayland, MA 01778-2216
(508) 358-2401 (Home)
(508) 661-9750 (Cell)
(508) 358-0839 (Fax)

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Friday, September 04, 2015 12:33 PM
To: Karlson, Cherry; Mary Antes (mantes2@verizon.net); Joe Nolan (jnolan@citypointpartners.com) (jnolan@citypointpartners.com); Tony Boschetto; Anderson, Lea
Cc: DiNapoli, MaryAnn
Subject: FW: Municipal Pad Development
Attachments: Town Center Issues for Issue of a Certificate of Compliance.docx; TC Drainage Letter.docx

From: Robert Goldsmith [mailto:bobg1940@gmail.com]
Sent: Thursday, September 03, 2015 11:27 PM
To: Selectmen
Cc: Sarkisian, Sarkis
Subject: Municipal Pad Development

Dear Selectmen,

In this week's Crier, I see that there is movement toward acquisition of the municipal pad. As perhaps relevant background, Twenty Wayland was obligated to supply utilities to the pad and to take and treat stormwater from new impervious surfaces (e.g. a parking lot). These were not implemented and it could be expensive for the Town to have to provide these for pad development. Attachments to this email include (a) a statement of deficiencies in Twenty Wayland's performance relative to these requirements, and (b) a letter describing what Twenty Wayland would do to add stormwater treatment capacity to the existing system. The specific deficiencies are described in the statement relative to Twenty Wayland's request for a Certificate of Compliance sometime over a year ago. Until I left ConCom, there was no movement to address the issues identified.

Please feel free to contact me with any questions you may have about the attached information.

Robert Goldsmith

Town Center Issues for Issue of a Certificate of Compliance

1. Performance of Stormwater Treatment Basins 2 & 3
 - a. The required performance standards (emptying after 2 hours and the corresponding required filtration rate) have not been demonstrated/documented. (Conditions 33 & 36)
 - b. The basin design approved by ConCom was modified for the design submitted to DEP. The change was not caught by DEP. The current construction, with overflow to the Sudbury River from the forebays, can result in direct discharge of stormwater to the river, bypassing treatment by the combined sand filter/detention basins for both Basin 2 & Basin 3.

This could be rectified by reducing the heights of the stone berms between the forebays and sand filters/detention basins. The height could be lowered to create weirs with sufficiently reduced elevation below the forebay overflows to insure peak flows for all storm events can flow into the sand filters/detention basins before any overflow from the forebays to the river. Calculations for weir design and the design should be provided by a PE and stamped.

2. There is no water connection to the Municipal Pad, as shown in the approved drawings.
3. There apparently is no connection from the Municipal Pad to the stormwater treatment system (Basin 2) as required. This connection does not show on the as-built plan stamped 2-26-13. The required connection is shown in the drawing attached to the letter from Twenty Wayland, LLC to Michael Abell (DEP) dated 10-07-09. The stormwater system is to have the capacity to treat runoff from an additional 1.4 acres of impervious surface from the Municipal Pad (R J O'Connell & Associates, Inc. letter to Michael Abell of DEP dated August 31, 2009). This requires an enlargement to Basin 2 (same letter) that does not appear to have been implemented.
4. Other utility connections shown in the approved drawings to the Municipal Pad do not appear to have been made.
5. Correction of the deficiencies identified in the CMG Environmental, Inc. report of March 31, 2014 has not been verified.
6. The Conservation Restriction has not been consummated. (Condition 58)

(Note: Other conditions appear to have not been met, e.g., vacuum sweeping, reporting, etc.) The detailed Permit Conditions compliance narrative required by Condition 62 has not been submitted, and this narrative should also address any design changes that might conflict with the permitted design. The letter from Griffin Engineering to Twenty Wayland dated 5-7-2015 contains tables that are not accompanied by detailed narratives. The accuracy of the information in the table giving compliance with conditions needs verification.)

RJO'CONNELL & ASSOCIATES, INC.

CIVIL ENGINEERS & LAND PLANNERS

50 Montvale Ave., Suite 201
phone 781-279-0180

Stoneham, MA 02180
fax 781-279-0173

August 31, 2009

Mr. Michael Abell
Wetlands and Waterways Program
Department of Environmental Protection
Northeast Regional Office
205B Lowell ST
Wilmington, MA 01887

RECEIVED
SEP 02 2009
WAYLAND CONSERVATION COMMISSION

Regarding: Wayland Town Center
DEP File No 322-0701
Wayland, MA
06032.18

Dear Mr. Abell:

With respect to the plans now before you in connection with the above-referenced appeal, this letter is to advise you of a minor modification to the design of Basin No 2. The stormwater collection system is designed to convey stormwater from the Town of Wayland's future municipal parcel ("Municipal Parcel") situated near the Rt. 20 entrance to Basin No. 2.

The stormwater collection system is designed per local requirements to convey the Municipal Parcel runoff to Basin No. 2. Basin No. 2 has been designed to attenuate the peak rate of flow from the Municipal Parcel. The Stormwater Management Report, revised through January 2, 09 provides the supporting calculations. However the water quality treatment volume did not include the 1.4 acres of impervious area projected to be built when the Town of Wayland develops the Municipal Parcel.

The 1.4 acres of increased impervious surface area translates to an additional 4,900 cubic feet (cf) of treatment volume required for Basin No 2 in order to treat the "first flush". Therefore the total project water quality volume will increase from 43,670 cf to 48,800 cf. The increased water quality volume will be accommodated with a minor modification to Basin No. 2. The 8-inch diameter low flow orifices will be changed to 4-inch diameter openings and the invert elevations will be adjusted from 121.0 to 121.50.

This minor change has no further impact on the Project or other issues advanced by Twenty Wayland and RJOC in support of the appeal. RJOC respectfully requests the minor design modification to the outlet control structure from Basin No 2 be incorporated into the final notice of intent design plans that will accompany the superseding order of conditions. RJOC apologizes for any inconvenience this may have caused. Should there be any questions and/or comments regarding the above please do not hesitate to contact me at 781-279-0180 x103.

Sincerely,

RJO'CONNELL & ASSOCIATES



Brian Dundon, PE
Vice President



cc: Frank Dougherty
Brian Levey, Esq.
Brian Monahan, Wayland Conservation Commission

DiNapoli, MaryAnn

From: Karlson, Cherry
Sent: Thursday, September 10, 2015 10:41 PM
To: Anderson, Lea; Antes, Mary; Boschetto, Anthony V.; Nolan, Joseph F.
Cc: DiNapoli, MaryAnn
Subject: FW: Minuteman Tech

MaryAnn, please include this in correspondence.

thanks,
Cherry

The Secretary of State's office has determined that most emails to and from municipal officials are public records. Consequently, confidentiality should not be expected.

From: Cherry Karlson [cckarlson@comcast.net]
Sent: Thursday, September 10, 2015 10:34 PM
To: Karlson, Cherry
Subject: Fwd: Minuteman Tech

Begin forwarded message:

From: "Gary Slep" <vgslep@comcast.net<mailto:vgslep@comcast.net>>
Subject: Minuteman Tech
Date: September 10, 2015 at 4:22:30 PM EDT
To: "Nan Balmer, Town Administrator" <nbalmer@wayland.ma.us<mailto:nbalmer@wayland.ma.us>>
Cc: "Joseph Nolan" <selectmen@wayland.ma.us<mailto:selectmen@wayland.ma.us>>, "Cherry Karlson" <cckarlson@comcast.net<mailto:cckarlson@comcast.net>>, "Mary Antes" <mantes@wayland.ma.us<mailto:mantes@wayland.ma.us>>, "Susan Wagner" <susanwgnr@gmail.com<mailto:susanwgnr@gmail.com>>

Hi Nan,

FYI

I was just reading Susan Wagner's article in today's Wayland Town Crier about Wayland's proposed withdrawal from Minuteman Tech.

Although I personally do not have any opinion on this subject, I thought it prudent to let you and the Board of Selectmen know that a new homeowner is moving in soon to 44 Jeffrey Road with two teenage sons who attend Minuteman. That will raise the number of Wayland students from one to three. I have no idea how important that may be to Wayland in its decision-making process in preparation for STM, but the implications should be considered in the debate currently proceeding pursuant to the Minuteman article in the forthcoming warrant.

Sincerely,

Gary Slep
40 Jeffrey Road



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF HEARING
COMPLIANCE CHECK

VIA FIRST CLASS MAIL

September 02, 2015

TOWN & COUNTRY REST INC. DBA J.J. MCKAY'S RESTAURANT
171 E.COMMONWEALTH
WAYLAND, MA 01778
LICENSE#: 134000006

You are hereby notified that a hearing will be held by the Alcoholic Beverages Control Commission

Tuesday, September 08, 2015 at 10:30 AM

*Continued from 8/18/2015

at 239 Causeway Street, 1st floor, Boston, MA to determine whether you have violated certain provisions of Massachusetts General Laws (M.G.L) or Code of Massachusetts Regulations (CMR) as follows:

204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.

Date of Alleged Violation **Monday, June 15, 2015 at approximately 07:46 PM**

Hearings are held pursuant to the Informal/Fair Hearing Rules under M.G.L. Ch.138, C. 30A and 801 CMR §§ 1.02 and §1.03. Reports, if any, and your license file may be examined and copied at the Commission's office with advance notice.

NOTE: It is important that licensees and those interested in this matter attend the hearing to present evidence and testimony. The Commission, in some cases, has the authority to suspend, modify, revoke or cancel licenses.

Hearings are audio recorded. Pursuant to M.G.L. C.30A, §11 six (6) written transcripts will be furnished if requested in writing with tender of payment. You may arrange for your own stenographer.

If you have any questions regarding the scheduling of this hearing please contact Patricia Hathaway at (617) 727-3040 x738 or phathaway@tre.state.ma.us.

Kim S. Gainsboro
Chairman

RECEIVED

SEP 11 2015

**Board of Selectmen
Town of Wayland**

CMG ENVIRONMENTAL, INC.

September 3, 2015

Mr. Jesse Freeman
Senior Project Manager
The Vertex Companies, Inc.
One Congress Street
Boston, MA 02114

RECEIVED

SEP - 8 2015

Board of Selectmen
Town of Wayland

**Re: Public Commentary on Draft RAM Completion Report
Former Raytheon Facility, 430 Boston Post Road, Wayland MA
Release Tracking Number (RTN) 3-13302
Vertex Project No. 19163
CMG ID 2002-003**

Dear Mr. Freeman:

The following is my public commentary on the August 6, 2015 Draft Release Abatement Measure (RAM) Completion Report for a portion of the former Raytheon facility in Wayland, Massachusetts (the Site) regarding Massachusetts Department of Environmental Protection (DEP) RTN 3-13302, prepared by The Vertex Companies, Inc. (Vertex). For the record, since 2002 the Wayland Board of Selectmen has retained me to provide technical review of document submittals and other activities at the Site on behalf of the Town of Wayland, especially those that pertain to compliance with DEP requirements.

As in past document reviews pertaining to the Site, I have prefaced my comments with heading designations (where applicable) for ease of comparison, and used uppercase roman numerals to identify each comment.

MCP Submittal Date Requirements

I) DEP regulations promulgated at 310 CMR 40.0445(1) of the Massachusetts Contingency Plan ("MCP," 310 CMR 40.0000) require that the 'Potentially Responsible Party' submit an Initial RAM Status Report 120 days following submittal of a RAM Plan, and subsequent RAM Status Reports every six months thereafter until completion of RAM activities. Section 40.0446(1) of the MCP requires submittal of a RAM Completion Report no later than 60 days following completion of RAM activities set forth in the RAM Plan (including subsequent modifications thereto).

Twenty Wayland, LLC submitted the RAM Plan prepared by Vertex on September 15, 2011. They submitted the Initial RAM Status Report on January 19, 2012 (126 days after submittal of the RAM Plan) and subsequent RAM Status Reports on July 25, 2012; January 28 & July 29, 2013; January 28 & August 14, 2014; and March 31, 2015. Thus the Initial RAM Status Report was 6 days late (but still within the 7-day 'grace period' that DEP allows). RAM Status Report #6 was about two weeks beyond the six months stipulated at 40.0445(1), and RAM Status Report #7 was about six weeks beyond the 'every six months' time frame. (CMG notes that while improper, it is not at all unusual for such 'slippage' to occur in submittal dates for six-month status reports to DEP.)

