



NAN BALMER  
TOWN ADMINISTRATOR  
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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

## BOARD OF SELECTMEN Tuesday, February 17, 2015 Wayland Town Building Selectmen's Meeting Room

### Proposed Agenda

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

- |         |      |  |
|---------|------|--|
| 7:00 pm | 1.)  | Call to Order by Chair <ul style="list-style-type: none"><li>• Announcements; Review Agenda for the Public</li></ul>   |
| 7:02 pm | 2.)  | Public Comment   |
| 7:10 pm | 3.)  | Presentation on Loose Change Campaign by Antonia Hieronymus  |
| 7:20 pm | 4.)  | Discussion and Potential Vote to Withdraw the Following Warrant Articles from the 2015 Annual Town Meeting: <ul style="list-style-type: none"><li>• Create Chapter 44 Section 53 F 1/2 Recreation Enterprise Fund</li><li>• Create Chapter 44 Section 53D Recreation Revolving Fund</li></ul> And Discussion and Potential Vote to Increase Cap on Recreation Revolving Fund |
| 7:40 pm | 5.)  | Discussion and Potential Vote to Withdraw the Following Warrant Articles from the 2015 Annual Town Meeting: <ul style="list-style-type: none"><li>• Withdraw from Minuteman Regional Vocational School District</li><li>• Amendments to the District Agreement for the Minuteman Regional Vocational School District</li></ul>   |
| 8:00 pm | 6.)  | Discussion and Potential Vote to Withdraw the Following Warrant Article from the 2015 Annual Town Meeting: <ul style="list-style-type: none"><li>• Fund Payment in Lieu of Sewer Betterment Assessment for Town Owned Buildings</li></ul>  |
| 8:15 pm | 7.)  | ESCO Town Meeting Resolution: Discussion and Vote on Article Text; Potential Vote on Position  |
| 8:25 pm | 8.)  | Potential Vote on Positions on Annual Town Meeting Warrant Articles  |
| 9:05 pm | 9.)  | Review and Approve Consent Calendar (See Separate Sheet)   |
| 9:10 pm | 10.) | Review Correspondence (See Separate Index Sheet)   |
| 9:20 pm | 11.) | Report of the Town Administrator   |
| 9:35 pm | 12.) | Selectmen's Reports and Concerns   |
| 9:40 pm | 13.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any  |
| 9:45 pm | 14.) | Adjourn  |

DATE: FEBRUARY 17, 2015  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: RECREATION REVOLVING FUND ARTICLES / RECREATION REVOLVING FUND CAPS

**REQUESTED ACTION**

- 1. CONSIDER WHETHER TO WITHDRAW FROM THE WARRANT OR VOTE A POSITION TO SUPPORT AN ARTICLE TO CREATE AN MGL 44, SECTION 53D RECREATION REVOLVING FUND OR AN ARTICLE to SUPPORT AN MGL 44, SECTION 53 F ½ RECREATION ENTERPRISE FUND.**
- 2. CONSIDER WHETHER THE BOARD OF SELECTMEN, CONTINGENT UPON A VOTE OF THE FINANCE COMMITTEE, SHOULD VOTE TO INCREASE THE CAP ON THE CURRENT SECTION 53 E ½ REVOLVING FUND UP TO THE MAXIMUM CURRENTLY ALLOWED (\$595,000+/-) FOR FY 15 AND FY 16.**

**BACKGROUND:**

- **Who Should Bear the Costs for Recreation?** There is a lack of Agreement between the Finance Committee and Recreation Commission on what Recreation Department costs (program, indirect administrative expenses, OPEB, and full time salaries) should be paid by the Recreation program fee payers and what costs should be borne by the General Fund.
- **How are Recreation costs currently paid?** Currently the General Fund pays for full time recreation staff salaries, and the 53 E ½ Revolving Fund (funded by user fees) pays for program costs (supplies, minor equipment, seasonal staff and consultants) and OPEB (<\$2,000). The Revolving Fund was also charged for indirect costs, currently estimated at \$88,000, in at least one recent year. It is impossible to also fund full time salaries of \$244,000, \$88,000 indirect costs and program costs of \$500,000 to \$550,000 under the current revolving fund cap of \$450,000. No Town Meeting action was proposed or taken since 2012 to fund salaries through the Revolving Fund, so there is a school of thought that these "legacy costs", up to \$500,000 are building and should be paid in the future.
- **Why Increase the allowable cap on expenditures in the Recreation Revolving Fund?** There are regular, recurring program costs estimated to be at a minimum of \$500,000 to \$550,000 annually and the \$450,000 cap on the current 53 E ½ fund must to be increased by votes of the Finance Committee and Board of Selectmen to make expenditures over \$450,000 legal. There is great demand for recreation programs from local residents who are willing to pay the full cost of the program. Even with an increased revolving fund cap, program participants willing to pay the

full cost of the programs may need to be turned away, depending upon whether indirect costs are charged to the account, thus limiting the allowable expenses on Recreation programs.

- The choices to manage Recreation accounts include:
  - Increase cap in FY 15 and FY 16: Board of Selectmen and Finance Committee may decide vote to increase cap on the current 53 E ½ Revolving Fund for FY 15 and FY 16. The maximum allowed would be 1% of the tax levy or \$595,000 (+/-). A decision would then need to be made if \$88,000 in indirect costs would be paid from this account. If indirect costs will be taken from the account, there may need to be caps on program participation and certain expenses (for example purchase of small equipment such as sailboats or weed removal at the beach) would need to be evaluated and referred to the Finance Committee to determine their necessity and whether some exceedance of the cap will be permitted while a better funding model is identified.
  - Current Article: Adopt a 53D Account: The 53 D account is the account most commonly used method to manage by Recreation programs in MA. (300+) It allows programs to grow and be flexible, without caps. The down side of the 53D is that it is “swept” to \$10,000 annually at the time of year (6/30) when the Recreation program has revenues on reserve for summer programs. It also will not allow the direct transfer of funding for indirect costs OPEB, salaries. These costs would be paid by the General Fund and then offset by the annual sweeping of excess funds into Free Cash. The 53D article could be modified to determine and dispose of the balance (\$533k - 6/30/14) in the current 53 E ½ Revolving Fund – This use of funds could include, for example: 1) Provide a starting balance for the new 53D fund, 2) Creation of a separate recreation maintenance / capital fund and, 3) Payment of prior year “legacy costs”, (if it is agreed the Revolving Fund (users fees) owes indirect costs or full time salaries for prior years.
  - Current Article: Adopt a 53 F ½ Enterprise Fund: This vehicle would require a 3 year commitment. It would require budgeting which could limit program participation, even when program participants are willing to pay the full cost of the program. It would allow the payment of all costs the town wishes the Recreation program users to bear. It is a vehicle I believe could work but would require management that may decrease program participation.
  - Future Article: Request Special Legislation to Increase the 53 E ½ fund to 2% of tax levy. This would provide room for all costs that Town Meeting determines are appropriate for the Recreation users to bear but would not be available until 1-2 years after Town Meeting acts, to allow time for the legislature to act.

**DATE:** FEBRUARY 17, 2015  
**TO:** BOARD OF SELECTMEN  
**FROM:** NAN BALMER, TOWN ADMINISTRATOR  
**RE:** MINUTEMAN

**INFORMATION FROM SELECTMEN BISCHETTO WILL BE FORWARDED TO THE BAORD AS SOON AS IT IS AVAILABLE**

**Comments on the Proposed ATM Article to Obtain Wastewater Design Flow for the Library**  
Fred Knight, chair of WWMD  
12 Feb 2015

**Summary:** The proposed article is to obtain the wastewater capacity necessary to hook the Library building to the Wayland Wastewater Management District (WWMD) at a cost of about \$70,000. The town currently has 4100 gallons per day (gpd) capacity in the Public Safety and Town Buildings and 3000 gpd allocated for the Municipal pad. The current proposed article adds 820 gpd, which could presumably be used by the Library if its current leaching field fails. Previously, John Moynihan had the connection of the Library to the WWMD in his Facilities Capital Plan with an additional construction cost estimated to be \$60k. Following connection, additional costs will occur in the future to pay for operating expenses---at about \$2100/year, increasing slowly over time. An alternative to obtaining the 820 gpd is to use part of the allocation for the Municipal Pad. This will limit the size of the building on the Municipal Pad, but probably not so much to limit its function as a location for the Council on Aging facility. However, the ultimate size of a building there will be less than 40,000 sqft, which is the largest building previously anticipated.

**Background:** Right now the Public Safety Building is connected with a design flow of 1100 gpd (gallons per day), so the town pays based on the design flow (aka capacity) and the water usage. The Town Building is not connected but the design flow of 3000 gpd is allocated and paid for quarterly. Finally, the so-called Municipal Pad has an allocated design flow of 3000 gpd. The total for the Town is 7100 gpd. This is about 9% of our total capacity.

Recently two portions of our total capacity were relinquished by their owners: 440 gpd from Bastons and 380 gpd from Wayland Commons. The WWMD wants to sell this capacity to gain money for the users. This is not an increase of the total capacity, just a reuse of 820 gpd of design capacity

I believe that there is no formal document calculating the Library needs because (as odd as it seems) the Title V regs do NOT have anything for libraries. We could treat the library (~14,000 sqft) as an office (75 gpd/1000 sqft) and allocate a design capacity of 1050 gpd. However, the default method of calculating design flow in the Title V regs is double the existing water usage. For the library, this is ~200 gpd. Hence, the better amount of design flow is about 400 gpd. About ten years ago, the WWMD estimated the Library needs to be 500 gpd. If that building is enlarged, the new area is uncertain without another design study. An enlarged library will need more capacity. A conservative estimate might be double the current amount to 800 gpd. This coincides with what the WWMD can re-allocate.

In summary, the town currently has 4100 gpd in the Public Safety and Town Buildings and 3000 gpd allocated for the Municipal pad. The total is 7100 gpd or ~9% of the aggregate design capacity for the WWMD. The current proposed article adds 820 gpd, which could presumably be used by the Library if its current leaching field fails.

**Estimates of Cost:** According to Library files, John Moynihan made ballpark estimates for the cost of connecting the Library to the Wastewater Management District (WWMD) of \$30k in FY09 and \$60k in FY10. These are engineering design and construction costs for the on-site piping, infrastructure, and grinder pump to make the connection to the WWMD main. These costs would be borne at a time when the actual connection is made, possibly some years hence.

The Article for ATM is for an acquisition cost to allow the Library building to join the WWMD. The

\$70,000 for this article is to obtain the capacity at a rate equivalent to what Wayland Commons paid as a privilege fee about 8 years ago. They paid \$600,000 for 7,200 gallons per day (gpd). The capacity available now is 820 gpd. The scaled amount is  $(820/7200)*\$600,000$  or \$68,333. Inflation is not included in this amount.

Note also that at some point, say at connection time or earlier, the WWMD would begin to charge the Library for operating costs, as is done for the Town Building (not yet connected but charged) and the Public Safety Building (connected and charged). In FY2015, the operating cost would have been ~\$1750. When the Library is connected, an additional operating cost would be added for water usage or flow. With the Library water usage of about 200 gpd, the FY2015 amount would have been \$316. These values will increase slowly over time to pay for inflation of operating expenses.

In summary, John Moynihan had the connection of the Library to the WWMD in his Facilities Capital Plan with a construction cost estimated to be \$60k. The current article is to obtain the wastewater capacity necessary to hook the Library building to the WWMD. The cost is about \$70k. Additional costs will occur in the future to pay for operating expenses---at about \$2100/year, increasing slowly over time.

**Discussion of article:** Right now, Ben Keefe is making the argument that the Town has enough capacity to allocate some to the Library. This would come from the 3,000 gpd earmarked to the Municipal Pad. That amount is good for a 40,000 sqft building, and right now only 20,000 sqft is contemplated. The implication is that the 3,000 gpd is sufficient Title V design flow (capacity) for both a building on the Municipal Pad and the Library. I can't argue that this is definitely wrong, but I think it is a restriction to the amount that was originally contemplated for the Municipal Pad.



# TOWN OF WAYLAND

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BOARD OF SELECTMEN  
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## MEMORANDUM

To: NAN BALMER

From: KENNETH "BEN" KEEFE

Date: February 13, 2015

Subject: ATM Article to Obtain Wastewater Design Flow for the Library

In regards to the proposed Annual Town Meeting Article that The Town of Wayland purchase an additional 820 gallons per day (gpd) of wastewater design flow for future use I recommend that the Town not pursue this transaction.

The Town is currently paying for 7100 gpd of wastewater design flow of which we are utilizing approximately 500 – 600 gpd at the Public Safety Building. While it is prudent to have a reserve of design flow for future growth I consider the available 6500 gpd to be entirely adequate.

Respectively Submitted  
Kenneth Keefe

**ARTICLE FOR ANNUAL TOWN MEETING**

SPONSOR: Board of Selectmen DATE RECEIVED: 1/12/15

CONTACT PERSON: Nan Balmer TELEPHONE/Day: \_\_\_\_\_

TELEPHONE/Evening: \_\_\_\_\_

BOARD VOTE: 5-0-0 DATE OF VOTE: 1-12-15

TITLE: RESOLUTION REGARDING ESCO PROJECT CHANGE

COST: \_\_\_\_\_ NO COST:  COST ESTIMATE: \_\_\_\_\_  
\_\_\_\_\_

TEXT:  
TO DETERMINE WHETHER THE TOWN WILL VOTE TO ADOPT A RESOLUTION IN  
SUPPORT OF CHANGES TO THE ESCO PROJECT DESCRIBED AT THE 2014 ANNUAL  
TOWN MEETING

COMMENTS:

PROS:

CONS:

SIGNATURE OF CHAIR *Clayton K...* DATE 1-15-15

Mark Lanza Approval \_\_\_\_\_ DATE \_\_\_\_\_



## **ARTICLE X: RESOLUTION REGARDING ESCO PROJECT CHANGES**

*Proposed by: Board of Selectmen*

*Cost: None*

WHEREAS Wayland has been a Green Community since 2010 and has committed to reducing energy usage by 20%; and,

WHEREAS Wayland appropriated \$2,813,920 to enter an Energy Savings Contract (ESCO) at Annual Town Meeting 2014 for projects at various municipal buildings; and,

WHEREAS the phase 1 ESCO work totaling \$1,915,510 is underway; and,

WHEREAS a commitment was made to return to Town Meeting if the work on the Town Building in phase 2, totaling \$898,410, was changed; and,

WHEREAS the Board of Selectmen, with input from the Public Buildings Director, has decided to delay any significant capital improvements on Town Building; and,

WHEREAS the Public Buildings Director has recommended the ESCO phase 2 work in the amount of \$820,063 be reallocated to two School buildings by installing new digital energy management controls in Loker and Claypit Hill Elementary Schools that will allow for the control of energy settings, yielding improved comfort and improved energy savings; and,

WHEREAS the proposed work in the two schools is a net decrease of \$78,347 in potential expense and provides equivalent energy savings; and,

WHEREAS the School Committee has voted to support this change in ESCO work; and,

WHEREAS the total contracted work is less than the 2015 appropriation by \$78,347.

NOW, THEREFORE, BE IT RESOLVED, that this Town Meeting supports changing the ESCO project as described at the 2014 Annual Town Meeting by reallocating the phase 2 work from Town Building to Claypit Hill and Loker Schools.

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name   | Sponsor  | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|---|--|--------------------|-----------------|--------------------|-----------------|
| 1       | Recognize Citizens and Employees for Particular Service to the Town | Board of Selectmen   | J. Nolan           | T. Greenaway    |                    |                 |
| 2       | Pay Previous Fiscal Year Unpaid Bills                               | Board of Selectmen   | J. Nolan           | T. Greenaway    |                    |                 |
| 3       | Current Year Transfers  | Finance Committee  | J. Nolan           | T. Greenaway    |                    |                 |
| 4       | Create Chapter 44 Section 53 F ½ Recreation Enterprise Fund         | Board of Selectmen   | J. Nolan           | C. Martin       |                    |                 |
| 4A      | Create Chapter 44 Section 53D Recreation Revolving Fund             | Board of Selectmen   | J. Nolan           | C. Martin       |                    |                 |
| 5       | OPEB Funding  | Board of Selectmen   | T. Boschetto       | B. Steinberg    |                    |                 |
| 6       | FY 2016 Omnibus Budget  | Finance Committee  | T. Boschetto       | T. Greenaway    |                    |                 |
| 7       | Compensation for Town Clerk   | Board of Selectmen   | C. Karlson         | T. Greenaway    |                    |                 |
| 8       | Personnel Bylaw and Wage & Classification Plan                      | Personnel Board  | C. Karlson         | T. Greenaway    |                    |                 |
| 9       | Accept Valor Act to Establish Veterans Property Tax Workoff Program | Board of Selectmen   | E. Collins         | D. Watkins      |                    |                 |
| 10      | Resolution Regarding ESCO Project Changes                           | Board of Selectmen and Energy Initiatives Advisory Committee | C. Karlson         | B. Steinberg    |                    |                 |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor  | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|--|--------------------|-----------------|--------------------|-----------------|
| 11      | Inspection Testing and Maintenance of Privately Owned Water Based Fire Suppression Systems | Board of Selectmen   | E. Collins         | N. Funkhouser   |                    |                 |
| 12      | Set Aside Community Preservation Funds for Later Spending                                  | Community Preservation Committee                             | E. Collins         | N. Funkhouser   |                    |                 |
| 13      | Set Aside for Later Spending \$2 Million for Open Space                                    | Community Preservation Committee                             | E. Collins         | N. Funkhouser   |                    |                 |
| 14      | Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund        | Community Preservation Committee                             | E. Collins         | N. Funkhouser   |                    |                 |
| 15      | Implement Solar Energy: Power Purchase and License Agreement and Authorization for PILOT   | Board of Selectmen and Energy Initiatives Advisory Committee | C. Karlson         | D. Watkins      |                    |                 |
| 16      | Fund Glezen Lane Traffic Control Measures  | Board of Selectmen   | E. Collins         | B. Steinberg    |                    |                 |
| 17      | Land and Easement Acquisitions for Route 30 and 27 Intersection Improvements               | Board of Selectmen   | J. Nolan           | T. Abdella      |                    |                 |
| 18      | Withdraw from Minuteman Regional Vocational School District                                | Board of Selectmen   | T. Boschetto       | G. Wolin        |                    |                 |
| 19      | Amendments to the District Agreement for the Minuteman Regional Vocational School District | Board of Selectmen   | T. Boschetto       | G. Wolin        |                    |                 |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor  | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|--|--------------------|-----------------|--------------------|-----------------|
| 20      | Amend Bylaw re: Reconsideration of Articles by Town Meetings   | Petitioners                                    | C. Karlson         | G. Wolin        |                    |                 |
| 21      | Amend Chapter 193 – Stormwater and Land Disturbance Bylaw  | Conservation Commission                        | M. Antes           | T. Greenaway    |                    |                 |
| 22      | Authorization for the Town of Wayland to Grant an Additional License for the Sale of All Alcoholic Beverages not to be Drunk on the Premises | Petitioners                                    | E. Collins         | D. Watkins      |                    |                 |
| 23      | Fund Payment in Lieu of Sewer Betterment Assessment for Town Owned Buildings   | Board of Selectmen                             | C. Karlson         | T. Abdella      |                    |                 |
| 24      | Transfer Dudley Woods Parcels for Passive Recreation   | Board of Selectmen                             | C. Karlson         | C. Martin       |                    |                 |
| 25      | Design and Construct Trails and Signage at Dudley Woods  | Community Preservation Committee               | C. Karlson         | C. Martin       |                    |                 |
| 26      | Acquire Open Space Parcel in Sage Hill Subdivision   | Board of Selectmen and Conservation Commission | M. Antes           | T. Abdella      |                    |                 |
| 27      | Construct Rail-Trail in Wayland  | Community Preservation Committee               | J. Nolan           | B. Steinberg    |                    |                 |
| 28      | Acquire Municipal Parcel in Town Center and Convey Access Easement in Town Center  | Board of Selectmen                             | C. Karlson         | B. Steinberg    |                    |                 |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor                          | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|----------------------------------|--------------------|-----------------|--------------------|-----------------|
| 29      | Appropriate Funds for Due Diligence and Feasibility Design for a Proposed Council on Aging/Community Center at Wayland Town Center | Board of Selectmen               | M. Antes           | C. Martin       |                    |                 |
| 30      | Amend Chapter 36 of the Current Bylaws   | Petitioners                      | M. Antes           | T. Greenaway    |                    |                 |
| 31      | Accept Chapter 390 of the Acts of 2014 to Establish a Tax Title Collection Revolving Fund  | Board of Selectmen               | T. Boschetto       | G. Wolin        |                    |                 |
| 32      | Town will Enforce Lowest Speed Limit Allowed by Law  | Petitioners                      | T. Boschetto       | T. Greenaway    |                    |                 |
| 33      | Appropriate Funds to Create Stewardship and Land Management Plans for Conservation Land  | Community Preservation Committee | M. Antes           | N. Funkhouser   |                    |                 |
| 34      | Resolution to Continue Electronic Voting Through FY 2019   | Petitioners                      | E. Collins         | B. Steinberg    |                    |                 |
| 35      | Prohibit Roadside Distribution of Phone Books and Advertising  | Petitioners                      | T. Boschetto       | T. Greenaway    |                    |                 |
| 36      | Acquire Land and House at 246 Stonebridge Road   | Community Preservation Committee | M. Antes           | N. Funkhouser   |                    |                 |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name   | Sponsor                          | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|---|----------------------------------|--------------------|-----------------|--------------------|-----------------|
| 37      | Appropriate Funds to Stabilize Two Arches of Stone's Bridge                   | Community Preservation Committee | M. Antes           | N. Funkhouser   |                    |                 |
| 38      | Design of a Multi-Use Grass Playing Field at Oxbow Meadows (Former Nike Site) | Community Preservation Committee | J. Nolan           | C. Martin       |                    |                 |
| 39      | Increase Water Rates for High Density Housing                                 | Petitioners                      | C. Karlson         | T. Greenaway    |                    |                 |
| 40      | Hear Reports  | Board of Selectmen               | J. Nolan           | T. Greenaway    |                    |                 |
| 41      | Choose Town Officers  | Board of Selectmen               | J. Nolan           | T. Greenaway    |                    |                 |
| 42      | Accept Gifts of Land  | Board of Selectmen               | J. Nolan           | T. Greenaway    |                    |                 |
| 43      | Sell or Trade Vehicles and Equipment  | Board of Selectmen               | J. Nolan           | T. Greenaway    |                    |                 |



## ARTICLES SUBMITTED FOR ADMISSION TO WARRANT FOR ANNUAL TOWN MEETING

April 6, 2015

The following articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Monday, April 6, 2015. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

### RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN

*Sponsored by: Board of Selectmen*

To determine whether the Town will recognize the achievements and contributions to Town government of citizens and employees:

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2015, subject to a minimum of 20 years of service; and
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2014 Annual Town Meeting.

