



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN Monday, July 13, 2015 Wayland Town Building Selectmen's Meeting Room

Revised Proposed Agenda

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

- 6:30 pm 1.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21A(6), to Discuss the Disposition of the Wayland/Sudbury Septage Facility; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21A(3), to Discuss Strategy with Respect to a Pending Action regarding the Glezen Lane Judgment; and to Review and Consider for Approval the Minutes of May 18, 2015, and June 24, 2015, Relative to Said Subjects: Pursuant to Massachusetts General Laws Chapter 30A, Section 21A(3), a Discussion of Potential Litigation regarding Affordable Housing Restrictions; and a Discussion of Strategy with Respect to Pending Actions regarding Ide, et al, v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board Cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and a Discussion of Collective Bargaining Strategy Pertaining to Contract Negotiations with the Police Union, the Fire Union, and the AFSCME Clerical Union, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21A(6), a Discussion of the Exchange, Lease or Value of Real Estate in regard to the Municipal Parcel at Town Center
- 7:00 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Swearing In of Two New Police Officers
- Police Officer Justin Kazan
 - Police Officer Colin Fitzpatrick
- 7:20 pm 5.) Meet with Police Chief Robert Irving on Traffic Issues and Vote to Approve New Stop Signs at Grace and Maguire Roads and at Caulfield and Brooks Road; Update on Stonebridge Road Speed Limit Concerns
- 7:35 pm 6.) Discuss and Vote to Approve Indirect Costs Allocation Agreement with Schools

BOARD OF SELECTMEN

Monday, July 13, 2015

Proposed Agenda Page Two

- 7:45 pm 7.) Report from IT Consultant
- 8:15 pm 8.) Committee Vacancy Interviews and Potential Vote to Appoint
- Barbara Howell, Conservation Commission
 - Sean Fair, Conservation Commission
 - Robert Goldsmith, Conservation Commission (one-year term)
 - Kate Finlayson, Alternate to Historic District Commission
 - James E. Riley, Permanent Municipal Building Committee
- 8:45 pm 9.) Vote to Reappoint to the Municipal Affordable Housing Trust Fund Board for Terms to Expire on June 30, 2017
- Mary M. Antes, Representing Board of Selectmen
 - Kevin Murphy, Representing Planning Board
 - Susan Weinstein, Representing Housing Authority
- 8:50 pm 10.) Update on Wayland Arts Fair and Potential Vote to Approve Event Parking at the Town Building
- 9:05 pm 11.) Vote to Confirm Acceptance of Gift of Sage Hill Conservation Land and Adopt Confirmatory Order of Taking
- 9:10 pm 12.) Discuss and Vote to Approve Revised Special Town Meeting Date and Schedule
- 9:25 pm 13.) Board Policy Review and Approval
- Board Description and Guiding Principles, Introduction
 - Board Procedures: Officers and Meetings
 - Management of Legal Affairs
- 9:40 pm 14.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:45 pm 15.) Review Correspondence (See Separate Index Sheet)
- 9:55 pm 16.) Report of the Town Administrator
- 10:05 pm 17.) Selectmen's Reports and Concerns
- 10:15 pm 18.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:20 pm 19.) Adjourn

S. POLICE CHIEF:
TRAFFIC ISSUES

Memorandum

6/11/2015

To: Ms. Nan Balmer, Town Administrator

From: Robert Irving, Chief of Police

Subject: Traffic Control Recommendations

There have been two recent requests for traffic control referred to me for analysis.

1. **Grace Road/Maguire Road** – Lori Newman of 10 Grace Road has requested stop sign control at the intersection of Grace Road and Maguire Road. This four way intersection, although lightly traveled, should have a stop sign at two approaches so right of way can be determined when two vehicles approach the intersection at the same time. I recommend that stop signs be approved on Grace Road at the intersection with Maguire Road.
2. **Caulfield Road/Brooks Road** – A number of residents in the Caulfield Road/Brooks Road neighborhood have asked for two stop signs and a dead end street sign at the intersection of Caulfield Road and Brooks Road. As this is a three way intersection, I recommend that one stop sign be installed on Brooks Road at Caulfield Road and that a "No Outlet" sign be placed on Caulfield Road at Brooks Road. I also recommend that a stop sign be installed at Caulfield Road at Aqueduct Road. The line of sight at the Caulfield Road/ Brooks Road intersection is limited due to some trees that need to be cut back. I will work with the Department of Public Works to accomplish this.

Please advise when you would like me to come before the Board of Selectmen to discuss these proposals.

cc: Mr. Stephen Kadlik, Director of Public Works

DATE: July 13, 2015

6. INDIRECT COSTS :
SCHOOLS

TO: Board of Selectmen

FROM: John Senchyshyn, Asst. Town Administrator/HR Director

RE: School/Town End of Year Pupil and Financial Report (EOYR) Agreement

REQUESTED MOTION:

I MOVE THAT THE BOARD OF SELECTMEN AUTHORIZE THE CHAIR OF THE BOARD OF SELECTMEN TO SIGN THE REVISED EOYR AGREEMENT WITH THE WAYLAND SCHOOL DEPARTMENT.

BACKGROUND:

Under CMR 10.04 (enclosed), the Town of Wayland established and voted to approve an Indirect Cost Allocation Agreement for Certain Municipal Expenses with the school district. The agreement was signed by the Chair of the Board of Selectmen and the Chair of the School Committee on September 12, 2011.

The Department of Elementary and Secondary Education (DESE) permits school departments to report certain school-related expenses incurred by other town departments on the annual End of Year Pupil and Financial Report (EOYR). The FY 14 data is enclosed. These 'indirect' municipal expenses include administrative services, employee benefits (including retirement and insurance), school facility operation and maintenance, other fixed costs, debt and capital outlay, and assessments and tuitions paid to other districts. Many of these expenditures are counted toward the annual net school spending requirement under M.G.L. Chapter 70.

Enclosed is a revised agreement, dated July 1, 2015, for your review and pending approval. The revised agreement reflects the following three changes:

1. Upon recommendation of Melanson Heath, the agreement has been revised to reflect the cost for retirement assessments based on actual payments made on behalf of school department employees rather than based on an indirect cost allocation percentage. This revision is reflected on page 2 under the heading of Direct Retirement Costs.
2. Upon confirmation from Roger Hatch, School Finance Programs Administrator of the Department of Elementary and Secondary Education, the footnote on page 1 has been revised to reflect insurance for retired employees as a reportable expenditure and included in Wayland's Net School Spending calculation.
3. Reference to specific Town departments as the source for data has been eliminated to allow for the agreement to remain current if certain duties to shift between Town departments.

The school district's Finance Subcommittee has reviewed the revised agreement and forwarded the document for vote to School Committee. At its July 6th meeting, the School Committee authorized its Chair to sign the agreement.

There is no budget impact. The agreement is solely for reporting purposes.

**TOWN OF WAYLAND
INDIRECT COST ALLOCATION AGREEMENT
CERTAIN MUNICIPAL EXPENSES
July 1, 2015**

The Department of Elementary and Secondary Education (DESE) permits school departments to report certain school-related expenses incurred by other town departments on the annual End of Year Pupil and Financial Report (EOYR.) These ‘*indirect*’ municipal expenses include administrative services, employee benefits (including retirement and insurance), school facility operation and maintenance, other fixed costs, debt and capital outlay, and assessments and tuitions paid to other districts. Many of these expenditures are counted toward the annual net school spending requirement under M.G.L. Chapter 70.¹

Under CMR 10.04, school districts may report municipal indirect expenditures on the End of Year Report, however, only when there is an agreement between municipal and school officials on the expenses to be allocated and method of allocation. In addition, schools and towns must follow Department of Elementary and Secondary Education guidelines for allocating, reporting and documenting these expenditures.

In accordance with CMR 10.04, the Town and School Department agree to use the methodology set forth below. This document outlines the methodology (consistent with DESE guidelines) used to report the Town of Wayland municipal indirect expenditures in the following areas:

ADMINISTRATIVE SERVICES (EOYR OBJECT CODE SERIES 1000)

Administrative services include: accounting, auditing, central data processing, central purchasing, collections, legal, and other treasury and financial services for the school department. Expenses that may be allocated include salary and wages for professional, technical, clerical and support staff and all expenses including, but are not limited to, professional and technical services, supplies and materials, dues and subscriptions, travel expenses and other related costs.

The cost of administrative services shall be computed by multiplying (a) times (b), where:

- (a) Department of Elementary and Secondary Education Indirect Rate as set by the Commissioner of Education. <http://finance1.doe.mass.edu/account/>
- (b) The Wayland Public School’s Foundation Enrollment for that school year.

(a) X (b) = Administrative Services

HEALTH SERVICES (EOYR OBJECT CODE SERIES 3200)

Salaries and wages for Town employees (Nurses) providing direct service to the schools.

¹ Other reportable expenditures include: lease/rental expenses, capital purchases over \$50,000, and direct services provided in the following areas: health services, library services, school security, insurance for retired school employee, and transportation services. All of these expenses are included in the net school spending calculation, with the following exceptions: student transportation services (3300), the fourth or subsequent year of a long-term lease contract (5300), short term debt service/interest (BANS, 5450), other fixed charges (5500), health services for non-public schools (6800), transportation services for non-public schools (6900), the acquisition/ improvement/ replacement of fixed assets (7000), long-term debt retirement and interest on school construction (8100 & 8200), long term debt service on educational expenditures (8600), and assessments to regional school districts (9500).

EMPLOYEE RETIREMENT PROGRAMS (EOYR OBJECT CODE SERIES 5100)

Retirement costs include, but are not limited to, the cost of administering employee retirement programs; assessments paid to the Middlesex Retirement System, the State retirement system, or any other regional or municipal retirement system; contributions to Medicare and other retirement plans.

a. Direct Retirement Costs (EOYR OBJECT CODE SERIES 5100)

Direct retirement costs include:

Retirement Assessments

The cost for Retirement Assessments shall be the payment of assessments by the Town to the Middlesex Retirement System on behalf of school department employees; payment of assessments by the Town to State, regional, and other municipal systems on behalf of school department employees and payments by the Town on behalf of school department employees for other retirement plans, i.e., 403B, 457, OBRA (if applicable). This information will be provided by the Town.

INSURANCE PROGRAMS (EOYR OBJECT CODE SERIES 5200, 5250, 5260)

Insurance includes the cost of administering insurance programs, as well as the cost of unemployment, health, life, and dental insurance, workers compensation, and other employee benefits paid by the town; the premiums paid for property, casualty and liability insurance; premiums for fidelity bonds, and funding of self-insurance programs.

a. Direct Insurance Expenses (EOYR OBJECT CODE SERIES 5200, 5250, 5260)

Direct insurance expenses include: 1) the cost of direct insurance premiums for school employees and Town employees who provide direct services to the schools after deducting all employee contributions and contributions to self-insurance trust funds from the municipality's general fund (EOYR object code 5200); 2) the cost of health insurance premiums for retired school department employees, after deducting any retiree contributions and assessments for retired school department employees under G.L. c. 32A (EOYR object code 5250); and 3) the direct insurance premiums for school buildings, grounds, equipment and liability coverage, and contributions to non-employee self-insurance trust funds from the municipality's general fund. For reporting purposes, insurance cost allocations will be calculated as follows:

Unemployment Costs

The cost for unemployment shall be the unemployment claims paid by the Town for current and past school department employees during the year. This information will be verified by the Town prior to reporting.

Insurance Programs (Health, Life, Dental, Post-Retirement Health Funding)

The actual cost of health, life or dental insurance and post retirement health funding shall be the premiums and/or assessments paid by the Town for school department employees and retirees after deducting all employee contributions and transfers made from any insurance trust reserve. The allocation shall be broken out so that the cost for retirees is separate from employees. This information will be verified by the Town prior to reporting.

Worker's Compensation

The cost for workers compensation shall be the claims and assessments paid by the Town for current and past school department employees during the year. This information will be verified by the Town prior to reporting.

Non-Employee Insurance

The cost for premiums paid for property, casualty, and liability insurances shall be equal to the cost of the premium for school coverage, or if the premium is inclusive of municipal and school coverage, the allocation shall equal (1) the total premium multiplied by (2) the total school property coverage as shown in the policy, divided by the total property coverage as shown in the policy. Town contributions to self-insurance trust funds from the municipality's general fund shall be reported for cost allocation purposes on the same percent basis as non-employee insurance premium costs are allocated. This information will be verified by the Town prior to reporting.

SCHOOL FACILITY OPERATIONS AND MAINTENANCE AND EXTRAORDINARY MAINTENANCE (EOYR OBJECT CODE SERIES 4000)

The cost of operating and maintaining school facilities, including administrative and support facilities, custodial services, heating of buildings, utility services, maintenance of grounds, maintenance of buildings and maintenance of equipment as provided by the town in addition to the school department accounts for these purposes. The costs shall include salary, wages and benefit costs for professional, technical, maintenance, clerical and support staff, and all expenses including, but are not limited to, professional and technical services, supplies and materials, dues and subscriptions, travel expenses, and other related costs for the ordinary and extraordinary maintenance of school facilities. Costs for employees and resources that are shared between the school department and other departments will be the (1) total cost of the identified service multiplied by (2) the percentage of use by the school department. All cost information is to be verified by the Town prior to reporting.

OTHER FIXED COSTS (EOYR OBJECT CODE SERIES 5500)

Other recurring expenses incurred by the Town for school purposes can include, but are not limited to the actual cost of: public safety services provided to the School Department, such as school crossing guards; public health and safety inspections (building inspections, health inspections, fire inspections, and other regulatory services), and other facility support services (snow plowing or removal, rubbish collection or disposal). The actual costs shall include salary and wages for professional, technical, clerical and support staff, and all expenses including, but are not limited to, professional and technical services, supplies and materials, dues and subscriptions, travel expenses and other related costs.

DEBT (EOYR OBJECT CODE SERIES 5400, 5450, 8100, 8200, 8400, 8600)

For reporting purposes, cost of debt and capital shall include the actual interest paid on revenue anticipation notes (RANS) for school purposes (EOYR 5400), interest charges on short term borrowing

for bond anticipation notes (BANS) for school purposes (EOYR 5450) the annual principal and interest paid on loans used to finance the purchase or construction of schools (EOYR 8100 & 8200), the annual interest on bonds and loans used to finance the purchase of books, instructional equipment, and extraordinary maintenance (EOYR 8400), and the annual interest on bonds and loans used to finance the purchase of non-instructional equipment, and to pay for capital maintenance projects in excess of \$50,000 (EOYR 8600).

The debt expense will be broken-out so that principal and interest by line item can be identified.

PAYMENTS TO OTHER DISTRICTS (EOYR OBJECT CODE SERIES 9000, 9500)

The cost of programs with other districts include tuition or assessments paid or charged to a non-School Committee department appropriation for instructional programs provided by other public or private schools, including as well as tuitions paid to educational collaboratives, charter schools or under school choice (EOYR 9000.). Assessments paid to regional school districts, according to G.L. c 70, shall be reported in total.

OTHER EXPENSES

Although this agreement is intended to identify services and expenses that are provided to the Wayland Public Schools and how such costs shall be allocated between the Town and the School for reporting purposes, it is recognized and further agreed that other costs which may be incurred by the Town that are not directly appropriated to the Wayland Public Schools, and have been identified to be in part or entirety expended on behalf of the schools shall be allocated and reported. Such allocation will be determined and agreed to in writing by the School Business Administrator for the Wayland Public Schools and the Town Accountant for the Town of Wayland. Should disagreement exist between the officials, such proposed allocation shall be presented to the School Committee and Town Board of Selectmen to determine the appropriate allocation methodology. Should the School Committee and Town Board of Selectmen not reach agreement, they shall so notify and seek the assistance of the Department of Elementary and Secondary Education and Department of Revenue in accordance with Commonwealth of Massachusetts Regulations.

For the Town of Wayland:

For the Wayland Public Schools:

Chair, Town Board of Selectmen

Chair, School Committee

(Date)

(Date)



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Education Laws and Regulations

603 CMR 10.00: School Finance

Section:

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

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

10.04: Financial Accounting and Reporting: Other Municipal Departments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Last Updated: July 2, 2013

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Massachusetts Department of
Elementary & Secondary Education

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FY 2014 Town Side Figures - Excluding Debt Figures

FY14 EOY Report Schedule 1		FY2014 Figures	FY13 Figures	Source	Reference	EYOR LINE
MEDICAID REVENUES:		54,237	52,342	MUNIS	10101100-46804	101
MINUTEMAN REG ASSESSMENT:		212,417	257,220	MUNIS	10320002 - \$2100	2270
SCHOOL NURSES:		283,638	297,170	MUNIS	10511001-51125	1940
CROSSING GUARDS:		38,954	34,087	Lisa Dana	Email	2075
SCHOOL CHOICE:		18,732	16,662	State	10820000-56106	2220
CHARTER SCHOOL ASSESSMENT:		13,644	42,503	State	10820000-56107	2230
RETIREMENT ASSESSMENT (School 60%):		2,104,488	1,902,634	MUNIS	10911002-51965	2000
INSURANCE:						
ACTIVE		3,014,021	3,005,294	Donna L	Excel Spreadsheet	2010
RETIRES		882,549	983,706	Donna L		2020
UNEMPLOYMENT:		31,366	26,955	Payroll	Based on actual payouts for school emps	2030
WORKERS COMP & LIAB: (Per MIA)		264,947	259,232	Paula D	Memo	2030
MSBA REVENUE	Contract - Annual Revs	839,053	221,744	Treas	411005000-46650 & 46651	130-CONTRACT
	Other - Current Projects	3,266	735,014	Treas	10101800-46650	130-OTHER
MAINT OF SCHOOL GROUNDS	MATERIALS	146,693	52,280	Mike L - DPW	Memo	Memo - Maint Sch Grounds (4210)
	LABOR	57,447	124,000			
	PLOWING	50,186	60,530			
		254,326	236,810			
DEBT INFO	MSBA	5,765,141	1,215,655	Treas	Purch Land and Build (7100,7200)	2100
		593,000	671,089		Capital Tech (7350) Tech Debt Retired	2115
		1,780,000	2,000,000		LT Debt Ret School Cons (8100)	2130
		1,642,300	1,696,629		LT Debt Serv School Cons (8200)	2140
		235,147	227,211		LT Debt Service / Educ and Other (8400,8600)	2200
FY15 Budget Schedule 19						
		FY 15 Figures	FY14 Figures	Source	Reference	
INSURANCE (+6% prior year) per BK				Donna		
ACTIVE:		3,194,862	3,065,400	In Finance		
RETIRES:		935,502	1,003,380			
MINUTEMAN ASSESSMENT		199,833	212,417	MUNIS	10320002 - 52100	7680
RETIREMENT ASSESSMENT (School 60%):		2,244,281	2,104,488	MUNIS	10911002-51965	
School Crossing Guards (+1% prior year)		47,212	34,768	Finance	Need additional 1 guard cost	7535
Operations and Maint		261,000	261,000	John Moyn	Same as Last Year no figure available	7450
WORKERS COMP & LIAB: (Per MIA)		275,551	264,947	Paula D	Memo not available % same as prior yr	7130
DEBT INFO		1,259,641	1,259,641	Treas	Fixed Assets	7560
		1,820,000	1,720,000		LT Debt Ret/ Sch Cons (8100)	7570
		1,581,000	1,639,900		LT Debt Serv/ Sch Cons (8200)	7580
		225,000	190,857		LT Debt Serv/Educ & Other (8400,8600)	7640

Per Indirect Cost Allocation for 1000 Series Admin Services:

(DESE FY14 Admin PP cost as set by Commissioner) X (WPS FY14 Foundation Enrollment)		Sched 1 1910
105.65	2,690	284,198.50
(DESE FY15 Admin PP cost as set by Commissioner) X (WPS FY15 Foundation Enrollment)		Sched 19 7010
107.95	2,690	290,385.50

Town of Wayland IT System and Security Status Update

July 10, 2015

Mike McCann, Advent Consulting, LLC *

This document provides an updated project status and assessment of the Town/School IT system in response to memo dated March 30, 2015 to Finance Committee from Nan Balmer, Town Administrator, RE: Information Technology: Current Year Transfer Request.

IT PROJECT TASKS:

- 1. IMPROVE SECURITY OF IT SYSTEM:** Review the recommendations of the contractor that is investigating recent cyber-attacks, examine existing IT security on joint IT systems and identify a program of immediate and ongoing actions and protocols. Supervise implementation of a new IT security program through IT staff.