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

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

5

Vertex's September 2011 RAM Plan lists 9 anticipated RAM activities:

- Field screening of excavated soil for evidence of contamination, with any soil that exhibited elevated total organic vapors or visual/olfactory evidence of contamination temporarily stockpiled pending further characterization;
- Proper off-site transport and disposal of up to 500 cubic yards of excavated soil;
- Proper management of temporary soil stockpiles;
- Potential on-site treatment of soil whose leachate by the Toxicity Characteristic Leaching Procedure (TCLP) exhibits characteristics of hazardous waste, to reduce the leachability of the contaminant(s) of concern;
- Proper management of groundwater pumped from excavations;
- Installation of sub-slab venting systems beneath buildings to be constructed at the property;
- Installation of vapor barriers beneath the foundation slab of buildings to be constructed at the property;
- Potential removal of underground storage tanks (USTs); and
- Dust monitoring.

According to information provided in subsequent RAM Status Reports, Vertex field-screened soil samples between October 31, 2011 and December 6, 2012. Vertex had supervised proper off-site transport of all 'remediation waste' soil excavated from the property as of April 12, 2012 and all pumped 'remediation waste' groundwater as of December 28, 2011. It appears they had completed inspections of all sub-slab venting systems for commercial buildings constructed at the Wayland Town Center as of July 9, 2013 (CMG notes that planned "Building 4-A" on Elissa Avenue has not yet been constructed). Vertex supervised removal of three USTs from the property in December 2011. They conducted dust monitoring from October 31, 2011 through December 5, 2012. Therefore it appears that Vertex completed all RAM activities as of July 9, 2013 (with the possible exception of vapor barrier installations, which are not clearly described in the RAM Status Reports) and thus Twenty Wayland, LLC should have submitted a RAM Completion Report to DEP no later than September 7, 2013.

The Town of Wayland requests that Vertex explain in their final RAM Completion Report why the RAM has remained open for two years longer than appears necessary or warranted. It may also be helpful to explain why the last two RAM Status Reports were delayed, and why there was no RAM Status Report #8 (which Twenty Wayland, LLC should have submitted in July 2015).

2.4 ACTIVITY AND USE LIMITATIONS (AULS)/DEED RESTRICTIONS

II) Vertex discusses four AULs on pages 7 and 8 of the draft RAM Completion Report. The first-discussed AUL is the 1997 Deed Restriction (which is titled "Form 1075 NOTICE OF ACTIVITY AND USE LIMITATION, M.G.L. c. 21E §6 and 310 CMR 40.000" but is not an AUL as defined by DEP regulations, though it contains similar wording). The Town is pleased to see that Vertex has chosen to note this distinction by calling this document a 'Deed Restriction' (as we have previously referred to it) as well as the "site-wide" AUL. In the second paragraph discussing this Deed Restriction, Vertex states that "the existing site-wide AUL will be revised

to allow residential usage of the Subject Site.” Wayland is not aware of any such imminent changes to the Deed Restriction.

Previous property owner Wayland Commons Condominium Trust recorded six partial releases to the Deed Restriction to date (see South Middlesex District Registry of Deeds Book 60534/Page 225, 60670/378, 61006/516, 61349/298, 62040/154 & 62200/357). Five of these partial releases pertain to residential condominium properties within the Wayland Commons subdivision that abuts the Wayland Center development to the northeast, and the other one (Book 62040/Page 154) pertains to a small (1,735-square foot) triangular section of this subdivision abutting the southerly side of the Wayland Town Center access drive from Route 27. Each of these releases states that inclusion of the Wayland Commons Subdivision property in the Deed Restriction was inadvertent.

More importantly, Raytheon Company and Wayland Meadows Limited Partnership also filed an “Easement and Restriction Agreement” associated with the Deed Restriction on October 22, 1997 (see Book 27793/Page 167). This document guarantees Raytheon and the “LSP-of-Record” (currently Mr. John C. Drobinski, P.G., LSP of Environmental Resources Management, Inc.) perpetual access to the former Raytheon property for the purposes of environmental assessment and remediation. Raytheon Company has recorded five amendments to this document (see 53716/187, 58135/120, 62040/184, 62040/201 & 64236/41). The second of these amendments notes a separation of the former Raytheon property into a “Commercial Area” (the Wayland Town Center development) and a “Residential Area.” However, amendments to the Easement and Restriction Agreement do not constitute amendments or releases of the existing Deed Restriction.

As a very minor point, Wayland notes that both the Deed Restriction (“site-wide AUL”) and the Easement and Restriction Agreement were executed on October 21, 1997 but recorded with the Middlesex South District Registry of Deeds the following day (10/22/97).

The Town requests that Vertex incorporate a discussion of the 1997 Easement and Restriction Agreement (and amendments thereto) along with their discussion of the Deed Restriction (“site-wide AUL”) in the final RAM Completion Report. Wayland also requests that Vertex either remove the second sentence of the second paragraph under the “Site-Wide AUL” bullet or cite their source for the referenced future revision of the Deed Restriction to allow residential usage.

III) Under the bullet for “Hamlen Property AUL” Vertex states that this Notice of AUL was filed on January 9, 2006. This document was actually executed on January 26, 2006 and recorded with the Middlesex South District Registry of Deeds on February 8, 2006 (Book 46945/Page 9).

Under the bullet for “Twenty Wayland AUL” Vertex states that an amendment for AUL was filed on August 11, 2004. The notary date under the owner’s signature is August 11, but the signature date for Mr. Anthony J. DeLuca is August 21, 2004. Furthermore, Mr. Drobinski executed his signature as LSP on September 4, 2004 and this AUL Amendment was actually recorded the Middlesex South District Registry of Deeds on September 18, 2004.

Wayland requests that Vertex correct the recording dates for the Hamlen Property AUL and Amendment 1 to the Twenty Wayland AUL in the final RAM Completion Report (and note that these dates were incorrect in previous RAM reports).

TABLES

IV) Table 1 (Summary of Dust Monitoring) of the draft RAM Completion Report provides data for dust monitoring conducted from October 31, 2011 through April 18, 2012. However, Table 5 (Summary of Dust Monitoring) of the January 2013 RAM Status Report #3 provides data from October 31, 2011 through December 6, 2012. Similarly, Table 2 (Summary of Field Screening Results) of the draft RAM Completion Report provides field screening data from October 31, 2011 through December 30, 2011 while Table 1 (Summary of Soil Screening) of RAM Status Report #3 provides field screening data from October 31, 2011 through December 5, 2012. The Town requests that Vertex ensure Tables 1 & 2 in the final RAM Completion Report are comprehensive and include all available relevant data (through December 2012, or later if there is further data available).

APPENDIX B: RESPONSE TO PUBLIC COMMENTS

V) Vertex addressed the July 6, 2015 public notice letter included as Appendix B to Mr. Frederick Turkington. Mr. Frederic Turkington has not been the Wayland Town Administrator since August 2013. Wayland requests that Vertex address this letter to current Town Administrator Ms. Nannette F. Balmer.


Minor Typographic Errors

VI) The Town notes the following:

- Section 2.1, pages 3 & 4 – Brendon Homes, Inc. is misspelled four times as “Brendan Homes, Inc.” (However, this name *is* spelled correctly on Figure 2 of the Vertex draft RAM Plan).
- Third paragraph on page 4 – doubled period at the end of the second sentence; also end of third sentence has extraneous “1” between “unoccupied” and “spaces.”
- Section 4.1.2, page 12 – singular/plural contradiction in first sentence regarding the Dust Tract monitoring, should be “monitors ... record” (not “monitors records”); also space missing in second sentence between words “at” and “the.”
- Section 5.0, page 21 – under ‘Quantity’ in fifth entry in table there should be a zero in the second decimal place for consistency in significant figures (61.70 tons).
- Appendix B – letter “i” missing from “PUBLIC.”

I thank you in advance for your timely response to this commentary on behalf of the Town of Wayland.

Sincerely,
CMG ENVIRONMENTAL, INC.



Benson R. Gould, LSP, LEP
Principal

cc: Mr. Jonathan Hone, Raytheon Company
Environmental Resources Management (John C. Drobinski, P.G., LSP)
Mr. J. Andrew Irwin, Wayland
Ms. Anette Lewis, Wayland
Mr. Lewis Russell, Wayland
Mr. Harvey & Ms. Linda Segal, Wayland
Ms. Kimberly Tisa, U.S. EPA Region I
Congress Group Ventures (% Director Paula Phillips)
Massachusetts DEP (Pat Donahue, Larry Immerman, Karen Stromberg)
National Parks Service (% Jamie Fosberg)
Wayland Board of Health PIP Repository (% Health Director Julia Junghanns)
Wayland Board of Selectmen (% Town Administrator Nannette F. Balmer)
Wayland Conservation Commission (% Conservation Administrator Brian J. Monahan)
Wayland Fire Chief David Houghton
Wayland Public Library PIP Repository (% Director Ann Knight)



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

September 9, 2015

Jeff Mei
China Rose LLC
15 East Plain Street
Wayland MA 01778

Dear Mr. Mei:

This letter is to confirm that at the Board of Selectmen's meeting on Monday, September 8, 2015, you agreed to the Board's continuance of the public hearing on the application filed by China Rose LLC, for an alteration of premises petition at 15 East Plain Street, to the Board's meeting on Monday, October 5, 2015.

The continued hearing is scheduled for October 5, 2015, at 7:15 p.m. in the Selectmen's Meeting Room at the Wayland Town Building, 41 Cochituate Road, Wayland, MA 01778.

Sincerely,

MaryAnn DiNapoli
Executive Assistant
Board of Selectmen



TOWN OF WAYLAND

MASSACHUSETTS

01778

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

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

TOWN BUILDING
41 COCHITUATE ROAD

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

Date: September 11, 2015
To: Board of Selectmen ✓
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective September 10th, 2015:

William Steinberg
Term Expires:

Library Planning Committee
12/31/16

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

cc: Nan Balmer, Town Administrator
Aida Gennis, Chair

RECEIVED

SEP 11 2015

**Board of Selectmen
Town of Wayland**

7

Klein, Beth

From: Ann Knight <aknight@minlib.net>
Sent: Wednesday, September 09, 2015 4:17 PM
To: Klein, Beth
Subject: Fwd: Wayland Library Planning Committee

Bill Steinberg's resignation.
--Ann

----- Forwarded message -----

From: bills@saxeinvestments.com <bills@saxeinvestments.com>
Date: Tue, Aug 18, 2015 at 11:27 PM
Subject: Wayland Library Planning Committee
To: Tom Fay <Tfay@bsctrialattorneys.com>
Cc: Ann Knight <aknight@minlib.net>

Tom, as you know, I have been waiting to officially become a member of the Wayland Real Asset Planning Committee (WRAP), and my membership with that committee has now become official. As such, I am required to resign from any committee which might have a vested interest in any of Wayland's real assets, and the Library Committee is such a committee, and therefore, this shall serve as my formal resignation.

I want to thank you, Ann and the many other members of the Committee for having me as a member. The Committee has done some very wonderful work that should serve as a great foundation towards a new/renewed library facility. The insight I have gained as part of the Library's committee should be very helpful as I work with others to try to create some priorities for the use of the Town's assets as we move forward.

Wishing you the very best as the Committee works to complete the task at hand.

Best regards,

Bill

Bill Steinberg
Mobile: [\(617\) 877-5278](tel:6178775278)
Sent from my iPad

--

Ann F. Knight | Director
WAYLAND FREE PUBLIC LIBRARY
5 Concord Road | Wayland, Massachusetts 01778
Tel 508-358-2311 Fax 508-358-5249
aknight@minlib.net



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

September 11, 2015

Mr. Frank Dougherty
Director of Development
KGI Properties, LLC
10 Memorial Boulevard, Suite 901
Providence RI 02903

Dear Mr. Dougherty, *Frank*

The Board of Selectmen has placed an article on the November 9, 2015 Special Town Meeting warrant to acquire the municipal parcel. The Board requests KGI's permission to allow the public to use the property on Saturday October 17, 2015 (rain date: Sunday October 18, 2015) for a "Pop-Up Park" so that Wayland residents can gain an understanding of the property's potential value to the town. Please see the attached document for a general description of a "Pop-Up Park" and an outline of proposed events.