### PAY PREVIOUS FISCAL YEAR UNPAID BILLS

*Proposed by: Board of Selectmen*

*Estimated Cost: \$*

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.

### CURRENT YEAR TRANSFERS

*Sponsored by: Board of Selectmen*

*Estimated Cost: \$*

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.

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Supplement for  
2-10-15  
REVISED  
JAN BY 2/25/15

**ARTICLE X: OPEB FUNDING**

Proposed by: OPEB Advisory Committee

Estimated cost: \$219,766

To determine whether the Town will vote to:

- a) authorize the transfer of \$115,018 from the following enterprise and revolving funds to the General Fund:

|                   |           |
|-------------------|-----------|
| 1) Food Service   | \$ 25,000 |
| 2) Children's Way | \$ 25,000 |
| 3) Pegasus        | \$ 46,206 |
| 4) Building Use   | \$ 9,901  |
| 5) Enrichment     | \$ 8,911  |

- b) appropriate an aggregate amount of \$30,234 to be deposited in the Town's Other Post-Employment Benefits Trust Fund. The source of the funding shall be from the following enterprise and revolving funds:

|                          |          |
|--------------------------|----------|
| 1) Food Service          | \$ 6,897 |
| 2) BASE                  | \$ 7,235 |
| 3) Children's Way        | \$ 7,118 |
| 4) Full Day Kindergarten | \$ 1,632 |
| 5) Water                 | \$ 3,748 |
| 6) Transfer Station      | \$ 403   |
| 7) Recreation            | \$ 1,612 |
| 8) Pegasus               | \$ 1,129 |
| 9) Building Use          | \$ 242   |
| 10) Enrichment           | \$ 218   |

- c) appropriate \$219,766 to be deposited in the Town's Other Post-Employment Benefits Trust Fund and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose or otherwise;

**FINANCE COMMITTEE COMMENTS:** The purpose of this warrant article is to comply with the change in the Town Bylaws adopted at the October, 2012 Special Town Meeting. The Town voted "In order for funds to be made available by the Town for contribution to the Other Postemployment Benefits Trust Fund ("OPEB Trust Fund"), such funds must be appropriated by Town Meeting pursuant to a specific Town Meeting warrant article other than the omnibus budget article." This article proposes that the Town appropriate and fund a \$ZZZ,ZZZ.ZZ



**FY 2016 OMNIBUS BUDGET**

*Sponsored by: Finance Committee*

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

**COMPENSATION FOR TOWN CLERK**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk, to be effective July 1, 2015, which salary and compensation is printed below.

**SALARY SCHEDULE – TOWN CLERK**

|            | <u>FY 2015</u> | <u>FY 2016</u> |
|------------|----------------|----------------|
| Town Clerk | \$ 68,100      | \$ 69,122      |

**PERSONNEL BYLAWS AND WAGE & CLASSIFICATION PLAN**

*Sponsored by: Personnel Board*

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town.

**RESCIND AUTHORIZED BUT UNISSUED DEBT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to rescind the \$ xx.xx remaining from the borrowing authorized at the town meetings listed [below](#).

**TRANSFER DUDLEY WOODS PARCELS FOR PASSIVE RECREATION**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to authorize the Board of Selectmen, with approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels of land on Pond Drive in Wayland, Massachusetts, being part of the area known as “Dudley Woods” and shown as Parcels 47B-055A and 47B-056G on the plan entitled “Plan of Land in Wayland, Massachusetts Prepared for Doran Road-Dudley Pond Comprehensive Feasibility Study” dated September 30, 2010, prepared by the Town of Wayland, Town Surveyors Office which parcels of land are shown in Appendix \_\_\_\_, to the Recreation Commission for passive recreation purposes **and for the purpose of the construction, installation, operation, repair and replacement of a subsurface**

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~~community wastewater disposal system under said parcels of land, as long as said system does not interfere with such recreational use of the land.~~

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**ACQUIRE OPEN SPACE PARCEL IN SAGE HILL SUBDIVISION**

Sponsored by: Board of Selectmen \_\_\_\_\_ Estimated Cost \$1.00

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, for conservation purposes, the fee in the parcel of land located on Concord Road and Bow Road in Wayland, Massachusetts containing 3.51 acres of land, more or less, being shown as "Open Space" on a plan of land entitled "Definitive Subdivision Plan of 'Sage Hill' in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors, and recorded with the Middlesex South Registry of Deeds as Plan No. 379 of 2010, a copy of which plan is on file in the Office of the Town Clerk;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land; and
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds ~~or~~ transfer from available funds.

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**LAND AND EASEMENTS ACQUISITIONS FOR ROUTE 30 AND 27 INTERSECTION IMPROVEMENTS**

Sponsored by: Board of Selectmen \_\_\_\_\_ Estimated Cost: \$

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, acquire by purchase, gift, eminent domain or otherwise, for roadway and utility purposes, the fee or any lesser interests in the parcels of land located at and near the Route 30-27 Intersection as shown on the plan entitled "COMMONWEALTH ROAD & MAIN STREET INTERSECTION IMPROVEMENTS MASSDOT PROJECT #601579- WAYLAND, MARI-GHT-OF-WAY PLANS", dated November 25, 2014, prepared by TEC, Inc., a reduced of copy of which plans are attached to this warrant as Appendix \_\_\_\_\_ and filed in the office of the Town Clerk.
- b.) appropriate \$100.00 to be expended by the Board of Selectmen for the acquisition of said parcels of land or lesser interests therein; and
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available ~~funds, transfer funds, transfer~~ from available funds appropriated for other ~~purposes, by purposes, by~~ borrowing, or otherwise.

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**ACCEPT VALOR ACT TO ESTABLISH VETERANS PROPERTY TAX WORKOFF PROGRAM**

These articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Monday, April 6, 2015. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.



*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to:

- a.) accept the provisions of Massachusetts General Laws Chapter 59, Section 5N to establish a real property tax work off program for veterans; and
- b.) adjust the exemption said Section 5N by:
  - (i) allowing an approved representative for persons physically unable to provide volunteer services to the town; or
  - (ii) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

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**ADOPT INSPECTION TESTING AND MAINTENANCE OF PRIVATELY OWNED WATER BASED FIRE SUPPRESSION SYSTEMS BYLAW**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding thereto the following new chapter: accept the proposed bylaw:

Division 5, Fire Department Regulations:  
New chapter, Chapter 500

Chapter 123500 – Inspection, Testing, & Maintenance of Private Fire Hydrants and Underground and Exposed Piping

Section 1 – Purpose

The purpose of this chapter is to set requirements for the testing, inspection, and maintenance of privately owned fire hydrants and underground and exposed piping. It is the responsibility of the property owner to have all the hydrants and piping located on his/her property maintained, inspected, and tested in accordance with this regulation. This procedure is necessary in order to assure proper function of the fire hydrants located on the property.

Section 2 - Referenced Documents

NFPA Publication. National Fire Protection Association (“NFPA”), 1 Batterymarch Park, Quincy, MA 02169-7471.

NFPA 25, the Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protections Systems (current edition).

Section 3 - Definitions - As used in this section, the following terms shall have the meanings indicated:

Fire Hydrant

A water supply with valve connection(s) having outlet(s) to supply hose and fire department pumpers with water including standpipe connections.

Private Fire Hydrants

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Private fire hydrants are those hydrants not owned, rented, or maintained by the Town of Wayland or any other governmental entity.

#### Underground and Exposed Piping

The supply piping connected to private fire hydrants.

#### Section 3 – Responsibility

The property owner or designated representative is responsible for compliance with this bylaw.

#### Section 4 – Application

Fire hydrants shall be inspected, maintained, and tested in accordance with NFPA 25 (current edition).

The Wayland Fire Department reserves the right to inspect private fire hydrants for compliance with this bylaw.

Underground and exposed piping shall be inspected, maintained, and tested in accordance with NFPA 25 (current edition).

Copies of all records related to the hydrants and piping shall be forwarded to the Wayland Fire Department within 30 days of the inspection, maintenance, and/or tests.

The first round of inspection and maintenance procedures which shall include flow tests of the hydrants and piping and shall be completed within the time period April 15, 2016 - June 15, 2016. The records of the inspection, maintenance, and testing shall be filed with the Fire Chief at the Wayland Fire Department by July 15, 2016.

All subsequent yearly procedures shall take place in the time period between April 15 and June 15 of each year. Reports of the procedures shall be filed with the Fire Chief at the Wayland Fire Department by July 15, each year.

#### Section 5 – Violations

For any violation of this bylaw, the property owner will be assessed the following fines. Property owners will be notified of all fines assessed and must be paid within 30 days of notification.

\$50. ~~First offense~~<sup>initially</sup>, for each violation. {This applies to each private fire hydrant. ( For instance, a subdivision with three hydrants in non-compliance with this bylaw would be assessed a fine of \$150.)}

\$200. An additional \$200 fine will be assessed if the same violation(s) has (have) not been remedied after notification by the ~~F~~fire department and after a 30 day period.

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\$300. If the same violation(s) is (are) not remedied after notification by the Fire Department during the next April 15 – June 15 time period. Failure to pay the fine within the prescribed time period will result in court action for violation of a Town bylaw or a municipal charges lien being placed on the subject real property pursuant to Massachusetts General Laws Chapter 40, Section 58, in the Middlesex County Registry of Deeds, South District, until the fine is paid.

As an alternative to the assessment of fines through criminal process, violations of this bylaw may be enforced through civil disposition in the manner provided in Massachusetts General Laws Chapter 40, Section 21D. The Fire Chief or his designee shall be the enforcing person.

### IMPLEMENT SOLAR ENERGY: POWER PURCHASE AND LICENSE AGREEMENT AND AUTHORIZATION FOR PILOT

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, ~~with the approval of Town Counsel as to form, to enter into and execute an agreement with Amereseo, Inc. or an affiliate to for the purchase of~~ solar energy or net metering credits generated by solar photovoltaic power generation systems to be installed and operated ~~by Amereseo~~ on canopies located in parking lots at the ~~Wayland High School, the Wayland Middle School, and the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts~~ ~~Massachusetts~~ and on the roof of the new ~~Department of Public Works facility~~ ~~DPW building at facility at 66484 Boston Post River Road~~, for a term of twenty (20) years;
- a.) ~~and to enter into long term license or~~ b.) authorize the Board of Selectmen, the School Committee, and the Board of Public Works, as the case may be, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of said areas of land and buildings to the Board of Selectmen for the purpose of leasing, as lessor, said areas of land and buildings for a term of not more than twenty (20) years for the installation and operation of said systems thereon; and lease of twenty years with Amereseo for such Town properties; and/or act in any other manner in relation thereto, and ~~[check with town counsel on adequacy of location definitions]~~
- b.) amend Section \_\_\_ of its General By-laws by inserting at the end of the section the following: ~~"Lease of Public Lands and/or buildings for the installation of solar photovoltaic power generation systems .... 20 years Purchase of power or net metering credits from solar photovoltaic power generation systems installed on land leased or licensed from the Town .... 20 years"~~ or take any other action relative thereto, and ~~[check with town counsel on the wording and necessity of this section]~~
- c.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to lease, as lessor, said areas of land and buildings for a term of not more than twenty (20) years for said purposes; and
- e.) d.) authorize the Board of Selectmen, pursuant to the provisions of ~~Massachusetts General Laws, Chapter 59, Section §38H, with the approval of Town Counsel as to form, to enter into and execute~~ a structured tax or payment in lieu of tax (PILOT) agreement ~~with Amereseo, Inc. or an affiliate~~ in connection with the solar photovoltaic power generating systems to be installed and

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operated by ~~Ameresco~~ on canopies located in parking lots at the Wayland Middle School, Wayland High School, the Wayland Town ~~B~~building, and on the new DPW ~~Facility~~Building ~~roof~~located roof located at 66 River 484 Boston Post Road upon such terms and conditions, as the Board of Selectmen shall deem to be in the best interest of the Town, ~~or take any other action relative thereto.~~

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### **WITHDRAW FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

*Proposed by: Board of Selectmen*

To determine whether the town will vote to rescind its acceptance of Massachusetts General Laws Chapter 71, Sections 16 through 161, inclusive to establish a regional vocational technical school district with the towns of Arlington, Belmont, Concord and Lexington and such of the towns of Acton, Boxborough, Carlisle, Lincoln, Sudbury, Stow, and Weston which voted to accept such sections, and the construction, maintenance and operation of a regional school by said district in accordance with a proposed agreement filed with the Board of Selectmen and to take all actions necessary to withdraw from said district.

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### **AMENDMENTS TO THE DISTRICT AGREEMENT FOR THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

*Proposed by: Board of Selectmen*

To determine if the Town will vote, consistent with Section VII of the existing "Agreement with Respect to the Establishment of a Technical and Vocational Regional School District" for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a majority of the Regional School Committee on March 11, 2014 and which have been submitted as a restated "Regional Agreement" bearing the date of March 11, 2014 to the Board of Selectmen of each member town.

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### **APPROPRIATE FUNDS FOR DUE DILIGENCE AND FEASIBILITY DESIGN FOR A PROPOSED COUNCIL ON AGING/COMMUNITY CENTER AT WAYLAND TOWN CENTER**

*Proposed by: Board of Selectmen* \_\_\_\_\_ *Estimated Cost \$* \_\_\_\_\_

To determine whether the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen for the purpose of confirming program requirements, conducting review of site conditions, identifying permitting needs, and creating conceptual/schematic designs for a Council of Aging/Community Center building on the "~~M~~municipal ~~Parcel~~pad", the parcels of land located on and off Boston Post Road (Route 20) and Andrew Avenue in Wayland, Massachusetts shown as Lot 4-1, Parcel R-20-1, Parcel R-21 and Lot 8-1 on a plan entitled "Plan of Land in Wayland, MA", dated December 12, 2013 prepared by Hancock Associates and recorded with the Middlesex South Registry of Deeds as Plan No. 1008 or 2013, a copy of which plan is on file in the Office of the Town Clerk, ~~a~~And, to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of

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funds already appropriated for another purpose, by borrowing under Massachusetts General Law Chapter 44 or other enabling authority, or otherwise, and to authorize the Town Administrator, with the approval ~~of by the voters of~~ the Town, ~~of Wayland~~ to take any actions necessary to carry out ~~said~~<sup>this</sup> program.

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**ACQUIRE MUNICIPAL PARCEL IN TOWN CENTER AND CONVEY ACCESS EASEMENT IN TOWN CENTER**

*Proposed by: Board of Selectmen \_\_\_\_\_ Estimated Cost: \$1.00*

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, to lease, as lessee, or acquire by purchase, gift, eminent domain or otherwise, for municipal purposes, the fee or any lesser interest in all or any part of the parcels of land located on an off Boston Post Road (Route 20) and Andrew Avenue in Wayland, Massachusetts shown as Lot 4-1, Parcel R-20-1, Parcel R-21 and Lot 8-1 on a plan entitled "Plan of Land in Wayland, MA", dated December 12, 2013 prepared by Hancock Associates and recorded with the Middlesex South Registry of Deeds as Plan No. 1008 of 2013, a copy of which plan is on file in the Office of the Town Clerk;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition or lease of said parcels of land;
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise;
- d.) authorize the Wayland Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer to the Board of Selectmen an area of land comprising part of the westerly portion of the parcel of land on Elyssa Avenue, Wayland, Massachusetts shown as Parcel B on Land Court Plan 17983-I for the purpose of selling, conveying or otherwise disposing of an access easement on, over, across and through said area of land; and
- e.) authorize the Board of Selectmen, with the approval of Town Counsel as to form to convey, sell or otherwise dispose of an access easement on, over, across and through said area of land described in Paragraph d above.

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**FUND GLEZEN LANE TRAFFIC CONTROL MEASURES**

*Proposed by: Board of Selectmen \_\_\_\_\_ Estimated Cost: \$*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works for the costs of design and construction of traffic control measures and improvements to Glezen Lane; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

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**ACCEPT CHAPTER 390 OF THE ACTS OF 2014 TO ESTABLISH A TAX TITLE COLLECTION REVOLVING FUND**

*Proposed by: Board of Selectmen*

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To determine whether the Town will vote to accept the provisions of Chapter 390 of the Acts of 2014 to establish a tax title collection revolving fund.

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**CREATE ~~CHAPTER 44 SECTION 53 F 1/2~~ RECREATION ENTERPRISE FUND**

*Proposed by: Board of Selectmen*

To ~~determine whether see if~~ the Town will vote to accept the provisions of Chapter 44, Section 53F ½ of the Massachusetts General Laws in order to ~~establishing a recreational activities and facilities as an~~ enterprise fund effective Fiscal Yyear 2016.

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**CREATE ~~CHAPTER 44 SECTION 53D~~ RECREATION REVOLVING FUND**

*Proposed by: Board of Selectmen*

To ~~determine see if~~ the Town will vote to accept the provisions of Chapter 44, Section§ 53 D of the Massachusetts General Laws in order to ~~establishing a self-supporting recreation service as an~~ revolving fund effective Fiscal Yyear 2016.

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**FUND PAYMENT IN LIEU OF SEWER BETTERMENT ASSESSMENT FOR TOWN OWNED BUILDINGS**

Proposed by: Board of Selectmen \_\_\_\_\_ Estimated Cost \$ \_\_\_\_\_

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for a payment in lieu of a betterment assessment relative to the new Town-owned wastewater treatment plant for sewer capacity at said plant to connect a Town-owned building or buildings thereto; and 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 borrowing under Massachusetts General Law Chapter 44 or other enabling authority, or otherwise.

**RESOLUTION REGARDING ESCO PROJECT CHANGES**

Proposed by: Board of Selectmen

To determine whether the Town will vote to adopt a resolution in support of changes to the Energy Services Company capital project described at the 2014 Annual Town Meeting.

**AMEND CHAPTER 193 – STORMWATER AND LAND DISTURBANCE BYLAW**

Proposed by: Conservation Commission

To determine whether the Town will vote to amend Chapter 193 of the Code of the Town of Wayland, the Town’s Stormwater and Land Disturbance Bylaw, by making the following revisions thereto:

[Key to revisions: underlining = additions; strikethrough = deletions]

Chapter 193

STORMWATER AND LAND DISTURBANCE

- § 193-1. Purposes and objectives.
- § 193-2. Definitions.
- § 193-3. Authority.
- § 193-4. Applicability.
- § 193-5. Administration.
- § 193-6. Procedures.
- § 193-7. Enforcement.
- § 193-8. Severability.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 4-10-2008 by Art. 25. Amendments noted where applicable.]