Deliverable: IT Security System Description and Maintenance Protocol

Advent Consulting LLC was engaged to review recommendations of Elysium Digital and further assess security vulnerabilities and the IT systems to create a near-term prioritized plan of immediate and ongoing actions to improve the soundness of the IT systems and protocol and supervise its implementation through IT staff.

Project is in progress with expected completion by August 31, 2015.

Initial Status: Systems not maintained adequately to provide a high performance and secure computing environment. Major vulnerabilities identified:

- Microsoft Windows patching system was not providing patch status on the majority of computers in the Town government network.
- Antivirus software was missing from some systems.
- Application software was not being patched.
- Firewall logs were not being retained
- Unnecessary local administrator accounts existed on computers.
- Online banking authentication protocol provided by the Town's primary bank was weak.
- Major performance problems would periodically appear in the virtual desktop environment.

Accomplishments: An assessment of the IT systems was conducted to further identify security vulnerabilities. A short term tactical plan was developed to address the Elysium Digital recommendations and other identified IT issues discovered during the assessment. Oversight of IT staff was provided to implement all tasks of immediate need. A maintenance protocol was established for operating system and application patching. This is currently being handled on a partially automated basis that may not be sustainable long term.

Current Status: Systems have been brought to a satisfactory base level of security.

Recommended Next Steps: Remaining identified tasks that were determined to be of less-immediate need and requiring more time and resources are planned for the short-term tactical plan (Task 5).

Consider purchase of a product to automate maintenance tasks.

- 2. DEVELOP AND RECOMMEND IT SECURITY POLICY:** Review IT systems and develop an IT Security Policy appropriate for Wayland.

Deliverable: Wayland IT Security Policy

McGladrey LLP was engaged to provide IT Security Policies

Project is in progress with planned delivery by September 30, 2015.

- 3. TRAIN EMPLOYEES IN IT SECURITY TO PREVENT AND MITIGATE CYBER-ATTACKS:** Many cyber – attacks can be prevented through trained computer users, and the effects of a cyber – attack can be mitigated through planned response by employees. This task requires identifying and providing training appropriate for each job category, primarily town and school administrative employees.

Deliverable: Training and Materials

SANS Institute, in partnership with CIS Security, was engaged to provide user security training and materials for up to 1,200 users for one year (smallest purchase plan available).

Rollout of training is planned to begin in July 2015.

4. **TECHNICAL SUPPORT:** Provide technical support to IT staff under the direction of the Town Administrator and Superintendent primarily during the month of April when the IT Director will be chaperoning and teaching in the Wayland / Beijing Exchange Program. Technical support will be used as required in collaboration with existing IT personnel and will inform the plan in Task 5.

Deliverable: Log of IT Technical Support Requests and Response Provided

Advent Consulting LLC was engaged to provide technical support to IT staff both during the time when the IT Director was away and ongoing.

Project is in progress with expected completion by August 31, 2015.

Initial Status: IT staff required technical assistance and oversight to implement tasks identified in Task 1. A maintenance protocol to maintain a necessary level of system security was not in place.

Accomplishments: Technical support was provided to IT staff to implement tasks identified in Task 1 and Task 5 and will continue until project completion. Technical support was provided to IT staff to implement the established maintenance protocol for operating system and application patching and to inform to plan in Task 5.

Current Status: Working closely with IT staff systems continue to be maintained to a satisfactory base level of security.

Recommended Next Steps: Continued technical support and oversight of IT staff is necessary to continue to make progress toward implementation of identified system improvements.

5. **DEVELOP AND IMPLEMENT SHORT TERM TACTICAL PLAN:** Review existing IT systems and develop and supervise the implementation of short term plan of high impact / low cost tactical tasks and activities to improve the soundness of the IT system.

Deliverable: 3 Month Tactical Plan and Report of Actions Accomplished

Advent Consulting LLC was engaged to further review IT systems and develop and supervise the implementation of a short term plan of high impact/low cost tactical tasks to improve the soundness of the IT system and inform Town Administrator and School Superintendent in definition of scope of work to develop a long-range IT Capital Plan.

Project is in progress with expected completion by August 31, 2015.

Initial Status: Systems were brought to a satisfactory base level of security. However, tasks identified to bring systems to the next level of security remain are required to continue to improve the stability and security of the systems.

Accomplishments: A short term tactical plan of high impact/low cost tactical tasks and activities was developed to address these necessary tasks and oversight of IT staff was provided to implement these tasks.

Current Status: This Task is in progress with approximately 50% of these tasks complete.

Recommended Next Steps: Remaining security tasks are planned for completion by the end of August. The implementation of several additional system projects identified during the assessment are recommended.

6. **LONG RANGE IT CAPITAL PLAN AND JOINT IT MANAGEMENT, STAFFING & ORGANIZATION PLAN:** The conclusions from Tasks 1-5 above will inform the collaborative work of the Town Administrator and School Superintendent to define a scope of work to develop a long range IT Capital Plan and an IT Management, Staffing, and Organization Plan. The agreed upon plan will build on existing IT plans and will include but not be limited to: IT infrastructure including data storage and town and school administrative technology as well as IT security. The plans will require taking a look at the school / town IT organizational structure and the implications of any new structure for the IT annual operating budget and long term capital costs. Until this scope of work is established, the cost of the project is uncertain. A prior effort conducted by the Town in 2009 cost \$25,000.

Deliverable: Long Range IT Capital Plan and Joint Management, Staffing and Organization Plan

McGladrey LLP was engaged to provide an Information Technology Master Plan for the joint Town/School IT infrastructure, an IT Capital Plan and IT Management, Staffing, and Organization Plan. The agreed upon plan will build on existing IT plans and will include but not be limited to IT infrastructure including data storage and security and Town and School administrative technology. The

plan will require review of the Town/School IT organizational structure and the implications of any new structure for the IT annual operating budget and long-term capital costs.

Project is in progress with preliminary draft report planned for August, final report planned for September.

Recommendations to effectively manage the IT systems in the next fiscal year

To protect the Town against current and evolving IT security threats, improve manageability and system performance some capital expenditures will be required.

1. New firewall to improve perimeter security, logging and alerting to potential attacks.
Estimated cost \$30K.
Alternative is to continue with current firewall product.
2. Vulnerability and patch management software.
Estimated Cost: \$12K
Alternative is to continue to use semi-automated protocol in place today
3. Updated licenses for Servers.
Estimated Cost \$6K
Alternative is to consider outsourcing or retiring these servers where this is feasible, cost TBD.
4. Upgrade to backup software
Estimated Cost \$8K
Alternative is to continue using current software, though not efficient
5. Storage array replacement to improve performance increase storage space and reduce complexity.
Estimated Cost: \$70K
Alternative to continue with current storage is inefficient use of IT staff time to support and contributes to instability of systems.

Recommendation on staffing and management

The School Department supports a large number of end users with a continual increase in technology requirements, that require the IT Director's complete focus. Therefore, I recommend an IT organization to exclusively focus on the widely varying IT needs of the remaining Town Departments and the critical systems and security operations and maintenance of the joint Town/School infrastructure consisting of the following positions:

IT Director

- Reports jointly to Town Administrator and Superintendent of Schools
- Supervises Network/Infrastructure Admin and User Support Tech
- Responsible for IT strategy development and implantation for Town Departments

Network/Infrastructure Admin

- Reports to IT Director
- Maintains Virtual Infrastructure, Storage Systems, and Town Wide Network.

User Support Tech

- Reports to Town IT Director
- Provides application and desktop support to end users in Town Departments
- Handles phone system change requests and problem reports
- Monitors data backup

*** Note responses to Tasks 2, 3 and 6 provided by Elizabeth Doucette**

DATE: July 13, 2015
TO: BOARD OF SELECTMEN
FROM: ELIZABETH DOUCETTE, MCPPO, FINANCIAL RESEARCH / ANALYST
RE: IT SYSTEM SECURITY PROJECT STATUS AND FUNDING

BOARD ACTION REQUESTED:

NONE AT THIS TIME – PURPOSE OF PRESENTATION IS TO REPORT ON TASKS COMPLETED AND RECOMMENDED NEXT STEPS AND TO PROVIDE AN UPDATED ASSESSMENT OF THE TOWN / SCHOOL IT SYSTEM (ATTACHED). FUTURE REPORTS WILL BE PROVIDED AS REQUIRED.

BACKGROUND:

With funding of \$85,000 provided by a current year transfer approved at 2015 Annual Town Meeting the Town, through the School Department, initiated a series of tasks to identify and address vulnerabilities in the IT infrastructure that are possible causes of intrusions into the Treasurer's Office in early 2015, provide IT technical support, and develop a short-term tactical plan to improve the joint Town/School IT infrastructure.

Current tasks:

1. Elysium Digital and CIS MS-ISAC¹ were engaged to determine vulnerabilities, assess the likelihood of risks to other parts of the IT system and recommend security improvements.
\$25,000 - Project is complete and paid in full.
2. Advent Consulting LLC was engaged to review recommendations and further assess security vulnerabilities and the IT systems to create a near-term prioritized plan of immediate and ongoing actions to improve the soundness of the IT systems and protocol and supervise its implementation through IT staff and inform Town Administrator and School Superintendent in definition of scope of work to develop a long-range IT Capital Plan.
\$29,220 – Project is in progress with expected completion by August 31, 2015.
3. SANS Institute, in partnership with CIS Security, was engaged to provide user security training for up to 1,200 users for one year (smallest purchase plan available).
\$2,280 – Rollout of training is planned to begin in July 2015.
4. McGladrey LLP was engaged to provide an Information Technology Master Plan and Security Policies for the joint Town/School IT infrastructure, an IT Capital Plan and IT Management, Staffing, and Organization Plan. The agreed upon plan will build on existing IT plans and will include but not be limited to IT infrastructure including data storage and security and Town and School administrative technology. The plan will require review of the Town/School IT organizational structure and the implications of any new structure for the IT annual operating budget and long-term capital costs.
\$28,500 - Project is in progress with preliminary draft report planned for August, final report planned for September 2015.

Next steps:

1. Rollout security training to all staff.
2. Facilitate assessment and discovery workshops with McGladrey LLP in development of a comprehensive 3-5 year IT Master Plan and IT user policies.
3. Continue project tasks to improve system security.

FISCAL IMPACT:

Through this project the Town/Schools will avoid costly IT security risks and improve IT systems so that Wayland local government can serve residents more efficiently. This investment will guide future investments to secure and upgrade the IT system.

¹ CIS MS-ISAC Center for Internet Security, Multi-State Information Sharing & Analysis Center. The focal point for cyber threat prevention, protection, response and recovery for the nation's state and local governments.

DATE: JULY 13, 2015

TO: BOARD OF SELECTMEN

FROM: NAN BALMER, TOWN ADMINISTRATOR

RE: COMMITTEE INTERVIEWS AND APPOINTMENTS

REQUESTED ACTIONS:

CONSERVATION (Vote for 2)

- 1. VOTE TO RE-APPOINT BARBARA HOWELL**
- 2. VOTE TO RE- APPOINT ROBERT GOLDSMITH TO A ONE-YEAR TERM**
- 3. VOTE TO APPOINT SEAN FAIR**

PMBC

- 1. VOTE TO APPOINT JAMES RILEY**
- 2. VOTE TO RE-APPOINT DOUGLAS GODDARD UNTIL THE END OF THE DPW PROJECT**
- 3. VOTE TO RE-APPOINT ERIC SHEFFELS UNTIL THE END OF THE DPW PROJECT**
- 4. VOTE TO RE-APPOINT BRIAN CHASE UNTIL THE END OF THE DPW PROJECT**

HISTORIC DISTRICT COMMISSION

- 1. VOTE TO APPOINT KATE FINLAYSON TO AN ALTERNATE SEAT ON THE HISTORIC DISTRICT COMMISSION**

BACKGROUND:

Conservation: Ms. Howell and Mr. Goldsmith's 3 year terms expired 6/30/15 and may continue to serve until the Board makes appointments. Ms. Howell volunteered for a three-year appointment. Mr. Goldsmith requested a one year appointment. Sean Fair has applied for a 3 year term. (Please see recommendation of the Chair)

Historic District Commission: Ms. Finlayson applied to fill the second alternate seat. She is a Bow Road resident and can represent that district. (Please see recommendation of the Chair)

PMBC: The terms of 4 members of the committee expired 6/30/15 (Chase, Sheffels, Goddard, Lewin). Mr. Chase, Sheffels and Goddard agreed to continue to serve until the completion of the DPW project. Jim Riley applied for a 3 year term.

Balmer, Nan

From: Sherre Greenbaum <sherregreenbaum@gmail.com>
Sent: Wednesday, June 24, 2015 8:39 AM
To: Balmer, Nan
Cc: Monahan, Brian
Subject: Request for Reappointment of Bob Goldsmith to Conservation Commission

Nan-

I am writing to again voice my support for the 1-year reappointment of Bob Goldsmith to the Conservation Commission. As you know, he is out of the country and cannot be interviewed tonight, although I believe he will be available next week. He has reassured me though that he is fully committed to serve for another year and sincerely wants to continue contributing to the Commission.

From my perspective as chair of the Commission, Bob has the experience, knowledge and skills which are extremely useful to our work. We spend the majority of our time reviewing applications, making site visits, researching and applying the laws and rules to particular situations, and participating in marathon meetings. Often the applications we see are technical in nature and Bob has been particularly helpful in those situations.

While the current applicant has an interest in conservation values, I question whether his skill set would truly benefit the Commission at this time. Also, in the past, residents interested in joining the Commission have attended meetings and/or spoken with Brian or members to get a better understanding of the responsibilities and time commitment involved so that their expectations are in synch with the realities of the position.

If Bob is reappointed for the next year, the Commission will make it a priority to reach out to highly qualified residents to apply for membership on the Commission. I think this approach would be in the best interest of the Commission and the Town, and I again encourage the Selectmen to reappoint Bob as he has requested.

Thank you.

Sherre

CONSERVATION:

APPLICATION OF
SEAN FAIR

06/16/15

To whom it may concern,

I would like to add my name to the list for the open position on the Conservation Commission for the town of Wayland. My wife and I moved to Wayland 2 years ago with our new son. There we many aspects of the town that we fell in love with including the open spaces and natural setting that Wayland offers. I would be honored to give back to the town and serve on this committee.

Sincerely,

Sean Fair

SEAN P. FAIR

OBJECTIVE To obtain a position on the Conservation Commission for the town of Wayland.

EXPERIENCE **CO-FOUNDER/MANAGING PARTNER, WAYMARK WEALTH MANAGEMENT LLC**
2012-Current
We are a fee based private wealth management firm based out of Westborough, MA. Other than being the Managing Partner I also specialize in SRI (Sustainable, Responsible, Impact Investing). I am also a member of the US SIF.

FOUNDER/PRESIDENT, THE FAIR GROUP
2008-2012
The Fair Group was a fee based private wealth management firm based out of Austin, TX specializing in SRI (Sustainable, Responsible, Impact Investing).

DISTRICT MANAGER, AMERIPRISE FINANCIAL
2003-2008
I was a district manager in charge of managing a group of advisors. I was ranked in the top 1% of all managers in the country.

EDUCATION **HAMILTON COLLEGE, CLINTON, NY, 1999-2003**
Graduated with concentrations in Foreign Relations, Economics and Philosophy.

COMMUNICATION My partners and I were featured on the cover of On Wall St. in 2012

LEADERSHIP Wayland Economic Development Committee member 2014-Present
US SIF investment board/member
Sudbury Valley Trustees Land Steward
John Muir Society of the Sierra Club
Captain of Hamilton's Varsity Tennis team
Lead trumpet player in Hamilton's Orchestra

REFERENCES **MICHAEL SCOTT**
Co-founder/partner, Waymark Wealth Management LLC
508-621-5621

HISTORIC DISTRICT COM:
KATE FINLAYSON

Balmer, Nan

Subject: FW: Historic District Commission

From: Gretchen Schuler [mailto:ggschuler@verizon.net]
Sent: Thursday, June 18, 2015 4:14 PM
To: DiNapoli, MaryAnn
Cc: Balmer, Nan
Subject: RE: Historic District Commission

Thanks MaryAnn for your response to this. We do have one open spot as an alternate on the HDC and we have been hoping that someone who lives in the Bow Road HD would come forward. I hope this works and that the BOS will be pleased to appoint Kate. Last summer when both alternates were appointed to permanent member positions we had talked to Kate and her husband Alex about one of them considering applying to serve as an alternate. So glad to see that Kate has come forward.

Gretchen

From: Kate Finlayson [mailto:kcmilstein@gmail.com]
Sent: Thursday, June 18, 2015 2:40 PM
To: Balmer, Nan
Cc: DiNapoli, MaryAnn; Gretchen Schuler
Subject: Historic Commission

To Whom It May Concern,

I would like to be considered for the vacant alternate position for the Wayland Historic Commission. I am a resident of the Bow Road Historic District and feel strongly about preserving the historic nature not only of my own neighborhood but of all of the Historic Districts throughout the town.

I have personally sat before the commission to gain approval for changes we were making to the outside appearance of our home and took the process very seriously. I learned a great deal through this process and have a firm understanding of why a Historic Commission so vital to our community.

I am eager to contribute to, and serve on the board for the Historic Commission. I thank you in advance for your consideration.

Best,
Kate Finlayson

Balmer, Nan

From: Riley, James E - (BOS) <jeriley@tcco.com>
Sent: Friday, June 19, 2015 3:44 PM
To: Balmer, Nan
Subject: Resume for PMBC Appointment Consideration
Attachments: Resume-JamesE.Riley.pdf

Hi Nan-

Brian Chase suggested that I reach out to you regarding an upcoming appointment opportunity for the PMBC.

I have provided my resume (attached) for your consideration to fill one of the upcoming PMBC vacancies.

Please let me know if you have any questions or need anything else from me.

Thanks for your consideration,
Jim Riley

James Riley

15 Shawmut Avenue EXT, Wayland, MA 01778

617-908-4046

jim.riley.e@gmail.com

- EDUCATION:** University of Florida Gainesville, FL
B.S. Building Construction; Minor, Business Administration (with Honors) December 2001
Honors: 1998-2001 Dean's List
2000-2001 Sigma Lambda Chi Honor Society
- EXPERIENCE:** Turner Construction Company Boston, MA
January 2002 – Present
Licenses/Certifications:
MA Department of Public Safety, Unrestricted Construction Supervisor License
OSHA 30 Hour Certification
- PROJECT EXPERIENCE:**
- Massport West Garage Expansion and Terminal B Walkway Project,** Boston, MA
Preconstruction Manager and Lean Integrator, (August 2014 – Present)
Project Scope: 2,000 space, 10 level parking garage expansion to the existing West Garage facility and construction of a new walkway structure between Terminals A and B.
Key Project Experience: Led preconstruction effort (both estimating and subcontractor buyout) on a fast track, design-build type project requiring completion and turnover of a new 10 level parking garage facility, 13 months following concurrent award of design firm and construction manager.
- Harvard Dunster House Renewal,** Cambridge, MA
Preconstruction Manager, (June 2012 – June 2014)
Project Scope: 280,000 SF, \$110 million historical dormitory renovation for Harvard University.
Key Project Experience: Led preconstruction effort (both estimating and subcontractor buyout) on a complex historical renovation with a challenging 15 month construction schedule
- Fan Pier Parcel A,** Boston, MA
Project Manager. (August 2011 – Present)
Project Scope: 800,000 SF, 16 story, laboratory/office building.
Key Project Experience: Landmark project for company Lean construction initiatives.
- Wellesley High School,** Wellesley, MA
Project Manager, (September 2009 - August 2011)
Project Scope: 280,000 SF new high school facility and demolition of existing school.
Key Project Experience: Risk management lead on first M.G.L. Chapter 149A contract delivery method for company. Managed project team in fully integrated electronic delivery method of project information.
- Boston University Medical Center, National Emerging Infectious Diseases Lab,** Boston, MA
Project Manager, (March 2009 - September 2009)
Project Scope: 197,700 SF research facility that houses BSL 2, 3 and 4 biomedical research on infectious diseases.
Key Project Experience: Managed overall contract closeout negotiation efforts and design finalization on complex bio-waste piping change order work.
- Harvard University, First Science,** Allston, MA
Project Manager. (May 2007 - March 2009)
Project Scope: 1,000,000 SF mixed use campus with four above grade laboratory buildings and below grade parking.
Key Project Experience: Led complex design-assist effort in the development of pioneering sustainable design technology for exterior wall systems.
- Massport Central Parking Garage,** Boston, MA
Project Engineer, (January 2004 - May 2007)
Project Scope: 2,600,000 SF airport central parking garage expansion and replacement of existing parking decks; garage remained open to the public.
Key Project Experience: Managed and negotiated over 600 project changes.