Event details are as follows:

- Activities are planned from 4:00 - 6:00 p.m.
- One large and six or more small tents would be erected (plan attached). The town will contact Dig Safe as needed.
- The Town Surveyor will flag the proposed municipal parcel, so that the public can understand the size and scope of the area.
- The public will use the existing parking available at Town Center (lot and on-street parking).
- The Town will be responsible for clean-up and trash removal following the event.
- Food will be served and all necessary permits will be obtained.
- Activities at the event would not include fires, sale of goods, or use of alcoholic beverages.
- Wayland Police will patrol the area to insure an orderly event. The Fire Department will also be on-site.
- The event would be publicized in the Town Crier, electronic newsletters, town signboards, flyers, and the school community newsletter.

Upon your approval of the overall plan for the event, Assistant Town Administrator John Senchyshyn will work with you to provide appropriate insurance coverage from the Town's insurance carrier.

Mr. Frank Dougherty
September 11, 2015

Page Two

It would be helpful if portions of the parcel could be mowed to make it easier for the public to move about. A second sketch, attached, suggests the locations of greatest interest. The linear portion would enable the public to see the connections with the rail trail and the river.

Thank you for your consideration of our request. Mary Antes, Vice Chair of the Board of Selectmen, will be acting on behalf of the Board for this event and can be reached at (508) 358-2571.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cherry Karlson".

Cherry Karlson, Chair
Board of Selectmen

WAYLAND POP UP PARK EVENT

October 17, 2015, 4 to 6 pm

Pop up Parks are “free one day local events offering families the chance to be playful, creative, and active outside the home.” Generally pop up parks turn small spaces into vibrant play-spaces, breathing new life into neighborhoods and bringing people together. Pop-up events also invite people to rethink the outdoor space around them. “They help people explore ways of permanently transforming the built environment to bring lasting change.”

Pop up parks have been around at least since 2008 and one website suggests that there is a national if not international pop up park day each September. The June 15th issue of the Boston Globe Magazine featured an article about pop up parks in the Fort Point area. Not to be outdone, an informal group of Wayland residents has come together to plan a pop up park on the proposed municipal parcel to do what pop up parks are designed to do—bring people together to have fun and explore ways of transforming a space.

The primary purpose of this event is to help residents understand where the proposed municipal parcel is and what the land looks like. The term municipal parcel has been used for ten years but many of us have only a general idea of its location. And now that the proposed parcel has more than doubled in size, it is hard to picture how big four acres are. Inviting residents to the site will answer those questions.

A secondary purpose is to help people have fun and explore ways that the site could be used. The group is planning a wide variety of educational and fun activities. The Historical Commission will have an opportunity to talk about early Native American use of the land. OARS may assist with examples of water quality testing. Gardeners, including Russell’s Garden Center, will be available for demonstrations and plant identification. The Council on Aging, Recreation, Library, Planning Board, and other town departments will be invited to participate.

On the fun side, there will be activities for children and adults such as corn hole toss, basketball, dunking for apples, art activities, zumba, yoga, and perhaps a magic show. There is also the possibility of square dancing. And one can’t have a party without food so there will be donations of food and perhaps food demonstrations.

The date is Saturday, October 17th from 4 to 6 pm. (The rain date is October 18th, same time.) Julie Secord is the liaison between the planning group and the staff. The residents planning the pop up park are Marylynn Gentry, Andrew Oppenheim, Seth Roman, Bill Sterling, and Ellen Tohn. The intent is to get sponsors and donations so that no town money is being spent.

PROPOSED ACTIVITIES
October 17, 2015

Exercise/Wellness

Outdoor yoga or zumba
Choosing the correct bike
Exercise stops along walking trail

Games

Corn hole toss
Spike ball
Basketball
Dunk for apples
Badminton
Gaga ball
Board games
Bean bag toss
Ladder ball

Arts

Water color
Beehive Art

Music

Local band
Square dancing

Education

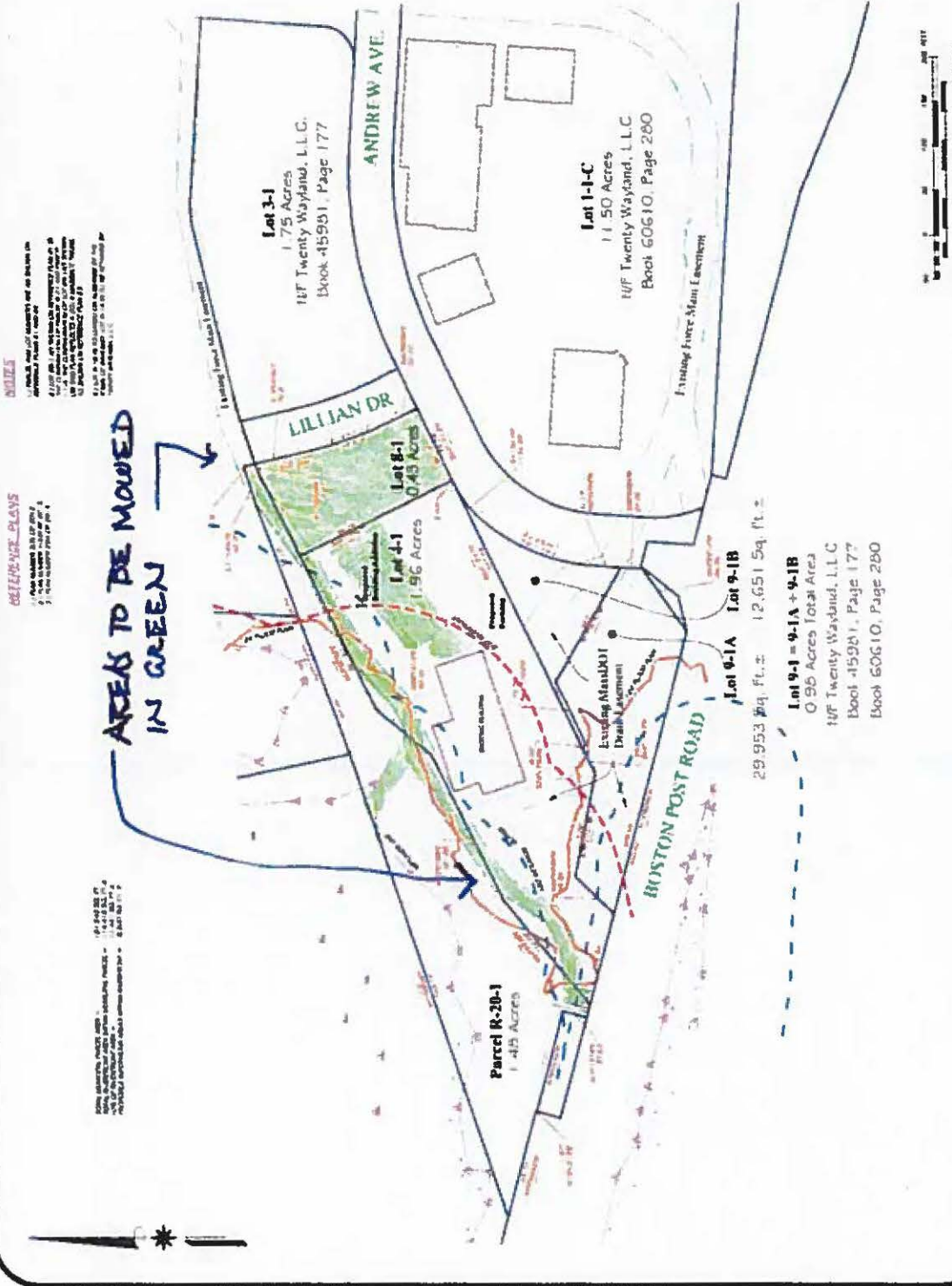
Pruning workshop
Wildflower, invasive identification
Water quality testing
Native American culture
Archeology talk
Rail Trail
Library

Food

Sushi making
Cooking classes
Decorating cupcakes

Other

Magic show
Juggling
Fishing
Hair extensions



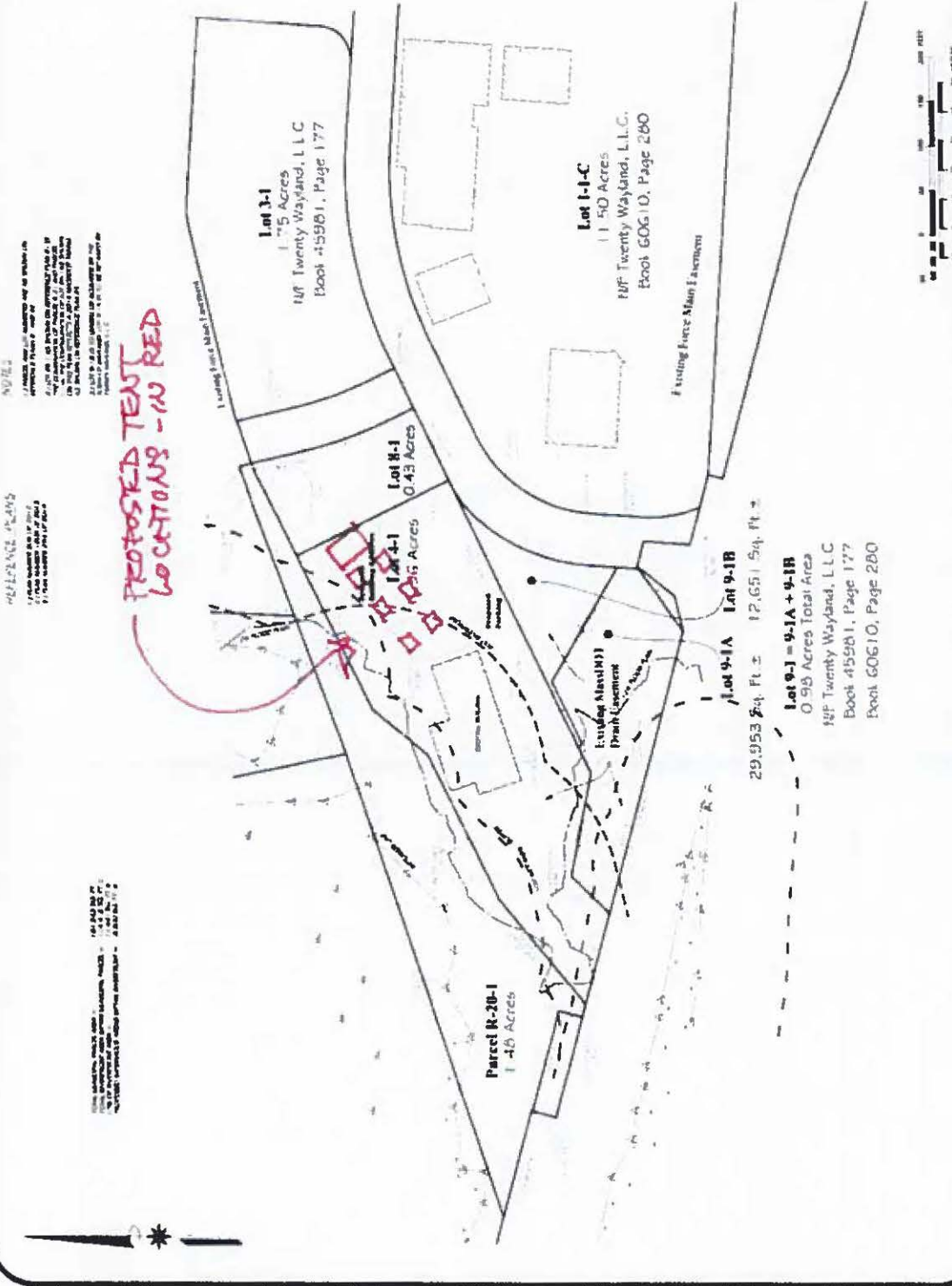
• POP UP PARK EVENT PLAN
10/17/15 4 PM - 6 PM

Project Name	
Project No.	
Scale	
Sheet No.	