GENERAL REFERENCES

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Wetlands and water resources protection -See Ch. 194.

Zoning -See Ch. 198

~~Aquifer Protection District—See Ch. 300~~

Aquifer Protection District – See Ch. 198, Art 16.

Site plan review and approval -See Ch. 302.

Subdivision of land -See Ch. 303.

§ 193-1. Purposes and objectives.

A. The purpose of this chapter is to:

- (1) Protect the quantity and quality of water recharge to the Town's water supply aquifers;
- (2) Protect cold water fisheries and other designated outstanding water resources from discharges of toxic pollutants, nutrients, and temperature changes;
- (3) Protect and enhance wildlife habitat;
- (4) Protect streams, rivers, and private property from additional flood damage from changed flow patterns;

B. This chapter seeks to implement these goals through the following objectives:

- (1) Complement and expand upon the requirements of state and federal statutes and regulations relating to stormwater and illicit discharges;
- (2) Establish provisions for long-term responsibility for and maintenance of structural stormwater control facilities/devices and nonstructural stormwater management practices to ensure they continue to function as designed, are maintained, and pose no threat to public safety;
- (3) Ensure that soil erosion control measures, sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
- (4) Require that new development and redevelopment maintain the pre-development hydrologic characteristics in the post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, non-point source pollution, to maintain the integrity of stream channels and aquatic habitats and to provide protection from property damage.
- (5) Establish minimum design criteria for the protection of properties and aquatic resources downstream from land development and land conversion activities from damages due to increases in volume, velocity, frequency, duration and peak flow rate of stormwater runoff; establish minimum design criteria for BMP measures to minimize point and non-point source pollution from stormwater runoff which would otherwise degrade water quality;
- (6) Control the volume and rate of stormwater runoff resulting from land disturbance activities; establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality; establish minimum design criteria for the protection of properties and aquatic resources downstream from land development, redevelopment and land conversion activities from damages due to increases in volume, velocity, frequency, duration and peak flow rate of stormwater runoff;

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- (7) Establish minimum design criteria for BMP measures to minimize point and non-point source pollution from stormwater runoff which would otherwise degrade water quality;
- (8) Require that there be no increase in post-development discharge from storm drainage systems or any other changes in post-development conditions that alter the post-development watershed boundaries;
- (9) Require that all catch basin discharge points or other point source discharge points shall be designed with structures to disperse stormwater energy;
- (10) Encourage the use of non-structural stormwater management and low-impact stormwater site design standards such as reducing impervious cover and the preservation of open space and other natural areas;
- (11) Require practices to control waste such as discarded building materials, truck washouts, chemicals, litter and sanitary waste at construction sites that may cause adverse impacts to water quality;
- (12) Ensure compliance with the provisions of this bylaw through inspection, monitoring and enforcement;
- (13) Establish provisions to ensure there is an adequate funding mechanism, including a performance guarantee, for the proper review, inspection and long-term maintenance of stormwater facilities implemented as part of this chapter;
- (14) Establish administrative procedures and fees for the submission, review, approval or disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

C. Nothing in this chapter is intended to replace the requirements of Chapter 194 of the Town Code, the Town's Wetlands and Water Resources Bylaw, or any other bylaw that may be adopted by the Town.

**§ 193-2. Definitions.**

The following definitions shall apply in the interpretation and implementation of this chapter.

~~ALTER Any activity which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns.~~

ALTER shall include, but is not limited to, one or more of the following actions upon areas described in this Bylaw:

The removal, excavation or dredging of soil, sand, gravel or aggregate material of any kind;

The changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood storage retention areas;

The drainage or disturbance of the water level or water table, the dumping, discharging or filling with any material or drainage which could degrade the water quality;

The driving of piles, erection of buildings or structures of any kind;

The placing of obstructions, including docks and piers, whether or not they interfere with the flow of water;

The destruction of plant life, including the cutting of trees;

The changing of water temperature, biochemical oxygen demand and other natural characteristics of the receiving water;

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Any activity, change or work which pollutes or degrades the quality of any stream, body of water, wetland, buffer zone, or water resource area whether located in or out of the Town of Wayland; The flowage of water, piped or otherwise channelized, through irrigation or other unnatural means into or onto any wetlands, buffer zones, and related water resources.

**AUTHORIZED ENFORCEMENT AGENCY** - The Wayland Conservation Commission, hereinafter the Commission, its employees or agents designated to enforce this chapter.

**BEST MANAGEMENT PRACTICE (BMP)** - Structural, nonstructural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and non-point source pollution, and promote stormwater quality and protection of the environment.

- A. Structural BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff.
- B. Nonstructural BMPs use natural measures to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.

**BETTER SITE DESIGN** - Site design approaches and techniques that can reduce a site's impact on the watershed through the use of nonstructural stormwater management practices. Better site design includes conserving and protecting natural areas and open space, reducing impervious cover, and using natural features for stormwater management.

**CLEARING** - Any activity that removes the vegetative surface cover.

**CONSTRUCTION AND WASTE MATERIALS** - Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at construction sites that may adversely impact water quality.

**DEVELOPMENT** - The modification of land to accommodate a new use or expansion of an existing use, usually involving construction.

**DISCHARGE** - A general outflow term including flow from a pipe into a stream, or from a stream to a body of water.

- A. **DISCHARGE POINT** -The outlet of a pipe or a particular location along a stream.
- B. **DISCHARGE (FLOW) RATE** - Volume of water passing a particular point in a given time.
- C. **DISCHARGE (FLOW) VOLUME** - Includes both sheet runoff and point source discharges from pipes or stream channels.

**EROSION** - The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN** - A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or

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equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

ILLCIT DISCHARGE - Any direct or indirect discharge to the municipal separate storm sewer system and municipal storm drain system that is not composed entirely of stormwater, except for projects exempted by this Bylaw or regulations issued thereunder. The term does not include a discharge in compliance with an NPDES stormwater discharge permit or resulting from fire-fighting activities.

INFILTRATION - The movement of water downward into the soil. Infiltration is important to replenishing the groundwater.

IMPERVIOUS SURFACE - Any material or structure on or above the ground that prevents water infiltration to the underlying soils. "Impervious surface" includes without limitation roads, paved parking lots, sidewalks, stone patios, decking, and rooftops.

LAND-DISTURBING ACTIVITY - Any activity including clearing, the removal of trees and other vegetation that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LAND USE CONVERSION ACTIVITY - Any activity which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns.

LOCAL GENERAL PERMIT - Work permitted by right under this chapter, providing that there is an approved erosion and sediment control plan for the land disturbing activity.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY- The policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act, MGL c. 131, § 40, and the Massachusetts Clean Waters Act, MGL c. 21, §§ 23 through 56.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM - The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Wayland.

NATURAL VEGETATED STATE- Ground cover of native plants species and other trees, shrubs, and/or grasses that is not mowed more than twice a year.

NEW DEVELOPMENT - Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities.

NPDES PERMIT – National Pollutant Discharge Elimination System, a permit program of the Clean

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Water Act administered by the Environmental Protection Agency, Region I for the Commonwealth of Massachusetts.

NON-POINT SOURCE POLLUTION - Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into water resource areas.

OPERATION AND MAINTENANCE PLAN (O & M) Plan: A plan setting up the functional, financial, and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL- A pipe or conduit discharging water.

OWNER - A person with a legal or equitable interest in property.

POST-DEVELOPMENT - The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion and does not refer to the construction phase of the project.

PRE-CONSTRUCTION - All activity in preparation for construction.

RECHARGE - The replenishment of underground water reserves.

REDEVELOPMENT - Any ground surface disturbing construction, alteration, demolition, or improvement of a parcel of land that currently lacks a natural vegetated state and contains alterations by man-made activities.

RUNOFF- Water from precipitation, rainfall, snowmelt, or irrigation, which flows broadly over the ground surface as opposed to a channel. Also called "stormwater runoff" or "direct runoff."

- A. RUNOFF VOLUME - The total volume of water that occurs as direct runoff from a given rainfall event.
- B. RUNOFF RATE-The volume of water passing a particular point in a given period of time, often expressed as cubic feet per second.
- C. TOTAL RUNOFF -Includes both sheet or non-point runoff (water flowing over the ground and point sources from stream channels/pipes).

SEDIMENT - Mineral or organic soil material that is transported by wind or water from its origin to another location; the product of erosion processes.

SEDIMENTATION - The process or act of deposition of sediment.

SITE - Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

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**SLOPE** - The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL** - Any earth, sand, rock, gravel, or similar material.

**STABILIZATION** - The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**STORMWATER** - ~~Stormwater~~ Runoff from precipitation or snowmelt runoff, and surface water runoff and drainage.

**STORMWATER MANAGEMENT PERMIT (SMP)** - The permit issued following a review on an application, plans, calculations and other supporting documents, which is designed to protect the environment of the Town of Wayland from deleterious effects of uncontrolled and untreated stormwater runoff.

**STRIP** - Any activity that removes vegetative ground surface cover, including, but not limited to, tree removal, clearing, grubbing, and storage or removal of topsoil.

**TOTAL SUSPENDED SOLIDS (TSS)** - A measure of the sediments in a unit volume of water. Small particles of mineral and organic matter that are suspended within water runoff. TSS does not include sediment fractions larger than two millimeters in size.

**VERNAL POOL** - "Vernal pool" shall include, in addition to any vernal pool certified by the Massachusetts Division of Wildlife and Fisheries Natural Heritage and Endangered Species Program (NHESP), any confined basin or depression not occurring in existing lawns, gardens, landscaped areas, or driveways, which normally holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile, or other vernal pool community species.

**WATERCOURSE** - A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

**WATERS OF THE COMMONWEALTH** - All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

**WAYLAND'S WETLANDS AND WATER RESOURCES PROTECTION BYLAW**- Chapter 194 of the Town Code.

**WETLAND RESOURCE AREA** - Areas specified in the Massachusetts Wetlands Protection Act and/or in Wayland's Wetlands and Water Resources Bylaw.

**WETLANDS** - ~~Wetland~~ means wWet meadows, marshes, swamps, bogs, and other areas where groundwater, flowing or standing surface water or ice provide a significant part of the supporting

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substrate for a hydrophilic plant community, or emergent and submergent plant communities in inland waters.

**§ 193-3. Authority.**

This chapter is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution.

**§ 193-4. Applicability.**

- A. This chapter shall apply to all new development and redevelopment within the Town of Wayland, including, but not limited to, site plan applications, subdivision applications, grading applications, land use conversion applications, any activity that is likely to result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land, or any activity that is likely to alter the drainage characteristics of a parcel of land, unless exempt pursuant to § 193-4B of this chapter. A ~~stormwater management permit (SMP)~~ shall be required for all new development and redevelopment regulated by this chapter.
- B. Exemptions. No person shall alter land within the Town of Wayland without having obtained ~~an stormwater management permit (SMP)~~ for the property, except for the following activities:
- (1) Any activity ~~in the Aquifer Protection District~~ that will either disturb an area not to exceeding 5,000 square feet or 10% of the lot area, whichever is less;
  - (2) Any activity that will create new impervious surface or increase existing impervious surfaces ~~less than~~ not to exceeding 500 square feet;
  - (3) Normal maintenance and improvement of land in agricultural use as defined in 310 CMR 10.04 and MGL c. 40A, § 3;
  - (4) Construction and repair of septic systems when required and approved by the Board of Health for the protection of public health and in compliance with Massachusetts Title V requirements, providing no other local permit is needed and the applicant has implemented a soil erosion plan that includes the use of sediment barriers, temporary and permanent soil stabilization specifications, and containment of erodible materials;
  - (5) Projects wholly within the jurisdiction of the ~~Conservation~~ Commission and requiring an Order of Conditions pursuant to the Wetlands Protection Act and/or a wetlands permit pursuant to Chapter 194 of the Town Code;
  - (6) Construction activities associated with utilities (gas, water, electric, telephone, fiber-optic cable) other than drainage, which will not permanently alter terrain, ground cover or drainage patterns;
  - (7) Emergency repairs to any stormwater management facility or practice that poses a threat to public health or public safety or as deemed necessary by the ~~Conservation~~ Commission;
  - (8) Any work or projects for which all necessary approvals and permits have been issued prior to the effective date of this chapter;
  - (9) Construction or reconstruction of an existing stonewall and all other retaining walls less than 12 feet in length that will not deter drainage or runoff;
  - (10) The construction of any fence that will not alter existing terrain or drainage patterns;
  - (11) The repair or replacement of an existing roof of a single-family dwelling;

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- (12) Municipal activities for public safety or public health such as water line flushing, street sweeping and dye testing, provided notification is given to the Authorized Enforcement Agency.

**§ 193-5. Administration.**

- A. The Conservation Commission shall administer, implement and enforce this chapter.
- B. Stormwater regulations. The ~~Conservation~~ Commission may adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, application and inspection fees, procedures and administration of this chapter by majority vote of the ~~Conservation~~ Commission, after conducting a public hearing to receive comments on any proposed revisions. Such hearing date shall be advertised in a newspaper of general local circulation, at least seven days prior to the hearing date. After public notice and public hearing, the ~~Conservation~~ Commission may promulgate rules and regulations to effectuate the purposes of this bylaw.
- C. Waiver: The ~~Conservation~~ Commission may waive strict compliance with any requirement of this chapter or the rules and regulations promulgated hereafter, where such action:
- (1) Is allowed by federal, state and local statutes and/or regulations;
  - (2) Is in the public interest; and
  - (3) Is not inconsistent with the purpose and ~~interest~~ objectives of this chapter.

**§ 193-6. Procedures,**

Permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated as permitted under § 193-5 of this ~~b~~Bylaw.

**§ 193-7. Enforcement.**

The Conservation Commission or an authorized agent of the ~~Conservation~~ Commission shall enforce this chapter, regulations, orders, violation notices, and enforcement orders, and may pursue all civil (noncriminal) and criminal remedies for such violations.

**§ 193-8. Severability.**

The invalidity of any section, provision, paragraph, sentence, or clause of this chapter shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it ~~inviolate~~ invalidate any permit or determination that previously has been issued.

---

**SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING**

Proposed by: *Community Preservation Committee* Estimated Cost: \$

To determine whether the Town will vote to set aside from the Community Preservation ~~Act~~ Fund's uncommitted funds for later spending:

- a.) \$95,897 for open space, but not including land for recreational use, \$95,897 for historic resources, and \$95,897 for community housing pursuant to Massachusetts General Laws Chapter 44B,

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Section 6 for Fiscal Year 2016;

- b.) \$123,391 for open space, but not including land for recreational use, \$163,305 for historic resources, and \$141,897 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for underfunding of Fiscal Years 2007, FY2008 and, FY2010 through FY2014;
- c.) \$25,000 for administrative expenses; and,
- d.) \$250,000 for historic resources.

**SET ASIDE FOR LATER SPENDING COMMUNITY PRESERVATION FUNDS \$2 MILLION FOR OPEN SPACE**

*Proposed by: Community Preservation Committee*

To determine whether the Town will vote to set aside from the Community Preservation Fund's uncommitted funds for later spending \$2,000,000 million for Open Space purposes pursuant to Massachusetts General Laws Chapter 44B, Section 6, to be transferred from the uncommitted fund to the Open Space Fund of the Community Preservation Fund.

**TRANSFER COMMUNITY HOUSING FUNDS TO WAYLAND MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

*Proposed by: Community Preservation Committee* Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to appropriate and transfer from funds set aside in the Community Preservation Fund for community housing \$419,202s in the amount of \$397,794 from the Community Housing Fund of the Community Preservation Act Fund to be deposited in the Wayland Municipal Affordable Housing Trust Fund.

**APPROPRIATE FUND TO CREATE STEWARDSHIP AND LAND MANAGEMENT PLANS FOR CONSERVATION LAND**

*Proposed by: Community Preservation Committee* Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to:

- a.) appropriate a sum of money not to exceed \$35,000 to create a town-wide stewardship report of conservation land and land management plans for Heard Farm and other town-owned conservation resources as determined by the Conservation Commission; and
- b.) ~~determine whether said appropriation shall be~~ provide for said appropriation by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided not more than \$35,000 of the funds so appropriated shall be transferred from funds set aside for open space purposes in the the Community Preservation Fund's Open Space Fund.

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**ACQUIRE ~~LAND AND HOUSE AT 246 STONEBRIDGE ROAD~~**

Proposed by: *Community Preservation Committee* \_\_\_\_\_ *Estimated Cost:*  
\$ \_\_\_\_\_

To determine whether the Town will vote to:

~~a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire, for open space purposes, by purchase, gift, eminent domain or otherwise, the land, with the improvements thereon, known and numbered as 246 Stonebridge Road, Wayland, Massachusetts and being shown on Assessors Map 41 as Parcel 001;~~

~~a.) b.) appropriate a sum of money not to exceed \$342,000, to be expended for the acquisition of and demolition and removal of the existing structures from said property.; to purchase the property at 246 Stone Bridge Road (Map and Parcel 41-001) and demolish the existing house; and~~

~~b.) a.) determine whether said appropriation shall be provided by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided not more than \$342,000 of the funds so appropriated shall be transferred from funds set aside for open space purposes in the Community Preservation Fund's Open Space Fund.~~

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**APPROPRIATE FUNDS TO STABILIZATION OF TWO ARCHES OF STONE'S BRIDGE**

Proposed by: Community Preservation Committee \_\_\_\_\_ Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to:

- a.) appropriate a sum of money ~~not to exceed up to~~ \$480,000 to be expended on the Stone's Bridge stabilization project; ~~and~~
- b.) ~~determine whether said appropriation shall be~~ provide ~~for said appropriation~~ by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise,; provided ~~that~~ not more than \$480,000 of the funds so appropriated shall be transferred from ~~funds set aside for historic preservation purposes in the~~ Community Preservation Fund, ~~'s Historic Preservation Fund~~ if available, and uncommitted funds ~~in the Community Preservation Fund,~~ if necessary.

**FUND CONSTRUCTION OF RAIL-TRAIL IN WAYLAND**

Proposed by: Community Preservation Committee \_\_\_\_\_ Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to:

- a.) appropriate a sum of money not to exceed \$445,000 to be expended on the construction of the rail-trail along the old Massachusetts Central Railroad line in Wayland, ~~Massachusetts;~~ ~~and.~~
- b.) ~~determine whether said appropriation shall be~~ provide ~~for said appropriation~~ by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided ~~that~~ not more than \$445,000 of the funds so appropriated shall be transferred from the ~~uncommitted funds in the~~ Community Preservation Fund ~~'s Uncommitted Fund~~ for ~~said this r~~Recreation project.

**FUND DESIGN OF A MULTI-USE GRASS PLAYING FIELD AT OXBOW MEADOWS (FORMER NIKE SITE)**

Proposed by: Community Preservation Committee \_\_\_\_\_ Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to:

- a.) appropriate a sum of money not to exceed \$20,000 for ~~the purpose of engaging a~~ professional ~~services firm to prepare a~~ for the design offer a grass playing field ~~on the Town-owned land on Oxbow Road in Wayland, Massachusetts~~Massachusetts known as ~~at~~ "Oxbow Meadows"; ~~and~~
- b.) ~~determine whether said appropriation shall be~~ provide ~~for said appropriation~~ d by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided ~~that~~ not more than \$20,000 of the funds so appropriated shall be transferred from ~~uncommitted funds for recreational use in~~ the Community Preservation Fund ~~'s uncommitted funds for recreational use.~~

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**DESIGN AND CONSTRUCT TRAILS AND SIGNAGE AT DUDLEY WOODS**

Proposed by: Community Preservation Committee \_\_\_\_\_ Estimated Cost: \$ \_\_\_\_\_

To determine whether the Town will vote to:

- a.) appropriate a sum of money not to exceed \$85,000 to be expended ~~for~~ the design and construction of trails and signs on the Town-owned land on Doran Road, Curtis Road, Pond Drive and Cross Street in Wayland, Massachusetts known as a "Dudley Woods"; and
- b.) ~~determine whether said appropriation shall be~~ provide for said appropriation by taxation, transfer from un-appropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided that not more than \$85,000 of the funds so appropriated shall be transferred from uncommitted funds for recreational use in the Community Preservation Fund, ~~to uncommitted balance for Recreational Use Fund.~~

**AUTHORIZATION FOR THE TOWN OF WAYLAND TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES**

Proposed by: Petitioners

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth pursuant to the Provisions of Clause ( 1) of Section 8 of Article 2 of the Amendments to the Constitution of the Commonwealth of Massachusetts and all other applicable laws for a Special Law, substantially in the following form, or to take any action relative thereto.