Genzyme Center, Engineer, (January 2002 - January 2004)

Cambridge, MA

Project Scope: 300,000 SF, 12 story, world headquarters office building for Genzyme Corporation.

Key Project Experience: Management of early LEED platinum rated project and complex sustainable design systems with German-based architectural firm.

RELATED EXPERIENCE:

Lean Construction Institute (LCI) - New England Community of Practice - Core Group Member, (January 2015 - Present)

Lean Construction Champion and Trainer (Boston Business Unit), (March 2011- Present)

SAP Integrated Data Management System Consultant and Subject Matter Expert, (2009 - Present)

Integrated Data Management System Executive Selection Committee, (July 2008 - July 2009)

National Prolog Project Management System Steering Committee, (March 2005 - January 2007)

Chair, National Training Manual Development Committee - Prolog Project Management System

10. WAYLAND ARTS FAIR

DATE: JULY 13, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: REQUEST FOR PARKING AT TOWN BUILDING FOR WAYLAND ARTS FAIR

REQUESTED ACTION:

VOTE TO APPROVE USE OF PARKING LOT FOR ARTS FAIR CONDUCTED BY ARTS WAYLAND ON SATURDAY SEPTEMBER 20, 2015 (RAIN DATE SEPTEMBER 20)

BACKGROUND

Please see attached for details about this event. The Recreation Commission, which has care and custody of the Town Field, has approved the use of the Field for this event and set the requirements for use of the field. This includes where booths may be set up, liability for damage and personal injury, trash removal / cleanup, and security / use of police details. Mr. Senchyshyn, acting as Risk Manager for the Town, will provide specific insurance requirements to Arts Wayland.

It is recommended that the Board of Selectmen consider approval of the use of the parking lot. Although the Town Building Parking Lot is used generally for public purposes, the Arts Fair will require an especially intensive use. The Arts Wayland is working with the Public Safety Departments to make traffic control arrangements including the use of 2 police details (paid by Arts Wayland), limited parking on Pelham Island Road and possible off-site parking and shuttle.

Wayland Annual Art Fair Plan

DRAFT

Arts Wayland with support and collaboration of Cultural Council, Vokes, Wayland business Association and other interested residents and institutions are planning to initiate an Art Fair to be held in September of 2015. We expect other Art-Minded groups and individuals to also join in and contribute to planning and execution of this event.

The objective of the event is to promote art, local artists and in the process point out how art-rich our town is by making creativity the main course of the event, while encouraging a sense of community pride and cohesiveness. Wayland Annual Art Fair provides a rare occasion for the whole community to relax and have fun. It's not often that everyone in town gets invited to the same party.

Even though the main focus of the event is Art, we engage all local groups, businesses, town committees and non-profits to participate and promote their message, products and services to the community during this event. Inclusiveness; while not losing focus on our objective is important in success of this event.

Date and Time: Saturday September 19th from 11 – 5 with a possible Rain day of Sunday September 20th.

Location: Town Building Field

Participation: We expect to bring in about 1500 - 2000 of our residents (500-600 families) through out the day. In average about 350 at any given hour.

Volunteers: We expect to draw number of members of Arts Wayland, and other participating groups and volunteers involved with 375th committee. In addition, we are looking to engage Girls and Boy Scouts and high school students interested to do community work to help during the event.

Field Setup: Tables and Tents will be setup around the field. No tent or stage will be setup on the field. The field will mostly be used for various art activities such as music, drama, dancers, ...

A small stage may be placed at the west corner of the field. The location or need for the stage is not determined yet. Sound system

with wireless microphones will be utilized for music and announcements.

Parking: Parking at the field parking lot, Vendor parking at Trinitarian Church parking. We may need access to some street parking on Pelham Island Road. First Parish Church parking may also be considered for the event upon the churches approval.

Handicap Transportation: A few golf carts will be utilized in case handicaps or seniors need to be transported from the car to the field or from one side to another side of the field. Licensed volunteers on designated paths will operate the golf carts.

Portable Toilet: Portable Toilets will be rented and placed near the parking lot at the west side of the field.

Security and Safety: Fire and Police Department Details will be needed throughout the event.

Function Fees and Other Local Fees: We understand that there may be field and equipment fee for this event. We do not see any issue to cover cost of such fees.

Food: No food trucks will be brought in. All food will be offered via local restaurants and markets. Possibly the east section of the field will be allocated to the food tables. Gas Grill may be used, however we will not know till we identify all the local food providers.

Trash and Disposal: Various Trash and Recycling containers will be located around field. The trash and recyclable bags will be taken to Wayland recycling facility every hour on Saturday. Other options will be considered if the event is moved to Sunday due to poor weather conditions.

Budget and Sources of Revenue: We have estimated that the cost of the event is about \$15k to \$20k. We are anticipating, raising the cost of the event by program sponsorship, space rental, donations and various local and state grants if needed. However we do not plan to do any direct fundraising during the event.

Marketing and Public Relations: We are in process of hiring a PR company based in Sudbury that specializes in promoting and fund raising for local events.

Liability Insurance: Liability Insurance will be purchased for period of one week or as needed based on the requirements of Wayland Recreational Department.

Risks

- **Bad Weather:** In case of weather emergency or heavy rain the event may be postponed by one day or cancelled if the weather situation doesn't improve. There is no plan or interest for indoor facility.
- **High Turn out – Parking** can be an issue if the turn out is more than expected. We will look into alternative parking and bus pick up and drop off from north and south side of the town during the event.
- **Low Turn out –** We will be disappointed but not discouraged.



Letter of Agreement

April 8, 2015

Arts Wayland
Attn: Nassar Khadjenoori
P.O. Box 272
Wayland, MA 01778

Dear Nassar,

The Wayland Recreation Department has granted "Arts Wayland" permission to use the Town Building Soccer field for an Art Fair on Saturday, September 19th. A rain date of Sunday, September 20th has also been granted. The hours of the event will be 11:00am to 5:00pm, with set up taking place that morning, and clean up that night. It is expected that the event may draw in 1,000-2,000 residents throughout the day, but much of the foot traffic will be kept off of the soccer field. The cost to use the field will be \$200 for the day, with payments made out to the Town of Wayland and sent to the Recreation Department.

Below are the terms of this agreement that must be followed:

- All booths for the Art Show must be set up off the soccer field and around the perimeter of the field. The field may be used for entertainment, but heavy foot traffic should be limited over this area. No stakes should go into the ground on the playing field.
- The Wayland Recreation Department & the Town of Wayland will not be held liable for any injuries or damages that occur on and to town property during the Art Show. Damages occurring from the Art Show or Art Show visitors will be billed back to Arts Wayland for repair.
- During the event, Arts Wayland organizers are responsible for all aspects of the event including, but not limited to: parking, trash removal, crowd control, security, and other Board of Health, Board of Selectmen, Facilities Department, and Police & Fire Department requirements and restrictions.
- All trash, materials, & supplies brought by Arts Wayland and it's participants must be removed upon completed of the event. Any clean up or removal of items after the event will be subject to fees.
- The Recreation Department and the Town of Wayland have the authority to adjust this agreement as needed leading up to the event.
- A request must be submitted again in 2016 if the event is to continue into a second year. This agreement is only good for the 2015 event on September 19th (20th).

Please contact our office with any questions about the above terms and conditions.

Sincerely,

Jessica Brodie
Director
Wayland Recreation Department
41 Cochituate Road
Wayland, MA 01778

11. SAGE HILL

ACCEPT GIFT
ORDER OF TAKING

DATE: JULY 13, 2015
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: SAGE HILL

REQUESTED ACTION:

VOTE TO APPROVE THE CONSERVATION COMMISSION'S ACCEPTANCE OF LAND IN THE SAGE HILL SUBDIVISION, SIGN THE DEED AND ADOPT AND SIGN A CONFIRMATORY ORDER OF TAKING

BACKGROUND:

Town Meeting, by a 2/3 vote, under Article 23 (attached), authorized the Board of Selectmen to acquire 3.51 acres of land for open space purposes in the Sage Hill Subdivision, located at Concord and Bow Roads.

The Conservation Commission voted to accept this land and executed the attached deed.

To provide clear title, the Board is also authorized to execute an Order of Taking for the property. This Taking is a "friendly" taking. Releases from property owners are attached.

ARTICLE 23: 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.

FINANCE COMMITTEE COMMENTS: The intent of the article is to allow the Town to move forward with acquisition of a donated parcel of open space land (identified as 18-092 in Appendix I) from developer Lingley Lane, LLC, as intended by the execution of the Sage Hill conservation cluster development subdivision plan. This intention is memorialized in Planning Board Decision 02-2010, Section III Findings, sub-section C 9 which states: "*The Board finds that 3.5 acres of open space will be owned by the Conservation Commission and will be permanently protected. Said open space shall provide the neighborhood and the public with a passive park and trails that enhances the overall development.*" The acquisition involves release of an old and unneeded driveway easement associated with three lots adjacent to parcel 18-092 in order to receive clear title to the land. Once the releases are received, the Town will then record the releases, the deed and then the confirmatory order of taking.

The Conservation Commission voted on January 13, 2015 to co-sponsor the article with two conditions: 1) clarification of the proposed friendly taking and 2) details on how the easement will be removed. Vote was 5-0.

ARGUMENTS IN FAVOR: Passage of this article will allow the Town to take ownership and permanently protect 3.5 acres of open space as originally intended under the approved subdivision plan.

ARGUMENTS OPPOSED: The Finance Committee is unaware of any opposing arguments.

RECOMMENDATION: The Finance Committee recommends approval. Vote 6-0.

QUANTUM OF VOTE: a.) and b.) Two-thirds – see Massachusetts General Laws Chapter 40, Section 14. c.) Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at (508) 358-3778, or email ssarkisian@wayland.ma.us. See map at Appendix I.

QUITCLAIM DEED

Sage Hill LLC, a Massachusetts limited liability company having a principal place of business at 910 Boston Post Road East, Suite 310, Marlborough, Massachusetts 01752, for no consideration, as a gift, hereby grant to the Town of Wayland, a Massachusetts municipal corporation having an address of 41 Cochituate Road, Wayland, Massachusetts 01778, for conservation purposes, with *quitclaim covenants*,

the certain parcel of land off Concord Road in Wayland, Middlesex County, Massachusetts being shown as "Open Space" on a plan of land entitled "Definitive Subdivision Plans of 'Sage Hill' in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors, which plan is recorded with the Middlesex South Registry of Deeds as Plan No. 379 of 2010, to which plan reference may be had for a more particular description of said parcel of land.

Said parcel of land contains 3.51 acres of land +/-, according to said plan.

Said parcel of land shall be used for conservation purposes and all other permissible purposes under Massachusetts General Laws Chapter 40, Section 8C and Article XCVII of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts and shall be held in the care, custody, management and control of the Conservation Commission of the Town of Wayland in accordance with said Chapter 40, Section 8C. This restriction on the use of said land shall be a perpetual restriction held by a governmental body within the meaning of M.G.L. c. 184, §26 and a gift for a public purpose within the meaning of M.G.L. c. 184, §23.

By executing this deed, Sage Hill LLC hereby consents to the taking of said land and easement by eminent domain by the Town of Wayland for the purpose of confirming and making clear its title to said land and, pursuant to M.G.L. c. 79, §§ 7A and 7C, waives its rights to notice and damages for said taking.

This conveyance does not represent all or substantially all of

the assets of Sage Hill LLC located in the Commonwealth of Massachusetts.

Being a portion of the premises conveyed to Sage Hill LLC by Quitclaim Deed of Lingley Lane, LLP dated August 25, 2010 and recorded with the Middlesex South Registry of Deeds in Book 55279, Page 299.

Executed as a sealed instrument this _____ day of December, 2014.

Sage Hill LLC

By: _____
Richard L. Olstein, Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this _____ day of December, 2014, before me, the undersigned notary public, personally appeared Richard L. Olstein, Manager of Sage Hill LLC, proved to me through satisfactory evidence of identification which was a state issued drivers' license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:
My commission expires:

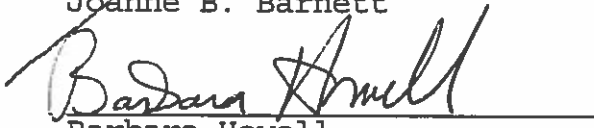
ACCEPTANCE BY CONSERVATION COMMISSION

We, the undersigned, being a majority of the Conservation Commission of the Town of Wayland, voted to accept the foregoing parcel of land and easement, as a gift, pursuant to M.G.L. c. 40, §8C, this 25th day of June, 2015.



Sherre Greenbaum, Chair


Joanne B. Barnett


Roger Backman


Barbara Howell

Robert L. Goldsmith


Betty Salzberg

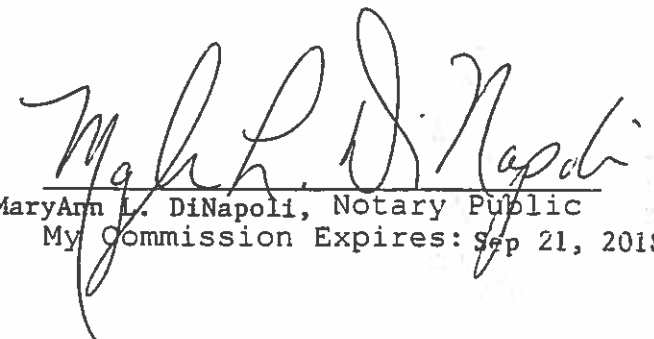
John Sullivan

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 25, 2015

On this day, before me, the undersigned notary public, personally appeared Roger Backman, Sherre Greenbaum, Joanne B. Barnett, Barbara Howell, ~~Robert L. Goldsmith~~, Betty Salzberg and ~~John Sullivan~~ proved to me through satisfactory evidence of identification, which was personal recognition, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, as members of the Conservation Commission of the Town of Wayland.


MaryAnn L. DiNapoli, Notary Public
My Commission Expires: Sep 21, 2018

APPROVAL OF CONSERVATION COMMISSION'S
ACCEPTANCE OF GIFT OF LAND

We, the undersigned, being a majority of the Board of Selectmen of the Town of Wayland, voted to approve the Conservation Commission of the Town of Wayland's acceptance of the foregoing parcel of land and easement, as a gift, pursuant to M.G.L. c. 40, § 8C, this 13th day of July, 2015.

Cherry C. Karlson, Chair

Joseph F. Nolan, Vice Chair

Lea T. Anderson

Mary M. Antes

Anthony V. Boschetto

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 13, 2015

On this day, before me, the undersigned notary public, personally appeared Lea T. Anderson, Mary M. Antes, Anthony V. Boschetto, Cherry C. Karlson, and Joseph F. Nolan, proved to me through satisfactory evidence of identification, which was personal recognition, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, as members of the Board of Selectmen of the Town of Wayland.

, Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

TOWN OF WAYLAND

ORDER OF TAKING

OPEN SPACE PARCEL, SAGE HILL, WAYLAND, MASSACHUSETTS

WHEREAS, by virtue of Massachusetts General Laws Chapter 40, Section 14, the Town of Wayland, with the authorization of Town Meeting, acting by and through its Board of Selectmen, is authorized to take by eminent domain under Massachusetts General Laws Chapter 79 the fee or any lesser interest in any land located in the Town of Wayland for conservation and other municipal purposes; and

WHEREAS, the acquisition and taking by eminent domain of the parcels of land described below for conservation purposes was authorized by more than a two-thirds super-majority vote of the 2015 Town of Wayland Annual Town Meeting; and

WHEREAS, the acquisition and taking by eminent domain of the fee in the parcels of land described below, for conservation purposes, is in the best interests of the Town of Wayland.

NOW, THEREFORE, BE IT ORDERED THAT:

1. The Board of Selectmen of the Town of Wayland, by virtue of and in exercise of and in part the execution of the power and authority conferred by said statutes, hereby adjudges that public necessity and convenience require that the land hereinafter described be taken by eminent domain for conservation purposes.
2. The Town of Wayland, acting by and through its Board of Selectmen, by virtue of and in exercise of the power and authority conferred by said statutes and in accordance with the provisions of

Massachusetts General Laws Chapter 79 and all and every other power and authority it does possess, DOES HEREBY TAKE BY EMINENT DOMAIN, for conservation purposes, in perpetuity, the fee in the following described parcels of land:

DESCRIPTION OF LAND

the certain parcel of land off Concord Road in Wayland, Middlesex County, Massachusetts being shown as "Open Space" on a plan of land entitled "Definitive Subdivision Plans of 'Sage Hill' in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors, which plan is recorded with the Middlesex South Registry of Deeds as Plan No. 379 of 2010, to which plan reference may be had for a more particular description of said parcel of land.

Said parcel of land contains 3.51 acres of land +/-, according to said plan.

All trees and structures located on said land are included in this eminent domain taking.

Said parcel of land IS taken subject to and with the benefit of any utility and drainage easements of record insofar as the same are in force and effect.

This taking confirms and makes clear the Town of Wayland's title to the above-described parcels of land conveyed to the Town of Wayland by deed from Sage Hill, LLC dated _____, 201_, and recorded with said Registry of Deeds herewith.

3. Said parcel of land shall be used for conservation purposes and all other permissible purposes under Massachusetts General Laws Chapter 40, Section 8C and Article XCVII of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts and shall be held in the care, custody, management and control of the Conservation Commission of the Town of Wayland in accordance with said Chapter 40, Section 8C. This restriction on the use of said land shall be a perpetual restriction held by a governmental body within the meaning of M.G.L. c. 184, §26.

4. The Board of Selectmen awards no damages sustained by persons and their property by reason of this taking:

<u>OWNER OF RECORD</u>	<u>TITLE REFERENCE</u>	<u>DAMAGES</u>
Sage Hill, LLC 910 Boston Post Road Suite 310 Marlborough, MA 01752	Book 55279, Page 299 Middlesex South Registry of Deeds	\$0.00

5. The Town Counsel is directed, for and on behalf of the of the Town to record and give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of Massachusetts General Laws Chapter 79, Sections 7B, 7C, 7F, 7G, 8A and 8B.

Executed as a sealed instrument this 13th day of July, 2015.

TOWN OF WAYLAND, BY:

Cherry C. Karlson, Chair

Lea Anderson

Mary M. Antes

Anthony V. Boschetto

Joseph F. Nolan

its Board of Selectmen, duly authorized.

For authority, see attested copy of 2015 Annual Town Meeting vote recorded with said Registry of Deeds herewith.

Approved as to form:

Mark J. Lanza
Town Counsel

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 13, 2015

Then before me personally appeared Cherry C. Karlson, Lea Anderson, Mary M. Antes, Anthony V. Boschetto and Joseph F. Nolan, proved to me through satisfactory evidence of identification, viz., personal acquaintance, to be the persons whose names are signed on the preceding document, and who acknowledged to me that they executed it voluntarily for its stated purpose as Selectmen of the Town of Wayland.

Mark J. Lanza, Notary Public
My Commission Expires: January 29, 2021

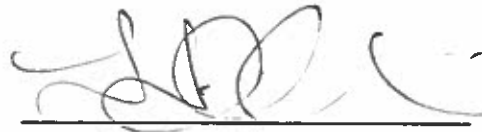
RELEASE OF EASEMENT

We, Richard L. Olstein and Lisbeth Ashley Olstein, Trustees of the Sage Hill Realty Nominee Trust, of 28 Sage Hill Road, Wayland, Massachusetts 01778, being the owner of the land with the improvements thereon described in a deed dated September 13, 2011 and recorded with the Middlesex South Registry of Deeds in Book 57435, Page 256, for consideration of one and no/100 dollar (\$1.00), release to the Town of Wayland, a Massachusetts municipal corporation having an address of 41 Cochituate Road, Wayland, Massachusetts 01778, acting by and through its Conservation Commission, for open space purposes, all right, title and interest that we acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown as "Record 20' Wide Way" on the plan entitled "Definitive Subdivision Plan of Land in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors and Engineering Consultants, Inc. and recorded with said Registry of Deeds as Plan No. 379 of 2010.

Witness our hands and seals this 18th day of March, 2015.



Richard L. Olstein, Trustee



Lisbeth Ashley Olstein, Trustee

COMMONWEALTH OF MASSACHUSETTS

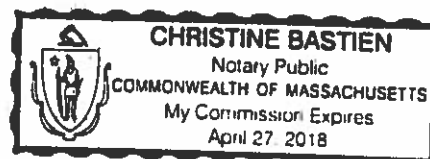
Middlesex, ss.