Wayland
Massachusetts

Plan of Land
Wayland, Massachusetts
Showing Proposed
Alterations Pursuant to



NOTES

1. THESE ARE THE PROPOSED TENT LOCATIONS AS SHOWN ON THE ATTACHED PLANS. THE TENT LOCATIONS ARE SUBJECT TO THE APPROVAL OF THE BOARD OF SELECTMEN AND THE BOARD OF HEALTH. THE TENT LOCATIONS ARE SUBJECT TO THE APPROVAL OF THE BOARD OF SELECTMEN AND THE BOARD OF HEALTH. THE TENT LOCATIONS ARE SUBJECT TO THE APPROVAL OF THE BOARD OF SELECTMEN AND THE BOARD OF HEALTH.

REFERENCE PLANS

1. PLAN NUMBER 10/17/15

2. PLAN NUMBER 10/17/15

3. PLAN NUMBER 10/17/15

THESE PLANS WERE PREPARED BY THE ARCHITECT AND ENGINEER, AND THE ARCHITECT AND ENGINEER ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION HEREON. THE ARCHITECT AND ENGINEER'S LICENSE NUMBER IS 000000000.

FOR UP PARK EVENT PLAN
10/17/15
4PM - 6PM

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

Jeffrey L. Roelofs
30 Green Street
Newburyport, MA 01950

Newburyport + Boston

Office 978-462-7600
Cell 978-376-1396
Fax 978-462-7610
jlr@roelofslaw.com
www.roelofslaw.com

September 14, 2015

By Hand

Clerk's Office
Middlesex Superior Court, Civil Division
200 TradeCenter
Woburn, MA 01801

RE: Bernstein, et al. v. Wayland Planning Board, et al.
Civil Action No. 2008-0552 (Middlesex Superior Court)

Dear Madam/Sir:

I enclose "Plaintiffs' Emergency Motion for a Stay."

Plaintiffs are requesting, on an emergency basis, a temporary stay of a Memorandum and Order issued by Honorable Justice Kimberly S. Budd on August 26, 2015 (copy included as Exhibit A to the enclosed motion).

Please call me with any questions.

Sincerely,



Jeffrey L. Roelofs

Enclosure

cc: John B. Harkavy, Esq.
Mark Lanza, Esq.
Greg G. Corbo, Esq.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2008-00552

DAVID BERNSTEIN, et al.

Plaintiffs,

v.

WAYLAND PLANNING BOARD, et al.

Defendants.

PLAINTIFFS' EMERGENCY MOTION FOR A STAY

Plaintiffs David and Kathleen Bernstein and Jeffrey and Jill Porter ("Plaintiffs") hereby move on an emergency basis for a stay of the Court's Memorandum of Decision and Order dated August 26, 2015 (copy included in Exhibit A hereto) pending a ruling on Plaintiffs' motion for reconsideration, to be filed shortly pursuant to Rule 9A.

The Court's Order allows the Town to delay installation of permanent, physical turn restrictions at the Glezen Lane-Route 27 intersection. The Order also allows the Town to remove the previously-implemented turn prohibitions in order to conduct a traffic study. Through this motion the Plaintiffs are merely asking the Court to require the Town to continue maintaining the already-implemented turn restrictions pending a ruling by the Court on their motion for reconsideration.

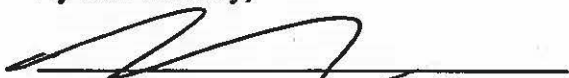
Plaintiffs served their "Motion for Reconsideration or, Alternatively, for a Stay" on September 11 and will file that motion with the Court shortly, pursuant to Rule 9A. In the meantime, the Town defendants have refused to maintain the status quo and have proceeded to

remove the previously-implemented turn restrictions on Glezen Lane. See the email communications between counsel for the Plaintiffs and the Town in Exhibit B hereto.

Traffic volumes on Glezen Lane are currently unsafe, triggering the requirement for further mitigation under the Judgment. More specifically, traffic volumes measured after implementation of the turn restrictions exceed the Maxima specified in the Judgment for triggering implementation of the physical turn restriction provided for in Section I(G)(4) of the Judgment (the traffic volumes exceeding 40% of the Baseline Traffic Volume for Saturday and Sunday (non-commuter days) and 15% of the Baseline Traffic Volume for the specified weekday periods). Accordingly, the Town's removal of already-implemented turn prohibitions presents significant safety concerns.

To be clear, through this emergency motion Plaintiffs are not asking the Court to require the Town to install the physical turn restriction that was the subject of the safety concerns expressed by the Intervenors. Rather, Plaintiffs are merely asking the Court to require the Town to maintain the status quo, that is, to maintain the already-implemented turn restrictions, pending a ruling on their soon-to-be filed motion. There is no justification for the Town's refusal to maintain those turn restrictions during this period.

Respectfully submitted,
PLAINTIFFS DAVID BERNSTEIN, KATHLEEN
BERNSTEIN, JEFFREY PORTER, and JILL PORTER,
By their attorney,



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

Dated: September 14, 2015

CERTIFICATE OF SERVICE

I certify that I caused a copy of the foregoing document to be served upon the defendants by having copies emailed and mailed on this 14th day of September, 2015 to their counsel of record, as follows:

Counsel to Municipal Defendants

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

Counsel to Intervenors

John B. Harkavay, Esq.
Law Office of John B. Harkavay
89 Woodside Avenue
Wellesley, MA 02482


Counsel to Planning Board Defendants

Greg G. Corbo
Kopelman & Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110-1109



Jeffrey L. Roelofs

EXHIBIT A

CLERK'S NOTICE	DOCKET NUMBER 0881CV00552	Trial Court of Massachusetts The Superior Court 
CASE NAME: David Bernstein et al vs. Town Of Wayland Planning Board et al		Michael A. Sullivan, Clerk of Court Middlesex County
TO: Jeffrey L. Roelofs, Esq. Law Offices of Jeffrey L. Roelofs, P.C. 30 Green Street Newburyport, MA 01950		COURT NAME & ADDRESS Middlesex County Superior Court - Woburn 200 Trade Center Woburn, MA 01801
<p style="text-align: center;">You are hereby notified that on 08/28/2015 the following entry was made on the above referenced docket:</p> <p>MEMORANDUM & ORDER:</p> <p>MEMORANDUM OF DECISION AND ORDER ON ELEANOR AND WILDON FARWELL'S MOTION TO INTERVENE & TOWN OF WAYLAND'S MOTION FOR TEMPORARY RELIEF FROM JUDGMENT: Which See (5) pages. ORDER: Based on the foregoing, the Farwells's Motion to Intervene is ALLOWED. The Town of Wayland's Motion for Temporary Relief from Judgment on Count II of the Plaintiffs' Amended Complaint is ALLOWED as follows: the court grants temporary relief from the Judgment on Count II of the Plaintiff's Amended Complaint for either 180 days from the date that this order is entered on the docket, or until further order of this court, whichever comes first. Dated: August 26, 2015</p>		
DATE ISSUED 08/28/2015	ASSOCIATE JUSTICE/ ASSISTANT CLERK Hon. Kimberly S Budd	SESSION PHONE# (781)939-2760

17

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT
CIVIL ACTION
NO. 08-00552

DAVID BERNSTEIN & others¹

vs.

WAYLAND PLANNING BOARD & others²

MEMORANDUM OF DECISION AND ORDER ON ELEANOR AND WILDON FARWELL'S MOTION TO INTERVENE & TOWN OF WAYLAND'S MOTION FOR TEMPORARY RELIEF FROM JUDGMENT

On July 16, 2008, the original parties to this action came to an Agreement for Judgment on Count II of the Plaintiffs' Amended Complaint (Agreement) and simultaneously dismissed Count I. Eleanor and Wildon Farwell seek to intervene as defendants in the above-captioned case under Mass. R. Civ. P. 24(a). In addition, the Town of Wayland seeks temporary relief from the Agreement pursuant to Mass. R. Civ. P. 60(b)(6). For the following reasons, the Farwells' Motion to Intervene and the Town's Motion for Temporary Relief from Judgment on Count II of Plaintiffs' Amended Complaint will both be **ALLOWED**.

BACKGROUND

The present case arises from a dispute regarding an increase in through-traffic on Glezen Lane in Wayland, where plaintiffs reside and where the Farwells have resided

¹ Kathleen Bernstein, Jeffrey Porter, Jill Porter, Susan Reed, William Petri, Arlene Petri, Timothy Marsters, L. Howard Hartley, Marcia Anne Hartley, Richard Mikels, Deborah Mikels, and Michael Bate

² William Steinberg, Albert I Montague, Jr., Daniel Mesnick, Kevin Murphy, and Lynne Dunbrack, as members of the Wayland Planning Board, Anette Lewis, as an associate member of the Wayland Planning Board, Town of Wayland, Wayland Board of Selectmen, Wayland Board of Road Commissioners, and Twenty Wayland, LLC

since approximately 2010. The increase was generated by the Wayland Town Center Project, by which the Town has sought to develop a 56-acre parcel of land consisting of commercial, residential, and municipal building space. The parcel is located between Route 20 to the south and Route 27 to the east. In July, 2008, plaintiffs and the Town entered into the Agreement, without publication to or input from the neighborhood or community at large. The Agreement, in pertinent part, prohibited left turns from Glezen Lane onto Route 27 southbound, and right turns from Route 27 northbound onto Glezen Lane. The Agreement further required the Town to install and maintain physical restrictions preventing such turns if the traffic volume reached a certain level.

The Farwells, as residents of Glezen Lane, seek to intervene on grounds that the delayed response time of emergency vehicles servicing calls from Glezen Lane is an "interest in the subject of the action" sufficient to permit intervention as of right under Rule 24(a). They have submitted an affidavit from Wayland Fire Chief David Houghton stating that, as a result of the Agreement, emergency vehicles seeking to access Glezen Lane will be required to take a route approximately 0.8 miles longer than at present. Fire Chief Houghton's affidavit further states that even if emergency vehicles are exempted from the left turn/right turn prohibitions, the physical restrictions mandated by the Agreement will nonetheless substantially burden their ability to turn safely and efficiently onto Glezen Lane.

The Town separately moves for temporary relief from judgment on the grounds that it should be permitted to conduct a traffic study and propose alternative solutions to the increase in through traffic that would not raise the safety concerns identified by Chief Houghton and the Farwells.

ANALYSIS

A. Motion to Intervene

“[A] judge should allow intervention as of right [under Rule 24(a)] when (1) the applicant claims an interest in the subject of the action, and (2) he is situated so that his ability to protect this interest may be impaired as a practical matter by the disposition of the action, and (3) his interest is not adequately represented by the existing parties.”

Massachusetts Fed’n of Teachers, AFT, AFL-CIO, v. School Comm’n of Chelsea, 409 Mass. 203, 205 (1991). “The question whether the prospective intervener is adequately represented necessarily turns to a comparison of the interests asserted by the applicant and the existing party.” Mayflower Dev. Corp. v. Dennis, 11 Mass. App. Ct. 630, 636 (1981). “[I]f his interest is similar to, but not identical with that of one of the parties . . . he ordinarily should be allowed to intervene unless it is clear that the party will provide adequate representation for the absentee.” Id. at 637 (internal citations omitted).

In the present case, it is clear that the Farwells’ residence on Glezen Lane confers an interest in the subject of this action, specifically an interest in emergency vehicles having adequate access to their home. It is equally clear that there “may be a practical negative impact on the protection of that interest of intervention is not allowed,” insofar as the Agreement requires permanent restrictions on Glezen Lane’s traffic flow to which the Farwells and similarly situated neighbors (Motion to Intervene, Ex. 5) will be subject until and unless they file a separate action. Therefore, the Farwells are entitled to intervene in the present case.

B. Motion for Temporary Relief from Judgment

Rule 60(b)(6) permits a court to “relieve a party . . . from a final judgment, order or proceeding for . . . any . . . reason justifying relief from the operation of the judgment” other than the reasons articulated in Rule 60(b)(1) - (5). “The court . . . has power ‘to vacate judgments whenever such action is appropriate to accomplish justice.’” Mass. R. Civ. P. 60 note, quoting Klapprott v. United States, 335 U.S. 601, 615 (1949). “A motion pursuant to rule 60(b)(6) is addressed to the discretion of the judge” Parrell v. Keenan, 389 Mass. 809, 814 (1983).