AN ACT AUTHORIZING THE TOWN OF WAYLAND TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

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

SECTION 1.

- (a) Notwithstanding section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Wayland may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said Chapter 138, to Eastbrook, Inc., located at 87 Andrews Avenue, Wayland, Massachusetts. The license shall be subject to said Chapter 138, except said section 17;
- (b) Upon the issuance of the license authorized by this act, Eastbrook, Inc. shall surrender to the licensing authority the license currently held for the sale of wines and malt beverages not to be drunk on the premises;
- (c) The licensing authority shall not approve the transfer of the license to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the Department of Revenue and the department of unemployment assistance indicating that the licensee is in good standing with those entities, and that all applicable taxes have been paid;

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(d) If the license granted under this act is cancelled, revoked, or no longer in use, it shall be physically returned with all legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

SECTION 2.

This action shall take effect upon its passage.

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**AMEND BYLAW RE: RECONSIDERATION OF ARTICLES BY TOWN MEETINGS**

*Proposed by: Petitioners*

To determine whether the Town will vote to amend its General Bylaws relative to reconsideration of articles by town meetings, Town Code Section 36-10, as follows:

[Key to changes: underlining denotes additions; ~~striketrough~~ denotes deletions]

If an article of the warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time, if the Moderator determines that the person offering the motion discloses significant new information to the town meeting concerning said article, which ~~existed but~~ had not been disclosed or made available to the meeting when the motion under that article was debated; provided, however, that debate and action on said motion shall be deferred until all other articles shall have been disposed of. In any event, a ~~two-thirds~~ four-fifths vote shall be required for approval of a motion to return to an article.

---

**AMEND CHAPTER 36 OF THE CURRENT BYLAWS**

*Proposed by: Petitioners*

To determine whether the Town will vote to amend § 36-1 of the Code of the Town of Wayland titled "Town meeting and election" by changing the start date of annual Town meeting as follows:

[Key to changes: underlining denotes additions; ~~striketroughs~~ denotes deletions]

**"§ 36-1. Town meeting and election.**

The annual Town meeting shall commence ~~on a day between April 1 and May 15 inclusive~~ the fourth Thursday in April, or as soon thereafter as possible, as ordered by the Selectmen. The election of Town officers and the determination of all matters placed on the official ballot at such election shall take place within seven days, but no fewer than two days, before the annual Town meeting. In addition to the warrant required by MGL c. 39, § 9A, the Selectmen shall cause notice of the time and place(s) of each annual and special Town meeting and each annual and special election (1) to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to § 36-3 below and (2) to be posted on the Town sign boards. Such notice shall be posted on the Town sign boards commencing at least two weeks prior to the election and Town meeting and shall remain posted until the election is held and Town meeting is concluded."

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**INCREASE WATER RATES FOR HIGH DENSITY HOUSING**

*Proposed by: Petitioners*

To determine whether the Town will vote to raise water rates for developments which exceed 12 bedrooms. The BOPW has ability to grant exceptions to this bylaw.

**TOWN WILL ENFORCE LOWEST SPEED LIMIT ALLOWED BY LAW**

*Proposed by: Petitioners*

To determine whether the Town will vote to: Along densely settled sections of roadway, the town will add and/or remove signage to allow the town to enforce the lowest speed limit allowed by state law.

**PROHIBIT ROADSIDE DISTRIBUTION OF PHONE BOOKS AND ADVERTISING**

*Proposed by: Petitioners*

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 139 or wherever appropriate, by adding thereto the following subsection:

No person shall systematically distribute advertising or leaflets to dwellings throughout Wayland by tossing from a vehicle or affixing to mailboxes. Articles such as telephone books or advertising flyers distributed in this manner shall be considered litter.

**RESOLUTION TO CONTINUE ELECTRONIC VOTING THROUGH FY2019**

*Proposed by: Petitioners*

To determine whether the Town will vote to:

LET IT BE RESOLVED, that Town Meeting endorses the use of an electronic voting service for all sessions of all town meetings through fiscal year 2019, subject to Moderator’s rules, and requests the Board of Selectmen and Finance Committee to include sufficient funding in the FY2017, FY2018, and FY2019 Omnibus Budget articles presented at the 2016, 2017, and 2018 Annual Town Meetings.

**CHOOSE TOWN OFFICERS**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot.

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## **SELL OR TRADE VEHICLES AND EQUIPMENT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of the following surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

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## **ACCEPT GIFTS OF LAND**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

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## **HEAR REPORTS**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

- Board of Assessors
  - Community Preservation Committee
  - Energy Initiatives Advisory Committee
  - OPEB Advisory Committee
  - Youth Advisory Committee
- 

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## TOWN ADMINISTRATOR'S REPORT

FOR THE WEEK ENDING FEBRUARY 13, 2015

**1. POTENTIAL FUTURE MEETINGS AND KNOWN AGENDA ITEMS:**

1. Monday February 23<sup>rd</sup>: Finance Committee Budget Presentation; Rivers Edge Committee: Presentation of Request for Proposal to Secure a Developer, Solar Project presentation, Last BOS meeting before warrant compiled; Transfer of Rivers Edge Land from BOPW to BOS; Discuss with BOPW Transfer of Land Review of Committee Charges (Audit, PMBC, Municipal Building Planning); Vote Positions on Warrant Articles
2. Monday March 2<sup>nd</sup>:
3. Monday March 9<sup>th</sup>
4. Monday March 16<sup>th</sup>:
5. Monday March 23<sup>rd</sup>
6. Monday March 30<sup>th</sup> : Selectmen's Warrant Article Hearing

**2. CONSERVATION COMMISSION STAFFING REQUEST:** Attached please find memo from John Senschysn regarding the Personnel Board's recommendation to the Finance Committee that a part time position be funded for the Conservation Department in FY 16.

**3. OLD SUDBURY ROAD SIDEWALK:** As you may already know, the BOPW voted to authorize the DPW Director to construct the sidewalk along Old Sudbury Road from Wayland Depot to Wayland Commons supplementing available funds with Chapter 90 funds.

**4. PAYMENTS UNDER SETTLEMENT AGREEMENT AND UNDER AMENDED AGREEMENT BETWEEN WWMDC AND BOS:** Elizabeth Doucette, Fiscal Analyst, is working with the Finance Department and Cynthia Cincotta of the WWMDC to document all payments and accounts used to fulfill the Agreements (attached are complete executed documents)

**5. MINUTES:** As requested, an e-mail was sent to all Boards and Committee chairs with information on how to comply with the Open Meeting Law requirements for minutes. The board also requested and we will work on a reasonable plan to stay current with BOS minutes.

**6. REAC:** The near final draft of the REAC RFP has been forwarded to you in preparation for an upcoming discussion with REAC.



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

John Senchyshyn  
Asst. Town Administrator/HR Director  
508-358-3623  
jsenchyshyn@wayland.ma.us

Personnel Board  
Deborah Cohen  
Jessica Green  
Miranda Jones  
Maryanne Peabody  
Philip Schneider

**Date:** February 12, 2015

**To:** Finance Committee  
Nan Balmer, Town Administrator

**From:** Personnel Board *PB*

**Re:** ConCom Staffing Request

At its February 12, 2015 meeting, the Personnel Board reviewed the ConCom's revised staffing request for a part-time, 19 hour per week Land Manager. The ConCom had presented a staffing request for a full-time Land Manager for the FY 16 budget in November 2014. The Personnel Board did not support the original request and suggested the ConCom further research its needs. By memo dated 1/21/15 the ConCom outlined the revisions to its proposal (copy attached).

Given that the ConCom's revised request is for a part-time, non-benefits eligible position, the Personnel Board recognizes the potential value of the Land Manager and recommends the position be approved and included in the FY 16 budget.





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

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

To: Personnel Board  
From: Conservation Commission  
Date: January 21, 2015  
Re: FY16 Part-time Land Manager Staffing Request

As you know, the Conservation Commission revised its FY 16 full-time staffing request and is now requesting the addition of a part-time Land Manager (19 hours without benefits). Based on similar positions, a salary of \$22.57 – \$28.59/hour or \$22,300 - \$28,250/year is estimated. A revised Job Description for the part-time position is attached.

In not recommending the full-time position, your Board noted the absence of a plan in place to care for and oversee the Conservation lands. It further noted that before your Board would recommend additional full-time staff, it wanted to ensure that "all other alternatives have been reviewed, considered and eliminated as options."

In response to your comments concerning a plan for the Conservation lands, the Commission has since

- Requested and received support from the FinCom for CPA funding of a consultant to draft a Stewardship Report of Conservation lands and Land Management Plans for prioritized Conservation areas (starting with Heard Farm)
- Requested and received support for that funding from the CPC which has voted to include an article in the Town Meeting warrant to that effect
- In anticipation of a positive vote at Town Meeting, the Commission is currently working on an RFP for a consultant so that the process could move along efficiently and a timely plan for the lands could be in place

With respect to the alternate options to hiring a Land Manager

- The current program of employing part-time seasonal staff requires daily supervision and does not address all of the needs for the best care of the areas
- Hiring independent contractors would be more costly and not provide consistent service
- Volunteers are not yet organized or able to provide the extent of multi-season hands-on work required. (Part of the Land Manager's job would include organizing volunteers for appropriate future activities.)
- Grants for staffing are currently unavailable

A part-time land management position would achieve

- Continuity for land management activities
- Greater use of volunteers with direction and support as needed
- Assistance in implementing capital improvements such as Management Study and dam safety repairs
- Year round support to address on-going management needs

The Commission respectfully requests that the Personnel Board recommend funding the part-time Land Manager position (without benefits) at the estimated salary noted above. The Commission believes that this additional staffing is necessary to provide the level of service both expected by the citizens and required to maintain the Conservation lands, important natural resources the protection of which is mandated by state law.

## **SETTLEMENT AGREEMENT**

Plaintiff/Appellee Twenty Wayland, LLC (“20 Wayland”), and Defendants/Appellants Town of Wayland (the “Town”) and Wayland Wastewater Management District Commission (the “WWMDC”), acknowledging the resource-consuming nature and the uncertainty of the outcome of continued litigation, hereby agree to settle the action between them, currently pending in the Massachusetts Appeals Court, Case No. 2014-P-0679, on appeal from the June 23, 2013 Judgment (the “Judgment”) entered in the Middlesex Superior Court, Case No. 2011-04095-F) (the “Action”), upon the following terms and conditions (the “Agreement”), effective as of the Effective Date, defined below.

1. **Middlesex County Superior Court Case Judgment**

***A. Amended Judgment and Dismissal of Appeal***

The judgment in the Action shall be amended and modified by reducing the total monetary award from \$1,227,485 to \$895,000. The amendment shall be effectuated by the filing within three business days of the Effective Date in the Massachusetts Appeals Court a joint motion to dismiss the appeal and to remand the matter back to the Middlesex County Superior Court. Upon remand to the Superior Court, the parties would then file a joint motion to amend the judgment, with a proposed amended judgment attached thereto. The forms of these filings are at Exhibit A.

***B. Post-Judgment Interest***

20 Wayland waives any claim that it may have for post-judgment interest on the Judgment.

***C. Post-Verdict Damages***

20 Wayland waives any claim that it may have for damages and interest thereon as a result of not having available and useable 45,000 GPD of sewer capacity at the Wayland Wastewater Treatment Plant (“WWTP”) for the June 12, 2013 through January 15, 2014 period.

***D. Payment of Amended Judgment***

The Parties agree that the Amended Judgment amount (\$895,000) shall be paid as follows: (i) Upon the Effective Date, the Town shall pay to 20 Wayland \$350,000; (ii) also upon the Effective Date, the Town shall pay to 20 Wayland any amount that it has received as of that date from the owner of the residential parcels of land in Wayland, Massachusetts described in the deed dated December 17, 2013 and recorded with the Middlesex South Registry of Deeds in Book 63078, Page 64 and in Certificate of Title No. 255702 registered in the Land Registration Office at said Registry of Deeds in Registration Book 1446, Page 122 (the “Residential Parcel”), from the sale of dwelling units at the Residential Parcel; (iii) thereafter, for the next 24 months from the execution of this Agreement or until the full Amended Judgment is satisfied, the Town shall pay 20 Wayland \$40,000 each time the owner of the Residential Parcel sells another dwelling unit constructed thereon and pays the Town \$40,000; and (iv) 24 months following the Effective Date, the Town shall pay to 20 Wayland whatever balance is left, if any, on the Amended Judgment, such that as of that date, 20 Wayland will have received from the Town a total payment of \$895,000.

Regarding the Town’s obligation during the 24 months after the Effective Date (or until the Judgment is paid in full) to pay to 20 Wayland \$40,000 each time it receives \$40,000 from the owner of the Residential Parcel from the sale of dwelling units thereon, if for any reason, the owner of the Residential Parcel fails to such \$40,000 payments to the Town, then the Town will pursue its available remedies first against the owner of the Residential Parcel for each missed



\$40,000 payment(s) before pursuing collection remedies against any other party. In the event that any such \$40,000 payments are not made to the Town for the first 14 dwelling units sold within thirty (30) days of the closing of the sale of each such dwelling unit, the Town shall assign 20 Wayland the nonexclusive right to collect the owed \$40,000 payment(s) on behalf of the Town, at 20 Wayland's sole cost, and any money collected by 20 Wayland may in the Town's option be applied to the Town's balance on the Amended Judgment. At 24 months after the Effective Date, the Town will be responsible for the balance owed on the Amended Judgment, irrespective of any uncollected assigned claims. Upon satisfaction by the Town of the full Amended Judgment, any uncollected assigned claims shall revert back to the Town with no credit to the Town for any assigned claims not yet collected as of 24 months from the Effective Date.

If the Town fails to satisfy the Amended Judgment within the 24 months from the Effective Date, the Town will be responsible for all fees and costs incurred by Twenty Wayland pursuing the balance of the Amended Judgment.

***E. Sewer Capacity.***

Notwithstanding anything to the contrary in the Judgment, the reduction in amount of available and useable sewer capacity to be provided to 20 Wayland by the Town and WWMDC at the WWTP from 45,000 GPD to 42,000 GPD resulting from 20 Wayland's transfer of 3,000 GPD of its sewer capacity at the WWTP to the Town pursuant to Section K 3 (b) of the DA shall not constitute a violation of the terms of the Judgment.

**2. WWTP Costs – Sewer Betterment Assessments and User Fees**

20 Wayland and its affiliated limited liability company, Wayland Town Center, LLC, hereby waive their rights to challenge in any proceeding (a) their sewer betterment assessments dated August 4, 2014 relative to the new WWTP on the grounds that the capital costs of the new WWTP in the amount of \$5,600,000 are excessive; and (b) their sewer usage fees on the grounds

that the operating costs included in the annual WWTP operating costs, which costs are part of the basis for said fees, are incorrect, for any reason, for the June 1, 2011 through June 30, 2014 period.

**3. Amendments to the Town Center Project Development Agreement**

Upon the execution of this Agreement by all parties hereto, 20 Wayland shall pay the Town the \$250,000 and \$120,000 gifts under sections J-3 and K-2 respectively under the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC dated March 28, 2006, as amended on October 20, 2009 (the "DA"), and agree that 20 Wayland has satisfied its obligations thereunder. The Parties agree to amend the DA in the form at Exhibit B to state that the Town may use these gifts for any municipal purpose.

**4. Town Center Project Municipal Parcel Utilities**

The Town agrees that the current location of the utilities extended to service the future development of the Municipal Parcel referenced in Section K-1 of the DA is satisfactory, provided that any subsurface easement necessary to construct or maintain said utilities to said Municipal Parcel shall be granted by 20 Wayland (or its successor) to the Town, as a gift. The agreed upon locations of the utilities are shown in Exhibit C attached hereto.

**5. Attorney's Fees and Costs**

Except for so much of the court costs awarded to 20 Wayland in the Superior Court Case that is included in said amended monetary award, each party shall bear its own attorney's fees and costs of the Superior Court Case and the above captioned appeal.

**6. Intent to Bind Successors, Heirs and Assigns**

The foregoing obligations of the Parties shall run with the property on and off Boston Post Road and Old Sudbury Road in Wayland, Massachusetts comprising the Wayland Town

Center Project, except for the Residential Parcel, and shall be binding upon and inure to the benefit and burden of the Parties, their heirs, successors, and assigns.

**7. Applicable Law; Construction**

a. This agreement shall be deemed to have been executed within the Commonwealth of Massachusetts, and the rights and obligations of the parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the Commonwealth of Massachusetts.

b. This agreement is the entire agreement among the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreements and discussions.

c. Neither 20 Wayland nor the Town or WWMDC waive any of their rights or claims which are not resolved by this Agreement or the Amended Judgment in the Action.

d. Time is of the essence for all obligations under this Agreement.

**8. Dispute Resolution; Enforcement**

This agreement shall have the force and effect of a judgment of the court and may be enforced in a civil contempt of court proceeding pursuant to Mass. R. Civ. P. 65.3. Prior to the initiation of any such court proceeding regarding the terms of this Agreement or performance thereunder, Wayland, the WWMDC and 20 Wayland agree that such disputes shall be first subject to nonbinding mediation, for a period not longer than ninety (90) days.

**9. Amendment**

This agreement may only be amended or modified by a writing signed by the Town, the WWMDC and 20 Wayland.

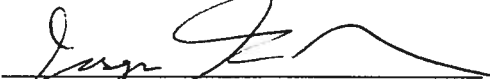


**10. Effective Date**

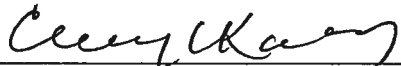
This agreement shall be effective when it is signed by a majority of the members of the Board of Selectmen of the Town of Wayland and of the members of the Wayland Wastewater Management District Commission, as well as by the Manager of 20 Wayland.

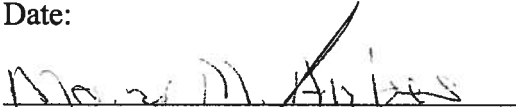
**Town of Wayland,  
by its Board of Selectmen**

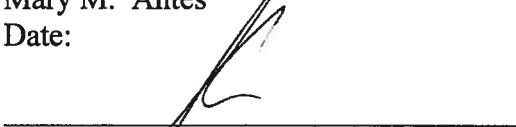
**Twenty Wayland, LLC**

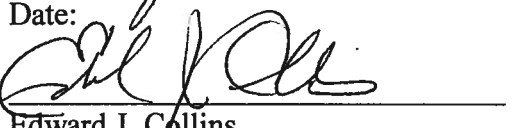
by:   
Joseph F. Nolan, Chair  
Date:

by: \_\_\_\_\_  
Anthony J. DeLuca, Manager  
Date:


  
Cherry C. Karlson, Vice Chair  
Date:

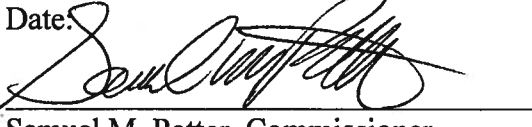
  
Mary M. Antes  
Date:


  
Anthony V. Boschetto  
Date:

  
Edward J. Collins  
Date: February 3, 2015

**Wayland Wastewater Management District Commission**

  
Frederick K. Knight, Chairman  
Date:

  
Samuel M. Potter, Commissioner  
Date:

  
Richard E. Greene, Commissioner  
Date: February 3, 2015

**10. Effective Date**

This agreement shall be effective when it is signed by a majority of the members of the Board of Selectmen of the Town of Wayland and of the members of the Wayland Wastewater Management District Commission, as well as by the Manager of 20 Wayland.

**Town of Wayland,  
by its Board of Selectmen**

by: \_\_\_\_\_  
Joseph F. Nolan, Chair  
Date: \_\_\_\_\_

\_\_\_\_\_  
Cherry C. Karlson, Vice Chair  
Date: \_\_\_\_\_

\_\_\_\_\_  
Mary M. Antes  
Date: \_\_\_\_\_

\_\_\_\_\_  
Anthony V. Boschetto  
Date: \_\_\_\_\_

\_\_\_\_\_  
Edward J. Collins  
Date: \_\_\_\_\_

**Wayland Wastewater Management District Commission**

\_\_\_\_\_  
Frederick K. Knight, Chairman  
Date: \_\_\_\_\_

\_\_\_\_\_  
Samuel M. Potter, Commissioner  
Date: \_\_\_\_\_

\_\_\_\_\_  
Richard E. Greene, Commissioner  
Date: \_\_\_\_\_

**Twenty Wayland, LLC**

by:   
Anthony J. DeLuca, Manager  
Date: 2/4/15

COMMONWEALTH OF MASSACHUSETTS  
APPEALS COURT  
No. 2014-P-0679

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TWENTY WAYLAND, LLC,  
Plaintiff-Appellee,

v.