On this ____ day of March, 2015, before me, the undersigned notary public, personally appeared Richard L Olstein and Ashley Olstein and proved to me through satisfactory evidence of identification, which were Massachusetts drivers license to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Notary Public

My Commission Expires:



**TRUSTEES' CERTIFICATE
SAGE HILL REALTY NOMINEE TRUST**

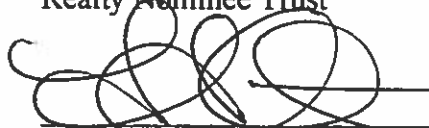
The undersigned Trustees hereby certify as follows:

1. That, Richard L. Olstein and Lisbeth Ashley Olstein are the Trustees of the Sage Hill Realty Nominee Trust, under Declaration of Trust dated May 16, 2011, a Trustees' Certificate for which pursuant to M.G.L. Chapter 184, Section 35 is recorded with the Middlesex South District Registry of Deeds in Book 57102, Page 538 (hereinafter the "Trust").
2. The Trust is in full force and effect, has not been amended or modified, and has not been revoked or terminated as of the date hereof.
3. Pursuant to the terms of the Trust, the Trustees have full power to buy, sell, mortgage, contract or otherwise deal with real estate and there are no conditions precedent to the Trustees' power to so deal with real estate.
4. The undersigned, Richard L. Olstein and Lisbeth Ashley Olstein, have full power and authority and have been directed by 100% of the beneficiaries of the Trust, to execute and deliver a Release of Easement to the Town of Wayland, acting by and through its Conservation Commission, for nominal consideration, thereby releasing all right, title and interest acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown on a definitive subdivision plan recorded with said Registry of Deeds as Plan No. 379 of 2010.

Executed as a sealed instrument this 9th day of March, 2015.



Richard L. Olstein, Trustee of the Sage Hill
Realty Nominee Trust



Lisbeth Ashley Olstein, Trustee of the Sage Hill
Realty Nominee Trust

COMMONWEALTH OF MASSACHUSETTS

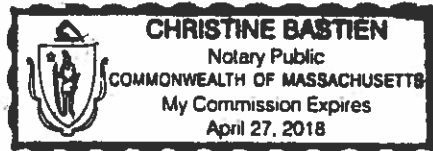
Middlesex, ss.

On this 9 day of March, 2015, before me, the undersigned notary public, personally appeared Richard L. Olstein and Lisbeth Ashley Olstein, Trustees of the Sage Hill Realty Nominee Trust, proved to me through satisfactory evidence of identification which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Christine Bastien

Notary Public:

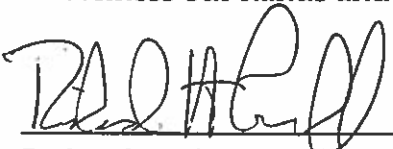
My commission expires:

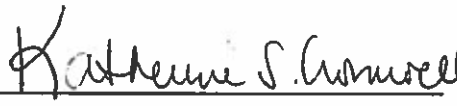


RELEASE OF EASEMENT

We, Richard H. and Katherine S. Cromwell, Owners of the premises at of 21 Sage Hill Road, Wayland, Massachusetts 01778, being the owner of the land with the improvements thereon described in a deed dated September 5, 2012 and recorded with the Middlesex South Registry of Deeds in Book 59926, Page 112, for consideration of one and no/100 dollar (\$1.00), release to the Town of Wayland, a Massachusetts municipal corporation having an address of 41 Cochituate Road, Wayland, Massachusetts 01778, acting by and through its Conservation Commission, for open space purposes, all right, title and interest that we acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown as "Record 20' Wide Way" on the plan entitled "Definitive Subdivision Plan of Land in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors and Engineering Consultants, Inc. and recorded with said Registry of Deeds as Plan No. 379 of 2010.

Witness our hands and seals this 10 day of March, 2015.

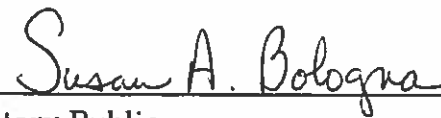

Richard H. Cromwell, Owner


Katherine S. Cromwell

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 9TH day of March, 2015, before me, the undersigned notary public, personally appeared Richard H. Cromwell and Katherine S. Cromwell and proved to me through satisfactory evidence of identification, which were Massachusetts drivers license to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires: 1-22-2018

RELEASE OF EASEMENT

We, Derrick M. and Marcia C. Irwin, Owners of the premises at of 23 Sage Hill Road, Wayland, Massachusetts 01778, being the owner of the land with the improvements thereon described in a deed dated April 4, 2012 and recorded with the Middlesex South Registry of Deeds in Book 58832, Page 313, for consideration of one and no/100 dollar (\$1.00), release to the Town of Wayland, a Massachusetts municipal corporation having an address of 41 Cochituate Road, Wayland, Massachusetts 01778, acting by and through its Conservation Commission, for open space purposes, all right, title and interest that we acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown as "Record 20' Wide Way" on the plan entitled "Definitive Subdivision Plan of Land in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors and Engineering Consultants, Inc. and recorded with said Registry of Deeds as Plan No. 379 of 2010.

Witness our hands and seals this 19 day of March, 2015.


Derrick M. Irwin, Owner



Marcia C. Irwin, Owner

COMMONWEALTH OF MASSACHUSETTS

Suffolk
Middlesex, ss.

On this 19 day of March, 2015, before me, the undersigned notary public, personally appeared Derrick M. Irwin and Marcia C. Irwin, and proved to me through satisfactory evidence of identification, which were Massachusetts drivers license to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose.




Notary Public
My Commission Expires: 06/25/2021


RELEASE OF EASEMENT

We, Michael J Staiti and Sandra Jean Staiti, Trustees of the 25 Sage Hill Realty Nominee Trust, of 25 Sage Hill Road, Wayland, Massachusetts 01778, being the owner of the land with the improvements thereon described in a deed dated September 3, 2011 and recorded with the Middlesex South Registry of Deeds in Book 57435, Page 255, for consideration of one and no/100 dollar (\$1.00), release to the Town of Wayland, a Massachusetts municipal corporation having an address of 41 Cochituate Road, Wayland, Massachusetts 01778, acting by and through its Conservation Commission, for open space purposes, all right, title and interest that we acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown as "Record 20' Wide Way" on the plan entitled "Definitive Subdivision Plan of Land in Wayland, MA", dated February 26, 2010, prepared by Thomas Land Surveyors and Engineering Consultants, Inc. and recorded with said Registry of Deeds as Plan No. 379 of 2010.

Witness our hands and seals this 5th day of March, 2015.



Michael J Staiti, Trustee



Sandra Jean Staiti, Trustee

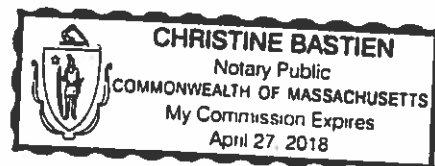
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ___ day of March, 2015, before me, the undersigned notary public, personally appeared Michael J Staiti and Sandra Jean Staiti and proved to me through satisfactory evidence of identification, which were Massachusetts drivers license to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Notary Public
My Commission Expires:

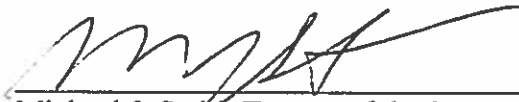


**TRUSTEES' CERTIFICATE
25 SAGE HILL ROAD REALTY NOMINEE TRUST**

The undersigned Trustees hereby certify as follows:

1. That, Michael J. Staiti and Sandra Jean Staiti are the Trustees of the 25 Sage Hill Road Realty Nominee Trust, under Declaration of Trust dated May 25, 2011, a Trustees' Certificate for which pursuant to M.G.L. Chapter 184, Section 35 is recorded with the Middlesex South District Registry of Deeds in Book 57102, Page 541 (hereinafter the "Trust").
2. The Trust is in full force and effect, has not been amended or modified, and has not been revoked or terminated as of the date hereof.
3. Pursuant to the terms of the Trust, the Trustees have full power to buy, sell, mortgage, contract or otherwise deal with real estate and there are no conditions precedent to the Trustees' power to so deal with real estate.
4. The undersigned, Michael J. Staiti and Sandra Jean Staiti, have full power and authority and have been directed by 100% of the beneficiaries of the Trust, to execute and deliver a Release of Easement to the Town of Wayland, acting by and through its Conservation Commission, for nominal consideration, thereby releasing all right, title and interest acquired in and to the easement described in Document No. 215712 filed in the Land Registration Office at the Middlesex South Registry of Deeds and shown on a definitive subdivision plan recorded with said Registry of Deeds as Plan No. 379 of 2010.

Executed as a sealed instrument this ^{5th} day of March, 2015.



Michael J. Staiti, Trustee of the 25 Sage Hill
Road Realty Nominee Trust



Sandra Jean Staiti, Trustee of the 25 Sage Hill
Road Realty Nominee Trust

COMMONWEALTH OF MASSACHUSETTS

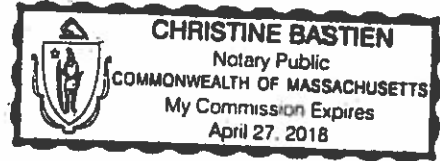
Middlesex, ss.

On this 5th day of March, 2015, before me, the undersigned notary public, personally appeared Michael J. Staiti and Sandra Jean Staiti, Trustees of 25 Sage Hill Road Realty Nominee Trust, proved to me through satisfactory evidence of identification which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

CBastien

Notary Public:

My commission expires:



Smj 25 Sage Hill Trustees Certificate

DATE: JULY 13, 2015
 TO: BOARD OF SELECTMEN
 FROM: NAN BALMER, TOWN ADMINISTRATOR
 RE: FALL TOWN MEETING DATE, SCHEDULE AND PROPOSED ARTICLES

12. SPECIAL TOWN
 MEETING DATE,
 ARTICLES, SCHEDULE

REQUESTED ACTION:

1. VOTE TO APPROVE A REVISED DATE FOR SPECIAL TOWN MEETING
2. PROVIDE ANY GUIDANCE TO STAFF, BOARDS AND COMMITTEES REGARDING THE PREPARATION OF ARTICLES

BACKGROUND: The Moderator is available Monday and Tuesday October 26th and 27th and on Monday and Tuesday November 9th and 10th. Attached is a revised draft of a Special Town Meeting schedule, assuming that STM is held on the earlier date. Both dates are OK with the schools. Electronic voting is available.

2015 FALL TM PROPOSED ARTICLES		
SPONSOR	ARTICLE	COMMENT
FINANCE COMMITTEE	1. Current year transfer of indirect and OPEB costs from Water and Wastewater Enterprise Funds to General Fund.	Finance Committee Chair agreed to the draft STM schedule. Purpose of this article is to correct an error in the FY 16 budget in which revenue from indirect costs and OPEB were budgeted in the general fund but not shown as a transfer from the enterprise funds.
SCHOOL COMMITTEE	2. Town Meeting adoption of statute for school revolving funds	A report from Special Counsel is expected by the end of July identifying the correct statutes for TM to adopt for for school revolving funds.
PLANNING BOARD	<i>NONE AT THIS TIME</i>	There is not enough time for the hearings required for the acceptance of streets or by-law amendments – Town Planner will develop a timetable to prepare for annual town meeting. Funding is available to assist.
BOPW	3. Appropriate Funds: Rt. 30 / School Street Intersection Improvements	BOPW Chair requests guidance from Selectmen about what type of articles to submit
BOPW	4. Appropriate Funds: Vehicle	Water Truck with \$34,000 replacement cost was totaled - \$21,000 available from insurance proceeds.

SPONSOR	ARTICLE	COMMENT
BOPW	5. Amend By-Law on Water Conservation	
BOPW	6. Amend by-law on temporary signs	
BOPW	7. Appropriate funds for a new traffic signal at 5 Paths (Cochituate Rd. and OCP)	
PMBC	8. Appropriate funds to make DPW safe.	
LIBRARY	9. Appropriate funds: Site Investigation	
COMMUNITY PRESERVATION COMMITTEE (HA)	10. Fund sprinkler project at Cochituate Village	
BOS / FINANCE COMMITTEE (REC)	10. Authorize request for special legislation to increase the cap on the Recreation Revolving Fund	The Recreation and Finance Directors expect to have a recommendation by the end of July.
BOS (COA – CC)	11. Acquire Municipal Parcel at Town Center	The COA – CC expects to have completed sufficient work to make a recommendation this article.
BOS (COA – CC)	12. Fund design of COA - CC	May be ready
BOS	13. Appropriate Funds for IT Projects	Long Term plan, including priority short term needs is expected by end of August

DATE: JULY 13, 2015

TO: BOARD OF SELECTMEN

FROM: NAN BALMER, TOWN ADMINISTRATOR

RE: BOARD POLICY REVIEW AND ADOPTION

REQUESTED ACTIONS:

VOTE TO APPROVE BOARD POLICIES:

- 1. Board Description, Guiding Principles and Code of Conduct**
- 2. Board Procedures: Officers and Meetings**

BACKGROUND:

On June 8th the Board approved edits to the 2 policies referenced above. The documents the Board reviewed on June 8th were, however, not the policies most recently adopted by the Selectmen. The most current versions of these policies are presented now for consideration including the edits agreed to on June 8th.

Attached is a draft policy, "Management of the Legal Affairs of the Town" which would replace the existing "Access to Town Counsel Policy". Several months ago, the Board asked for a new policy that would include the changes made by Town Meeting in 2014 regarding the responsibilities of the Board of Selectmen and the Town Administrator regarding the employment of Town Counsel. The draft policy, "red-lined" policy and existing policy are attached.



Wayland Board of Selectman

Board Description and Guiding Principles

The Board of Selectmen is a five-member, non-partisan governing board that acts as the principal policy-making authority of the town. Members are elected to staggered, three-year terms. **Each year at the first meeting following the conclusion of the Annual Town Meeting, the Board elects a chair who serves as the chief elected official of the town, approves the agenda for Board meetings, conducts its meetings, and is the primary spokesman for the Board.** The Board also elects a vice-chair, who acts in the temporary absence of the chair and also serves as clerk of the Board.

The oath of office binds each Selectman to adhere to the laws of the Commonwealth and Town bylaws; and each Selectman recognizes Board policies. The Board exercises general supervisory authority over all matters not specifically delegated by law or by vote of the town to another officer or board. Overall, the Board has broad responsibility for the safety and well-being of the town. Each member recognizes that the chief function of local government is to serve the best interests of all of the people at all times.

Members represent the Town of Wayland at all times. The Board's duties are outlined in the Town's bylaws and include the following major duties and responsibilities:

1. To provide leadership for the town.
2. To develop, articulate, and implement policies to steer the town government as applicable under the Town's bylaws.
3. To sign or veto items on warrants for payment of all town bills.
4. To make appointments to town boards, committees, commissions and offices.
5. To hire professional administrative assistance.
6. To retain **and appoint** legal counsel and direct the legal affairs of the town.
7. To prepare the Town Meeting warrant, including ordering of articles.

The Board conducts the affairs of the town by upholding the following guiding principles through the words and actions of individual members and as a public body:

- **Each member is integral to the effectiveness of the entire board.**

The Board provides leadership as a team. Therefore, each member agrees to conduct him/herself so as to maintain public confidence in our local government, demonstrating at all times respect for the office and for the citizens who are

represented and conducting official business in such a manner as to give the clear impression that he or she cannot be improperly influenced in the performance of his or her official duties. Selectmen shall share information regarding town matters with the entire Board and with members of other committees who may be seeking help or relevant information. Each member will treat all colleagues on the Board with respect, despite differences of opinion on matters of policy, always remembering that respectful debate does not preclude honest differences of opinion. Board members will exercise care to clearly state in any individual statements contrary to Board policy that the opinion is that of the individual member and not representative of the Board.

- **Selectmen recognize the role and relationship of Town Administrator and administrative staff.**

The Board will work to effectively support the ordinary business of town offices. The Town Administrator is the conduit between the Board and each Selectman and town departments. Each member recognizes and supports the role of the Board and the administrative chain of command and refuses to act on complaints as an individual outside of the Board and administration. Each member channels all requests for assistance or staff support from Town departments through the Board and the Town Administrator. Each member shall treat all staff as professionals and respect the abilities and experience of each individual. Members shall never publicly criticize an individual employee or a department; concerns about staff performance should only be made to the Town Administrator through direct communication.

- **Authority is limited to actions taken by the Board as a whole.**

The power of the Board is invoked only when action is taken by a quorum at a duly posted meeting. No individual Selectman has authority to act on behalf of the Board, unless **the Board has granted such specific authority**, and no member should represent him/herself as having individual authority or influence to governmental bodies or the public.

- **Selectmen make decisions based on information received and discussion held at Board meetings.**

Board members make decisions only after all relevant facts on an issue have been presented and discussed in formal session. Selectmen respect that each member is entitled to his or her viewpoint and opinion. The Board makes decisions by considering the needs of the town and for the good of the entire community.

- **Board members abide by decisions of the Board.**

Action taken at official meetings is binding. Each member abides by decisions of the Board made at a duly posted meeting, even when such decisions were controversial or contrary to an individual member's vote.

- **Members respect the intent of and deliberations conducted in executive session.**

Executive session is held only in particular circumstances to protect the interests of the Town or individuals' privacy as provided in state law. The content of the proceedings is privileged. Members pledge to uphold the intent of executive session, to respect the privileged communication that exists in executive session, and to safeguard confidential information. Statements uttered, sentiments expressed, information shared, and actions taken in executive session shall not later be discussed in an open meeting or publicly or privately with non-members who were not present in the executive session.

Adopted on July 15, 1997; revised on July 9, 2007; revised and restated on October 13, 2010; revised and restated on June 11, 2012; revised and restated on June 5, 2013; revised and restated on June 24, 2015.

OFFICERS AND MEETINGS

OFFICERS

1. At the first meeting of the Board of Selectmen held after the adjournment of Annual Town Meeting *sine die*, members shall elect a chairman and vice chairman/clerk whose terms of office begin immediately and end when duly elected successors are chosen following the subsequent Annual Town Meeting.
2. The chairman shall be the presiding officer at meetings of the board. S/he will set the agenda, represent the board, and act as its spokesman, or designate the same.
3. The vice chairman shall preside at meetings in the absence of the chair and assist the chairman as needed in managing the affairs of the board.
4. If both the chairman and vice chairman are unavailable, the senior Selectman in time served as a Selectman shall preside at meetings of the board.
5. The intent of this policy is for the chairman of the board to rotate among members of the board willing to serve. Nothing in this policy prohibits a selectman from succeeding him/herself if the board so votes.
6. Should the chairman be unable to continue to serve, the vice chairman will become the chair and an election held to choose a new vice-chairman. Should the vice chairman be unable or unwilling to serve, a new chairman shall be elected. Should both positions become vacant, the senior elected Selectman shall hold both offices until an election can be held to fill the vacancy in both positions.

MEETINGS

1. The Board of Selectmen shall convene **at least twice a month** on Monday evening at 7:00 p.m. **with additional meetings scheduled as necessary**. Unless deemed appropriate by the **Board**, discussion shall not begin on new business items after 11:00 p.m.
2. The Town Administrator shall provide the members with appropriate background materials on matters before the Board and shall provide copies of all correspondence sent to the Selectmen. S/he shall maintain accurate records of all meetings and action taken, including executive sessions.
3. Three members shall constitute a quorum.
4. **Beginning in July 2015, meeting materials will be provided by electronic packet rather than paper copy.**

Approved on April 26, 2010; restated on October 13, 2010; revised and restated on June 24, 2015.

MANAGEMENT OF THE LEGAL AFFAIRS OF THE TOWN (DRAFT 7/13/15)

I. GENERAL AUTHORITY, RESPONSIBILITY, AND ACCOUNTABILITY

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

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

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

II. APPOINTMENT OF TOWN COUNSEL

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

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

The Board of Selectmen will approve the terms of the engagement of Town Counsel, which will include the terms for reappointment and removal.

III. ACCESS TO TOWN COUNSEL

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

1. Requests for Advice on Routine Legal Matters

Governmental bodies, municipal officials, and department directors may request advice from Town Counsel on routine legal matters through a written request to the Town Administrator. The request will include a specific legal question and sufficient background information to understand the request. Such written requests are

necessary only for new legal matters and can be waived at the discretion of the Town Administrator. The purpose of this requirement is to use Counsel to respond to legal questions only and to promote the appropriate use of other available legal resources including but not limited to legal resources available through offices of state government.

2. Requests for Formal Written Legal Opinions

Governmental bodies, municipal officials, and department directors may request formal written legal opinions through a written request to the Town Administrator who shall forward a recommendation on the the request to the Board of Selectmen for consideration and approval. The request will include a specific legal question and sufficient background information to understand the request. Requests from governmental bodies for formal written legal opinions must be pursuant to a majority vote of the body.