The court is mindful of the Supreme Judicial Court’s holding in Thibbitts v. Crowley that there is “no authority to modify [a] consent judgment.” 405 Mass. 222, 223 (1989). However, the SJC specifically distinguished the factual situation in Thibbitts from that in the earlier case Bowers v. Board of Appeals of Marshfield, 16 Mass. App. Ct. 29 (1983). In Bowers, the Appeals Court held that relief was available where “the town selectmen ‘offered as their part of an agreement for judgment a restriction that they lacked the power to impose.’” Thibbitts, 405 Mass. at 228, quoting Bowers, 16 Mass. App. Ct. at 33.


While it would be premature to award permanent relief under Rule 60 in this case, the interveners have raised concerns similar to those in Bowers, specifically whether the Town, in entering into the Agreement, violated the notice requirement of G.L. c. 90, § 18 and/or improperly abdicated its statutory power to regulate the rules of the road under G.L. c. 40, § 22. Therefore, the court will exercise its discretion and grant the Town temporary relief from the pertinent parts of the Agreement, in order to conduct the traffic

study the Town desires and to comply with public bid requirements in the event that the permanent physical alterations contemplated by the Agreement are found enforceable.

ORDER

Based on the foregoing, the Farwells' Motion to Intervene is **ALLOWED**. The Town of Wayland's Motion for Temporary Relief from Judgment on Count II of the Plaintiffs' Amended Complaint is **ALLOWED** as follows: the court grants temporary relief from the Judgment on Count II of the Plaintiffs' Amended Complaint for either 180 days from the date that this order is entered on the docket, or until further order of this court, whichever comes first.

August 26, 2015



Kimberly S. Budd
Justice of the Superior Court

EXHIBIT B

Jeffrey Roelofs

From: Mark J. Lanza <mjlanza@comcast.net>
Sent: Friday, September 11, 2015 5:08 PM
To: Jeffrey Roelofs
Subject: RE: Glezen Lane - Motion for Reconsideration or Stay

Jeff – The Board of Selectmen would not agree to maintain the status quo pending action on your clients' motion. The Board voted today to remove the turn restriction signs until further order of the Board. Thanks. Mark

From: Jeffrey Roelofs [mailto:jl@roelofslaw.com]
Sent: Friday, September 11, 2015 4:34 PM
To: mjlanza@comcast.net
Cc: Jeffrey Roelofs
Subject: RE: Glezen Lane - Motion for Reconsideration or Stay

Mark:

Dave seems to think the Town has lifted the turn restrictions. Please let me know whether the Town is planning to maintain the status quo pending a ruling on the motion I recently served. If not, I plan to file a motion on an emergency basis early next week.

Jeff

Jeffrey L. Roelofs
LAW OFFICES OF JEFFREY L. ROELOFS, P.C.
30 Green Street
Newburyport, MA 01950
Tel (978) 462-7600 | Fax (978) 462-7610
jl@roelofslaw.com | www.roelofslaw.com

From: Jeffrey Roelofs
Sent: Tuesday, September 8, 2015 1:34 PM
To: mjlanza@comcast.net
Cc: Jeffrey Roelofs <jl@roelofslaw.com>
Subject: RE: Glezen Lane - Motion for Reconsideration or Stay

Mark:

Please confirm that the Town is willing to continue maintaining the previously implemented turn prohibitions pending a ruling on this motion – basically, to maintain the status quo. If not, I will have to file an emergency motion for a stay, which will unnecessarily complicate matters for all parties.

Thank you,

Jeff

Jeffrey L. Roelofs

LAW OFFICES OF JEFFREY L. ROELOFS, P.C.
30 Green Street
Newburyport, MA 01950
Tel (978) 462-7600 | Fax (978) 462-7610
jl@roelofslaw.com | www.roelofslaw.com

From: Mark J. Lanza [<mailto:mjlanza@comcast.net>]
Sent: Tuesday, September 8, 2015 1:18 PM
To: Jeffrey Roelofs <jl@roelofslaw.com>; 'John Harkavy' <jharkavy@harkavylaw.net>
Subject: RE: Glezen Lane - Motion for Reconsideration or Stay

Jeff – Thanks for sending me the motion and affidavit via e-mail. I was away on vacation when it was sent. Please confirm that the deadline for serving opposition is 10 days from today, 9/18/15. Thanks. Mark

From: Jeffrey Roelofs [<mailto:jl@roelofslaw.com>]
Sent: Friday, September 4, 2015 4:41 PM
To: Mark Lanza; John Harkavy; gcorbo@k-plaw.com
Cc: Jeffrey Roelofs
Subject: Glezen Lane - Motion for Reconsideration or Stay

Mark, Greg and John:

Attached are PDF copies of "Plaintiffs' Motion for Reconsideration or, Alternatively, for a Stay" and the accompanying "Affidavit of Kim Hazarvartian" that I just served by mail pursuant to Sup. Ct. Rule 9A.

Please call me if you would like to discuss.

Thank you,

Jeff

Jeffrey L. Roelofs
LAW OFFICES OF JEFFREY L. ROELOFS, P.C.
30 Green Street
Newburyport, MA 01950
Tel (978) 462-7600 | Fax (978) 462-7610
jl@roelofslaw.com | www.roelofslaw.com



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOS

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

Wayland Board of Health Director's Report September 9, 2015

RECEIVED

SEP 11 2015

Board of Selectmen
Town of Wayland

Septic work and building approvals- Things continue to be very busy for office staff with construction, soil testing and field work. We have continued to receive many building approval applications and requests for soil testing.

Department Heads meeting-I attended this meeting and provided an update of Health Dept. activities including flu clinic preparation and dates planned for large community clinics as follows; October 7, 14, 28 from 2 to 7pm. Town Building staff will be advised when vaccinations will take place and PHN/Nurse Leader Ruth Mori will make arrangements to go over to PSB to vaccinate as well as other off site locations.

Possible new restaurant-Food inspector Beth Grossman and I met with a representative who is considering leasing the area where JJ McKay's was located. We are currently going over the septic capacity and what can be accommodated. The plan will be to re-do the entire inside of the restaurant.

Food inspections at the schools have been completed for opening by Food Inspector, Beth Grossman.

Arts Fair-Office staff and Food Inspector Beth Grossman are working with the organizer of this event which is being held on 9/19 to ensure safe food handling at the event. Inspections will be conducted during the event before opening for the day also.

Mosquitoes-at this time Wayland is still in a low risk category for mosquito-borne illness and we have not had any positive test results for disease in mosquitoes.

Inventory/cleanout of 2 MRC Emergency Trailers-Office staff has completed inventory and cleanout of the 2 trailers. We are in the process of determining re-stocking needs, and supplies for trailer storage. New tires are needed for trailer 1, and a window hatch cover.

Lee's Farm- I attended 2 meetings with the owners of Lee's Farm. Other Town staff were also in attendance. They are looking to get needed town approvals to open the farm stand with some retail and will need a septic system design also. They had originally planned to share the septic that serves the Assisted Living Facility.

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



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

September 3, 2015

Michael Staiti
Keystone Development
910 Boston Post Road East, Suite 310
Marlborough, MA 01752

RE: Order of Conditions and Chapter 194 Permit for 5 Erwin Road, Wayland (DEP File 322-846)

Dear Mr. Staiti:

Enclosed please find the original Chapter 194 Permit and Order of Conditions, including Attachment A, for the home addition project at 5 Erwin Road, Wayland. **You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit.** The Order and Permit must both be filed at the Middlesex South Registry of Deeds. Thereafter, evidence of the recording must be submitted to the Commission prior to commencing work.

Written notice must be submitted to the Conservation Commission not less than two or more than five business days prior to the commencement of the work permitted by these decisions. All submissions must refer to the DEP file number and condition or conditions, which the submission is intended to address.

Please note that any modification of your plans must be reported to the Commission and may necessitate either an amendment to the Order of Conditions or the submission of a new Notice of Intent. If you have any questions, please call 508-358-3669.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enc. (2 Original Decisions)

cc: Town Clerk w/enc.
DEP NERO w/enc.
Building Commissioner w/enc.
Drake Associates Inc. w/enc.
Nancy Osborn w/enc.
Board of Selectmen
Board of Health
Planning Board
Town Assessor
Abutters
File

RECEIVED

SEP -3 2015

Board of Selectmen
Town of Wayland



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

September 9, 2015

Ben Stevens
Trask Development
30 Turnpike Road, Suite 8
Southborough, MA 01772

RE: Order of Conditions and Chapter 194 Permit for 32/34 Covered Bridge Lane, Wayland
(DEP File 322-843)

Dear Mr. Stevens:

Enclosed please find the original Chapter 194 Permit and Order of Conditions, including Attachment A, for the home construction projects at 32/34 Covered Bridge Lane, Wayland. **You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit.** The Order and Permit must both be filed at the Middlesex South Registry of Deeds. Thereafter, evidence of the recording must be submitted to the Commission prior to commencing work.

Written notice must be submitted to the Conservation Commission not less than two or more than five business days prior to the commencement of the work permitted by these decisions. All submissions must refer to the DEP file number and condition or conditions, which the submission is intended to address.

Please note that any modification of your plans must be reported to the Commission and may necessitate either an amendment to the Order of Conditions or the submission of a new Notice of Intent. If you have any questions, please call 508-358-3669.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enc. (2 Original Decisions)

cc: Town Clerk w/enc.
DEP NERO w/enc.
Building Commissioner w/enc.
Samiotes Consultants, Inc. w/enc.
Covered Bridge Inc. w/enc.
Board of Selectmen
Board of Health
Planning Board
Town Assessor
Abutters
File

RECEIVED

SEP - 9 2015

Board of Selectmen
Town of Wayland

(12)



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

September 14, 2015

Andrei Schor
37 Campbell Road
Wayland, MA 01778

RE: Order of Conditions and Chapter 194 Permit for 37 Campbell Road, Wayland (DEP File 322-849)

Dear Mr. Schor:

Enclosed please find the original Chapter 194 Permit and Order of Conditions, including Attachment A, for the home construction project at 37 Campbell Road, Wayland. **You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit.** The Order and Permit must both be filed at the Middlesex South Registry of Deeds. Thereafter, evidence of the recording must be submitted to the Commission prior to commencing work.

Written notice must be submitted to the Conservation Commission not less than two or more than five business days prior to the commencement of the work permitted by these decisions. All submissions must refer to the DEP file number and condition or conditions, which the submission is intended to address.

Please note that any modification of your plans must be reported to the Commission and may necessitate either an amendment to the Order of Conditions or the submission of a new Notice of Intent. If you have any questions, please call 508-358-3669.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enc. (2 Original Decisions)

cc: Town Clerk w/enc.
DEP NERO w/enc.
Building Commissioner w/enc.
Sudbury Kitchens and Baths w/enc.
Board of Selectmen
Board of Health
Planning Board
Town Assessor
Abutters
File

RECEIVED

SEP 15 2015

Board of Selectmen
Town of Wayland

13



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

September 16, 2015

David Todd
90 Dudley Road
Wayland, MA 01778

RE: Order of Conditions and Chapter 194 Permit for 90 Dudley Road, Wayland (DEP File 322-848)

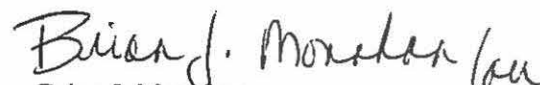
Dear Mr. Todd:

Enclosed please find the original Chapter 194 Permit and Order of Conditions, including Attachment A, for the septic and home construction project at 90 Dudley Road, Wayland. **You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit.** The Order and Permit must both be filed at the Middlesex South Registry of Deeds. Thereafter, evidence of the recording must be submitted to the Commission prior to commencing work.

Written notice must be submitted to the Conservation Commission not less than two or more than five business days prior to the commencement of the work permitted by these decisions. All submissions must refer to the DEP file number and condition or conditions, which the submission is intended to address.

Please note that any modification of your plans must be reported to the Commission and may necessitate either an amendment to the Order of Conditions or the submission of a new Notice of Intent. If you have any questions, please call 508-358-3669.