TOWN OF WAYLAND and WAYLAND WASTEWATER MANAGEMENT  
DISTRICT COMMISSION,  
Defendants-Appellants.

---

ON APPEAL FROM A JUDGMENT OF THE  
MIDDLESEX COUNTY SUPERIOR COURT,  
CASE NO. 2011-04095-F (CURRAN, J.)

---

**Joint Motion for Voluntary Dismissal with Remand**

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Mark J. Lanza  
BBO#549994  
Town Counsel  
41 Cochituate Road  
Wayland, MA 01778  
Telephone: 617.369.9100  
mjlanza@comcast.net

Daniel P. Dain  
BBO#632411  
DAIN, TORPY, LE RAY, WIEST &  
GARNER, P.C.  
745 Atlantic Ave., 5<sup>th</sup>  
Floor  
Boston, MA 02111  
Telephone: 617.542.4800  
Facsimile: 617.542.4808  
ddain@daintorpy.com



As a result of a settlement reached by the parties, Defendants-Appellants Town of Wayland and Wayland Wastewater Management District Commission and Plaintiff-Appellee Twenty Wayland, LLC, jointly move that this appeal (2014-P-0679) be dismissed and that the Court issue an order remanding this matter to the Middlesex County Superior Court (No. 2011-04095-F) so that the parties may file a motion for an amendment to the trial court's June 23, 2013 judgment.

The parties agree that each party shall pay its own post-judgment costs and expenses incurred in this appeal.

Respectfully submitted,

DEFENDANTS-APPELLANTS,

TOWN OF WAYLAND and the  
WAYLAND WASTEWATER  
MANAGEMENT DISTRICT  
COMMISSION,

PLAINTIFF-APPELLEE,

TWENTY WAYLAND, LLC

By its attorneys,

By its attorney,

---

Mark J. Lanza (BBO#549994)  
Town Counsel  
41 Cochituate Road  
Wayland, MA 01778  
Telephone: 617.369.9100  
mjlanza@comcast.net

---

Daniel P. Dain  
(BBO#632411)  
Michael J. McDermott  
(BBO#685223)  
DAIN, TORPY, LE RAY, WIEST &  
GARNER, P.C.  
745 Atlantic Ave., 5<sup>th</sup> Floor  
Boston, MA 02111  
Telephone: 617.542.4800  
Facsimile: 617.542.4808  
ddain@daintorpy.com  
mmcdermott@daintorpy.com

Dated: February \_\_, 2015

**Certificate of Service**

I, Mark J. Lanza, counsel for the Defendants-Appellants hereby certify that this motion was served by first-class mail on Daniel P. Dain, Esq., counsel for the Plaintiff-Appellee Twenty Wayland, LLC.

Dated this \_\_th day of February, 2015.

---

Mark J. Lanza

**EXHIBIT A (2)**

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

TWENTY WAYLAND, LLC

Plaintiff,

v.

TOWN OF WAYLAND and WAYLAND  
WASTEWATER MANAGEMENT DISTRICT  
COMMISSION,

Defendants.

CIVIL ACTION NO. 11-04095-F

**JOINT MOTION FOR AMENDMENT TO THE JUDGMENT**

The parties, having reached a settlement of their dispute, jointly request that this Court amend the June 23, 2013 Final Judgment in accordance with the attached proposed Amendment to the Judgment.



Respectfully submitted,

TWENTY WAYLAND, LLC,

By its attorneys,

---

Daniel P. Dain (BBO No. 632411)  
Michael J. McDermott (BBO No. 685223)  
Dain, Torpy, Le Ray, Wiest & Garner, P.C.  
745 Atlantic Ave., 5<sup>th</sup> Floor  
Boston, MA 02111  
Tel: 617-542-4800  
Fax: 617-542-4808  
ddain@daintorpy.com  
mmcdermott@daintorpy.com

February \_\_, 2015

TOWN and WWMDC,

By their attorney,

---

Mark J. Lanza (BBO No. 549994)  
Town Counsel, Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778  
Tel: 978-369-9100/508-358-3624  
mjlanza@comcast.net

**CERTIFICATE OF SERVICE**

I, Daniel P. Dain, do hereby certify the foregoing was served upon all counsel of record by overnight delivery on February \_\_, 2015.

---

Daniel P. Dain

**EXHIBIT A (3)**

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

TWENTY WAYLAND, LLC

Plaintiff,

v.

TOWN OF WAYLAND and WAYLAND  
WASTEWATER MANAGEMENT DISTRICT  
COMMISSION,

Defendants.

CIVIL ACTION NO. 11-04095-F

**[PROPOSED] AMENDMENT TO THE JUDGMENT**

The parties having reached a post-judgment settlement, have requested that the Court's Final Judgment dated June 23, 2013, be amended as follows:

1. Contractual Damages: Paragraph A shall be amended to state that "Defendants shall pay to Twenty Wayland \$895,000 in contractual damages."
2. Other Monetary Damages: Paragraphs B and C shall be amended so that Defendants are not obligated to pay Twenty Wayland the pre-judgment interest of \$234,298.45 and the statutory costs of \$3,413.04.

In all other respects the Judgment is reaffirmed and remains in effect.

So ordered.

Entered this \_\_\_\_ day of February, 2015, as an amendment to the June 23, 2013 Final

Judgment of this Court by:

\_\_\_\_\_  
Associate Justice of the Superior Court

**EXHIBIT B**

**AMENDMENT NO. 2**

**TO:**

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE TOWN OF WAYLAND AND TWENTY WAYLAND, LLC DATED MARCH 28, 2006**

The foregoing agreement dated as of March 28, 2006, and amended on October 20, 2009, entered into by and between the Town of Wayland, acting by and through its Board of Selectmen ("Wayland") and Twenty Wayland, LLC (the "Developer") relative to the development of a mixed-use project on the property shown on Exhibit B to said agreement, is hereby further amended and modified as follows:

1. By making the following revisions to Section J. 3. of said agreement:

[Key to revisions: underlining = additions;  
strikethrough = deletions]

3. Pursuant to its offer, Developer has following issuance of a certificate of occupancy for 50% of the Gross Floor Area in Phase II of the non-residential component of the MUP on the Property donated the sum of \$250,000.00 pursuant to M.G.L. c. 44, §53A to Wayland to be expended by Wayland for any municipal purpose. fund ~~Wayland's efforts to acquire in fee or by easement or license rights for, and to develop or improve a bicycle trail along the existing MBTA easement, adjacent to the Property, from Route 20 to Route 27, for use by the public. Any funds remaining in the account established for said gift at the completion of said bicycle trail may be used for the planning, design and construction of an historic railroad interpretive site within or along said portion of the MBTA easement. If Wayland does not acquire the necessary land, rights or license for and to develop or improve said bicycle trail within twenty four (24) months following issuance of a certificate of occupancy for 50% of the Gross Floor Area in Phase II of the non-residential component of the MUP on the Property, the unexpended balance of said gift of~~



~~\$250,000.00 will be returned to Developer, after which Wayland will grant any licenses required for, and use best efforts to facilitate Developer's development or improvement of said bicycle trail.; and~~

2. By making the following revisions to Section K. 2. of said agreement:

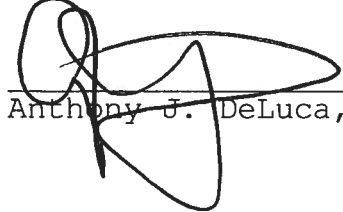
[Key to revisions: underlining = additions;  
~~strikethrough~~ = deletions]

~~2.—Wayland may, within forty five (45) days following notice from Developer that Developer has received a Master-Special Permit, notify Developer of its election to require Developer to construct a parking lot ( "Parking Lot Election Notice") with up to 100 parking spaces on the Parking Parcel. Such notice shall include complete construction specifications which shall not exceed the parking design criteria set forth in the Zoning Bylaw. Developer shall then be obligated to construct such parking lot no later than one year following the issuance of the first certificate of occupancy for a building within the MUP. If Wayland does not send a Parking Lot Election Notice, as specified above, Pursuant to Developer's offer, Developer has the issuance of a certificate of occupancy for 50% of the Gross Floor Area in Phase II of the non-residential component of the MUP, donated pursuant to M.G.L. c. 44§, 53A, \$120,000.00 to Wayland to be expended by Wayland for any municipal purpose assist Wayland with costs of future construction of such parking lot and Developer will have no obligation to construct such parking lot.~~


In all other respects, the foregoing agreement is hereby ratified and confirmed.

Executed under seal as of this \_\_\_ day of February, 2015.  
Town of Wayland, by: Twenty Wayland, LLC

  
\_\_\_\_\_  
Joseph F. Nolan, Chair

by:   
\_\_\_\_\_  
Anthony J. DeLuca, Manager

  
\_\_\_\_\_  
Cherry C. Karlson, Vice Chair

  
\_\_\_\_\_  
Mary M. Antes



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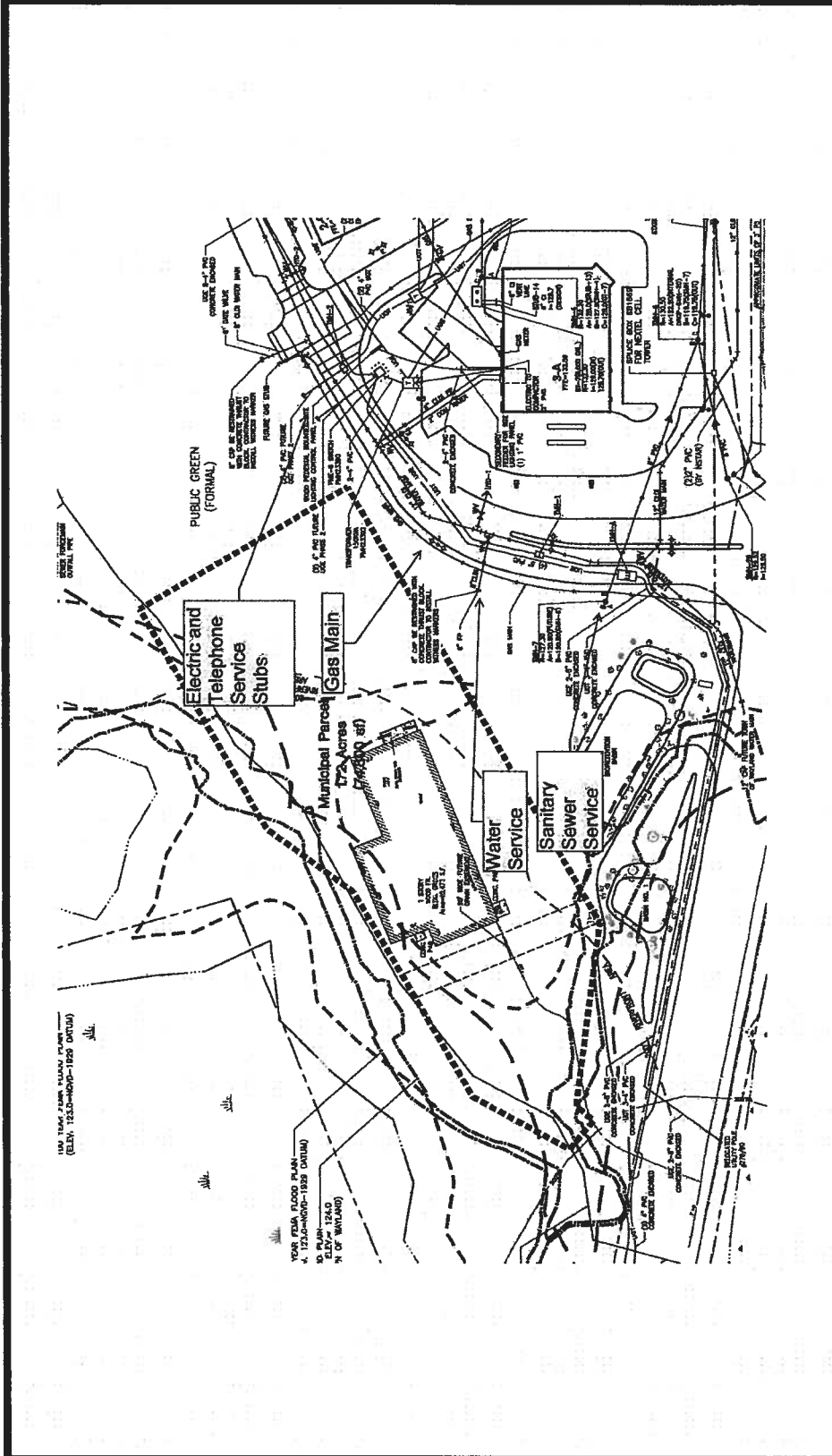
Anthony V. Boschetto



---

Edward J. Collins

its Board of Selectmen



**Twenty Wayland, LLC**  
 Suite 901  
 10 Memorial Blvd  
 Providence, RI 02903

**Exhibit C**  
**Municipal Parcel Utilities**  
**Wayland Town Center**  
 January 28, 2015 No Scale



**AMENDMENT**

**TO**

**MEMORANDUM OF AGREEMENT DATED JULY 28, 2014 RE:**

**WASTEWATER MANAGEMENT SYSTEM FINANCIAL MATTERS**

This amendment (the "Amendment") is entered into and agreed to by and between the Town of Wayland, acting by and through its Board of Selectmen (the "BoS") and the Town of Wayland Waste Water Management District Commission (the "Commission"), both having an address of 41 Cochituate Road, Wayland, Massachusetts 01778 as of February 3, 2015, as follows.

WHEREAS, the BoS and Commission have agreed to contribute the \$175,000 paid by Twenty Wayland under Paragraph D(10)(a) of the Development Agreement toward the settlement between the Town, Commission and Twenty Wayland ;

WHEREAS, as part of this settlement, the Commission shall delay the full payment of the Town's PILOB in accordance with this Amendment;

NOW THEREFORE, the BoS and Commission hereby agree to the following changes to the Agreement:

1. Item number 4 shall be deleted in its entirety and replaced with the following;
  4. In consideration of the Commission establishing betterment assessments and forgoing collecting such a surcharge, the BoS agrees to make a payment in lieu of betterment assessments (PILOB) as a gift to the Commission and to pledge and encumber the sum of \$500,671 of the so called gift money (the "Gift") which is expressly set forth as payable under that certain development agreement (the "Development Agreement"), dated March 28, 2006 entered into by and between the BoS and Twenty Wayland LLC ("Twenty Wayland"), as amended, to make such payment.

The Town shall pay \$325,671 of the PILOB upon the earlier of (a) a signed settlement agreement in connection with the pending appeal in the case Twenty Wayland, LLC v. Town of Wayland, et al, Mass. App. Ct. Case No. 2014-P-0679 or (b) July 1, 2015. The balance of the PILOB will become due and payable in installments, as hereinafter specified, upon the earlier of (a) the receipt of any Gift money in accordance with the Development Agreement with respect to the sale of Condominiums associated with the River Trail Development after the sale of 14 units in \$40,000. installments commencing with the sale of the 15<sup>th</sup> unit in said condominium until the full PILOB is

paid or (b) two years from the effective date of any settlement agreement by and between the Town, Commission and Twenty Wayland.

2. Item number 7 shall be deleted in its entirety and replaced with the following;

7. The Town will reimburse the Commission for any amounts that exceed fifty percent (50%) of the legal costs due to litigation or preparation for litigation with respect to any dealings with Twenty Wayland, LLC since November 1, 2011. The parties have agreed to a reconciliation of legal expenses for November 1, 2014 through May 31, 2014 and the amount of \$24,010 shall be transferred to the Wastewater Enterprise Fund.

Furthermore, the Town and the Commission shall split equally all legal costs associated with any challenge to any provision of this Agreement and any provision of the so called Settlement Agreement in the above Case.

3. Item number 9 shall be deleted in its entirety and replaced with the following;

9. The Commission shall assign the above referenced amount of \$175,000 to the Town as payment to satisfy the Commission's portion of any monetary component of any settlement with respect to the Case Twenty Wayland, LLC v. Town of Wayland, et al, Mass. App. Ct. Case No. 2014-P-0679. The Town shall assume the Commission's obligation to pay and pay any monetary award with respect to the above-mentioned case. In addition, the parties agree to the following:

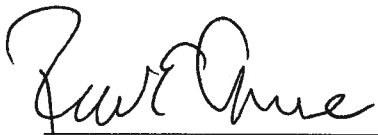
- a. The Commission shall vote to establish and implement a policy on a level of fund balance as a percentage of budgeted expenses to be maintained and suggested reasons for appropriation. The Commission will work with the Finance Director to establish this policy.
- b. The Commission shall establish a separate account to receive and hold the betterment or surcharge payments, in any form, intended for payment of the Debt obligations. The Town shall assist the Commission in establishing the segregated account under the most favorable terms as approved by the Commission.
- c. The Commission will develop a comprehensive 6 month operating financial report as of December 31 (fiscal year to date) of each year and provide it to the Finance Director and BoS by January 15 of each year. The Commission shall work with the Finance Director to determine the form of this report.
- d. The Commission shall demonstrate financial solvency by meeting its FY14 expense budget, identifying receivables and billable amounts to meet the FY15

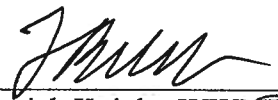
d. The Commission shall demonstrate financial solvency by meeting its FY14 expense budget, identifying receivables and billable amounts to meet the FY15 revenue forecast and demonstrating an additional \$200,000 cash balance any time after August 2, 2014.

4. This Amendment shall be effective upon the execution, by all named parties, of a settlement in the Case of Twenty Wayland, LLC v. Town of Wayland, et al, Mass. App. Ct. Case No. 2014-P-0679. If a settlement agreement is not executed by July 1, 2015, this Amendment shall be null and void and all the original provisions of the Memorandum of Agreement shall remain unchanged.

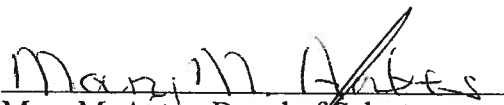
In all other respects, the Agreement is hereby ratified and confirmed.

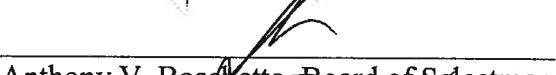
Executed as a sealed instrument this 3rd day of February 2015.

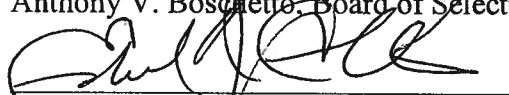
  
Richard Greene, WWMDC

  
Frederick Knight, WWMDC

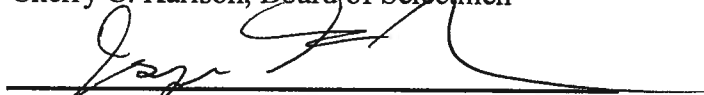
  
Sam Potter, WWMDC

  
Mary M. Antes, Board of Selectmen

  
Anthony V. Boschetto, Board of Selectmen

  
Edward J. Collins, Board of Selectmen

  
Cherry C. Karlson, Board of Selectmen

  
Joseph A. Nolan, Board of Selectmen

**MEMORANDUM OF AGREEMENT RE:**

**WASTEWATER MANAGEMENT SYSTEM FINANCIAL MATTERS**

This agreement (the "Agreement") is entered into by and between the Town of Wayland, acting by and through its Board of Selectmen, (the "BoS") and the Town of Wayland Waste water Management District Commission (the "Commission"), both having an address of 41 Cochituate Road, Wayland, Massachusetts 01778 as of July 28, 2014, as follows.