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

3. Approval for Representation of the Town in Litigation

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

IV. APPOINTMENT OF SPECIAL COUNSEL

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

Requests must clearly state:

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

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

Unless specified by the Board of Selectmen, Special Counsel will be advisory to the Board of Selectmen and under the supervision of the Town Administrator or as delegated by the Town Administrator to a Department Head.

Approved January 12, 2004; revised and restated on October 13, 2010; Revised July XX, 2015

MANAGEMENT OF THE LEGAL AFFAIRS OF THE TOWN (DRAFT 7/13/15)

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Requests for oral advice or guidance from Town Counsel shall be approved by the Town Administrator.

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- 2) the estimated length and costs of the engagement, and
- 3) why the reason appointment of Special Counsel is in the best interests of the Town.

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Approved January 12, 2004; revised and restated on October 13, 2010; Revised July XX, 2015

Approved January 12, 2004; revised and restated on October 13, 2010

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PETITIONERS' ACCESS TO TOWN COUNSEL

Subject to these guidelines, Town Counsel is available to consult with registered voters who have been identified as the lead petitioner and desire to submit or who have submitted an article for consideration at an annual or special town meeting, as a "petitioner's article" without sponsorship of a town board.

1. Town Counsel's consultation is limited to 1) suggesting language that reflects the petitioner's legislative intent in presenting articles for insertion in the warrant and 2) preparing the main motion for Town Meeting. Town Counsel will not render written opinions.
2. Prior to the deadline for filing articles for insertion in the warrant for the annual Town Meeting, the Selectmen will conduct a "petitioners' workshop" at which prospective petitioners may ask general questions. At the workshop, the Town Administrator will attempt to identify the legal issues and direct the petitioner(s) to meet with Town Counsel. The Town Administrator shall set reasonable limits on the scope of lead petitioner inquiries and the time allocated for consultation with Town Counsel.
3. Town Counsel may decline to assist the lead petitioner if Town Counsel states in writing that such assistance would present Town Counsel with an actual conflict of interest, and gives the basis for the conflict of interest. The Town Administrator may assign Special Counsel to assist the lead petitioner as appropriate.
4. Access to Town Counsel during Town Meeting sessions is not permitted.

Comment [SJ1]: I thought Counsel's role was to make sure the article was in "proper legal form". Going back to recent petitioners, #1 could be a problem.

Comment [NB2]: I don't know what "proper legal form" means - Will ask Mark

Comment [CK3]: I agree with John's comment on petitioners' access. Proper legal form is the standard we have always worked with - not providing language to accomplish the goal. And does Mark prepare the motion now??

Comment [SJ4]: Is that the TAs role? Sounds like Counsel's role.

Comment [CK5]: Again, I agree with John's take here. I don't think the TA should be involved in identifying the legal issues or directing petitioners to Town Counsel. Might just remove the sentence!?

Comment [SJ6]: Shouldn't the BOS make that appointment?

Approved January 12, 2004; revised and restated on October 13, 2010

TOWN COUNSEL ACCESS

All requests for access to Town Counsel shall be through the Board of Selectmen and its agent, the Town Administrator.

1. Request Form

All requests for access to Town Counsel by governmental bodies, municipal officials, and department directors shall be made in writing to the Town Administrator. Except for Town Meeting petitioners, citizen requests for access to Town Counsel are not generally granted.

2. Oral Advice

Requests for oral advice or guidance from Town Counsel shall be approved by the Town Administrator.

3. Requests for Written Opinions or Access for Litigation Matters

Written opinions or advice from Town Counsel or requests for access to Town Counsel for ongoing or imminently threatened litigation may be requested only upon the recorded vote of a governmental body. The approval granting authority is the Town Administrator or the Board of Selectmen.

Such litigation or imminently threatened litigation may include, but is not limited to:

- any controversy or adjudicatory proceeding before a court
- the Appellate Tax Board
- the Labor Relations Commission or Joint Labor-Management Committee (JLMC)
- the Civil Service Commission
- or any judicial or quasi-judicial tribunals in which the Town or any of its governmental body (ies) seeks to have its legal rights determined, defended, or enforced

Approved January 12, 2004; revised and restated on October 13, 2010

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING JULY 10, 2015**

BOARD OF SELECTMEN SCHEDULE

Board of Selectmen meeting dates (subject to change as required):

July 27

August 10, 24, 31

September 8 (Tuesday), 14, 21, 28

October 5, 13 (Tues), 19, 26 (Possible TM)

November 2, 9 (Possible TM), 16, 30

December 7, 14

TOWN BUILDING DIRECTORY – ATTACHED

MINUTES

Attached please find minutes of June 24th for your review. Please send me any edits. The minutes will be included on the next Consent Agenda.

AQUEDUCT

The application to the MWRA to complete the Wayland portion of the walking / biking trail was submitted. It was delayed because of requests from the public to consider parking alternatives. In July the MWRA Community Liaison will walk the path. Four gates will be installed along fences. This project will be from the Weston Town Line into Framingham.

SHERMAN'S BRIDGE

The Wayland / Sudbury / MASSDOT project to replace the failing deck is not going forward at this time. The Conservation Commission held a hearing that was heavily attended by the public with concerns about the design. Members of the public followed with extensive public records requests. MASSDOT withdrew its \$150,000 in funding for materials. Since the withdrawal of funds, Sudbury has done some interim repairs. The DPW Directors of both towns are considering next steps.

FREE CASH POLICY

In response to the Auditor's Management Letter, the Finance Committee approved the attached Fund Balance Policy for the General Fund, stating a policy to maintain free cash at 5% to 10% of the next fiscal year's general fund budget. The Finance Director requests that the Wastewater Management District Commission and the Board of Public Works adopt a similar policy for the enterprise funds. Also attached are draft financial policies recommended by the Finance Director to the Finance Committee.

TREASURER: CONSULTANT EXIT REPORT

Attached is an exit report from the consultant providing recommendations for improving the operation of the office. Security issues related to passwords and keeping the office locked have been addressed. A plan to evaluate and address the remaining recommendations is in process.

OPEB

The Finance Director, Treasurer and I conferred with Special OPEB Counsel Brian Fox to understand our responsibilities under the Wayland Special Act for OPEB. Following this discussion I presented the attached memorandum to the OPEB Committee which explains that the Special Act requires the Town Administrator and Finance Director to act as Trustees of the OPEB fund. This requires the Town Administrator and Finance Director to supervise and manage the fund's investments through the Treasurer, set the Investment Policy Statement and, appoint an expert in investing if required. The OPEB fund has not previously been managed in this way. The OPEB Investment Policy adopted by the Board will be considered by the Trustees in setting the final investment policy.

TOWN OF WAYLAND The following four-digit numbers all begin with the prefix 358 **Main Telephone Number: (508) 358-7701**

Assessors - Group 3788

Ellen Brideau, Director 3658
Denise Ellis 3659
Jessica Marchant 3657
Savitri Ramgoolam 6801

Building Dept - Group 7600

Jay Abelli, Bldg Commissioner 3602
Norma Badger 3601
Sheila Cuttell 3615
David Fuller 3638
Leo Landry 3605
Allan Sherman 3604
Building FAX 358-3606

Children's Way

Katy Merrell, Director 7072
Kathy Defina 7072
Gretchen Lutz, Early Chldhd 6818

Conservation Comm - Group 7045

Brian Monahan, Director 3669
Andrea Upham 3045
FAX 358-3606

Council on Aging - Group 7990

Julie Secord, Director 3640
Susan Hatton 3644
Shawna Levine 6810
Nancy Greenwood 2990
Kitchen 6812
Conference Room 6813
Council on Aging FAX 358-7175

Dog Officer

Jennifer Condon 3625

DPW - 66 River Road

Main Number 358-3672
Stubby Kadlik, DPW Director 3678
Daniel Cabral, Adm Coord 3673
Gay Hughes 3676
Patricia Lemon 3674
Elizabeth Teixeira 3675
Jane Capasso, Wastewater 6851

DPW (continued)

Landfill/Mariann Maloney 358-7910
Baldwin Pond 358-3699
Joe Doucette 6853
Mike Lindeman 6852
Dan Wenckus 6856
Vehicle Maintenance Bay 6858
FAX DPW 358-4082

Facilities - Group 7696

Ben Keefe, Director 3786
Maggie Meehan 3696
Patrick Morris 3109
John Winkelman 3608
Kevin MacNeil 3767

Finance - Group 7610

Brian Keveny, Director 3611
Payroll 3613
Donna Lemoyne 3612
Gayle Stahl 3614
Ana Terrell 3609

Fire Department

David Houghton, Chief 6910
Lorraine DiMuzio 6912
Cochituate Station 655-2711
Public Safety Building 358-4747
Fire Station FAX 358-6920

Health Department - Group 7617

Julia Junghanns, Director 3616
Ruth Mori (Nurse) 3215
Diane Ledwell 3619
Darren MacCaughy 3618
Patti White 3617
Health Dept FAX 358-3619

Housing Authority

Brian Boggia 655-6310

Information Technology

Leisha Simon, Director 3714
Gwendolyn Sams-Lynch 3637
Augusto Saviatto 6822

Library

Ann Knight, Director 358-2311
Jim Zebrowski 358-2311
Library FAX 358-5249

Planning - 3778

Sarkis Sarkisian 3778

Police Department

Emergency Line: 911
Public Safety Building 358-4721
DISPATCH 358-1786
Bob Irving, Chief 358-1710
Pat Swanick, Lieutenant 358-1715
Lisa Dana 358-1712
FAX Chief Irving 358-1777
FAX Police 358-4730

Recreation - Group 7660

Jessica Brodie, Director 3662
Christine Baldwin 3664
Valerie Comeau-Palmer 3663
Arts Center 653-8251
Gym - Town Building 3667
FAX, Recreation 358-3665
Wayland Beach 655-8237

Selectmen/HR - Group 7755

Nan Balmer, Town Adm 3620
John Senchyshyn, HR Dir 3623
Paula Dettorre 3622
MaryAnn DiNapoli 3621
Elizabeth Doucette, Fin Anlyst 6821
Selectmen's FAX 358-3627
Selectmen's Meeting Room 3628
Selectmen's Office Conf Rm 6806

School Department

School Comm Room 6814
Small Conference Room 6815
Susan Bottan, Business Mgr 3750
Brad Crozier, Asst Supt 3772
Marlene Dodyk, DirStudt Svcs 3756
Rose Dunn, Tech Secy 5981
Dale Gudejko, Accts Payable 3764
Linda Lavenda, Adm Asst HR 3773

School Department (continued)

Ilene Lieberman, Student Svcs 3759
Carol Lucenta, Secretary 3766
J. Reid Lyons, HR Director 3752
Karen Mantey, Adm Asst 3757
Diane Marobella, Adm Asst 3763
Carla McAuliffe, Acct/Analyst 3751
Pegasus 655-8146
Diane Potter, Trans Coor 3753
Mabel Reid-Wallace, METCO 3754
Sandi Richiazzi-Natoli SPED 3758
Rena Santillo, METCO Asst 3755
Eva Santos, Data Analyst 3770
Leisha Simon, IT Director 3714
Paul Stein, Superintendent 3774
First Student Dispatcher 358-7543
School Dept FAX 358-7708

Surveying - Group 7654

Alfred Berry, Director 3655
Brendan Decker 3654

Town Clerk - Group 7630

Beth Klein, Town Clerk 3631
Diane Gorham 3630
FAX Town Clerk 1683

Treasurer/Collector - Group 7633

Zoe Pierce 3635
Cindy Cincotta 3632
Judy Ann Porter 3634
FAX Treasurer 358-4175

Veterans Services 3787

Wastewater Treatment Plant

Stephen Bodurtha, Mgr 358-7965
David Boucher (508) 832-3295

Youth Services - Group 7293

Lynn Dowd, Director 4293
Dossie Kahn 4294
Jane Purser, Program Coord 4293
Jason Verhoosky, Prev Spclist 4293
Muriel Sypek 4295



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

DRAFT

Board of Selectmen Meeting Minutes June 24, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan (arrived 6:10 p.m.)

Absent: Tony V. Boschetto

Also Present: Town Administrator Nan Balmer

A1. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to a Pending Action regarding the Glezen Lane Judgment, and to Discuss Potential Litigation regarding Affordable Housing Restrictions; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to Discuss the Septage Meeting with Sudbury (re: Value of Real Estate/Disposition); and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Collective Bargaining Strategy with the Police Union

At 6:02 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to a pending action regarding the Glezen Lane judgment, and to discuss potential litigation regarding affordable housing restrictions; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to discuss the septage meeting with Sudbury (re: value of real estate/disposition); and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss collective bargaining strategy with the Police Union. The Chair declares that a public discussion of pending and potential litigation and collective bargaining will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: T. Boschetto, J. Nolan. ABSTAIN: none. Adopted 3-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:07 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:07 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. She reviewed the agenda for the public.

A3. Public Comment There was no public comment.

A4. Vote to Appoint John Senchyshyn, Assistant Town Administrator/Human Resources Director, as Town Representative to School Committee Negotiations with Custodians L. Anderson moved, seconded by M. Antes, to appoint John Senchyshyn, Assistant Town Administrator/ Human Resources Director, to serve as the Board's designee to the Wayland School Committee for the purposes of collective

bargaining with Public Employees' Local 1116, Custodians and Maintenance Union; such designation is pursuant to and with the powers and authorities provided by Massachusetts General Laws Chapter 150E, Section 1. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A5. Discussion of Wayland's Flexible Spending Plan and Potential Vote to Amend the Policy to Provide for an Increase in the Federal Limit J. Senchyshyn presented the Board with the town's Flexible Spending Plan Policy and noted that the language has been revised to reflect the federal allowable limit. M. Antes moved, seconded by J. Nolan, to update Wayland's Flexible Spending Plan to recognize the insertion of the language "federal limit" and "federal allowable limit" in place of specific dollar amounts. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A6. Review and Potential Vote to Increase Compensation for Election Workers M. Antes stated for the record that she is an election worker, and recused herself from the discussion. Town Clerk Beth Klein reviewed her proposal to increase the hourly wages of election workers, and provided a survey of election official salaries from comparable towns. J. Nolan said he would be amenable to increasing the hourly rate by an additional \$0.50 per hour above the Town Clerk's proposal, but B. Klein noted a time constraint, as she must submit the rates to the state for reimbursement within the week. The Board suggested that the issue be revisited at a later meeting in order to consider additional increases. J. Nolan moved, seconded by L. Anderson, to set the non-employee compensation for election workers as follows: \$9.00/hour for inspectors, night tellers, ballot box workers and all training sessions; \$9.50/hour for clerks; and \$10.00/hour for wardens. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

M. Antes returned to the meeting.

A7. Introduction of New Treasurer/Collector and Report on Treasurer's Office Zoe Pierce, Treasurer/Collector, appeared before the Board to introduce herself. She reviewed her background and her priorities for improvements in the Treasurer's office; she commended the current staff. She said there is a need to identify sources of daily income, review tax title property, address security issues, and consider a consolidation of the number of banks being used. C. Karlson suggested that Z. Pierce draft a revised tax title policy for Board review. M. Antes asked for an assessment and a recommendation regarding the town's use of numerous banks. L. Anderson asked about tax relief programs; Z. Pierce said that is the purview of the Board of Assessors.

A19. Report of the Town Administrator J. Senchyshyn provided an update on the appointment of Special Counsel James Toomey of Murphy, Hesse, Toomey & Lehane LLP, regarding the School Revolving Accounts. He said J. Toomey is in the process of reviewing the accounts, and believes that the accounts fall under different statutes; some may require a vote of Town Meeting. He expects the work will be complete within three weeks and will then provide a recommendation. J. Senchyshyn said the packets will be electronic only beginning in July; C. Karlson asked for guidance in providing electronic edits to the draft minutes.

A8. Meet with Wayland Business Association regarding Planned Events on Town Green Beginning July 15, 2015; Potential Vote to Approve One Day Liquor License and Entertainment License David Larsen of Joint Ventures Physical Therapy appeared before the Board to describe the activities being sponsored by the Wayland Business Association to bring the community together at Town Center. C. Karlson said it had been determined that no licensing was necessary from the Board. D. Larsen said the events will begin on Wednesday evening, July 15, and asked the Board for promotional support.

A9. Committee Vacancy Interviews and Potential Votes to Appoint Carol Martin, Anette Lewis, Gordon Cliff, and George Uveges appeared before the Board to interview for appointment to the Finance Committee. Applicants reviewed their backgrounds and interest in serving. L. Anderson asked how the applicants would balance the cost of government with the residents' ability to pay. G. Uveges said there are trade-offs. A. Lewis said that while the operating budget is flat, the Finance Committee should pay more attention to capital budgeting and the unclassified line of the budget. C. Martin discussed the capital closeout project, through which \$859,000 was re-allocated. G. Cliff emphasized the decision process and efficiency measures. G. Uveges said he would consider speeding up the cash flow and improving investments; he said he would also study whether current operations could be made smarter and more efficient. J. Nolan asked applicants if they would commit to three years. All said yes; C. Martin noted it takes time to become a valuable contributor, and G. Cliff said he would resign from the Audit Committee if appointed. J. Nolan asked how the applicants would address serving those who come to meetings, as well as the larger group of residents who do not attend. G. Cliff said he would listen to people who take the time to come to a meeting, but also emphasized the need to reach out to everyone. A. Lewis said the Finance Committee has a fiduciary responsibility to every town resident, and by listening to all residents, you can piece together the sense of the community. G. Uveges said he would listen and be available. M. Antes asked how each candidate would affect the committee. A. Lewis said she believed members should assist the chair, and that while she focuses on facts, she would also like to see more discussion on the warrant articles. C. Martin said each member has a skill set; she said she has a good memory and a historic knowledge of the Finance Committee. She also participated in the School Finance subcommittee. G. Cliff said he is good with numbers and analysis and is willing to challenge beliefs. G. Uveges discussed his experience. C. Karlson asked about the ability to work constructively with others and the ability to compromise. G. Uveges talked about his corporate experience, making people a part of the process and understanding other points of view. A. Lewis said one should start with facts, and provided examples of compromise in her work with the town and her legal career. C. Martin said it is important to come to meetings prepared with facts, and that members must be flexible and able to communicate in their liaison roles. G. Cliff said he wanted to be sure that both those who wanted to spend less and those who want to spend more are heard. The Board thanked the volunteers for their willingness to serve.

The interviews for the Conservation Commission were re-scheduled for July 13. Lou Marcoccio did not appear to interview for appointment to the Council on Aging/Community Center Advisory Committee.

J. Nolan moved, seconded by L. Anderson, to reappoint Carol Martin to the Finance Committee for a three-year term to expire on June 30, 2018, and to appoint Gordon Cliff to the Finance Committee for a three-year term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A10. Vote to Transfer Two Dudley Woods Parcels to the Recreation Commission Town Counsel Mark Lanza said the town has reached the threshold of \$600,000 in the Affordable Housing Trust set by the Town Meeting vote to transfer the remaining parcels in Dudley Woods to the Recreation Commission. The Board discussed the potential subsurface community wastewater disposal system. Frank Krasin, member of the Recreation Commission, said the Commission has not made any decisions regarding a septic system, but will consider the needs of the residents. The Board advised it is outside the purview of the Recreation Commission to decide whether a septic system is needed or not. J. Nolan moved, seconded by L. Anderson, to transfer the care, custody, management and control of the parcels of land being part of the area known as "Dudley Woods" and shown as parcels 47B-055A, 47B-055E, 47B-055D, 47B-055C, 47B-055B and 47B-056G on the plan entitled "Plan of Land in Wayland, Massachusetts Prepared for Doran-Dudley Pond Comprehensive Feasibility Study" dated September 30, 2010 to the Recreation Commission for passive recreation purposes, and for the purpose of the construction, installation, operation, repair and replacement of a subsurface community wastewater disposal system under said parcels of land, as long as said system does

not interfere with such recreational use of the land. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A11. Vote to Petition State Legislature for Additional Liquor License for Town Center An e-mail from Selectman T. Boschetto was distributed, questioning the Board's authority to change the language that Town Meeting used to adopt the article. M. Lanza advised that the Board does not need to use the verbatim action of Town Meeting in requesting special legislation, and noted that he used the language, "substantially in the following form." J. Nolan expressed reservations about the need for an additional liquor license, and its impact on the current liquor license holders. M. Lanza said the Board has discretion in awarding the license after the legislature approves the special legislation. He said it was not uncommon that the Board receives competing license applications. L. Anderson said she did not believe the new liquor license will hurt the current license holders, as business continues to expand in Wayland. G. Cliff said the Board was authorized by Town Meeting to take this action but was not compelled to do so. Tony Speranzella, owner of Eastbrook Inc., dba Sperry's Fine Wine Brew and Cigars, 87 Andrew Avenue, said there are numerous communities that have done this. L. Anderson moved, seconded by M. Antes, 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 Massachusetts, and all other applicable laws, to enact a Special Act authorizing the Board of Selectmen to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Massachusetts General Laws Chapter 138 Section 15 to be exercised by a licensee at a premises located in the Wayland Town Center Mixed Use Development Site, which is shown on Assessors Map 23 as Parcels 52, 52C, 52E through 52S, and 165 through 206, substantially the same as the Special Act printed on Page 90 of the Warrant for the 2015 Annual Town Meeting, as revised at said Town Meeting. YEA: L. Anderson, M. Antes, C. Karlson. NAY: J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 3-1.