Sincerely,


Brian J. Monahan
Conservation Administrator

Enc. (2 Original Decisions)

cc: Town Clerk w/enc.
DEP NERO w/enc.
Building Commissioner w/enc.
Sullivan, Connors & Associates, Inc. w/enc.
Board of Selectmen
Board of Health
Planning Board
Town Assessor
Abutters
File

RECEIVED
SEP 17 2015
Board of Selectmen
Town of Wayland

(14)



TOWN OF WAYLAND
MASSACHUSETTS
01778

Selectmen

BOARD OF APPEALS

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

DECISION NO. 15-18

NAME OF APPLICANT:

John and Rania Bartick

APPLICATION FOR:

Any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure (demolish existing enclosed porch and construct a new extended family room) within required front yard under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3, 702, and 801 – Table of Dimensional Requirements (front yard). The property is located at 11 MAGUIRE ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-18)

DATES OF HEARING:

September 8, 2015.

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Eric Goldberg, Aida Gennis, Thomas White, Michael Connors and Linda Segal.

DECISION:

Special Permit granted, with conditions.

VOTE OF BOARD:

Unanimous (5-0).

RECEIVED

SEP 14 2015

Board of Selectmen
Town of Wayland

15

CONDITIONS:

1. Construction shall be in substantial conformity with the plans filed with the Building Department August 13, 2015 dated August 7, 2015 as well as the Survey also filed with the Building Department on August 13, 2015 dated August 5, 2015.
2. The Applicants 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 11 Maguire Road. The Applicants seek zoning relief as may be necessary to “demolish existing enclosed porch and construct a new extended family room”. The property is pre-existing non-conforming due to insufficient lot area and Front Yard Setbacks. The proposed addition is an extension of the house parallel to the Front Yard Setback along Grace Road. This extension does not intrude further into the Front Yard Setback.

Because the Applicants seek 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 Applicants need 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.” The current house contains 1,455 square feet of Gross Floor Area. The new construction will add 192 square feet of Gross Floor Area. This results in 1,647 square feet of total Gross Floor Area which is an increase in Gross Floor Area of approximately 13.19%.

Under § 203 of the bylaw, in order for the applicants to receive a special permit, they 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, Eric Goldberg, asked whether any members of the public wished to be heard. Nobody in the audience was present in favor or against the Petition

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 Petition to “demolish existing enclosed porch and construct a new extended family room” will not be substantially more detrimental than the existing nonconforming structure to the neighborhood and votes unanimously to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING OF DECISION:

BY ORDER OF THE BOARD


September 14, 2015


Michael Connors, Member

CERTIFICATION:

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

BOARD OF APPEALS


Michael Connors, Member

Selectmen



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

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

A public hearing will be held on September 29, 2015 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following applications at the time indicated:

- 7:00 p.m. Application of JAE and JAMES LEE for any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (construct garage with two bedrooms above) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 401.1.3 and 1601. The property is located at 35 WOODLAND AVE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-19)

- 7:15 p.m. Administrative Appeal of the Building Commissioner's decision dated July 28, 2015 denying a building permit for the subject premises under the Town of Wayland Zoning By-laws Chapter 198 Sections 201, 202 and 205. The property is located at 150 MAIN STREET which is in a BUSINESS DISTRICT A and SINGLE RESIDENCE DISTRICT.

RECEIVED

SEP 11 2015

Board of Selectmen
Town of Wayland

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

BOARD OF APPEALS

Eric Goldberg
Aida Gennis
Michael Connors
Thomas White



Town of Wayland Massachusetts

Finance Committee

- Tom Abdella
- Carol Martin
- Nancy Funkhouser (Chair)
- Bill Steinberg
- Gil Wolin
- Gordon Cliff
- David Watkins

Meeting Minutes August 17, 2015 Final

Attendance: Committee members B. Steinberg, C. Martin, D. Watkins G. Cliff, G. Wolin (participated remotely by phone) N. Funkhouser, and T. Abdella. Brian Keveny (Finance Director), Nan Balmer (Town Administrator) also attended as well as a number of members of the public and various presenters for specific topics as noted in the minutes below.

7:00 Call to Order

The meeting was called to order in the Board of Selectmen's meeting room at Town Building at 7 PM. N. Funkhouser announced that the meeting was being recorded by WayCam, and that G. Wolin would be participating by phone due to geographic distance. G. Cliff volunteered to prepare draft meeting minutes.

7:05 Public Comment & Members' Response to Public Comment

NONE.

7:15 Finance Director's Report

B. Keveny reviewed the Pre Close Fiscal 2015 Status Report (see attachments). As of July 20, 2015 Wayland collected 101% of 2015 budgeted revenue. Motor vehicle excise revenue was \$335 k (16%) greater than budget mostly due to an unusual level of collection of payments from prior years. Unbudgeted revenue was \$2.1 m, with the largest components being OPEB transfer, bond premium, prior year real estate collections, and tax title liens. Actual expenditures were below budget by \$1.9 m. The biggest sources of favorable budget variance were reserve fund, insurance 32B, and reserve for salary adjustments. Actual expenditures for most "operating" departments came in at or just below budget, which is good. Water Enterprise fund YTD revenues were at 113% and expenses were at 97% of plan. G. Cliff asked for clarification as that given the way the data is presented the bottom of the page shows that revenues were at 89% of plan and expenditures were at 104% of plan. G. Cliff asked that at a future meeting we look at the accounting and/or presentation of the Water Enterprise Fund

results. Wastewater Enterprise Fund revenues were well over plan, mostly due to one-time unapportioned WW betterment at Town Center. Results of the Ambulance Revolving Fund, the Transfer Station Fund, and Recreation Fund were all good. G. Cliff asked that at a future meeting that FinCom (or off-line with B. Keveny he) get more information about how accounting for the Ambulance Revolving Fund works and how we are confident that revenues are above "appropriately-costed" expenditures.

B. Keveny reviewed the Fall 2015 Town Meeting Report covering recommended transfers. In the Water Enterprise Fund an indirect cost transfer to the general fund of \$332k is required that was inadvertently not included in the voted appropriation. For the same reason a transfer of \$25 k is required for the Wastewater Enterprise Fund. In addition a transfer of \$15 k to the Water Enterprise fund is needed to cover the net incremental cost after insurance resulting from an accident involving one of the town's trucks. These transfers will not result in any change in the General Fund.

B. Keveny reviewed the Free Cash Recommendation Fall Town Meeting Report. The report recommends a use of \$1.6 m Free Cash to further reduce taxation. Free Cash is higher than expected due to higher than expected revenue and lower than expected expenditures. The \$1.6 m recommendation would leave Free Cash close to the original plan of \$5.2m, which is roughly 7.1% of the operating budget.

7:51 Community Preservation Committee & Wayland Housing Authority

Gretchen Schuler, Susan Weinstein and several others came to make a request that FinCom consider supporting an article at Special Town Meeting in November to provide funding required to complete the fire suppression system in Cochituate Village Apartments. Voters previously approved \$0.5 m to start the project using CPC funds but the full project will require \$0.5 of additional funding and some have argued that it would make sense to have funds approved and available to do the entire project rather than just what can be done with the current approved amount of \$0.5 m.

FinCom members discussed the possibility that we support the additional \$0.5 m at Special Town Meeting in November. One issue is that FinCom tries very hard to only consider capital requests as part of the CIP process which occurs as part of Annual Town Meeting in the spring. N. Funkhouser summarized the discussion that there would need to be a compelling reason to try to consider this project as a special item for November and absent that we would prefer to see this request be included in the normal CIP process for next year's Annual Town Meeting.

8:25 Liaison Reports/Updates and Assignments for FY16

N. Funkhouser provided two handouts (see attachments). She started with a short discussion of the FinCom liaison role. She cautioned that liaisons should not "get too much in the details" and that the liaison role is primarily to be just a relayer of information. B. Steinberg observed that the liaison role should not preclude other

FinCom members reaching out directly to people in other departments, and that liaisons don't overstep/try to represent the overall FinCom's point of view unless they have been asked to do so. Committee members discussed and agreed on new assignments as reflected in the updated 2016 liaison assignments (see attachments).

Committee members provided informational updates on their areas.

8:30 Fall 2015 Special Town Meeting

N. Funkhouser distributed a draft of the 2015 Special Town Meeting Schedule (see attachments). Nan Balmer went through a list of 13 potential articles.

Use of Free Cash. As noted above B. Keveny had recommended \$1.6 m. G. Cliff recommended \$2.2 m, arguing that 5-7% range should be sufficient and that 6% is the mid-point of that range, which should be comfortably safe. B. Keveny described his logic of \$1.6m as getting us back to a Free Cash level close to the previously agreed estimate of \$5.2m. B. Steinberg observed that when FinCo examined this several years ago we reviewed analyses and determined 5-10% was an appropriate range, and has some concerns that health care costs might be increasing. B. Steinberg recommended that we should include \$0.3 m to adjust for borrowing for roads, resulting in a recommendation of \$1.9m. FinCom members discussed the three alternatives presented. G. Cliff made a motion that we recommend \$1.9 m be appropriated from Free Cash to the General Fund to reduce taxation, which B. Steinberg seconded. Based on discussion G. Cliff then amended his motion to be \$2.0 m which B. Steinberg seconded. By roll call vote, the motion passed unanimously with all 7 members of the Committee voting yes. The specific votes were: D. Watkins Yes, T. Abdella Yes, W. Steinberg Yes, N. Funkhouser Yes, C. Martin Yes, G. Cliff Yes, G. Wolin Yes.

Transfers. FinCom discussed the recommendations on transfers B. Keveny had made as noted above. G. Cliff moved that we approve the current year transfers as shown in the Fall 2015 Town Meeting handout totaling \$371,013, which was seconded by C. Martin. By roll call vote, the motion passed unanimously. The specific votes were: G. Wolin Yes, D. Watkins Yes, T. Abdella Yes, W. Steinberg Yes, N. Funkhouser Yes, C. Martin Yes, and G. Cliff Yes.

N. Funkhouser explained that FinCom needs to assign two members to WRAP. T. Abdella and B. Steinberg have agreed to be our delegates. C. Martin moved that T. Abdella and B. Steinberg be assigned as FinCom's representatives on WRAP, which was seconded by N. Funkhouser. By roll call vote, the motion passed unanimously with all 7 members of the Committee voting yes. The specific votes were: G. Wolin Yes, D. Watkins Yes, T. Abdella Yes, W. Steinberg Yes, N. Funkhouser Yes, C. Martin Yes, and G. Cliff Yes.

9:23 Preliminary FY17 operating budget guideline discussion

N. Funkhouser introduced the topic by reminding us that this was a very preliminary discussion. G. Cliff observed that the initial communication is an important document because it sets the tone for what FinCom wants to achieve, and that it is important that the memo is consistent with FinCom's duties according to the Bylaws. He also observed that we may want to include some emphasis on 2.5% as a comparative level of expenditure increase to consider. T. Abdella agreed that we should be willing to consider significant changes and that we should put more emphasis on the Director of Finance and Town Administrator playing the roles of working with departments to come up with recommended budgets. B Steinberg suggested (and members concurred) that G. Cliff develop a marked-up draft of a revised budget guidelines memo for review and discussion at our next FinCom meeting. Members discussed whether we can take steps to get the School Committee to conduct its budget process earlier in order to better fit into FinCom's omnibus operating budget schedule.

9:45 Member's Reports, Concerns, and Topics and Schedule for Future Meetings

D. Watkins discussed the Finance Committee list of Peer Towns and the need to review it one more time as a future agenda item to make sure we have the correct agreed list. C. Martin mentioned that the most recent Long Range Plan is not on the FinCom website and should be. G. Cliff asked that at a future meeting we discuss the FinCom's Debt Management Policy. T. Abdella suggested that at a future meeting we go through the FinCom website to make sure it is up to date. T. Abdella distributed a handout about an upcoming Mass Fin Com association ("ATFC") event as well as getting an updated copy of the FinCom association handbook (see attachments). D. Watkins distributed a transcript of the June 17 FinCom meeting to consider as an option to do regularly in the future (see attachments). He also distributed draft meeting minutes from the same meeting (see attachments). He also distributed an OML Checklist of AG comments about meeting minutes (see attachments).