WHEREAS, the Town has established for the Commission an Enterprise Fund method of accounting as defined in Massachusetts General Laws Chapter 44, Section 53F ½ and regulated by the Massachusetts Department of Revenue (the "DOR") and is to be financially self-supporting;

WHEREAS, Town Meeting approved the issuance of \$5,600,000 in bonds (the "Debt") for the construction of a new waste water treatment facility (the "Facility") and the Debt is backed by the Town's full faith and credit;

WHEREAS, as part of that operation, the Commission is charged with the collection of sewer user fee surcharges or betterment assessments from its users to service those certain Debt obligations and with the collection of fees for other operating expenses and costs of the Commission, such that the Facility, the wastewater management system for the community and the Commission are financially self-supporting;

WHEREAS the Commission has decided to recover \$5,000,000 in remaining uncollected bond principal expenses from the construction of the Facility;

WHEREAS, the Commission prefers to charge user fee surcharges, not betterment assessments, because the surcharges permit the Town to lawfully pay its pro rata share while simultaneously allowing the Commission certain flexibility in determining pro rata share in the future should the system be allowed to take on additional users;

WHEREAS, the BoS prefers betterment assessments because they provide a more secure position and a one time transaction; and

WHEREAS, the BoS has expressed its interest in paying the Town's pro rata share of the capital costs of the Facility.

NOW THEREFORE, the BoS and Commission hereby agree to resolve the present differing viewpoints as follows:

1. The Commission shall charge betterment assessments with respect to the construction costs of the Facility not previously collected via surcharges;



2. The BoS and the Commission agree that the Town's current pro rata share is 9.3% based on 7,100 gallons per day ("GPD") out of a total of 76,245 GPD of design sewer capacity as that term is defined in 310 CMR 15.000, et seq. (Title V). For purposes of this agreement, "the Town's current pro rata share" shall mean the total design sewer capacity, as such capacity is defined in this paragraph, available and committed to Town-owned buildings, regardless of whether such buildings are connected to the Facility, stated as a percentage of the aggregate design sewer capacity available and committed to all buildings which are connected or are committed to be connected to the Facility.
3. This Agreement in no way shall be construed as a commitment by the Commission to provide the Town such capacity.
4. In consideration of the Commission establishing betterment assessments and forgoing collecting such a surcharge, the BoS agrees to make a payment in lieu of betterment assessments (PILOB) as a gift to the Commission and to pledge and encumber the sum of \$500,671 of the so called gift money (the "Gift") which is expressly set forth as payable under that certain development agreement (the "Development Agreement"), dated March 28, 2006 entered into by and between the BoS and Twenty Wayland LLC ("Twenty Wayland"), as amended, to make such payment.

The PILOB will become due and payable upon the earlier of (a) a settlement agreement is reached in connection with the pending appeal in the case Twenty Wayland, LLC v. Town of Wayland, et al, Mass. App. Ct. Case No. 2014-P-0679 or (b) July 1, 2015. The BoS may request appropriation for the payment from annual town meeting. Should such appropriation fail to pass at Town Meeting, the remaining principle shall become due and payable as aforesaid or the BoS may pay the \$500,671 over whatever term remains from when said amount becomes due and payable under this agreement and 2031 at a rate of 5% per annum.

5. If the BoS elects to request funding from a town meeting for appropriation of payments under item 4 (above) for funding through another alternative method than the Gift, the Commission shall support said town meeting article. Further, for each year, if town meeting funding is successful, the Commission shall agree to partially release the identical amount of encumbered Gift funds to the BoS for other use.
6. The Commission will adopt, issue and record an order of sewer betterment assessment to collect a balance of \$4,499,329.
7. The Town will reimburse the Commission for any amounts that exceed fifty percent (50%) of the legal costs due to litigation or preparation for litigation with respect to any dealings with Twenty Wayland, LLC since November 1, 2011. The parties have agreed to a reconciliation of legal expenses for November 1, 2014 through May 31, 2014 and the amount of \$24,010 shall be transferred to the Wastewater Enterprise Fund.

8. The Commission will provide the BoS with a letter stating the date, motion and quantum of vote to declare the Facility substantially complete. Following receipt of that information and any other necessary information, the Town shall invoice and demand payment from Twenty Wayland, LLC for the \$175,000 gift due and payable under Paragraph D(10)(a) of the Development Agreement representing the amounts payable upon the completion of the Facility.
9. The BoS shall assign the above referenced amount of \$175,000 to the Commission, however, the transfer of funds is subject to completion of the following items intended to demonstrate financial and operational stability:
  - a. The Commission shall vote to establish a policy on a level of fund balance as a percentage of budgeted expenses to be maintained and suggested reasons for appropriation. The Commission will work with the Finance Director to establish this policy.
  - b. The Commission shall establish a procedure for quarterly billings of user fees to include at minimum written procedures of the process and calculation and develop standard document templates for the bills.
  - c. The Commission shall be current on all billing (defined as having sent bills), including at minimum to establish and bill Facility users for all FY13 and FY14 user fees and surcharges.
  - d. The Commission shall demonstrate financial solvency by meeting its FY14 expense budget, identifying receivables and billable amounts to meet the FY15 revenue forecast and demonstrating an additional \$200,000 cash balance any time after August 2, 2014.
  - e. The Commission shall establish a separate account to receive and hold the betterment or surcharge payments, in any form, intended for payment of the Debt obligations. The Town shall assist the Commission in establishing the segregated account under the most favorable terms as approved by the Commission.
  - f. The Commission will develop a comprehensive 6 month operating financial report as of December 31 (fiscal year to date) of each year and provide it to the Finance Director and BoS by January 15 of each year. The Commission shall work with the Finance Director to determine the form of this report.
10. The BoS hereby agrees to allow the Commission, at its own expense, to continue its contract with special counsel for the enforcement of this Agreement.
11. In consideration of this Agreement, the Commission will undertake and complete all steps necessary to establish sewer betterment assessments by August 1, 2014. Town Counsel will

be directed to complete the legal filing of the betterment assessments and provide the necessary data to all applicable Town departments necessary to complete the filing. The Commission will pay for related legal costs. The Commission will mail a form, the "Notice of Betterment Assessments" and any additional accompanying explanatory materials to users within thirty (30) days of the filing but not later than August 29, 2014. The Town will provide staff support during the process to establish betterments assessments as is normal and customary.

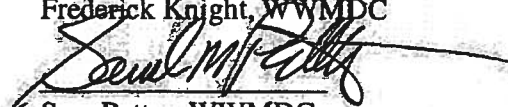
12. This Agreement cannot be modified or otherwise amended without the written agreement of both parties, except that any of the aforesaid dollar amounts may be modified in accordance with the terms of a written settlement agreement arrived at through mediation or otherwise relative to the subject matter of this Agreement, without the need for a separate written amendment to this Agreement.
13. The BoS and the Commission recognize that Town staff resources have been expended to support the Commission and the operation of the facility, however the BoS hereby agrees to reimburse the General Fund for those staff expenses from the Gift received from Twenty Wayland, LLC or its successor. Commencing with this Agreement, the Town shall track staff time and resources spent on the operations of the Commission and the Commission, in turn, shall reimburse the Town for the reasonable and actual costs of such staff resources.
14. The BoS and the Commission agree that this agreement will not be made public until a settlement agreement is reached in connection with the pending appeal in the case of Twenty Wayland, LLC v. Town of Wayland, et al, Mass. App. Ct. Case No. 2014-P-0679 or by July 1, 2015, whichever occurs sooner.

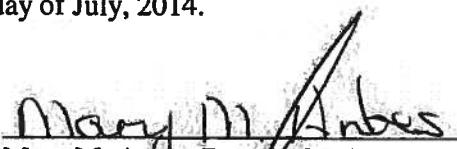
Executed as a sealed instrument this 28<sup>th</sup> day of July, 2014.

\_\_\_\_\_  
Richard Greene, WWMDC



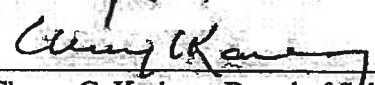
\_\_\_\_\_  
Frederick Knight, WWMDC

  
\_\_\_\_\_  
Sam Potter, WWMDC

  
\_\_\_\_\_  
Mary M. Antes, Board of Selectmen

\_\_\_\_\_  
Anthony V. Boschetto, Board of Selectmen

  
\_\_\_\_\_  
Edward J. Collins, Board of Selectmen

  
\_\_\_\_\_  
Cherry C. Karlson, Board of Selectmen

  
\_\_\_\_\_  
Joseph F. Nolan, Board of Selectmen



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

**BOARD OF SELECTMEN**  
**Tuesday, February 17, 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 Withdrawal of the Warrant Article, "Rescind Authorized but Unissued Debt," from the 2015 Annual Town Meeting
3. Vote the Question of Approving the Placement of a Temporary Sign for the Veritas Christian Academy Open House in Front of the Cochituate Fire Station, from March 1-8, 2015, Weather Permitting
4. Vote the Question of Approving the Annual Contribution Contract from the U.S. Department of Housing and Urban Development for the Wayland Housing Authority for the Fiscal Year 2015
5. Vote the Question of Approving for Release with Redactions the Executive Session Minutes of June 30, 2014, August 11, 2014, and August 18, 2014
6. Vote the Question of Approving for Release the Executive Session Minutes of October 6, 2014



## DiNapoli, MaryAnn

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**From:** Linda King <bloking@msn.com>  
**Sent:** Wednesday, February 11, 2015 9:52 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** Temporary sign - March 1-8

Hi Mary,

We are having an open house at Veritas Christian Academy on March 8 and would like to request permission to put an A-frame sign at the fire station at Rt. 27/East Plain St. It would be up from March 1-8 (weather permitting, of course, ha ha. If there are still huge snowbanks, we might not do it.)

Thanks,  
Linda King

Veritas Christian Academy  
6 Loker Street, Wayland  
508-653-1188  
[www.VeritasMA.org](http://www.VeritasMA.org)



WAYLAND HOUSING AUTHORITY  
106 MAIN STREET  
WAYLAND, MA 01778

BRIAN E. BOGGIA  
EXECUTIVE DIRECTOR

V/TTY: (508) 655-6310

FAX: (508) 655-8566

WWW.WAYLAND.MA.US

BOARD OF COMMISSIONERS  
MARY M. ANTES  
MARTIN NICHOLS  
CHARLES RASKIN  
SUSAN WEINSTEIN  
BRET FRANCIS

February 12, 2015

Nan Balmer  
Town Administrator  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778  
United States of America

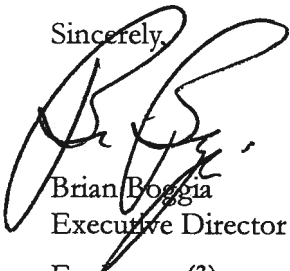
Dear Mr. Fred,

I am pleased to inform you that the WHA has received an Annual Formula Allocation grant in the amount \$141,788.00 from the HUD Capital Fund Program (CFP). These funds will be used for capital improvements at WHA federal properties as per the WHA five-year plan.

The endorsement by the Board of Selectmen is necessary to receive these funds. Enclosed are three original Annual Contribution Contracts (ACC) for the Board's review. If approved, three original documents must be signed and sealed. **All ACC documents must be executed and received by HUD by February 18, 2015.**

Please call if you have questions or require further clarification.

Sincerely,



Brian Boggia  
Executive Director

Enclosure (3)

**2015 Capital Fund**

**Capital Fund Program  
(CFP) Amendment  
To The Consolidated Annual Contributions  
Contract (form HUD-53012)**

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Whereas, (Public Housing Authority) Wayland Housing Authority Ma101 (herein called the "PHA") and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions Contract(s) ACC(s) Numbers(s) B-1445 dated 8/3/1979

Whereas, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified below for the purpose of assisting the PHA in carrying out development, capital and management activities at existing public housing projects in order to ensure that such projects continue to be available to serve low-income families. HUD reserves the right to provide additional CFP assistance in this FY to the PHA. HUD will provide a revised ACC Amendment authorizing such additional amounts.

\$ \$141,788.00 for Fiscal Year 2015 to be referred to under Capital Fund Grant Number MA06P10150115  
PHA Tax Identification Number (TIN): On File DUNS Number: On File

Whereas, HUD and the PHA are entering into the CFP Amendment Number \_\_\_\_\_

**Now Therefore**, the ACC(s) is (are) amended as follows:

1. The ACC(s) is (are) amended to provide CFP assistance in the amount specified above for development, capital and management activities of PHA projects. This CFP Amendment is a part of the ACC(s).
2. The PHA must carry out all development, capital and management activities in accordance with the United States Housing Act of 1937 (the Act), 24 CFR Part 905 (the Capital Fund Final rule) published at 78 Fed. Reg. 63748 (October 24, 2013), as well as other applicable HUD requirements, except that the limitation in section 9(g)(1) of the Act is increased such that of the amount of CFP assistance provided for under this CFP amendment only, the PHA may use no more than 25 percent for activities that are eligible under section 9(e) of the Act only if the PHA's HUD-approved Five Year Action Plan provides for such use; however, if the PHA owns or operates less than 250 public housing dwelling units, such PHA may continue to use the full flexibility in section 9(g)(2) of the Act.
3. The PHA has a HUD-approved Capital Fund Five Year Action Plan and has complied with the requirements for reporting on open grants through the Performance and Evaluation Report. The PHA must comply with 24 CFR 905.300 of the Capital Fund Final rule regarding amendment of the Five Year Action Plan where the PHA proposes a Significant Amendment to the Capital Fund Five Year Action Plan.
4. For cases where HUD has approved a Capital Fund Financing Amendment to the ACC, HUD will deduct the payment for amortization scheduled payments from the grant immediately on the effective date of this CFP Amendment. The payment of CFP funds due per the amortization scheduled will be made directly to a designated trustee within 3 days of the due date.
5. Unless otherwise provided, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(j)(1) of the Act and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(j)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.
6. Subject to the provisions of the ACC(s) and paragraph 3, and to assist in development, capital and management activities, HUD agrees to disburse to the PHA or the designated trustee from time to time as needed up to the amount of the funding assistance specified herein.
7. The PHA shall continue to operate each public housing project as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for each public housing project or portion thereof and for a period of forty years after the last distribution of CFP

assistance for development activities for each public housing project and for a period of ten years following the last payment of assistance from the Operating Fund to each public housing project. However, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing project(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition of any project covered by this amendment shall occur unless approved by HUD.

8. The PHA will accept all CFP assistance provided for this FY. If the PHA does not comply with any of its obligations under this CFP Amendment and does not have its Annual PHA Plan approved within the period specified by HUD, HUD shall impose such penalties or take such remedial action as provided by law. HUD may direct the PHA to terminate all work described in the Capital Fund Annual Statement of the Annual PHA Plan. In such case, the PHA shall only incur additional costs with HUD approval.

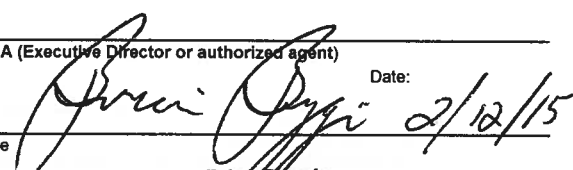
9. Implementation or use of funding assistance provided under this CFP Amendment is subject to the attached corrective action order(s).  
(mark one) :  Yes  No

10. The PHA is required to report in the format and frequency established by HUD on all open Capital Fund grants awarded, including information on the installation of energy conservation measures.

11. If CFP assistance is provided for activities authorized pursuant to agreements between HUD and the PHA under the Rental Assistance Demonstration Program, the PHA shall follow such applicable statutory authorities and all applicable HUD regulations and requirements. For total conversion of public housing projects, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing projects(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition or conversion of any public housing project covered by these terms and conditions shall occur unless approved by HUD. For partial conversion, the PHA shall continue to operate each non-converted public housing project as low-income housing in accordance with paragraph 7.

12. CFP assistance provided as an Emergency grant or a Safety and Security grant shall be subject to a 12 month obligation and 24 month expenditure time period. CFP assistance provided as a Natural Disaster grant shall be subject to a 24 month obligation and 48 month expenditure time period. The start date shall be the date on which such funding becomes available to the PHA for obligation. The PHA must record the Declaration(s) of Trust within 60 days of the effective date or HUD will recapture the funds.

The parties have executed this CFP Amendment, and it will be effective on 4/13/2015. This is the date on which CFP assistance becomes available to the PHA for obligation.

|  |  |
|--|--|
| U.S. Department of Housing and Urban Development | PHA (Executive Director or authorized agent)   |
| By _____ Date: _____                             | By  Date: <u>2/12/15</u> |
| Title _____                                      | Title _____  |

Previous versions obsolete

**Brian Boggie**  
Executive Director  
Wayland Housing Authority  
106 Main Street  
Wayland MA 01778

**Capital Fund Program  
(CFP) Amendment—page 2**  
To The Consolidated Annual Contributions Contract  
(form HUD-53012)

(SEAL)  
Attest:

TOWN/CITY \_\_\_\_\_

\_\_\_\_\_

BY: \_\_\_\_\_

TITLE:

DATE: \_\_\_\_\_





# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

ROBERT MERCIER  
INTERIM TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

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

## CONFIDENTIAL

**Board of Selectmen  
Meeting Minutes  
Executive Session  
June 30, 2014**

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, (via remote participation), Joseph F. Nolan

**Also Present:** Interim Town Administrator Robert Mercier, Barb Fletcher, Chair, School Committee, Brad Crozier, Assistant Superintendent of Schools, members of the Wastewater Management District Commission (Fred Knight, Sam Potter, and Rick Greene), Administrative Assistant to the Wastewater Management District Commission Cindy Cincotta, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 6:43 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson via remote participation, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a(3) to (1) discuss collective bargaining strategy pertaining to contract negotiations with the school custodians; and (2) with the Wastewater Management District Commission, to discuss strategy in respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management District users, as threatened by their lawyer, as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

Chair J. Nolan announced that member Cherry Karlson will be participating remotely due to geographic distance, and that a quorum of the Board of Selectmen is physically present at the meeting, all persons are audible to one another, and all votes will be roll call votes. C. Karlson stated that no other person is present and/or able to hear the discussion at the remote location.

**Discussion:** The Board was joined by Barb Fletcher, Chair, School Committee, and Brad Crozier, Assistant Superintendent of Schools, to discuss the contract with the school custodians. B. Crozier said the Memorandum of Agreement was delayed due to advice from labor counsel. B. Fletcher noted it is a two-year contract, with one year already past. She said the COLAs (Cost of Living Adjustments) are the same as Wayland Teachers contract, and in line with the Finance Committee guidelines. She noted minor changes in the uniform allowance and the callbacks, and asked for Board approval of the contract. M. Antes moved, seconded by E. Collins, to approve the two-year contract for School Custodians. Roll call vote: YEA: M. Antes, E. Collins, C. Karlson via remote participation, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto. Vote: 4-0-1.

B. Crozier and B. Fletcher left the meeting at 6:52 p.m.

The Board was joined by the members of the Wastewater Management District Commission, C. Cincotta, and Town Counsel Mark Lanza at 6:52 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Items Distributed for Information and Use by the Board of Selectmen at the June 30, 2014, Meeting**

1. Contract between the Town of Wayland and the School Custodians



# TOWN OF WAYLAND

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ROBERT MERCIER  
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BOARD OF SELECTMEN  
MARY M. ANTES  
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JOSEPH F. NOLAN

## CONFIDENTIAL

**Board of Selectmen  
Meeting Minutes  
Executive Session  
August 11, 2014**

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived 6:42 p.m.), Cherry C. Karlson, Joseph F. Nolan

**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator/HR Director John Senchyshyn

**Purpose:** The session was called at 6:34 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: E. Collins. ABSTAIN: none. Adopted 4-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a (3), to discuss strategies with respect to pending litigation between Twenty Wayland, LLC and the Town and its Wastewater Management District Commission; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to conduct a strategy session in preparation for negotiations with nonunion personnel (new Town Administrator Nan Balmer); and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (6) to consider the purchase, exchange, lease of value of real property (Discussion of the Septage Meeting with Sudbury re: Value of Real Estate/Disposition).

The Board was joined by Personnel Board Members Jessica Green, Maryanne Peabody, Phil Schneider, Miranda Jones and Deb Cohen.

J. Nolan reviewed his conversations with the Town Administrator candidate, Nan Balmer. He noted that the candidate had some concerns about the history of the town. He said that N. Balmer was making a significant investment in Wayland by resigning her position and relocating to the area. The Board of Selectmen and the Personnel Board discussed the "without cause" section of the proposed employment contract. J. Senchyshyn distributed a draft using the Personnel Board's suggested changes as a template. J. Nolan suggested amending the language of the contract to read one year guaranteed, two years of service with a nine-month severance, and three years of service with a twelve-month severance. T. Boschetto moved, seconded by E. Collins, to accept the changes to the contract as discussed, to work with the Personnel Board in finalizing the contract and for the Chair to negotiate the changes with Nan Balmer. Roll call vote: YEA: E. Collins, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. Adopted 5-0.

The Personnel Board left the meeting.



[REDACTED]

[REDACTED]

Wastewater Management District Commission members Sam Potter, Fred Knight and Rick Greene joined the meeting.