A12. Discussion with Town Counsel regarding License for the Use of Town Green and Obligation under the Master Special Permit The Board sought direction from Town Counsel regarding the use of Town Green. M. Lanza said the Town has no obligation to seek a license or a lease for the Town Green. He said the Town Green is open to the public for passive use. The landowner must establish a maintenance plan in consultation with the Board of Public Works, which may necessitate a lease or license. M. Lanza reviewed the advantages and disadvantages of a license. C. Karlson described a conversation with Frank Dougherty, Twenty Wayland LLC, in which F. Dougherty confirmed their intention to maintain and operate the parcel. She asked the Town Administrator to follow up with the Planning Board about the need to move forward with a license or a lease.

A13. Vote to Adopt a Confirmatory Eminent Domain Taking for 246 Stonebridge Road M. Lanza advised the Board that the closing on the Purchase and Sale of 24 Stonebridge Road took place on June 22, 2015. He said the action of the Board tonight will extinguish any encumbrances on the order of taking. M. Antes moved, seconded by J. Nolan, that the Board of Selectmen adopt and execute the Order of Taking of 246 Stonebridge Road, Wayland, Massachusetts, dated June 24, 2015, as prepared by Town Counsel, as corrected. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A14. Review and Vote Funding for Environmental Phase I Proposal for Municipal Pad and Adjoining Parcels as Recommended by the Council on Aging/Community Center Advisory Committee The Board was joined by Council on Aging/Community Center Advisory Committee members Bill Sterling, Jean Milburn, and Frank Krasin. N. Balmer reviewed the tasks preliminary to the acquisition of the municipal parcel, noting the first one is a site assessment. The Board encouraged committee members to continue to work with N. Balmer to prepare and solicit procurements, and then come to the Board with contracts and financial requests for approval. M. Antes moved, seconded by L. Anderson, to approve the expenditure of up to \$3,200 for the proposed CMG Environmental Site Assessment as amended by the

Council on Aging/Community Center Advisory Committee at its June 18, 2015, meeting. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A15. Vote Charge of WRAP (Wayland Real Assets Planning Committee) and Confirm Appointments of Committee Designees The Board reviewed the charge of the WRAP and considered the concern of the Conservation Administrator that stakeholders were not included in the charge. M. Antes offered to confirm with him that the restrictions on conservation land will be protected. N. Balmer noted that the WRAP Committee will be consulting with the appropriate departments. Linda Segal, 9 Aqueduct Road, asked that the vacancies be posted. J. Nolan moved, seconded by L. Anderson, to approve the Wayland Real Asset Planning (WRAP) Committee Charge, and to convey the charge to the appropriate committees, and to advertise the vacancies for a public process of appointment. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A16. Discuss and Review Final Draft of River's Edge RFP and Vote to Authorize Chair to Sign Application to Department of Environmental Protection for Presumptive Approval to Change Site Assignment at River's Edge Property M. Antes moved, seconded by J. Nolan, to authorize the Chair of the Board of Selectmen to sign on behalf of the town, subject to review and approval by Special Counsel, for the River's Edge project, the Town's application to the Massachusetts Department of Environmental Protection for presumptive approval to use a portion of the River's Edge Housing Project site on Boston Post Road, Wayland, Massachusetts, which is within the area subject to the Sandhill Landfill site assignment for housing purposes. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0. The Board reviewed the latest version of RFP, and N. Balmer said the department heads have reviewed it and provided input.

A17. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

A18. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. C. Karlson asked that the traffic requests from Police Chief Robert Irving be placed on a future agenda, and the Board noted the opening of the new DPW facility on June 20.

A19. Report of the Town Administrator N. Balmer reviewed upcoming agendas; she said the IT consultant is expected to provide an update at the July 13 meeting. She reviewed the availability of the Town Moderator for a Special Town Meeting and distributed a draft timeline for an October 26-27 date. In regards to a request from George Harris, she asked the Board if there was any correspondence between Board members and Special Counsel in regard to the school revolving funds; the Board confirmed there was none.

A20. Selectmen's Reports and Concerns M. Antes reported on the dedication of the Wayland Town Flag at the State House on June 18. C. Karlson noted that the Route 27 sidewalk is now under construction, and she requested that the board and committee vacancies be advertised again. She asked that the Board consider dividing the shared portfolio items into individual portfolio items, as a shared assignment may create an unintended violation of the Open Meeting Law.

A21. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A22. Adjourn There being no further business before the Board, M. Antes moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:29 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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

1. Email of 6/23/15 from Tom Abdella to Board of Selectmen re: Recommendation to Appoint Anette Lewis to the Finance Committee
2. Email of 6/22/15 from Mark J. Lanza, Town Counsel, to Nan Balmer, Town Administrator, re: Wording of Motion for Petition to the State Legislature for Additional Liquor License
3. Email of 6/20/15 from George Uveges to Nan Balmer, Town Administrator, re: Request for Appointment to the Finance Committee
4. Chart of Comparable Wage Rates for Election Workers, 6/24/15, compiled by Beth Klein, Town Clerk
5. Email of 6/24/15 from Tony Boschetto, Board of Selectmen, re: Comments on Special Legislation regarding Liquor License
6. Draft Schedule prepared by Nan Balmer, Town Administrator, for an October 2015 Special Town Meeting

Items Included as Part of Agenda Packet for Discussion During the June 24, 2015 Board of Selectmen's Meeting

1. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Appointment as Representative to Custodian Negotiations
2. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Flexible Spending Plan Update
3. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Compensation for Election Workers
4. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Introduction of New Treasurer/Collector, and Memorandum of 6/18/15 from Zoe Pierce, Treasurer/Collector, re: Initial Impressions
5. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Town Center Summer Events by Wayland Business Association
6. Memorandum of 6/19/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Committee Interviews and Reappointments, with attached résumés
7. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Transfer Custody of Six Dudley Woods Parcels to the Recreation Commission
8. Memorandum of 6/19/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Petition State Legislature to Enact Special Act for Additional Liquor License, Vote Certificate, and Map of Town Center
9. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: License for the Use of Town Green and Obligation under the Master Special Permit
10. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Confirmatory Eminent Domain Taking for 246 Stonebridge Road
11. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Environmental Phase I Proposal for Municipal Pad and Adjoining Parcels
12. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Wayland Real Asset Planning (WRAP) Committee Charge
13. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Execution of Application to Mass DEP for Presumptive Approval to Use River's Edge Site for Housing; Description of Proposed Activity; Affidavit of Stephen F. Kadlik, Application for Solid Waste Management Facility Modification, Land Disposition Agreement and Request for Proposals, Disposition of Town-Owned Real Property for Rental, Affordable and Senior Housing Purposes

FREE CASH POLICY

Wayland Finance Committee

Free Cash Policy

June 17, 2015

The Massachusetts Department of Revenue defines Free Cash as follows:

Definition of Free Cash

Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Important: free cash is not available for appropriation until certified by the Director of Accounts

The Town of Wayland policy on Free Cash is to maintain Certified Free Cash at an amount between 5% to 10% of the next fiscal year's general fund budget. Generally, Free Cash is appropriated by annual Town Meeting to support next year's General Fund operating budget, capital expenditure, articles, and current year transfers for contingencies and unexpected expenses.

Town of Wayland

Draft Financial Policies

1) Capital Project Appropriations:

Prioritization of Fund Balance Amounts;

Capital Projects are authorized annually at town meeting and can have multiple revenue sources such as Free Cash, Cash Capital, MSBA grants, Debt Authorizations and Transfers from Other Funds. The order of spending the revenue sources will be as follows:

- 1) MSBA Grants
- 2) Bond Proceeds
- 3) Transfers from Other Funds
- 4) Cash Capital
- 5) Free Cash

Prioritizing the spending of revenue sources will insure that surplus funds can be returned to the original funding sources promptly.

2) Assignments of Fund Balance:

- 1) *Use of Free Cash:* The Town of Wayland Finance Committee recommends to Town Meeting the use of Free Cash to fund the General Fund budget, Capital Appropriations and Town Meeting Articles.
- 2) *Fiscal Year End Encumbrances:* Encumbrances are recorded at year end by both town and school departments. The purpose of an encumbrance is to reserve current year appropriations for liabilities incurred but not paid by the close of the fiscal year.

3) Encumbrances :

Town and School departments encumber annual general fund appropriations at the end of each fiscal year for invoices that have not been received by a vendor by year end. The invoices are for goods ordered or received or services rendered to the town by a vendor by June 30 of each fiscal year. When the invoices related to the encumbrances are received in the subsequent fiscal year those invoices are charged against the year end purchase order. The process insures that the invoices are charged against the correct annual appropriation.

4) Modification of existing assignments:

Existing assignments:

Assignments of fund balance such as the use of Free Cash are authorized at town meeting. Town Meeting is the only authoritative body that can modify an existing annual appropriations, use of Free Cash or capital appropriations. Town and school departments can modify encumbrances by either charging a vendor invoice or closing out the encumbrance that were established to pay vendor invoices.

June 16, 2015

Nan Balmer, Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778-2614

Dear Nan:

The following represents some observations, recommendations and status regarding the Finance Operations and in particular the Office of the Treasurer/Collector:

- **Security of Cash and Checks**
 - **Observation:** The Treasurer/Collector's Office is unlocked, open to all staff and is easily accessible to the public.
 - **Recommendation:** The door to the Treasurer/Collector's office should be locked at all times and a security system should be installed with policies and procedures governing access by approved personnel. The rationale for this measure is strictly for security of cash and should not discourage communication between the Treasurer/Collector's staff and other departments. All bank deposits should be prepared at a desk. In order to safeguard assets, all checks and cash waiting for deposit or to be mailed should be kept in the safe. The combination to the safe should be shared with appropriate personnel only. A Cash Register System should be considered. The Water Cooler which is located in the office should be located elsewhere.
 - **Status:** These recommendations have been discussed with staff. Implementation is pending.

- **Departmental Turnovers**
 - **Observation:** There is not a consistent turnover policy for turnover of cash to the Treasurer.
 - **Recommendation:** Cash should be counted and checks tallied in the presence of the departmental staff person turning over the funds to the treasurer's office. Once verified, the treasurer's office staff should certify that the funds were received.
 - **Status:** A policy is being developed and implementation in progress.

- **Security-Passwords**
 - **Observation:** Banking logins and passwords to various banks and other functions were previously shared by staff.
 - **Recommendation:** Individual logins and passwords should only be assigned to the Treasurer/Collector and Assistant Treasurer/Collector. Any tokens should be in their sole possession as well.
 - **Status:** Implementation is ongoing.

investment purposes only. Some of these investment accounts should be liquid enough to allow for adequate cash flow.

- **Status:** The purpose of each account has been identified and the new Treasurer/Collector is looking at ways to streamline the process.

- **Spreadsheet Format**
 - **Observation:** Spreadsheets used for analysis are not identified with a footer and are not consistent. This is particularly important in the Treasurer's Shared Drive.
 - **Recommendation:** Although the format of spreadsheets is a personal preference, it would be helpful if spreadsheets saved on the shared drive included three footers. The right footer should indicate the spreadsheet path and name, the left footer should indicate the date and time and the center footer the page # of # of pages. Gridlines are a simple layout for finance working documents. Also, the printed spreadsheet with a footer will allow for a quick find on the drive.
 - **Status:** As previously developed spreadsheets are found, they are being revised for the above layout. The new Treasurer/Collector has been updated on this process.

- **Commitments, Abatements and Exemptions Reporting and Reconciliation of Accounts Receivable**
 - **Observation:** The Director of Assessing provided a document dated 03/05/2015 and entitled "Outlining Assessing Procedures" which was extremely helpful. This document clearly outlines the procedures currently being followed.
 - **Recommendation:** The "Abatements/Exemptions" and "Warrants/Commitments" sections appear to identify the correct process to follow. However, the last section "Assessor's Month Ending Summary Sheet" section does not all allow for segregation of duties. Although, this report prepared by the Treasurer/Collector's Office lists all the activity for the month regarding Commitments, Abatements and Exceptions, it also lists other items not controlled by the Assessing Department. The recommended process would be for the Assessor's Office to submit a copy of the signed commitments, abatements and exemptions to both the Treasurer/Collector's offices and the Town Accountant's offices. The Town Accountant's office should independently prepare journal entries to post to the general ledger from those copies received directly from the Board of Assessors. At the end of each month, the Treasurer/Collector's Office should provide a listing of outstanding balances for each accounts receivable to the Town Accountant's office. This should only be sent after all efforts have been made to reconcile all entries to the tax system. Both departments should work together to identify variances which could include variances due to commitments, abatements, exemptions and receipts.
 - **Status:** Recommendations are in the process of being implemented. Efforts are ongoing to reconcile all accounts receivable between Collector and the Town Accountant's offices. The Assessor's office is open to suggestions which will streamline the process. Much progress has been made.

- **Debt Payments**
 - **Observation:** There is a binder containing debt schedules. A spreadsheet of debt has been located but must be reviewed.
 - **Recommendation:** The current debt spreadsheet must be reconciled to the debt schedules with all current debt principal and interest payments identified. Schedule of

Bills Payable worksheets should be prepared for each bond issue due in each month of the fiscal year. Ideally, prior to the payment of principal and interest via wire, a schedule of bills payable batch will have been included on an approved warrant (no check).

- **Status:** Implementation in progress. The goal is to submit documentation and completed batches to the accounting department in a timely fashion for inclusion on the warrant in the same month as the payment is made electronically.

- **Tax Collection Receipt Process**
 - **Observation:** The Tax Collection process between Vadar and Munis must be reviewed.
 - **Recommendation:** Controls should be in place to insure that the postings to Vadar equal the postings to Munis. The current systems are not integrated and thereby require good controls to assure accurate reporting to Munis. All posting of receipts should equal the total deposits each day. The Town should explore the possibility of either a bridge between Vadar (the Collection System) and Munis (the Accounting System) or the migration of the Collection System to Munis.
 - **Status:** Adequate controls are being evaluated and put into place. A solution to the two separate systems should be pursued.

- **Journal Entries**
 - **Observation:** When an incorrect entry is identified, the department identifying the problem is asked to provide to the Accounting Department the debits and credits required to adjust the entry.
 - **Recommendation:** Since other departments are not trained in the UMAS Accounting System, the Accounting Department should provide guidance to all departments regarding the various correcting debit and credit entries.
 - **Status:** More communication between the Accounting Department and all other departments should be encouraged. The Accounting Department should have the expertise to provide help as needed.

- **Tax Title**
 - **Observation:** The town will have over \$1.7M in the tax title account as of June 30, 2015. In addition, several properties which should have been put into tax title were not. The taxes due on those properties are approximately \$300K.
 - **Recommendation:** In order to protect the town's interest, there should be a consistent process and timeframe for putting a lien on properties with unpaid taxes. As many avenues as possible should be pursued before initiating the foreclosure of properties for outstanding taxes. Payment plans currently in place need to be re-evaluated.
 - **Status:** The new Treasurer/Collector has identified the issue and is in the process of addressing the concern.

- **Schedule of Bills Payable Processing**
 - **Observation:** Some departments are have difficulty processing requests for payment of expenditures on Munis and have asked the Treasurer/Collector's Office for assistance.
 - **Recommendation:** The Treasurer/Collector's office should stop processing payments for various departments.
 - **Status:** The Treasurer/Collector's office is no longer providing support in this area.

- **Trust Fund Accounts**
 - **Observation:** Individual trust fund detail is being tracked by the Treasurer/Collector's office. The general ledger does not have individual accounts for each trust fund.
 - **Recommendation:** The trust fund detail control should be in the Accounting Department and the Treasurer/Collector should be able to reconcile to the Accounting records.
 - **Status:** Pending

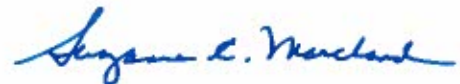
- **Guaranteed Deposits**
 - **Observation:** Guaranteed Deposit detail is being tracked by the Treasurer/Collector's Office only and is being recorded in departmental summary in the general ledger.
 - **Recommendation:** The Guaranteed Deposit tracking process should be evaluated in order to insure that all items are posted to the correct guaranteed deposit account.
 - **Status:** Pending

- **Financial Processes and Workflow Study**
 - **Observation:** There appears to be various conflicting opinions amongst various departments regarding where the ultimate departmental responsibilities and duties in the Finance Operation should reside.
 - **Recommendation:** A review and evaluation of the financial processes and workflow should be conducted by an independent consulting firm.
 - **Status:** Pending

I will be happy to discuss these recommendation with you at your earliest convenience.

Thank you.

Sincerely,



Suzanne C. Marchand,
Consultant

cc. Zoe Pierce
John Senchyshyn

DATE: July 8, 2015
TO: Clifford Lewis, Chairman OPEB Committee
FROM: Nan Balmer, Town Administrator
RE: OPEB Special Act Responsibilities

The Finance Director, Treasurer and I reviewed with Special OPEB Counsel Brian Fox our responsibilities under the Special Act establishing the OPEB fund. Our understanding from Attorney Fox is:

1. The Town Administrator and Finance Director are responsible for supervision and management of the fund and the Treasurer acts as Custodian of the fund. Together these three town officials are responsible to act as prudent investors under MGL 203C, act in the best interests of the retirees and future retirees and ensure the funds are managed with no conflict of interest. The three officials are held out as experts in investment. To the extent these officials are not experts in investment, they have a duty to employ an investment expert. The size of Wayland's OPEB fund makes it clear that an expert must be hired through a legal procurement process.
2. The Town Administrator and Finance Director are, effectively, the Trustees of the OPEB fund and are responsible for setting goals for the fund and setting the Investment Policy. The Investment Policy adopted by the Board of Selectmen can be considered in setting the Investment Policy.
3. The Treasurer is responsible for regular reporting to the Town Administrator and Finance Director to provide monitoring to insure the funds continue to be prudently invested. Funds must be invested consistent with MGL 203C.

The Finance Director, Town Administrator and Treasurer discussed this information and agreed:

1. The OPEB Fund must be managed as required under the Special Act and, unless the Special Act is changed, the Town Administrator, Finance Director and Treasurer must fulfill their duties as spelled out under the Special Act.
2. The Town Administrator and Finance Director must meet as an OPEB Board of Trustees.
3. An expert in investing must be hired through legal procurement process.
4. The expert will have experience with municipal OPEB funds and the skills to recommend revisions to the Investment Policy Statement adopted by the Board of Selectmen. The Investment Policy will then be considered for adoption by the OPEB Board of Trustees.