10:04 Chair's Update

N. Funkhouser stressed the need to be prompt in producing meeting minutes. She distributed a list of prior meeting minutes status, noting ones that appear to be missing (see attachments). As noted above, D. Watkins had earlier distributed draft meeting minutes for Jun 17. N. Funkhouser suggested that we review these draft minutes, and comment on them if needed and approve them at the next FinCom meeting. G. Cliff suggested that we consider following the Board of Selectmen procedure for distributing materials before the meeting and making them available to the public at the same time by posting them on FinCom's website. N. Funkhosuer distributed a preliminary schedule for Annual Town Meeting next spring. (see attachments). N. Funkhouser provided an update on communication from the AG's office on pending OML complaints - one was decided in our favor and one against. She will review them and provide a summary of all OML complaints at a future FinCom meeting. FinCom members discussed potential dates for future FinCom meetings and tentatively agreed on Aug 31 and Sept 8.

At 10:20 pm a motion was made and seconded to adjourn the meeting. By roll call vote, the motion was voted unanimously with all members present voting yes.

Attachments

Pre Close Fiscal 2015 Budget Status Report
Fall 2015 Town Meeting (re; transfers)
Free Cash Recommendation Fall Town Meeting
(FinCom) FY15 Liaison Assignments
Board of Selectmen Portfolio Assignments
(FinCom) FY16 Liaison Assignments (as agreed at the meeting)
2015 Special Town Meeting Schedule
ATFC Annual Meeting announcement
June 17 Meeting Transcript
June 17 Meeting Minutes (draft)
OML Checklist
Meeting Minutes status
2016 Annual Town Election/Annual Town Meeting Schedule

Respectfully Submitted,
Gordon Cliff

NAME OF BOARD/COMM: Surface Water Quality Committee

FILED BY: Bob Goldsmith, Co-chairman

DATE OF MEETING: Tuesday September 1, 2015

TIME OF MEETING: 6:30 PM (scheduled)

PLACE OF MEETING: Mansion Beach, Dudley Pond

ATTENDING: Bob Goldsmith, Tom Largy, Mike Lowery, Toni Moores (by telephone, due to distance)

Lin and Joan Bradford, Tonya Largy, Kathy McIsaac, Doron Almog
(President of the Dudley Pond Association)

MINUTES

Before the meeting came to order, Mike Lowery took the committee members on his pontoon boat for a survey of weeds in Dudley Pond. A very high density of tapegrass and clasping leaf pondweed was evident. The density of Eurasian milfoil was sparse.

1. The meeting came to order at 6:43 PM
2. Minutes of the August 18, 2015 meeting were approved by roll call vote, 4-0
3. No public comment
4. Dudley Pond (Mike and Toni reporting)
 - a. The problem of tapegrass and clasping leaf pondweed was discussed. A motion to contract ACT for a survey and assessment of removal methods was approved 4-0 (roll call vote). Mike will draft a letter for Bob and Tom to review.
 - b. Mike will talk with Brian Monahan about a new NOI for dealing with these weed infestations.
 - c. Mansion Beach has been closed due to E. Coli levels exceeding the State approved level for swimming. The last two readings were acceptably low (<60 & 47 CFU/100ML), to be compared with the State limit of 235), and the pond will be reopened for swimming.
5. Sudbury River
 - a. Mike has asked DPW to evaluate the potential problem of creosote from boards on the Sherman's Bridge Road bridge over the river. There is a plan to resurface the bridge and for new boards this could be problematic.
6. Heard Pond (Tom reporting)
 - a. YTD water chestnut plants pulled are ca. 2,500 plants. This may be compared to 591 plants three years ago. This clearly is an infestation that can be expected to continue indefinitely. Fortunately, the number of plants found each year is sparse enough to permit control with a very modest cost hand pulling program.
 - b. Tom will try to get continued funding for this year's work, and three more years, from the Nyanza grant that has funded the last three years efforts.
7. Lake Cochituate.
 - a. DCR has now applied herbicide for portions of the lake other than North Pond, as permitted by Natick ConCom. Hand pulling was performed in North Pond. The Rec.

Dept. is happy with the work done at the Town beach.

8. Mill Pond (Tom reporting).
 - a. Tom agreed to write an article about the cleanup for The Crier.
 - b. Tom requested that funds for cleanup in the middle section of the pond be included in the FY16 budget.
9. Other
 - a. Next meeting date will be Sept. 15th. As Lin has not formally submitted his resignation, he will attend to make a quorum of three present.
 - b. Committee members are to submit their sections for the Annual report to Toni by September 15th. The SWQC portion of the Town's Annual Report is due at the end of the month.
 - c. The committee thanked Lin and Bob for their service on the committee as both are leaving. The board also discussed how to source qualified replacements.
10. Budget
 - a. Bob will ask Brian Keveny for funds remaining in the SWQC and DPA budgets.
 - b. Bob will draft a FY16 budget for review at the next meeting.
11. Invoices approved by 4-0 roll call vote: (a) ACT for Mill Pond hydroraking for \$5,600 and (b) C.W. Moores for \$608.90 for purchase of replacement components of the YSI meter.
12. Adjourned by a roll call vote of 4-0 at about 8:20 PM.

West Suburban Veterans District – June 10, 2015

Location: Wellesley Town Hall, Great Hall

Present: Chris Coleman, Hans Larsen, and Donna VanderClock

Also present: Matt Ching and Sally Rose (Kate Fitzpatrick, John Senchyshyn and Stanley Spear were absent)

Call to order: Meeting called to order at 4:00 pm.

Business:

1. Citizen Speak

None

2. Minutes

The Board voted (3-0-0) to approve the minutes of the April 2, 2015 meeting.

3. Director's Update

Mr. Larsen and Ms. Rose provided a brief update on Mr. Spear's health. He moved recently from the Clark House in Westwood to the Golden Living Center in Norwood. He is hoping to have surgery on his left hip in mid August and regain sufficient strength to be able to return to work in mid September. As Mr. Larsen stated these dates may be overly optimistic and Mr. Spear could be out for much longer. Mr. Larsen explained that as of June 21st Mr. Spear will be going on Wellesley's LTD policy, and therefore, will no longer be on the WSVD payroll.

Realizing that with Mr. Spear's absence it is too much to ask Mr. Ching to continue to cover 4 communities, Mr. Larsen reached out to Mr. Dick Dillon, the former Wellesley VSO, to seek his assistance on an interim basis. Mr. Dillon said he is more than willing to help with the public Veteran displays such as Memorial Day, Flag Day, September 11th, Veterans' Day, etc., but, due to his health, he is unable to work in the Wellesley office. Mr. Larsen and Mr. Ching will continue to find a suitable VSO replacement to assist with meeting the myriad needs of the District's veterans.

Mr. Larsen and Ms. Rose reviewed the Chapter 115 benefit status of all member towns. All communities look to be in good shape for the remaining few weeks of FY15. With regard to the FY16 budget, in July two invoices will be mailed out to each town. One invoice will be the annual assessment charged to each community for District costs. The second invoice will be for Chapter 115 benefits during the period July 1, 2015 – December 31, 2015.

In early May when Mr. Ching and Mr. Larsen met with Mr. Francisco Urena, they delivered the WSVD recertification request letter. This request was subsequently approved.

The Board discussed each town's status in terms of becoming a Purple Heart Community. Wayland has done so and at the June 8th BOS meeting they announced that they were now a designated Purple Heart Community. Needham has a draft application and a recommendation to become a Purple Heart Community is going to be made at the next selectmen's meeting on June

23rd. Wellesley plans to submit an application shortly. Each community needs to order Purple Heart flags to be flown each year on August 7th.

Given the ongoing absence of Mr. Spear, the Board agreed to suspend evening office hours in Wayland and Weston. Ms. Rose will remove the information from the WSVD website and contact MaryAnn DiNapoli in Wayland and Kara Fleming in Weston to have them remove any notices pertaining to the evening office hours. Mr. Ching will continue to make accommodations to meet with veterans and their families at convenient times.

The Board revisited the issue of tracking software. Mr. Glenn Barber from Salesforce.com contacted Ms. Rose to determine if the District has any further interest in their product. In their recent meeting with Secretary Urena, Mr. Ching and Mr. Larsen discussed the potential value of tracking software to all Massachusetts VSOs. The Secretary said that at the moment the state has no funds available for such an outlay. Mr. Coleman suggested discussing this need with Geoff Beckwith, MMA Director. The Board also discussed the possibility of applying for some type of regionalization or Metrowest grant.

Mr. Ching expressed his strong desire to attend the VSO Training in Annapolis in August. He is currently waitlisted for the conference. On June 16th and 17th he will be attending the Annual Meeting of the MVSOA in West Yarmouth.

4. Old/New Business

Mr. Ching shared two items, a certificate and a photograph, which he had received from Daniel Patterson, a Wayland resident who is currently serving as a First Sergeant in the 182nd ASMC stationed in Kabul, Afghanistan. The certificate, signed by Daniel Patterson and Joseph Puliafico, the 182nd ASMC Commander with Operation Resolute Support, states that the enclosed American Flag was proudly flown over the Hamid Karzai International Airport, in Kabul, Afghanistan on May 25, 2015. A group photograph of the 182nd ASMC was enclosed and Mr. Ching pointed out which uniformed individual was Mr. Daniel Patterson. The certificate and photograph will be framed and displayed in the Veteran's Office in Wayland.

The date of the next meeting was set as September 22nd at 4:00 pm.

5. Executive Session

At 4:45 the Board was polled. All polled aye to go into executive session to discuss negotiations with non-union personnel.

(See Executive Session minutes attached.)

West Suburban Veterans District - Executive Session - June 10, 2015

Location: Wellesley Town Hall, Great Hall

Present: Chris Coleman, Hans Larsen and Donna VanderClock

In light of the continued absence of Mr. Spear, the Board discussed the payment of additional, temporary compensation to Mr. Ching. Mr. Larsen indicated the FY15 budget could accommodate a modest additional cost. **The Board voted (3-0-0) to authorize Mr. Larsen to make appropriate arrangements.** Mr. Larsen committed to keep the other members of the Board apprised of these arrangements.

At 5:00 the meeting was adjourned.

Municipal Affordable Housing Trust Fund (MAHTF)

Meeting Minutes—August 11, 2015

Wayland Town Building

Attendance: Mary Antes; Brian O’Herlihy; Kevin Murphy; Jacqueline Ducharme; Susan Weinstein (arrived at 7:45 PM)

Absent: Stephen Greenbaum

Others in Attendance: Brian Boggia, Executive Director, Wayland Housing Authority

Materials Distributed:

- Draft of the July 1, 2015 MAHTF minutes
- August 2015 MAHTF Agenda
- Financial Statements (unaudited) for the period of October 4, 2014 to June 30, 2015
- Draft list of possible items to include in the Wayland Affordable Housing Trust Fund web-site
- Wayland Community Fund Resource List

Open Meeting: Mary Antes called the meeting to order at 7:35 PM at the Wayland Town Building

Public Comment: None

Notes:

1. The Trustees reviewed the July minutes. Brian O’Herlihy moved that the minutes be approved as amended. Mary Antes seconded the motion. Motion approved 3-0-1 abstention.
2. **Treasurer’s Report:** Brian O’Herlihy reviewed the financial statements (unaudited). He did ask the town’s Finance Director about the cost of having the Town’s independent audit firm complete an audit of the MAHTF accounts for the period October 4, 2014 to June 30, 2015 and he is waiting to hear back from the Finance Director. There was a discussion about whether or not the audit requirement contained in Section 8.1 of the Declaration of Trust could be waived by the Trustees given the limited financial activity. The Trustees concluded that an audit should be performed whether or not they had the ability to vote to waive such provision.
3. Susan Weinstein requested that the Trustees consider providing some funding toward the Cochituate Village Apartments (“CVA”) Fire Suppression System. Susan Weinstein reported that Community Preservation Committee (“CPC”) has provided \$500,000 toward the completion of Phase 1 of the project, and Brian Boggia informed the Trustees that the Wayland Housing Authority (“WHA”) has paid \$163,000 for the electrical panel and other related equipment needed for the overall project. The WHA still needs between \$600,000 and \$700,000 to complete Phase 2 of the

project. The Finance Committee does not want the Town to provide the funding for the CVA Fire Suppression System from the Town's unreserved fund. The CPC would like to see some of the monies for this project come from other sources. There was discussion regarding the possible use of a portion of the MAHTF's unrestricted funds for this purpose, but it was unclear whether funding such use would fall within the defined "purpose" of the MAHTF.