[REDACTED]

By motion of C. Karlson, seconded by T. Boschetto, by roll call vote, it was unanimously voted to exit executive session at 8:50 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the August 11, 2014, Meeting**

1. Draft Employment Contract for Town Administrator with changes suggested by the Personnel Board





# TOWN OF WAYLAND

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JOSEPH F. NOLAN

## CONFIDENTIAL

Board of Selectmen  
Meeting Minutes  
Executive Session  
August 18, 2014

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Counsel Mark Lanza (arrived 7:10 p.m.), Executive Assistant MaryAnn DiNapoli, Wastewater Management District Commission Chair Fred Knight, and member Rick Greene

**Purpose:** The session was called at 7:14 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland; and pursuant to MGL Chapter 30A, Section 21a (2), to discuss contract negotiations regarding new Town Administrator Nan Balmer, as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:**

R. Green and F. Knight left the meeting at 8:31 p.m.

J. Nolan advised the Board that N. Balmer had accepted the terms of the employment contract for Town Administrator and was ready to begin. He said she was satisfied with the 9-month cancellation clause. He said she will sign the contract on August 25, 2014.

By motion of J. Nolan, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 8:42 p.m. YEA: M. Antes, T. Boschetto E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

[REDACTED]



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
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JOSEPH F. NOLAN

## CONFIDENTIAL

**Board of Selectmen  
Meeting Minutes  
Executive Session  
October 6, 2014**

**Attendance:** Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived 6:56 p.m.), Cherry C. Karlson, Joseph F. Nolan

**Also Present:** Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli

**Purpose:** The session was called at 6:32 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by roll call vote (YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: E. Collins. ABSTAIN: none. Adopted 4-0) of the Board of Selectmen in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to pending litigation and collective bargaining, and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (1) to discuss strategy with respect to complaints brought against a public officer, and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: February 25, 2013, April 19, 2013, June 13, 2013, June 24, 2013, October 2, 2013, October 7, 2013, October 28, 2013, November 6, 2013, November 18, 2013, and January 13, 2014, because a public discussion of pending litigation and collective bargaining and complaints brought against a public officer, and the review and consideration for approval and potential release of executive session minutes, will have a detrimental effect on the bargaining or litigating position of the Town.

**Discussion:** J. Senchyshyn presented executive session minutes for Board review and approval. The Board considered the advisability of releasing executive session minutes in regard to collective bargaining before the Personnel Board, and the potential need to include draft minutes as backup documents to the final minutes. N. Balmer said she would review the issue with Town Counsel. T. Boschetto asked that the Board be given the opportunity to review the draft minutes if it is found that they must be included. The Board agreed to withhold the minutes of October 2, 2013, pending consultation with the School Committee and Town Counsel, and to withhold the minutes of November 6, 2013, pending an opinion from Town Counsel regarding the inclusion of the draft minutes. C. Karlson moved, seconded by M. Antes, to approve for release, with redactions and edits, the executive session minutes of February 25, 2013, April 19, 2013, June 13, 2013, June 24, 2013, October 7, 2013, October 28, 2013, November 18, 2013, and January 13, 2014. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

By motion of C. Karlson, seconded by E. Collins, by roll call vote, it was unanimously voted to exit executive session at 7:05 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the October 6, 2014, Meeting**

1. Draft Executive Session Minutes of February 25, 2013, April 19, 2013, June 13, 2013, June 24, 2013, October 2, 2013, October 7, 2013, October 28, 2013, November 6, 2013, November 18, 2013, and January 13, 2014



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

**REVISED LIST OF PUBLIC DOCUMENTS PROVIDED TO THE  
BOARD OF SELECTMEN FROM FEBRUARY 6, 2015, THROUGH  
AND INCLUDING FEBRUARY 12, 2015, OTHERWISE NOT LISTED  
AND INCLUDED IN THE CORRESPONDENCE PACKET FOR  
FEBRUARY 17, 2015**

**Items Distributed To the Board of Selectmen – February 6-12, 2015**

1. None

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

1. Petition Regarding the FY16 School Budget, February 2015
2. Revised OPEB Funding Article for 2015 Annual Town Meeting
3. Year to Date Snow Cost, November 2014 to February 9, 2015
4. Memorandum of 1/28/15 from John Senchyshyn, Assistant Town Administrator/HR Director, to Board of Selectmen re: Fire Chief Recruitment
5. Map of Abutters to China Rose, East Plain Street, distributed by Police Chief Robert Irving

**Items Included as Part of Agenda Packet for Discussion During the February 17,  
2015 Board of Selectmen's Meeting**

1. Memorandum of 2/17/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Recreation Revolving Fund Articles/Recreation Revolving Fund Caps
2. Comments on the Proposed Annual Town Meeting Articles to Obtain Wastewater Design Flow for the Library, 2/12/2015, by Fred Knight, Wastewater Management District Commission
3. Memorandum of 2/13/2015 from Ben Keefe, Facilities Director, to Nan Balmer, Town Administrator, re: Annual Town Meeting Article to Obtain Wastewater Design Flow for the Library
4. Proposed Article for Annual Town Meeting, "Resolution Regarding ESCO Project Changes"
5. List of Articles for the 2015 Annual Town Meeting and Revised Text for Annual Town Meeting Warrant
6. Report of the Town Administrator for the Week Ending 2/13/2015





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## BOARD OF SELECTMEN Tuesday, February 17, 2015 Wayland Town Building Selectmen's Meeting Room

### CORRESPONDENCE

#### Selectmen

1. Press Release, February 11, 2015, from Town Moderator Dennis Berry, re: Annual Town Meeting

#### Minutes

2. OPEB Advisory Committee, December 3, 2014, January 5, 2015
3. Municipal Affordable Housing Trust Fund Board, January 7, 2015
4. Board of Public Works, January 13, 2015

#### Region

5. Email of 2/9/15 from 495 Partnership re: Opportunity for Municipal Officials to Serve on the 495/MetroWest Partnership's Board
6. Email of 2/11/15 from Ed Bouquillon, Minuteman Regional School, re: Request for a Meeting in Wayland
7. Invitation from Massachusetts Municipal Association, 2/5/15, to the Spring Legislative Breakfast Meetings

To the Editor:

The Annual Town Meeting is now less than two months away. The opening session will be held on Monday April 6<sup>th</sup>, with following sessions the two successive days. As Moderator of that meeting I certainly look forward to it. In part of preparation I wanted to bring a few points to your attention about this annual gathering.

First, I would like to express my personal appreciation to a small committee, Chaired by Tom Fay, that met several times this Fall at my request to review the Moderators Rules. In addition to Tom the Committee included Miranda Jones, Dave Bernstein, Tom Greenaway, Kim Reichelt and Anette Lewis. They suggested several changes that I will be including in the final draft that will be circulated before the meeting. There will be several refinements of wording and procedure, but no drastic changes were suggested.

Second, and vitally important is that as if now we are without a timer. As mentioned last year, Albie Cincotti has decided to take a well-earned retirement from the position. This is an extremely important part of the meeting and could be a significant service to the town. Anyone who feels they are willing to take on the position is sincerely requested to get in touch with me, or with Town Clerk Beth Klein.

Finally, I am adding a new wrinkle to our town Meeting preparation. On Wednesday, March 25, I will be holding our first Moderator's Forum. This is a voluntary opportunity for any group or person sponsoring an article to attend and, time permitting, make a brief presentation of their article. The floor will be open to questions on each presentation. I hope that this will allow a brief pre-meeting practice session to discuss articles and respond to questions before the full meeting. To conserve time, we will not be discussing the budget, to do so would take up the whole evening.

I will be writing more about this as we get closer to the date.

We certainly look forward to seeing you at the Meeting and hope you will take the time to read what you can, and prepare for the April 6.

Thank you,

Dennis Berry  
Moderator  
15 George Streetg



# Town of Wayland Massachusetts

## **OPEB Advisory Committee**

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

### **MINUTES OF THE OPEB ADVISORY COMMITTEE MEETING**

Held on Wednesday, December 3, 2014 at 7 pm

Location: Wayland Town Building – 2<sup>nd</sup> floor small conference room

Present were Cliff Lewis, Kent George, Maryanne Peabody, David Gutschenritter and Jay Sherry

Chair Cliff Lewis called the meeting to order at 7:10 pm.

Public Comment - There was no public comment.

Minutes – the Minutes from the meeting of October 7, 2014 were reviewed. Kent George clarified that an RFP is not required for the request for Legal Counsel to review the OPEB Investment Trust since the amount requested is less than \$35,000. Elizabeth Doucette suggests that an RFQ process should be used.

Jay Sherry questioned acronyms used in the Minutes referring to PRIM and PRIT. The Committee chose to refer to the group in future discussions as PRIT.

The Minutes were approved as amended.

The Minutes from August 27 were approved and accepted as written.

Fin Com Update – Tom Greenaway has invited Dave Gutschenritter to the Fin Com meeting on January 5 regarding the OPEB Warrant Article for the annual Town Meeting. The Town Crier has indicated that Town Meeting will be earlier than usual this year. Dave suggested that the Committee submit the article drafted similarly to last year's utilizing a place holder dollar amount of \$300,000 until we get more accurate numbers as we get closer to Town Meeting. According to the email received from Nan Balmer,

draft warrant articles need to be submitted by January 15<sup>th</sup>. Dave will draft the article and the committee will meet prior to the January 15 submission date to review.

Actuary Review – Jay Sherry reported on his canvassing of Towns that were given as references for potential actuarial firms. According to Jay, all Towns reported that they were happy with their actuaries and their recommendations. There were no surprises on pricing. Weston chose a new firm (even though happy with their existing firm) based on better pricing. Several towns were surprised at delivery times later than anticipated but also admitted there were delays on the towns' side. All towns surveyed were doing their reviews based on GASB 45. No town was doing premium based reviews.

All firms are qualified, experienced and are located close by. Because Odyssey includes a sensitivity analysis as part of its standardized reporting, Jay recommends that the Town choose Odyssey as its actuary this year.

Kent George moved that the Committee accept Jay's study and recommend to the Town that they contract with Odyssey on the RFQs submitted this year. Discussion followed. Dave Gutschenritter said that we should clarify that we want a premium based analysis irrespective of which actuarial firm is used. Discussion ensued about differences in forecasting assumptions among the firms (e.g., – are all retirees counted as retired on January 1<sup>st</sup> or is it staggered throughout the year?) and how those affect results. It was noted that the selected firm should provide a premium based analysis. It was moved, seconded and voted (5-0) that the Committee recommend that the Town use Odyssey as its actuarial firm this year.

OPEB Investment Account Review – there was agreement that there should be an advisory Group to review the investment returns of the OPEB Investment Account. There was discussion about whether there should be an informal group that serves at the pleasure of the Town Treasurer who is responsible for these investments by the Statute accepted by the Town or whether there should be a more formal structure for that group as a way to foster transparency.

Cliff stated that currently the responsibility resides with the Town Treasurer and is concerned that with a more formal advisory group, the Town may find it difficult to attract qualified members. Kent pointed out that depending upon the structure of the Trust this might not be an issue. Legal trusts require trustees. The Committee discussed PRIT as an option. Dave pointed out that by choosing to go with PRIT, the Town gives up the ability to change the asset allocation to achieve funding goals.

The Committee discussed the importance of getting an advisory committee moving. There is no transparency presently. The committee agrees that reporting on OPEB investment return performance should be posted quarterly on the Town website.

Dave expressed concern that once the OPEB Committee disbands, the OPEB investment returns necessary for the premium based assumptions to achieve funding objectives need to be continued.

Maryanne Peabody suggested that the committee codify expectations that need to be carried forward in order for the Town to meet its OPEB obligations. Cliff offered to take on responsibility for an initial draft of such a document.

Cost Savings – Cliff and Maryanne reported that they are setting up a meeting with Nan regarding OPEB issues to date, progress made and potential cost savings in the future. They do not expect any additional savings this coming year.

Legal Structure of the Investment Account - Since the Selectmen provide access to legal counsel, Kent will need to appear before the Selectmen to request legal advice regarding the OPEB Trust. The Committee reiterated its concern that the funds be protected for use for OPEB only obligations.

Review of OPEB Contributions from Fee-based programs – the School Committee has set up a subcommittee to look at the parity contributions for those self sustaining programs that are struggling and have been unable to pay for past OPEB contributions made by the Town on behalf of their employees. (The Children’s Way; School Lunch Program). Discussion ensued regarding other grant programs that may have employees whose OPEB contributions have been picked up by the Town.

Next Steps – Kent will follow-up with Nan on the issue of obtaining specialized outside legal advice for the OPEB Investment Account. Maryanne and Cliff will meet with Nan regarding OPEB savings to date and future health plan savings. The Committee will meet on Tuesday, December 9 to review the Warrant Article for Town Meeting being prepared by Dave. Jay will follow-up with actuary regarding actuarial assumptions. The Committee set a meeting for Monday, January 5<sup>th</sup> at 7:30 pm following Dave’s meeting with the Finance Committee.

There being no further business, the Chair adjourned the meeting at 10:05 pm.

Respectfully submitted,

Maryanne Peabody, Member  
OPEB Advisory Committee





# Town of Wayland Massachusetts

## OPEB Advisory Committee

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

### Minutes of January 5, 2015 Committee Meeting (as approved February 10, 2015)

In attendance were David Gutschenritter, Cliff Lewis, Maryanne Peabody, and Jay Sherry. Kent George was absent. The meeting was videotaped and is currently available on WayCAM On Demand at:  
<http://waycamtv.pegcentral.com/player.php?video=0bd2695ffa98952d39308a4b8e462528>

The meeting was called to order at 7:28 PM by Chair Cliff Lewis in the Small Conference Room on the second floor of the Wayland Town Building. The following Agenda topics were addressed:

**1. Public Comment:** There were no members of the public present at this meeting.

#### **2. Review of the document “Managing Wayland’s OPEB Investment Account Revision C”**

*(WayCAM video on this topic starts at 0:00:54)*

Jay suggested a few miscellaneous edits to the document. Maryanne offered a few concerns about the document based upon the language in Wayland’s special OPEB statute. Jay voiced his concern that the Committee had voted 4 – 0 in its December meeting to approve the investment allocation mix of 75% equities / 25% fixed income referenced in the document, but that this recommendation had not yet been passed along to Treasurer Paul Keating nor the investment managers at Bartholomew and Rockland Trust. Jay believes that there is a real cost to continued delay in implementing this investment change.

After further discussion, Jay moved that the Committee approve Revision C as amended, seconded by Dave Gutschenritter. The motion was approved 4 – 0. Cliff commented that it is now the task of Dave and Cliff to find the three volunteers to work on the Investment Advisory group envisioned in the document.

#### **3. Approve minutes from prior meetings**

*(WayCAM video on this topic starts at 00:12:30)*

Dave offered several comments on Maryanne’s minutes of the December 3, 2014 meeting. Jay moved that the minutes be accepted as amended, seconded by Dave, and approved by the Committee 4 – 0. The Committee deferred action on the minutes of the December 9 meeting until Kent can circulate them.

#### **4. Future actuarial assumptions in 2016 OPEB valuation and later**

*(WayCAM video on this topic starts at 00:16:00)*

Cliff said there is a need to describe how the actuarial assumption work should continue after the OPEB Committee is disbanded. Cliff suggested that a companion document to the Investment Account document be developed for this purpose. Dave posed the hypothetical question of who is best able to recommend the healthcare inflation rate assumption to be used by the actuary in the premium-based OPEB forecast. Maryanne expressed concern that the Personnel Board be made aware of the actuarial assumptions. Jay suggested that while Town staff (such as the HR director and Finance director) should participate, it would be good to have a non-staff citizen also participate. Jay agreed to draft a document that would describe how the premium-based OPEB valuation should be done in the future.

**5. Review of Meeting with Wayland Town Administrator Nan Balmer**

*(WayCAM video on this topic starts at 00:37:40)*

Maryanne described the Dec 31 meeting she and Cliff had with Nan Balmer. She reported that Nan is generally supportive of what the Committee is doing. Jay offered to share with the Committee and Nan what other towns (e.g. Foxboro and Whitman) are doing to control healthcare costs, based on what he has learned from Odyssey Partners.

**6. Legal Structure of the Investment Account**

*(WayCAM video on this topic starts at 00:49:00)*

Cliff said that the RFQ for legal advice now in circulation is not the same RFQ that the OPEB Committee approved, and said he would talk with Kent offline on why that is the case. Cliff noted that Town Counsel Mark Lanza's comments on the RFQ tended to narrow the scope of the legal issues to be addressed.

**7. Review of OPEB Contributions from Fee-Based Programs**

*(WayCAM video on this topic starts at 00:52:10)*

Cliff reported on his meeting with the School Committee finance subcommittee (School business administrator Susan Botton, plus Donna Bouchard and Barbara Fletcher of School Committee). In addition to the seven fee-based programs identified in last year's warrant, there are eight more programs with employee headcount significant enough (.3 FTE or greater) to merit a parity contribution for OPEB, plus a regular annual contribution to the OPEB investment account. These amounts will be included into the OPEB warrant article for the April 2015 Town Meeting. Cliff agreed to work with Brian Keveny to calculate the correct figures.

**8. Discussion of draft Warrant Article on OPEB**

*(WayCAM video on this topic starts at 1:11:30)*

Dave distributed drafts of the 2015 OPEB warrant article for discussion. OPEB parity contributions of \$15,181 per FTE will be included in paragraph (a) of the article for the 15 fee-based programs. The Committee also discussed the calculation of the amounts shown in paragraphs (b) and (c).

Dave moved that the Committee approve submission of the warrant article substantially in the form of the January 5 draft. At his discretion Dave will increase the values of the placeholder values in the article if necessary. Seconded by Jay, and approved 4 – 0 by the Committee.

**9. New Hire Parity Contributions for OPEB**

*(WayCAM video on this topic starts at 1:29:00)*

The Committee had an extended discussion of how to appropriately charge any Town or School department for OPEB contributions when the department hires new employees that increase aggregate headcount.

**10. Future Meetings & Next Steps**

*(WayCAM video on this topic starts at 2:13:20)*

The Committee agreed to meet next on Tuesday, January 27, 2015 at 7:00 PM *[later shifted back to 7:30 PM]*. It also planned to meet subsequently on Tuesday February 10, 2015 at 7:00 PM to finalize the recommended OPEB warrant article. Jay agreed to schedule a Public Information Session sometime in March prior to Town Meeting.

The Committee voted 4-0 to adjourn the meeting at 9:56 PM.

Respectfully submitted,

Jay Sherry

Municipal Affordable Housing Trust Fund (MAHTF)

Meeting Minutes—January 7, 2015

Wayland Town Building

ATTENDANCE: Mary Antes; Jacqueline Ducharme; Stephen Greenbaum; Kevin Murphy; Brian O’Herlihy; Armine Roat; and Susan Weinstein (arrived at 8:40 PM)

NOTES:

Mary Antes called the meeting to order at 7:37 PM.

1. December minutes were reviewed. Brian O’Herlihy moved the minutes be approved, with revisions. Armine Roat seconded the motion. The motion was passed 5 approved, 1 abstention.
2. Brian O’Herlihy reported that Mary Antes met with Mark Lanza, Town Counsel, Nan Balmer, Town Administrator and Paul Keating, Town Treasurer to discuss the MAHTF being an independent entity and have a financial account separate from town funds. There was also discussion regarding the signatory over the account. As a result of this meeting, Brian O’Herlihy will meet with Paul Keating.
  - Brian O’Herlihy brought up and there was a discussion having the Town Accountant and the Town Treasurer being authorized signatories of the MAHTF financial account.
  - There was also a discussion of the Town Treasurer and Town Accountant being exofficio members of this committee. Brian O’Herlihy recommended and made a motion that the Town Accountant and Town Treasurer become exofficio members of the MAHTF. Kevin Murphy seconded the motion and it passed unanimously.
  - There was a discussion about opening the MAHTF account at the Village Bank. Members discussed the bank as being community-oriented, providing both volunteers and money for various town initiatives. Stephen Greenbaum made a motion that the MAHTF financial account be opened at the Village Bank. Kevin Murphy seconded the motion, and it passed unanimously.
  - It was also recommended that the funds go into a risk-free interest bearing account. This would be revisited once the funds surpassed the FDIC amount.
3. Paula Gallup, from the Lincoln Housing Commission, came to speak about Lincoln’s affordable housing experiences.
  - Lincoln became interested and active with affordable housing in the 1960’s.
  - The Lincoln Foundation purchased land and built 125 apartments in the 1970’s.
  - Currently, Lincoln’s affordable housing stock is at 11%.
  - Lincoln did not want a housing authority, and developed the Housing Commission. Its work is driven by Town Meeting. Currently, it manages 9 housing units owned by the town.
  - 40bs either give money or units with each development, which is negotiated with each development. Funds initially went to the Lincoln Foundation, now goes into the Trust.
    - Currently, Lincoln’s Trust has \$1.2 million.