CC: Board of Selectmen
Finance Director
Treasurer





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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

**BOARD OF SELECTMEN
Monday, July 13, 2015
Wayland Town Building
Selectmen's Meeting Room**

REVISED CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice of Town Counsel Mark J. Lanza for the Month Ending June 30, 2015: \$10,288.72
3. Vote the Question of Approving the Invoice for Special Counsel Anderson & Kreiger LLP, for Legal Services Rendered through 5/29/15, Reference # 112932, 5415-001: \$2,256.00
4. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through June 22, 2015, Invoice 164, Account 5673-01M: \$1,910.00
5. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through June 30, 2015, Invoice 165, Account 5673-01M: \$500.00
6. Vote the Question of Approving the Invoice of Kopelman and Paige, PC, for Services Through June 30, 2015, Statement No. 104866: \$2,366.24
7. Vote the Question of Approving the Appointment of the Wayland Election Officers as Recommended by the Board of Registrars in Accordance with Massachusetts General Laws Chapter 54, Section 12, for a One-Year Term from September 1, 2015, to August 31, 2016
8. Vote the Question of Approving the Application to Sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post Road, for Charlton Orchards Group LLC, Nathan R. Benjamin Jr., Manager, on Wednesdays, June 24, July 15, July 22, July 29, August 5, August 12, August 19, August 26, September 2, September 9, September 16, September 23, and September 23, 2015, from 12:00 noon to 5:00 p.m.
9. Vote the Question of Approving the Application to Sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post Road, for Grape Island Inc. dba Mill River Winery, Donna Martin, Manager, on Wednesdays, July 15, August 5, and September 30, 2015, from 12:00 noon to 5:00 p.m.
10. Vote the Question of Approving the Minutes of June 1, 2015, and June 8, 2015

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

INVOICE - TOWN OF WAYLAND - 6/30/2015

SUMMARY

FEE CALCULATION: 61.4 HOURS X \$160.00 PER HOUR =	\$ 9,824.00
DISBURSEMENTS (See below for detail)	464.72
TOTAL 6/30/15 INVOICE.....	<u>\$10,288.72</u>
AMOUNT PAYABLE FROM GENERAL FUND LEGAL BUDGET.....	<u>\$ 9,968.72</u>
AMOUNT PAYABLE FROM GENERAL FUND ECONOMIC DEVELOPMENT COMM. PROFESSIONAL SERVICES ACC'T	<u>\$272.00</u>
AMOUNT PAYABLE FROM SCHOOL BUDGET.....	<u>\$ 48.00</u>

DISBURSEMENTS

6/2015	Long Dist. Tel. Charges (Detail on File)	9.34
6/2015	Postage	12.68
6/2015	FAXing (978) 369-9916 & (978) 261-5034	0.00
6/2015	Copying	9.50
6/22/15	Mileage: 44 @ \$.50 =	22.00
6/22/15	Parking	5.00
6/22/15	Tolls	5.00
6/22/15	Recording Fees - Mid. S. ROD	200.00
6/25/15	Recording Fees - Mid. S. ROD	75.00
6/25/15	Title Exam Fee	50.00
6/25/15	Courier Fee	58.20
6/29/15	Mileage: 36 @ \$.50 =	18.00

Total Disbursements \$ 464.72

Balmer, Nan

Subject: FW: Wayland - River's Edge Project - Invoice for Legal Services in May 2015

From: Jerome Heller [mailto:heller.j@comcast.net]
Sent: Thursday, July 09, 2015 3:40 PM
To: Balmer, Nan
Subject: Re: Wayland - River's Edge Project - Invoice for Legal Services in May 2015

Nan
The invoice was approved at the REAC meeting last night.
Jerry

From: Loretta A. Bradley [mailto:lbradley@AndersonKreiger.com]
Sent: Tuesday, June 30, 2015 11:17 AM
To: Balmer, Nan
Cc: 'Mark J. Lanza'; 'heller.j@comcast.net'; 'Stanizzi, Rebecca'; Doucette, Elizabeth; David Wiener; Donandrea Myette; Stephen D. Anderson
Subject: Wayland - River's Edge Project - Invoice for Legal Services in May 2015

Hi Nan,

I have attached Anderson & Kreiger's monthly invoice for the River's Edge Project covering services rendered in May of 2015. I have copied Town Counsel and the Chair and Vice Chair of the Advisory Committee.

Please let me know if you have any questions.

Steve

ANDERSON
KREIGER

Loretta A. Bradley, Assistant to Stephen D. Anderson, Brian S. Grossman and Adam T. Kurth
T. 617.621.6517 | F. 617.621.6617
[Anderson & Kreiger LLP](#) | One Canal Park, Suite 200, Cambridge, MA 02141

This electronic message contains information from the law firm of Anderson & Kreiger LLP which may be privileged. The information is for the use of the intended recipient only. If you are not the intended recipient, note that any disclosure, copying, distribution or other use of the contents of this message is prohibited.

ANDERSON KREIGER

Anderson & Kreiger LLP
One Canal Park, Suite 200
Cambridge, MA 02141
(617)621-6500
EIN: 04-2988950

June 17, 2015

Town of Wayland
Attn: John Moynihan
Public Buildings Director
2nd Floor, Facilities Department
41 Cochituate Road, Wayland, MA 01778

Reference # 112932 / 5415-001

In Reference To: River's Edge Special Counsel

Total Current Billing:	<u>2,256.00</u>
Previous Balance Due:	1,256.18
Total Now Due:	<u>3,512.18</u>

PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS

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

INVOICE FOR LEGAL SERVICES

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

Attn: Town Administrator

Labor

Page 1
06/22/2015
Account No. 5673-01M
Invoice No. 164

RECEIVED

JUN 24 2015

Board of Selectmen
Town of Wayland

TOTAL CURRENT INVOICE	1,910.00
BALANCE DUE	<u>\$1,910.00</u>

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

INVOICE FOR LEGAL SERVICES

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

Page 1
07/06/2015
Account No. 5673-01M
Invoice No. 165

Attn: Town Administrator

Labor

RECEIVED

JUL - 8 2015

Board of Selectmen
Town of Wayland

TOTAL CURRENT INVOICE 500.00

BALANCE DUE \$500.00

KOPELMAN AND PAIGE, P.C.

101 ARCH STREET
BOSTON, MA 02110

(617) 556-0007

STATEMENT NO. 104866

BOARD OF SELECTMEN
WAYLAND TOWN HALL
41 COCHITUATE ROAD
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH JUNE 30, 2015
JUNE 30, 2015

TOTAL FEES:	2,304.00
TOTAL COSTS:	<u>62.24</u>
BALANCE DUE:	<u>2,366.24</u>

RECEIVED

JUL - 9 2015

Board of Selectmen
Town of Wayland



TOWN OF WAYLAND

MASSACHUSETTS

01778

TOWN CLERK
Beth R. Klein
bklein@wayland.ma.us

ASSISTANT TOWN CLERK
Diane M. Gorham
dgorham@wayland.ma.us

TOWN BUILDING
41 COCHITUATE ROAD

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

To: Board of Selectmen
From: Beth R. Klein, Town Clerk
Date: July 15, 2015
Re: Appointment of Election Officers

In accordance with MGL c.54, s. 12, Election Officers are appointed annually by the Board of Selectmen not earlier than July 15th nor later than August 15th for a period of one (1) year starting September 1st.

Attached you will find a list of Election Officers recommended by the Board of Registrars to be appointed by the Board of Selectmen from September 1, 2015 to August 31, 2016.

At a meeting held _____ the Board of Selectmen voted _____ to appoint Election Officers (attached).

Cherry C. Karlson, Chairman

Joseph F. Nolan

Mary M. Antes

Anthony V. Boschetto

Lea Anderson

Election Officials

APPOINTED ELECTION OFFICIALS										
NAME	ADDRESS	PHONE	POSITION	VEN#	PREC.	PARTY	COMMENTS			
							Trained	email address	cell #	Comments
Abel, Susie	35 Sedgmeadow Rd	358-4996	Inspector	8104	1	U	T			Howard.abel@
Antes, Mary M	11 Old Farm Circle	358-2571	Inspector	6913	2	D	T	Clerk		
Baston, Margery	11 Cochituate Rd	358-7155	Inspector	4459	1	U	T			
Bryant, Pamela	86 West Plain St	651-8874	Warden	6914	2	D	T	WARDEN	508-922-5781	
Burke, Markey	18 Squirrel Hill Rd	358-7607	Inspector	10011	4	U	T			
Cartwright, Sally	22 Commonwealth Rd E	653-2642	Inspector	10012	3	U	T			
Chase, Andrea	203 Stonebridge Rd	788-1081	Night Teller	11759	1	U	T	andrea.chase@emc.com		
Coy, Sandra	14 Hawthorne Rd	653-6014	Inspector	5639	2	D	T			
Cundari, Annie	227 Old Connecticut Path		Night Teller	14363	2	U	T	annie.cunari@telratech.com		
Delorey, Jayne	52 Pemberton Rd	TM ONLY	check-in	13142	2	D	N	TOWN MEETING		
Deveaux, Esther	41 Peck Ave	653-6952	Inspector	8107	3	U	T			
Dunn, Jan	51 Knollwood Ln	655-9149	Inspector	6637	2	U	T		only pm	
Ferguson, Joan	14 Hill St	655-2788	Inspector	9718	3	D	T			
Finch, Katherine	8 Hearthstone Circle	655-8150	Inspector	5199-2	3	D	T		am or pm	
Foster, Susan P	23 Old Connecticut Path	774-270-0443	Inspector	10552	4	U	T	Req'd to work	susanpfoster5@gmail.com	
Franklin, Carol	200 Willow brook Dr	651-2683	Inspector	8003	3	U	T	cell 508-259-7022		
Gagnebin, Betsy	31 High Rock Rd	358-2432	Inspector	3790	3	R	T			
Gennis, Aida	22 Wayland Hills Rd	650-3869	Inspector	7954	3	U	T			
Glick, Terry	4 Caulfield Rd	655-2633	Ballot Box	10013	3	U	T			
Green, Susan	3 Priscilla Path	655-9904	Night Teller	4820	2	D	U	cell 617-633-0541		
Halloran, Carolyn	27 White Rd	358-7096	Inspector	4210	4	R	T			
Henry, Shelley	12 Winthrop Terrace	358-7143	Inspector	2768	4	R	T			shelleyshenry
Hicks, Lucile	5 Wildwood Rd	358-2330	Inspector	4470	4	R	T	State election only		
Hill, Cynthia C	54 Orchard Ln	358-1636	Inspector	10016	1	R	T	Precinct 4 only		
Hill, David	54 Orchard Ln	358-1636	Inspector	8366	1	R	T			
Ide, Judith	135 Old Connecticut Path	358-2981	Town Meeting	3831	TM	R	Registrar	TOWN MEETING	508-308-7804 cell	
Jahnke, Nan	36 Pequot Rd	358-0297	Inspector	14510	2	D		family@jahnke.org		
Jenney, Kathleen (Kate)	10 Glen Rd	358-7829	Inspector	8035	4	D	T			
Kennedy, Regina	84 Old Sudbury Rd	358-7684	Inspector	4771	1	U	T	deputy clerk		
Koffman, Susan	66 Shermans Bridge Rd	358-4751	Inspector	5832	1	D	T	WARDEN		
Kutasz, Charlotte	278 Main St	653-4163	Inspector	4472	2	U	T			
Kwarta, Joanne	11 Edgewood Rd	596-6423	Ballot Box	7671	2	D	T		508-596-6423	jak7711@yah
Lang, Kathleen	38 East Plain St	653-1028	Inspector	8635-2	3	U	T	978-407-6721	ballot Box clerk	
Lee, Dorothy	5 Wallace Rd	653-5369	Inspector	4475	2	R	T			
Leone, Madeline	1064 Grove St., Framingham	358-1028	Inspector	4168		U	T			
Lewis, Anette	33 Claypit Hill Rd	358-4973	Inspector	4474	4	U	T	508-596-6212		
MacDonald, Marian	9 Melville Place	655-4710	Inspector	2465-1			N			
Mansfield, Jane	1 Cole Rd	358-7962	Inspector	4477	2	R	T			

Election Officials

Martin, Carol	42 Lake Rd	655-8058	Night Teller	8316	2	U	T		
Maxted, Deirdre	228 Lakeshore Drive	653-8710	Inspector	8109	2	U	T		
McCabe, Antonia	3 Coolidge Rd	358-7062	Ballot Box	6917	4	R	T		
Melnicove, Margo	245 Lakeshore Rd.	651-1309	Inspector	12167	2	D	T		
Miller, Michael	6 Cross St.		Inspector	7301	2	R	N		
Morss, Mary	53 Moore Rd	358-2779	Inspector	4480	1	D	T		
Moss-Levine, Elizabeth	14 Clarence Rd	788-5260	Night Teller	12518	1	D	U	617-901-0685	
Nawawi, Anne M	7 Lakeview Rd	655-5629	Inspector	10015	2	D	T		
Nolin, Janet	21 Brooks Rd.	651-0634	Night Teller	14362	3	U	T		508-265-7383 cell
Norwood, Margaret	58 Three Ponds Rd	358-7524	Inspector	4481	4	U	T		
Patterson, Elizabeth (Becky)	116 West Plain St	653-1202	Ballot Box	4483	2	U	T	Deputy Clerk	
Patterson, Kay	12 Claypit Hill Rd	358-4259	Inspector	6284	4	U	T		
Pope, Susan	28 Moore Rd	358-2462	Inspector	5794	1	R	T		
Ramesh, Vijaya	17 Dean Rd	647-4017	Night Teller	8641	3	U	T		cell 508-641-0283
Rowan, Ann	27 Draper Rd	358-4918	Inspector	11852	4	U	T	Ballot Box Clerk	
Schofield, Patricia	13 Oak St	653-2634	Inspector	5795	3	U	T		
Schuler, Gretchen	126 Old Connecticut Path	358-7980	Warden	4072	4	R	T		cell 508-245-4115 ggschuler@v
Scola, Marilyn J	7 Carpenter Rd	653-7074	Inspector	5640	3	U	T		
Segal, Linda	9 Aqueduct Rd	655-0724	Inspector	4493	3	D	T	Night Teller	
Sims, Patricia	47 Rice Spring Lane	358-1611	Inspector	10014	2	D	T		cell 508-269-0179 ppssimmss7
Siracusa, Kathy	14 Cameron Rd.	358-2868	Teller	4497	1	U	T	Night Teller	
Soulia, Rita	4 Bent Ave #7	545-1754	Inspector	9228	2	D	T		
Steele, Eileen	221 Lakeshore Dr	655-4403	Inspector	10010	2	U	T		
St. Croix, Judy	36 Andrew Ave, APT. 205		Inspector	14510	1	U			
Suzanne Stimpson	72 Maiden Lane	655-6632	Inspector		2	d	N		
Swain, Rosamond	6 Essex Way	358-7947	Inspector	4500	4	U	T		
Toombs, Lois	50 Country Corners		Inspector		3	U	T		
Campbell, Tracey lee	59 Riverview Cir	788-9549	Inspector		1	D			
rev. 7/15									
T=Received Training									

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

June 13, 2015

Charlton Orchards Group LLC
Nate Benjamin Jr.
44 Old Worcester Rd.
Charlton, MA 01507

Re: Certification of Agricultural Event Pursuant to M.G.L. c. 138, Section 15F

Dear Mr. Benjamin:

Please be advised that your application for certification of Wayland Farmers' Market, on Wednesdays from June 24th 2015 to October 7th 2015, from 12:00 pm to 5:00 pm as an agricultural event pursuant to M.G.L. c. 138, Section 15F has been approved.

Please remember that, upon certification of an agricultural event by MDAR, the farm-winery must submit a copy of the approved application to the local licensing authority along with the application for obtaining a special license from the city or town in which the event will be held. Upon issuance of a special license, the winery should confirm that a copy of the special license was sent by the local licensing authority to the Alcoholic Beverages Control Commission (ABCC) at least seven (7) days prior to the event.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lebeaux", written in a cursive style.

John Lebeaux, Commissioner

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Application for Certification of an Agricultural Event for the Sale of Wine
Pursuant to M.G.L. c. 138, Section 15F

*To be completed by the licensed farm-winery and returned to:
By Mail: Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114
By Email: Rebecca.Davidson@State.ma.us with the subject line "Agricultural Event Certification"
(A separate application must be completed for each event)

In order for your application to be considered complete, you must include the following documents. Incomplete applications will not be accepted.

- Signed and dated application with farm-winery license number
- List of vendors with brief descriptions of products for current year/season
- Event operational guidelines or rules for current year/season
- Resume of event manager or description of experience
- Plan depicting the premises and specific location where the license will be exercised. See Template 1.
- Approval letter from event management including the name of the licensed farm-winery and the day(s), month and year of event. See Template 2.

1. Applicant Information

Name of Licensed Farm-Winery		Charlton Orchards Group LLC			
Farm-Winery License Number		FW 43	State of Issue	MA	
Contact Person		Nate Benjamin Jr			
Address		44 Old Abington Road			
City	Charlton	State	MA	Zip	01507
Phone Number	508 248 7820	Email	nate@charltonorchard.com		
Correspondence preference		<input type="checkbox"/> Regular Mail		<input checked="" type="checkbox"/> Email	
Note: Approval/denial letters will be sent regular mail.					
Do you intend to sell, sample, or both? Check all that apply.					
<input checked="" type="checkbox"/> Sell		<input checked="" type="checkbox"/> Sample			

2. Event Information

Name of Agricultural Event		Wayland Summer Farmers Market			
Type of Event	<input type="checkbox"/> Agricultural Fair (as defined by MDAR policy)	<input checked="" type="checkbox"/> Farmers Market (as defined by MDAR policy)	<input type="checkbox"/> Other Agricultural Event		
If you selected "Other Agricultural Event", how does this event promote local agriculture?					
Event Address		397 Boston Post Road			
City	Wayland	State	MA	Zip	01778
Event Phone Number	508 359 2283	Event Website			

EX 334

3. Event Description			
What are the date(s) and time(s) of the event?			
Start date	6 / 24 / 15	End date	10 / 7 / 15 Time noon-5PM
<small>Month Day Year</small>		<small>Month Day Year</small>	
If this is a weekly event, on what day of the week does the event occur? Wednesday			
If the event is an agricultural fair, does the event include competitive agriculture?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		<input type="checkbox"/> N/A	
Is the event sponsored or run by an agricultural/horticultural society, grange, agricultural commission or association whose primary purpose is the promotion of agriculture and its allied industries?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		If yes, identify:	
4. Event Management			
Name of Event Manager Peg Mallett			
Email Address	mallettpeg@gmail.com	Phone Number	(508) 358-2283 ext 226
Is this person the on-site manager?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If no, identify on-site manager (include contact information):			
If there are multiple managers, list them and include contact information:			
Attach on-site manager(s) resume(s) or list any credentials or training of the on-site manager(s): <i>Relevant credentials include, but are not limited to, experience as a market manager, attendance at any market manager workshops, and experience with other agricultural events.</i>			
Market Manager - Wayland Summer Farmers' Market - 2005-2014			
Market Manager - Wayland Winter Farmers' Market - 2010-2015			
Harvest New England Ag Market Conference - all years			

5. General

Attach or provide in the space below a plan depicting the premises and the specific location where the license will be exercised. See template for necessary elements to include.

Attached

<u>[Signature]</u> Signature of Applicant	<u>4-7-15</u> Date
<u>Nathan R. Benjamin Jr</u> Name (please print)	<u>MA Member</u> Title (please print)
<u>FW-43</u> Farm-Winery License Number	<u>MA</u> State

FOR DEPARTMENT USE ONLY

APPROVAL

The event listed above is an approved agricultural event by the Massachusetts Department of Agricultural Resources under M.G.L. Ch 88, Sec. 18F.

<u>[Signature]</u> Signature	<u>6/13/2015</u> Date
---------------------------------	--------------------------

DENIAL

The event listed above is not approved as an agricultural event by the Massachusetts Department of Agricultural Resources for the following reason(s):

_____ Signature	_____ Date
--------------------	---------------

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

July 6, 2015

Grape Island Inc. DBA Mill River Winery
Donna Martin
498 Newburyport Turnpike
Rowley, MA 01969

Re: Certification of Agricultural Event Pursuant to M.G.L. c. 138, Section 15F

Dear Ms. Martin:

Please be advised that your application for certification of the Wayland Summer Farmers' Market, on Wednesdays from June 24th 2015 to October 7th 2015, from 12:00 pm to 5:00 pm as an agricultural event pursuant to M.G.L. c. 138, Section 15F has been approved.

Please remember that, upon certification of an agricultural event by MDAR, the farm-winery must submit a copy of the approved application to the local licensing authority along with the application for obtaining a special license from the city or town in which the event will be held. Upon issuance of a special license, the winery should confirm that a copy of the special license was sent by the local licensing authority to the Alcoholic Beverages Control Commission (ABCC) at least seven (7) days prior to the event.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lebeaux", written in a cursive style.

John Lebeaux, Commissioner

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Application for Certification of an Agricultural Event for the Sale of Wine
Pursuant to M.G.L. c. 138, Section 15F

*To be completed by the licensed farm-winery and returned to:
By Mail: Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114
By Email: Rebecca.Davidson@State.ma.us with the subject line "Agricultural Event Certification"
(A separate application must be completed for each event)

In order for your application to be considered complete, you must include the following documents. Incomplete applications will not be accepted.

- Signed and dated application with farm-winery license number
- List of vendors with brief descriptions of products for current year/season
- Event operational guidelines or rules for current year/season
- Resume of event manager or description of experience
- Plan depicting the premises and specific location where the license will be exercised. See Template 1.
- Approval letter from event management including the name of the licensed farm-winery and the day(s), month and year of event. See Template 2.