ACTION: Mary Antes to ask Mark Lanza, Town Counsel, if this use of MAHTF's funds falls within the defined "purpose" of the MAHTF.

ACTION: If it does fall within the defined "purpose" of the MAHTF, the Trustees will meet prior to the regular meeting scheduled for September 2, 2015 to discuss and determine if a majority of the Trustees would approve the use of MAHTF funds to pay for a portion of the Phase 2 costs for the CVA Fire Suppression System.

4. The Trustees discussed websites, and items that should be included in Wayland's MAHTF home page. Susan Weinstein handed out an initial listing of possible items, which Trustees reviewed and added to the list. Mary Antes reported that MaryAnn DiNapoli, Executive Assistant, can update the MAHTF home page on the Town's website.

ACTION: Mary Antes will speak to MaryAnn DiNapoli to ask if she can begin working on the MAHTF homepage.

5. Mary Antes handed out the Wayland Community Fund Resource List. This agency mostly receives requests for fuel assistance. There have been some requests for rental assistance, but this has been limited. This agency provides needed assistance. The Trustees discussed including this resource in the MAHTF website.
6. The Board of Selectmen sent letters to Trustees who needed to be reappointed. The Housing Partnership needs to appoint a representative to the MAHTF.
7. The Trustees briefly discussed possible strategic initiatives. The Trustees will further discuss this at the next meeting.
8. Susan Weinstein moved to adjourn the meeting at 9:10 PM. Kevin Murphy seconded the motion. Motion approved 5-0.

Respectfully submitted,

Jacqueline Ducharme

**TOWN OF WAYLAND
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**FINANCIAL STATEMENTS
(UNAUDITED)**

FOR THE PERIOD OCTOBER 4, 2014 (COMMENCEMENT OF OPERATIONS) TO JUNE 30, 2015

DRAFT

DRAFT

**TOWN OF WAYLAND
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**BALANCE SHEET
(Unaudited)
As of June 30, 2015**

ASSETS	
Cash and cash equivalents	\$ 611,506.02
Inclusionary housing payments receivable	<u>51,165.72</u>
Total assets	<u>\$ 662,671.74</u>
 LIABILITIES AND NET ASSETS	
Liabilities	\$ 0.00
 NET ASSETS	
Unrestricted net assets	243,352.60
Temporarily restricted	<u>419,319.14</u>
Total net assets	<u>662,671.74</u>
 Total liabilities and net assets	 <u>\$ 662,671.74</u>

The accompanying notes are an integral part of these financial statements.

**TOWN OF WAYLAND
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**STATEMENT OF ACTIVITIES
(Unaudited)**

For the Period October 8, 2014 (commencement of operations) to June 30, 2015

	Unrestricted	Temporarily Restricted	Total
REVENUES AND OTHER SUPPORT			
Investment income	\$ 41.62	117.14	\$ 158.76
Inclusionary housing payments	191,871.45		191,871.45
Contributions - General public	100.00		100.00
Contributions - Town of Wayland	51,339.53	419,202.00	470,541.53
Total revenues	<u>243,352.60</u>	<u>419,319.14</u>	<u>662,671.74</u>
EXPENDITURES			
Total expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
CHANGE IN NET ASSETS	243,352.60	419,319.14	662,671.74
NET ASSETS, AT INCEPTION	0.00	0.00	0.00
NET ASSETS, END OF YEAR	<u>\$ 243,352.60</u>	<u>\$ 419,319.14</u>	<u>\$ 662,671.74</u>

The accompanying notes are an integral part of these financial statements.

**TOWN OF WAYLAND
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**STATEMENT OF CASH FLOWS
(Unaudited)**

For the Period October 8, 2014 (commencement of operations) to June 30, 2015

CASH FLOWS FROM OPERATING ACTIVITIES:	
Change in net assets	\$ 662,671.74
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Change in:	
Inclusionary housing payments receivable	(51,165.72)
Net cash provided by operating activities	<u>\$ 611,506.02</u>
NET CHANGE IN CASH AND CASH EQUIVALENTS	\$ 611,506.02
CASH AND CASH EQUIVALENTS, AT INCEPTION	0.00
CASH AND CASH EQUIVALENTS, AT END OF YEAR	<u>\$ 611,506.02</u>

The accompanying notes are an integral part of these financial statements.

Town of Wayland
Municipal Affordable Housing Trust Fund
June 30, 2015
Notes to Financial Statements (Unaudited)

1. Organization and Purpose

The Town of Wayland Municipal Affordable Housing Trust Fund (the "Trust") was established pursuant to Chapter 491 of the Massachusetts Acts of 2004, as amended by Sections 1 through 6 of Chapter 109, i.e., Chapter 44, Section 55C, and authorized by the vote of the 2014 Annual Town Meeting under Article 12 of the Warrant therefor.

The purpose of the Trust is to provide for the creation and preservation of affordable housing in the Town of Wayland for the benefit of low- and moderate-income households.

The Trust is governed by a Board of Trustees consisting of seven members appointed by the Board of Selectmen of the Town of Wayland (the "Trustees"). At least one of the Trustees shall be a member of the Board of Selectmen and, in making the appointments to fill the remaining positions, the Board of Selectmen shall give preference to the following: (i) a member of the Wayland Housing Partnership; (ii) a member of the Planning Board; (iii) a member of the Wayland Housing Partnership; (iv) a real estate law specialist licensed to practice law in the Commonwealth of Massachusetts; and (v) two residents.

The Trust shall continue so long as authorized under the Laws of the Commonwealth of Massachusetts. Notwithstanding the foregoing, the Trust may be terminated by the Town of Wayland's rescission of its acceptance of the provisions of Chapter 461 of the Acts of 2004, as amended, by majority vote at an annual meeting of the Town pursuant to Massachusetts General Laws Chapter 4, Section 4B.

2. Summary of Significant Accounting Policies

Basis of Accounting

The accompanying financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

Basis of Presentation

The Town of Wayland Treasurer/Collector is currently serving as the custodian of significantly all of the Trust's funds and maintains two savings accounts at The Village Bank, both of which were established under the Town of Wayland's tax identification number, and the Finance Director maintains books and records for the Trust's funds held in these two accounts within the Town of Wayland's financial reporting system.

Since the Trust is a separate legal entity, however, financial statement presentation follows the requirements of the Financial Accounting Standards Board in its Statement of Financial Accounting Standards, *Financial Statements of Not-for-Profit Organizations*. The Trust is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets.

Unrestricted Net Assets - consist of assets, public support and program revenues, which are available and used for operations and programs. Contributions are considered available for unrestricted use unless specifically restricted by the donor.

Town of Wayland
Municipal Affordable Housing Trust Fund
June 30, 2015
Notes to Financial Statements (Unaudited)

Temporarily Restricted Net Assets - include funds with donor-imposed restrictions, which permit the Trust to expend the assets as specified, and are satisfied either by the passage of time or by actions of the Trust. Resources of this nature originate from gifts, grants, bequests, contracts and investment income earned on restricted funds.

Permanently Restricted Net Assets - include resources, which have a permanent donor-imposed restriction, which stipulates that the assets are to be maintained permanently, but permit the Trust to expend part or all of the income derived from the donated assets. There are no permanently restricted net assets at year end.

Cash and cash equivalents

For financial statement purposes, the Trust considers all highly liquid investments with maturity or three months or less when purchased to be cash equivalents.

Use of Estimates and Assumptions

The preparation of financial statements in conformity with generally accepted accounting principles requires the Trustees to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financials and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates and assumptions.

Revenue Recognition

Contributions are recognized as revenue when they are received or unconditionally pledged. The Trust reports gifts of land and buildings, if any, as unrestricted support unless explicit donor stipulations specify how the donated assets must be used. When a donor restriction expires, temporarily restricted assets are reclassified to unrestricted net assets.

Transfers from the Town of Wayland's general fund are reported as unrestricted net assets and transfers from the Town of Wayland's Community Preservation Fund are reported as temporarily restricted assets as the use of such funds must be used for "community housing" as defined in the Community Preservation Act ("CPA") and use of such funds is further subject to the CPA's restrictions and limitations.

Inclusionary Housing Payments Receivable

This represents inclusionary housing payments due to the Trust at the end of the fiscal year that have not been paid either directly to the Trust or to the Town of Wayland (see Note 3).

3. Inclusionary Housing Payments

Pursuant to a vote under Article 3 at a Special Town Meeting held in November 2009 (which modified the Mixed Use Overlay District which governs the Wayland Town Center project) and certain changes to the original proposed residential development (which were approved by the Planning Board in 2013), Brendon Homes LLC, the developer of River Trail Place, a 42-unit, market rate residential condominium development project located in the Town Center ("River Trail Place"), agreed to donate an aggregate of \$537,240.00, or \$12,791.43 per unit, to the

Town of Wayland
Municipal Affordable Housing Trust Fund
June 30, 2015
Notes to Financial Statements (Unaudited)

Trust. The payments to the Trust are required to be made within thirty (30) days of the closing of the sale of each of condominium unit.

During the period October 4, 2014 to June 30, 2015, a total of fifteen (15) condominiums were sold and the developer paid the Town of Wayland a total of \$140,705.73 (11 units) and owes an additional \$51,165.72 (4 units) as of June 30, 2015. The Town transferred the funds it received to the Trust by depositing such funds in the Trust's unrestricted savings account at The Village Bank (see Note 7).

4. Transfers from the Town of Wayland

On May 11, 2015, the Town of Wayland transferred the following amounts to the Trust:

- (i) \$51,339.53, which was authorized by the vote of the 2014 Annual Town Meeting under Article 10 of the Warrant therefor; and
- (ii) \$419,202.00, which was authorized by the vote of the 2015 Annual Town Meeting under Article 13 of the Warrant therefor.

The funds authorized at the 2014 Annual Town Meeting, which were transferred from a housing fund within the Town of Wayland's revolving fund, were deposited in the Trust's unrestricted savings account at The Village Bank; and the funds authorized at the 2015 Annual Town Meeting, which were transferred from funds set aside in the Community Preservation Fund for community housing, were deposited in the Trust's restricted savings account at The Village Bank (see Note 2).

5. Contributions

On March 14, 2015, the Trust received a \$100.00 contribution from one of the Trustees. This contribution was used to establish a checking and savings account at The Village Bank, both of which were established under the Trust's tax identification number (see Note 6).

6. Income and Other Taxes

Upon advice received from the Town of Wayland's town counsel, the Trust is exempt from federal income taxes by virtue of its status as an "instrumentality" of the Town of Wayland. To date, the Trust has not sought a private letter ruling from the Internal Revenue Service with respect to its status for federal income tax purposes and it is unclear whether or not the Trust will do so in the future. The Trust timely filed an extension for filing its initial Form 1041, *U.S. Income Tax Return for Estates and Trusts*, on which the Trust will disclose its tax exempt status and indicate that no further tax returns will be filed by the Trust.

The Trust is exempt from the provisions of Massachusetts General Laws Chapters 59 and 62, and from any other provisions of law concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth of Massachusetts or the Town of Wayland.

Town of Wayland
Municipal Affordable Housing Trust Fund
June 30, 2015
Notes to Financial Statements (Unaudited)

7. Subsequent Events

The Trust has evaluated subsequent events through [July] [25], 2015, the date on which these financial statements were available to be issued.

Between July 1, 2015 and [July] [25], 2015, (i) two additional condominium units at River Trail Place were sold resulting in an additional \$25,582.86 of inclusionary housing payments that were paid by the developer to the Town, and (ii) the Town received \$51,165.72 of inclusionary housing payments from the developer with respect to units sold on or before June 30, 2015; and the Town transferred \$76,748.58 to the Trust's unrestricted savings account at The Village Bank on July [22], 2015.