- The Housing Commission hires an outside consultant for the monitoring and resale of affordable housing units.
    - The Housing Commission uses money from its rentals for the consultants.
  - There are 3 group homes (for the developmental disabilities and the mentally ill) in Lincoln, with 5 bedrooms in each home.
    - Each bedroom counts toward an affordable housing unit.
  - The Lincoln Trust has subsidized some in condos, buying down units to 120%-80% of the median income.
4. Susan Weinstein reported that the CPC unanimously supported any CPA money designated for community housing go to the MAHFT. There will be a warrant article for Town Meeting for designated CPA housing money to go the MAHFT. If passed, \$397,794 will go to the Trust.
- Susan moved that the MAHFT Committee support and co-sponsor the warrant articles affecting community housing. Stephen Greenbaum seconded the motion and it passed unanimously.
5. The Trustees briefly discussed the draft by-laws. Brian O’Herlihy suggested that Mark Lanza review the draft prior to approval. Susan Weinstein reported that she had made a number of changes to the draft.
- ACTION:** Susan Weinstein will make track changes to the by-laws and send it to the Trustees.  
Will review the by-laws and the General Purpose and Mission next month
6. Mary Antes reminded the Trustees of the January 20, 2015 meeting with the Housing Authority, Housing Partnership and Planning Board.
7. Susan Weinstein moved that we adjourn the meeting. Kevin Murphy seconded the motion, and it was approved unanimously. The meeting adjourned at 9:36 PM

Respectfully Submitted,

Jacqueline Ducharme

# WAYLAND BOARD OF PUBLIC WORKS

Wayland Town Building

January 13, 2015

7:00 PM

MEETING MINUTES

M. Lowery (Chair), C. Brown, B. Goldsmith, J. Mishara (Left at 8:45), M. Wegerbauer, S. Kadlik (Director)

Meeting opened at 7:00 PM

(Lowery announced that the meeting is being videotaped)

Lowery opened the meeting with a review of the agenda.

Lowery announced that he is resigning as Chair of the Board of Public Works, and requested that Vice Chair Brown consider the Chair.

Lowery made a motion that he resign his position as Chair to take the role of Vice Chair, with current Vice Chair Brown elevated to the role of Chair.

Mishara 2<sup>nd</sup>, all in favor.

Kadlik noted that Don Millett has been hired as Water Division Superintendent, and will begin work on February 3, 2015.

Lowery asked for public comment.

## **Public Comment**

Woody Baston of 11 Cochituate expressed his concern with the Board's potential conveyance of the River's Edge property. He expressed his concern over the additional costs that will be incurred by the Town if the land is lost as a storage and staging area for the DPW.

Baston also discussed his support for the installation of a sidewalk on Old Sudbury Road between the Depot and the Town Center Entrance.

Tom Sciacca of 31 Rolling Lane noted his support of the hiring of Don Millett as DPW Water Superintendent.

Sciacca discussed the status of the drainage system of the turf field and related his own observations of the drainage system to the Board.

Sciacca discussed the status of the landfill access road appeal and expressed his concerns for the potential usage of the road.



## **Discuss Town Meeting Articles and Endorsements**

### **WFD – Private Hydrant Bylaw**

Fire Chief Vincent Smith appeared before the Board to discuss the proposed bylaw requiring the testing, maintenance, and repair of private hydrants.

Smith noted that the proposed bylaw states that the owner of the property would be responsible for conducting yearly tests on the hydrant, with a flow test conducted every fifth year.

Smith requested that the first testing be conducted in April 2015, with results forwarded to the Fire Department by July 2015.

Wegerbauer asked if the Fire Department would maintain the records and have the responsibility of inspecting the hydrants.

Smith replied that the Fire Department would maintain the records and reserve the right to inspect the hydrants.

Kadlik expressed his support of the proposed bylaw.

The Board discussed the potential co-sponsorship of the article.

Goldsmith made a motion that the Board sponsor or cosponsor the article.

Brown 2<sup>nd</sup>, all in favor.

### **River's Edge Property**

#### **Discuss DPW Replacement Facilities for Current Uses**

Kadlik distributed a list of current uses of the River's Edge Parcel and discussed it with the Board.

Wegerbauer asked how much storage space is needed for the DPW to continue to function as it is now.

Park Superintendent Michael Lindeman responded that a minimum of two acres if material currently stored is to be hauled out, but four acres would be needed to maintain the current levels of storage.

Lowery noted that the list is a good starting point, and the list should be forwarded to both the Board of Selectmen and the River's Edge Advisory Committee.

#### **Discuss Terms of Conveyance of Parcels to the BoS**

Mishara asked if only part of the land could be conveyed with a portion retained for DPW use.

Lowery distributed a draft of the motion that the Board would need to make to convey the land.

### **Discuss Town Meeting Articles and Endorsements**

#### **Planning – Sidewalk from the Depot to the Town Center Entrance**

Lowery discussed the status of a potential article funding the installation of a sidewalk from the Depot to the Town Center Entrance.

Lowery noted that the intent was for the Town Planner to draft an article, but it has not yet been drafted.

Kadlik noted that it is his recommendation that the \$75,000 currently earmarked be used to construct the sidewalk, with the remainder funded through Chapter 90.

Colleen Sheehan, of 16 Spring Hill and Chair of the Planning Board, noted that the Planning Board does not typically request capital items, as was noted at a Board of Public Works meeting in October.

Gretchen Schuler, of 126 Old Connecticut Path and Chair of the Historic District Commission, appeared before the Board to discuss the status of the sidewalk.

Schuler noted that she would submit a petitioner's article if a Board article would not be submitted.

Brown noted that in his opinion, the article would stand the best chance of passing as a petitioner's article submitted by Schuler, rather than one from the DPW.

Lowery noted that he had a conversation with Selectman Joe Nolan, who encouraged the Board of Public Works to progress with the sidewalk installation, which the Board of Selectmen would co-sponsor.

Kadlik noted that if Chapter 90 funding is used, the project would be completed much sooner than if funded is sought through an article at Town meeting.

Lowery made a motion that the Board authorizes Kadlik to utilize Chapter 90 funding in addition to the \$75,000 gifted to allow the sidewalk to be completed as designed.

Mishara 2<sup>nd</sup>.

Mishara, Lowery, Brown, and Wegerbauer in favor; Goldsmith abstain.

#### **Rt27/Rt30 Intersection Takings**

The Board discussed the draft of the article for Route 27 / Route 30 Intersection takings.

Wegerbauer made a motion to approve the article draft with details to be added at a later date.

Lowery 2<sup>nd</sup>, all in favor.

Wegerbauer made a motion to amend the Capital Budget to increase the Budget for the Landfill Access Road from \$100,000 to \$200,000.

Mishara 2<sup>nd</sup>, all in favor.

Lowery discussed the status of the Historical Commission article to rehabilitate half of Stone Bridge.

Brown noted that discussion should be withheld until the Board is approached by the Historical Commission.

Lowery noted that he will convey the Board's desire to have a discussion about the status of Stone Bridge with the Historical Commission.

#### **Discussion on the Implementation of a DPW Facebook Page**

Joe Doucette, DPW Foreman, and Dan Cabral, DPW Office Administrator, appeared before the Board to discuss the potential implementation of a DPW Facebook page.

Lowery made a motion to support the implementation of the DPW Facebook Page.

Mishara 2<sup>nd</sup>, all in favor.

#### **Discussion of Water Billing Effects if Meters are not Read in Close to 6-Month Cycles**

Lowery asked if the DPW office could be given the authority to make corrections to bills affected by extended billing cycles.

Lowery noted that there is currently a policy in place allowing the office to grant abatements for administrative purposes.

Brown made a motion to allow the office to correct bills subject to extended billing cycles as necessary, with the correction not to exceed \$2000.

Lowery 2<sup>nd</sup>, all in favor.

#### **Review of 2015 DPW Road Resurfacing Program**

Kadlik discussed the roads scheduled for resurfacing in 2015 and the source of funding for each.

Lowery asked about the status of Pelham Island Road.

Kadlik responded that Pelham Island Road will be a major project costing approximately \$2M, and suggested that funding for its reconstruction be sought separately.

The Board discussed the status of the funding of future road resurfacing projects.

Wegerbauer made a motion to accept the Road Resurfacing Plan as Submitted.

Brown 2<sup>nd</sup>, all in favor.

### **DPW Director's Operational Report**

Kadlik provided the Board with an agenda for the upcoming Tata & Howard Meeting on the status of Town water infrastructure projects.

Kadlik discussed the status of the recent water main breaks on Dudley Road and Hawthorne Road.

Kadlik updated the Board on the Route 30 / East Plain / School Street intersection and raised the possibility of making the changes permanent.

Kadlik noted the lights at West Plain and Old Connecticut Path are installed and are scheduled to become operational on 1/26/15.

Brown asked Kadlik his opinion on the construction of the intersection.

Kadlik noted that he was not happy with several aspects of the construction and that the issues will be rectified in the spring at no cost to the Town.

Kadlik noted that the Transfer Station reconstruction is complete and discussed the overall project with the Board.

Kadlik updated the Board on the Glezen Lane Traffic Calming Settlement, noting that the most recent discussions cannot be disclosed as they occurred in Executive Session with the Board of Selectmen.

Lowery asked Kadlik about the status of the Town's playgrounds.

Kadlik noted that the DPW did a visual inspection; concerns were raised to the School Department, and are in the process of being rectified.

Kadlik noted that the Lead and Zinc sample results from the Town's all looked good.

Lowery asked Kadlik about the status of the artificial turf field drainage study.

Kadlik noted that he has been in discussion with the contractor to get her the information she needs to complete the project.

Goldsmith asked when the turf field is due to be replaced.

Lindeman replied that the fields do not have a definitive life expectancy, but would likely need replacement after 10-15 years.

### **Board Members' Reports, Concerns, and Updates**

#### **Status of Landfill Access Road Appeal**

Lowery asked Sciacca if an action was filed in Superior Court.

Sciacca replied that there was not.

#### **MAPC-Developed Model Groundwater Protection Bylaw & Regulations**

Lowery noted that the Town has not extensively codified its stormwater bylaws, and suggested that bylaws be reviewed.

Lowery discussed the status of the \$2.5M environmental bond bill, noting that further investigation revealed that the \$2.5M had already been earmarked to provide water and sewer to River's Edge.

Goldsmith expressed his opinion that the Board meet with the Board of Selectmen and the Town Administrator to see if the \$2.5M could instead be used to fund water infrastructure improvements.

Brown noted that the funding exists solely to fund the installation of water and sewer service to the proposed River's Edge development, and expressed his doubt that the funds could be diverted for other projects.

Sciacca added that the State's goal of the environmental bond bill was to fund upgrades to the water infrastructure throughout the State.

Lowery noted that the Planning Board had a series of Zoning Articles it was going to propose, but have since withdrawn those articles until further vetting and discussion.

Brown noted that the new DPW Facility is progressing, and although it is approximately one month behind schedule, it is considerably under budget.

Wegerbauer asked if there is a major gas line crossing the Rivers Edge Property.

Kadlik replied that there is not.

Wegerbauer asked about the status of the temporary ice rinks.

Kadlik replied that there are no plans to install the ice rinks this year due to cost and labor constraints.

The Board discussed potential options for public skating locations.



Wegerbauer requested that a discussion of options for public skating rinks be placed on the January 27, 2015 Board agenda.

Goldsmith asked if there is any update on the status of hiring a Town Engineer.

Lowery noted that he has spoken with HR Director John Senchyshyn, and there has been no additional action.

Lowery added he will request that the Personnel Board provide notification when any further action takes place.

**Topics Not Reasonably Anticipated by the Chair 48 hours Prior to Posting**

Lowery discussed NSTAR's recent notification of their intent to conduct Vegetation Management in Town, and noted that he did not see any concerns pertaining to the Board.

Lowery requested that the document and map be placed on the website.

**Review and Approve Minutes**

Goldsmith noted that Brown should be listed as being in attendance.

Brown made a motion to approve the minutes of the 12/17/2014 minutes as amended.

Wegerbauer 2<sup>nd</sup>

All in Favor

Mishara made a motion to adjourn.

Goldsmith 2<sup>nd</sup>, all in favor.

Meeting adjourned at 10:08 PM.

## DiNapoli, MaryAnn

---

**From:** Balmer, Nan  
**Sent:** Monday, February 09, 2015 2:49 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** Fwd: Opportunity for Municipal Officials to serve on the 495/MetroWest Partnership's Board

Correspondence

Nan Balmer  
(508) 237-1330

Begin forwarded message:

**From:** Paul Matthews <[mecc@memberclicks-mail.net](mailto:mecc@memberclicks-mail.net)>  
**Date:** February 9, 2015 at 2:32:08 PM EST  
**To:** "Balmer, Nan" <[nbalmer@wayland.ma.us](mailto:nbalmer@wayland.ma.us)>  
**Subject:** **Opportunity for Municipal Officials to serve on the 495/MetroWest Partnership's Board**  
**Reply-To:** "[paul@495partnership.org](mailto:paul@495partnership.org)" <[paul@495partnership.org](mailto:paul@495partnership.org)>



Municipal officials have an invaluable role on the 495/MetroWest Partnership's Board of Directors, representing municipal needs and interests in our institutional governance. As a public-private collaboration serving thirty-four communities in the 495/MetroWest region, having activist municipal leaders on the Board is crucial to our continued success.

Currently, the Partnership's Board has some vacancies for municipal officials from within our service area, and candidates for these positions would be welcomed by our Nominating Committee. **Eligible candidates include elected officials such as Selectmen and Planning Board members, appointed officials such as Town Administrators, Planners, and Public Works Directors, and volunteers such as economic development committee members. While the time commitment is minimal – there are only four Board meetings a year that are held within the region for a brief time in the morning – Board members will work closely with business executives, legislators, state officials, and other leaders to advocate for our region's needs.**

We hope that you can consider being a candidate to hold a municipal seat on the Partnership's Board; **if you are interested, please complete and return this brief [statement of interest](#) to be considered by the Nominating Committee.**

If you have any questions, or if the Partnership can be of direct assistance to your community, then please contact our Executive Director, Paul Matthews, at (774)760-0495 x105 or by email to [paul@495partnership.org](mailto:paul@495partnership.org) .

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This email was sent to [nbalmer@wayland.ma.us](mailto:nbalmer@wayland.ma.us) by [paul@495partnership.org](mailto:paul@495partnership.org)  
495/MetroWest Corridor Partnership, Inc. | 200 Friberg Parkway, Suite 1003 | Westborough,  
Massachusetts 01581 | United States

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## DiNapoli, MaryAnn

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**From:** Balmer, Nan  
**Sent:** Wednesday, February 11, 2015 1:02 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Requesting a meeting in Wayland

Correspondence

---

**From:** Bouquillon, Ed [mailto:e.bouquillon@minuteman.org]  
**Sent:** Wednesday, February 11, 2015 12:49 PM  
**To:** Mary Ellen Castagno (mecastagno@aol.com)  
**Cc:** Tony Boschetto; Gil Wolin; Dennis Berry; Rozan, Elizabeth; Jeffrey Stulin (jwstulin@comcast.net); Stein, Paul; CAROLYN FLOOD; Nancy Banks; Balmer, Nan  
**Subject:** Requesting a meeting in Wayland

Mary Ellen

**As Superintendent of the regional school district I am requesting your assistance in providing an opportunity for the Wayland stakeholders to meet with me sometime before March 14th. I believe such a meeting would be productive and helpful to you in your efforts to provide the best information available to your community.**

**I respectfully ask for a meeting with yourself, representatives of the Finn Comm, School Committee and the Wayland Superintendent of Schools. I believe these folks were all a part of the group that visited Minuteman a few months ago. If it is convenient we could meet at Minuteman at a suitable time. Given the weather challenges we have been facing, it may be easier to meet in Wayland and I am happy to work with you on that.**

**I anticipate the Agenda would focus on the remaining questions the Town has regarding the revisions to the regional agreement and perhaps inter-municipal agreements. Kevin Mahoney has prepared a number of analyses based on specific questions towns have regarding the impacts of the regional agreement. Perhaps there are some data we can prepare in advance. We can discuss the building project estimates presented at the February 6<sup>th</sup> meeting along with analyses estimating the Wayland tax impact of each of the models described by the School Building Committee report.**

**Once we are able to find a suitable date I would discuss with you, who from the district (besides Kevin and myself) would be available. I am hopeful you will receive my request in the spirit it is offered and we can sit down together to work towards the best decision for Wayland and its residents. I am also hopeful this group may want to continue to meet (quarterly perhaps) to discuss issues related to Minuteman. If this is something you believe would be helpful to you, I will work with you to support such a continued communication effort.**

**Please call or email if you have any other questions.**

**Respectfully**

**Ed**

**Edward A Bouquillon PhD**

**Superintendent-Director  
Massachusetts Association of Vocational Administrators ~ Past President 2014-15**

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**PLEASE SIGN UP FOR THE MMA'S SPRING LEGISLATIVE BREAKFAST MEETINGS**

February 5, 2015

Dear Local Official,

The Massachusetts Municipal Association is pleased to announce its Spring schedule for **Friday morning Legislative Breakfast meetings** in communities across the Commonwealth. The meetings will take place on March 6, March 13, and March 20 in a community near you!

These nine meetings in March will take place right after Gov. Charlie Baker files his fiscal 2016 budget recommendation (his first budget bill as Governor), and as state leaders continue work to close a massive mid-year state budget deficit. Springtime 2015 is also the start of public hearings by legislative committees on the thousands of bills filed for the new two-year legislative session. There will be a lot to talk about at these nine meetings, ranging from Cherry Sheets and municipal and school aid accounts in the budget, to Chapter 90 and other capital programs, to the wide variety of legislative public policy issues affecting local government lined up for debate this year.

These meetings will be a great opportunity to talk with area legislators, fellow municipal officials and MMA staff about new ideas for local government from the Baker-Polito Administration and key legislative initiatives for the new year. Spring 2015 is going to be busy and exciting. Please select a meeting near you to attend, and bring your good questions and best advice. We hope you can join us for a lively discussion with your legislators and MMA staff.

The sessions are structured to provide plenty of time for questions and answers, and an opportunity for local officials to talk about priority issues and challenges in their community.

Please join us for great coffee and conversation!

PLEASE SIGN UP TODAY! Register through [www.mma.org](http://www.mma.org) or by contacting Victoria Sclafani at [vsclafani@mma.org](mailto:vsclafani@mma.org) or 617-426-7272, ext. 161.

Thank you very much.

Sincerely,

Geoffrey C. Beckwith  
Executive Director & CEO

Enclosure

RECEIVED

FEB 10 2015

Board of Selectmen  
Town of Wayland

7



**2015 Spring Legislative Breakfast Meetings  
Please Register Now!**

**Please register online at [www.mma.org](http://www.mma.org) or complete this registration form and send it to:  
Victoria Sclafani, Massachusetts Municipal Association, One Winthrop Square, Boston, MA  
02110, or by Fax to: 617-695-1314, or by Email to [vsclafani@mma.org](mailto:vsclafani@mma.org)**

Registrant's Name: \_\_\_\_\_

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

Job Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Breakfast Location (Please Check the Meeting You Will Attend):

**March 6th**

- Shelburne**, Shelburne Falls Senior Center, 7 Main Street
- Webster**, Selectmen's Meeting Room, Town Hall, 350 Main Street
- Georgetown**, 3rd Floor Meeting Room, Town Hall, 1 Library Street

**March 13th**

- New Marlborough**, Fire House, 207 Norfolk, South Field Village
- Mattapoisett**, Mattapoisett Free Public Library, 7 Barstow Street
- Melrose**, Perkins Auditorium, Melrose-Wakefield Hospital, 585 Lebanon Street

**March 20th**

- West Boylston**, West Boylston Town Hall, 140 Worcester Street
- Lexington**, Cary Memorial Library, 1874 Massachusetts Avenue
- Canton**, Town Hall, 801 Washington Street

While the meetings are free, attendees are asked to pre-register so the planners can have an accurate count. All legislative breakfast meetings will begin at 8:00 a.m. and end by 10:00 a.m.  
**THANK YOU FOR REGISTERING – WE LOOK FORWARD TO SEEING YOU THERE!**