1. Applicant Information

Name of Licensed Farm-Winery	Grape Island Inc. 13 ^A Mill River Winery				
Farm-Winery License Number	FW-69	State of Issue			
Contact Person	Donna M. Martin				
Address	498 Newburyport Turnpike				
City	Rowley	State	MA	Zip	01969
Phone Number	978 896 4132	Email	donna@millriverwines.com		
Correspondence preference	<input type="checkbox"/> Regular Mail		<input checked="" type="checkbox"/> Email		
Note: Approval/denial letters will be sent regular mail.					
Do you intend to sell, sample, or both? Check all that apply.					
<input checked="" type="checkbox"/> Sell		<input checked="" type="checkbox"/> Sample			

2. Event Information

Name of Agricultural Event	Wayland Summer Farmers' Market				
Type of Event	<input type="checkbox"/> Agricultural Fair (as defined by MDAR policy)	<input checked="" type="checkbox"/> Farmers Market (as defined by MDAR policy)	<input type="checkbox"/> Other Agricultural Event		
If you selected "Other Agricultural Event", how does this event promote local agriculture?					
Event Address	397 Boston Post Road				
City	Wayland	State	MA	Zip	01778
Event Phone Number	(508) 358-2283	Event Website	www.russellsgardencentre.com/ summerfarmersmarket.html		

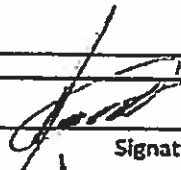
ext. 336

3. Event Description			
What are the date(s) and time(s) of the event?			
Start date	6 / 24 / 15	End date	10 / 7 / 15 Time noon - 5PM
<small>Month Day Year</small>		<small>Month Day Year</small>	
If this is a weekly event, on what day of the week does the event occur? Wednesday			
If the event is an agricultural fair, does the event include competitive agriculture?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Is the event sponsored or run by an agricultural/horticultural society, grange, agricultural commission or association whose primary purpose is the promotion of agriculture and its allied industries?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	If yes, identify:		
4. Event Management			
Name of Event Manager	Peg Mallett		
Email Address	mallettpeg@gmail.com	Phone Number	(508) 355-2283 ext 336
Is this person the on-site manager?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If no, identify on-site manager (include contact information):			
If there are multiple managers, list them and include contact information:			
Attach on-site manager(s) resume(s) or list any credentials or training of the on-site manager(s): Relevant credentials include, but are not limited to, experience as a market manager, attendance at any market manager workshops, and experience with other agricultural events.			
Market Manager - Wayland Summer Farmers' Market - 2005-2014 Market Manager - Wayland Winter Farmers' Market - 2010-2015 Harvest New England Ag Market Conference - all years			

5. General

Attach or provide in the space below a plan depicting the premises and the specific location where the license will be exercised. See template for necessary elements to include.

attached



Signature of Applicant

Donna Martin

Name (please print)

FW-69

Farm-Winery License Number

6/15/15

Date

owner/winemaker

Title (please print)

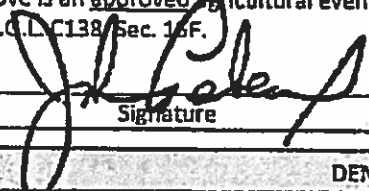
MA

State

FOR DEPARTMENT USE ONLY

APPROVAL

The event listed above is an approved agricultural event by the Massachusetts Department of Agricultural Resources under M.G.L. C138 Sec. 16F.



Signature

7/6/2015

Date

DENIAL

The event listed above is not approved as an agricultural event by the Massachusetts Department of Agricultural Resources for the following reason(s):

Signature

Date

NUMBER
631

FEE
\$50.00

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wayland

This is Certify that Charlton Orchards Group LLC, dba Obadiah McIntyre Farm Winery, 44 Old Worcester Road, Charlton MA 01507 (Nathan R. Benjamin Jr., Manager)

IS HEREBY GRANTED A LICENSE

For a One-Day Liquor License for wine sampling and the sale of bottled wine (to be consumed off site only) at the Russell's Wayland Summer Farmer's Market, 397 Boston Post Road, Wayland, Massachusetts, 01778, on Wednesdays, June 24, July 15, July 22, July 29, August 5, August 12, August 19, August 26, September 2, September 9, September 16, September 23, and September 23, 2015, from 12:00 noon to 5:00 p.m.

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires September 23, 2015, at 5:00 p.m., unless sooner suspended or revoked.

July 13, 2015

NUMBER
632

FEE
\$30.00

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wayland

This is Certify that Grape Island Inc. dba Mill River Winery, 498 Newburyport Turnpike, Rowley MA 01969 (Donna M. Martin, Manager)

IS HEREBY GRANTED A LICENSE

For a One-Day Liquor License for wine sampling and the sale of bottled wine (to be consumed off site only) at the Russell's Wayland Summer Farmer's Market, 397 Boston Post Road, Wayland, Massachusetts, 01778, on on Wednesdays, July 15, August 5, and September 30, 2015, from 12:00 noon to 5:00 p.m.

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires September 30, 2015, at 5:00 p.m., unless sooner suspended or revoked.

July 13, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes June 1, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Tony V. Boschetto, Cherry C. Karlson, Joseph F. Nolan (arrived 8:16 p.m.)

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. She reviewed the agenda for the public. M. Antes announced that the annual RiverFest will take place on June 20-21, and will feature a History Paddle on June 20, a three-hour paddle from the Route 20 boat launch to Sherman's Bridge along with stories of the history of the Sudbury River. C. Karlson said water restrictions go into effect today and referred residents to the Board of Public Works website.

A2. Public Comment Linda Segal, 9 Aqueduct Road, advised that she had provided paperwork to the Board of Public Works and the Board of Health on the dangers of the use of herbicides such as Roundup.

A10. Review and Approve Consent Calendar (See Separate Sheet) T. Boschetto moved, seconded by M. Antes, to approve the consent calendar. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A3. Public Hearing for Nstar Electric Company dba Eversource Energy and Verizon New England Inc., and Vote to Grant One New Pole 218/11a on Sears Road Chair C. Karlson opened the public hearing at 7:16 p.m. The Board was joined by Fire Chief David Houghton and Christine Cosby of Eversource Energy. C. Cosby reviewed the request for a grant of location on Sears Road in order to reduce the span distance between existing poles. T. Boschetto asked how the assessment was done, and suggested that the entire infrastructure be evaluated. C. Cosby said the problem of span distance is rare, and D. Houghton agreed. L. Segal noted that the pole outside the town building on Pelham Island Road needs to be supported. There was no further public comment. C. Karlson closed the hearing at 7:20 p.m. M. Antes moved, seconded by L. Anderson, to approve the petition, pursuant to M.G.L. Chapter 166, Section 22, from Nstar Electric Company dba Eversource Energy and Verizon New England Inc., to be granted joint or identical locations for the erection or construction of one (1) new pole 218/11A, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line upon, on Sears Road, easterly side approximately 1,226 feet south of Squirrel Hill Road. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A4. Update from Eversource Representative on Poles Ready for Removal and Vegetation Management Christine Cosby of Eversource Energy reviewed a double pole report from Eversource.

She said approximately fifty poles are ready for removal, and she will work with the Fire Department to transfer the utilities from the remaining poles. She reviewed the vegetation management program and said no herbicides are being used in Wayland this year.

A5. Update from Fire Chief David Houghton and Report on Wireless Alarm System and Private Hydrant Bylaw The Board was joined by Fire Chief David Houghton to discuss the conversion of the current fire boxes to a wireless alarm system by July 1, 2016. D. Houghton said the wireless alarm system has been working successfully for several years, and it is no longer practical to continue to repair and replace the wired boxes. He said there will be no cost to the taxpayers, as it is funded by the users of the system. The Board asked about the cost to businesses. D. Houghton said there is no mandate on the businesses to use the wireless system; the use is driven by insurance companies. He said he will hold informational sessions for businesses, and he will work with the Town Administrator to dispose of the current fireboxes. He said he will notify Eversource Energy as the fireboxes are removed, which will make more poles ready for removal. In regard to the private hydrant bylaw, he said he will work with the DPW to determine which hydrants are in the best interest of the town to maintain, and the remaining private owners of hydrants will be invited to an informational seminar once final approval is received from the office of the Attorney General.

A6. Interviews for Council on Aging/Community Center Advisory Committee and Vote to Confirm Appointees Nominated by Recreation Commission and Council on Aging The Board was joined by Steve Correia, P. Jean Milburn, and Marylynn Gentry to interview for members at large on the Council on Aging/Community Center Advisory Committee. The applicants reviewed their backgrounds, their interest in serving, and the expertise they bring to the committee. C. Karlson emphasized the need for community input. The Board thanked them for volunteering to serve, and C. Karlson said the vote would be taken later in the evening after Mark Foreman is interviewed.

A7. Meet with Town Moderator and Chair of Electronic Voting Implementation Subcommittee regarding Town Meeting Procedures Including Electronic Voting Procedures The Board was joined by Dennis Berry, Town Moderator, and David Bernstein, Chair of the Electronic Voting Implementation Subcommittee, to discuss the problem of possible proxy voting at the recent Annual Town Meeting. D. Bernstein said the subcommittee collected fifteen recommendations from the public, and will combine them with their own recommendations at its meeting on Thursday, with the goal of presenting final recommendations to the Town Moderator. He said he believed education is the best way to prevent further potential abuse of the system.

J. Nolan arrived at 8:16 p.m.

T. Boschetto suggested that a member of the subcommittee be available at town meeting to accept an initial report of fraud, who would then report it to the Town Moderator. D. Berry said that while he had no objection, it is ultimately the responsibility of the Town Moderator to oversee the voting. Alan Reiss, 463 Old Connecticut Path, said he believes education is the most important solution, and he suggested that signs be placed behind the tellers reminding the voters not to allow anyone else to use their handset.

The Board discussed ways to limit the length of town meeting, and debated reducing the time for each article to thirty minutes. D. Bernstein said he has extensive data on previous meetings that he would make available to the Board, which could be used to estimate the time needed for future meetings. He recommended that amendments be presented in writing and displayed on an overhead screen. J. Nolan noted that Wayland has the longest open town meetings in the state, which could be a factor in discouraging participation. D. Berry

said it is also important to have an enjoyable and effective meeting. D. Bernstein suggested having a Special Town Meeting every fall. The Board discussed setting effective timelines for the warrant process.

A8. Discuss Committee Appointments and Interview Process N. Balmer reviewed the process for reappointments. She asked the Board to consider a six-month extension for the members of the Permanent Municipal Building Committee in order to complete the DPW project. The Board agreed to interview the applicants for reappointment to the Conservation Commission, the Finance Committee, the Personnel Board, and the Zoning Board of Appeals. J. Nolan asked that Town Counsel clarify whether committee members who are not reappointed continue to maintain their membership. M. Antes suggested that the terms of the Senior Tax Relief Committee be extended and staggered. The Board thanked all the volunteers for their service to the town.

A6. Interviews for Council on Aging/Community Center Advisory Committee and Vote to Confirm Appointees Nominated by Recreation Commission and Council on Aging The Board was joined by Mark Foreman to interview as a member at large on the Council on Aging/Community Center Advisory Committee. He reviewed his background in civil engineering and interest in serving. He cited the need for community space and his desire to clear up the confusion regarding the potential uses of the property.

M. Antes moved, seconded by L. Anderson, to appoint Bill Sterling as the representative of the Council on Aging, Frank Krasin as the representative of the Recreation Commission, and Steve Correia, Marylynn Gentry, P. Jean Milburn, and Mark Foreman as members at large to the Council on Aging/Community Center Advisory Committee for a term that will expire upon the final recommendation and report of the Committee at Town Meeting (anticipated to be the 2016 Annual Town Meeting). YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Discuss Process for Review of Board Policies It was the consensus of the Board to review and revise the current Board policies. The Board discussed the process for moving forward.

A12. Report of the Town Administrator N. Balmer reviewed upcoming agenda items. She said the Open House and ribbon cutting for the new DPW facility will be June 20. She reviewed potential articles for a Special Town Meeting, and said the 25 MPH speed limit signboard will be in place on Stonebridge Road this weekend. She said the contractor at 464 Old Connecticut Path has been asked to address the problem caused by the slope of the curve, and the preliminary report from the IT consultant will be ready this week.

A13. Selectmen's Reports and Concerns M. Antes reported on the Metropolitan Area Planning Council meeting on May 27 regarding the MBTA. She discussed the need for greater input from the public, and asked the Board to consider focused discussion groups. J. Nolan congratulated the Public Ceremonies Committee for a successful Memorial Day parade. L. Anderson said she attended the Open Meeting Law training and it went well. She reported on a meeting with State Representative Alice Peisch earlier that day. J. Nolan updated the Board on the 495 Partnership legislative meeting. C. Karlson asked the Town Administrator to check with Town Counsel regarding the Town Center Green, and she asked T. Boschetto to follow up with other towns regarding the withdrawal from the Minuteman Regional school.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A15. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 9:59 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 1, 2015

1. Email of 5/20/15 from Bob Goldsmith, Conservation Commission, re: Willingness to Serve a One-Year Reappointment Term
2. Letter of 6/1/15 from Brian J. Chase re: Declining Reappointment to the Permanent Municipal Building Committee
3. Email of 5/29/15 from Marylynn Gentry to Board of Selectmen re: Interest in Serving on the Council on Aging/Community Center Advisory Committee
4. Email of 6/1/15 from Mark Foreman to Board of Selectmen re: Interest in Serving on the Council on Aging/Community Center Advisory Committee
5. Email of 6/1/15 from State Representative Carmen Gentile re: Ceremony for Wayland Town Flag

Items Included as Part of Agenda Packet for Discussion During the June 1, 2015 Board of Selectmen's Meeting

1. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Public Hearing on New Utility Pole Location, Sears Road, with Legal Notice and Petition
2. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Update from Eversource, Poles and Vegetation Management, and Memorandum of 5/27/15 from Fire Chief David Houghton re: Pole Transfers
3. Memorandum of 5/26/15 from Fire Chief David Houghton to Board of Selectmen re: Wired Municipal Fire Alarm System
4. Memorandum of 6/1/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Council on Aging/Community Center Advisory Committee Nominees
5. Suggestions for Improvements from Public for Discussion on Town Meeting Procedures
6. Board Policy on Appointments to Boards and Committees, Memorandum of 5/28/15 from MaryAnn DiNapoli re: Annual Appointments, and Draft List of Potential Vacancies as of July 1, 2015
7. Index Page of Board of Selectmen Policies and Procedures for Review
8. Report of the Town Administrator for the Week Ending May 29, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes June 8, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Tony V. Boschetto (arrived 7:14 p.m.), Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. She reviewed the agenda for the public. J. Nolan said he attended the Wayland High School graduation on June 7, and congratulated the graduates. C. Karlson announced that a community conversation on race was currently taking place at the Unitarian Church in Wayland.

A2. Public Comment George Harris, 8 Holiday Road, expressed his concern that the town does not do an adequate job of financial management. He said he has sent a public records request to the town for the legal costs of the Twenty Wayland LLC lawsuit, and was told there was a fee to compile and print the information. He said the Board should have assessed the cost themselves, and the number should be readily available to the public. He said he did not believe that the figure provided by the Town Administrator for FY14 and FY15 included all the expenses, and he requested that the Board determine the full cost of the litigation. Gordon Cliff, 2 Highfields Road, asked the Board to vote against the petition for an additional liquor license for Town Center voted at Annual Town Meeting.

A3. Presentation from State Military Purple Heart Organization State Representative Carmen Gentile introduced State Commander of the Military Order of the Purple Heart Leo Agnew, Adjunct Commander Tony Payne, Associate Member Mary Durkee, Chair of the Public Ceremonies Committee Richard Turner, and Commander of American Legion Post 133 Carl Bernardo. L. Agnew provided a brief history of the Purple Heart, thanked the town for becoming a Purple Heart Community, and presented a certificate of acknowledgement to the Board of Selectmen.

T. Boschetto arrived at 7:14 p.m.

A4. Committee Interviews and Appointments Philip Schneider appeared before the Board to interview for reappointment to the Personnel Board. He said he joined the Personnel Board in 2002. Members discussed his experience on the Personnel Board, the ongoing need to review and revise town policies, and the impact of changes in the law. C. Karlson thanked Mr. Schneider for his service.

Eric Goldberg appeared before the Board to interview for reappointment as a regular member of the Zoning Board of Appeals, and Linda Segal appeared for reappointment as an Associate member of the Zoning Board of Appeals. They discussed their experience and their interest in continued service. L. Segal noted the ongoing project to modify the zoning bylaws, and said she prefers to serve as an Associate member because her skill set is a better match for the role. She also thanked the staff of the Building Department for their support. M. Antes thanked the Zoning Board of Appeals for balancing the 40B process with the concerns

of the town. She noted there is a vacancy on the Board and asked if there are particular skills to be considered when recruiting a new member. E. Goldberg said an engineering background would be helpful. L. Anderson said she is the Zoning Board liaison, and she appreciates the consideration given to applicants and the community.

M. Antes moved, seconded by J. Nolan, to reappoint Philip Schneider to the Personnel Board for a five-year term to expire on June 30, 2020, and to reappoint Eric Goldberg to the Zoning Board of Appeals for a three-year term to expire on June 30, 2018, and to reappoint Linda Segal as an Associate member of the Zoning Board of Appeals for a three-year term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Consideration of Board and Committee Vacancies and Potential Vote for Reappointments

The Board considered the reappointment of board and committee members due to expire on June 30, 2015. C. Karlson said Sam Potter would not be seeking reappointment to the Economic Development Committee, and M. Antes said Reverend Moser was no longer able to serve on the Housing Partnership. The Board considered revising the charge of the Senior Tax Relief Committee to extend the term and stagger the appointments. It was noted that the terms of the Historical Commission should also be adjusted next year in order to be staggered correctly. T. Boschetto recommended interviewing the reappointees to the Wastewater Management District Commission next year. The Board thanked all the volunteers for their service.

J. Nolan moved, seconded by M. Antes, to reappoint the following list of Board, Committee and Commission members to the appropriate terms. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Name	Appointing Authority	Board/Committee	Term
Richard Turner	Selectmen	Cable Advisory Committee	one
Thomas Klem	Selectmen	Cable Advisory Committee	one
Larry Kiernan	Selectmen	Central MA Rail Trail Committee	three
Mary M. Antes	Selectmen	Council on Aging	three
Betsy Soule	Selectmen	Council on Aging	three
Elizabeth Patterson	Selectmen	Council on Aging	three
Kathryn Grey	Selectmen	Cultural Council	three
Barbara Hoffman	Selectmen	Cultural Council	three
Susan Koffman	Selectmen	Dog Control Appeals Board	three
Harvey Michaels	Selectmen	Energy Initiatives Advisory Committee	three
Tonya Largy	Selectmen	Historical Commission	three
Elisa Scola	Selectmen	Historical Commission	three
R. Richard Conard	Selectmen	Historical Commission	three
John Dyer	Selectmen	Historical Commission	three
Desmond J. McAuley	Selectmen	Historic District Commission	three
Marjorie Ford	Selectmen	Historic District Commission	three
Patricia M. Harlan	Selectmen	Housing Partnership	three
Martin S. Nichols	Selectmen	Housing Partnership (representing Housing Authority)	three
Mary M. Antes	Selectmen	Metropolitan Area Planning Council	one
Mary M. Antes	Selectmen	Metrowest Regional Collaborative Comm	one
Joseph F. Nolan	Selectmen	Metrowest Regional Transit Authority Advisory Board	one

Sarkis Sarkisian	Selectmen	Metrowest Regional Transit Authority Advisory Board (alternate)	one
Massimo Taurisano	Selectmen	Permanent Municipal Building Committee	two
Thomas Sciacca	Selectmen	River Stewardship Council	one
Mary M. Antes	Selectmen	River Stewardship Council (Alternate)	one
Timothy J. Walsh	Selectmen	Sealer of Weights and Measures	one
Joan Bradford	Selectmen	Senior Tax Relief Committee (representing Council on Aging)	one
Linwood Bradford	Selectmen	Senior Tax Relief Committee (representing Board of Assessors)	one
Anne Gilbert	Selectmen	Senior Tax Relief Committee (representing Finance Committee)	one
Pauline DiCesare	Selectmen	Senior Tax Relief Committee	one
Patricia Nelson	Selectmen	Senior Tax Relief Committee	one
Stephen J. Colella	Selectmen	Senior Tax Relief Committee	one
Rebecca MacGregor	Selectmen	Senior Tax Relief Committee	one
Thomas J. Largy	Selectmen	Surface Water Quality Committee	three
Linwood Bradford	Selectmen	Surface Water Quality Committee	three
Rick Greene	Selectmen	Wastewater Management District Commission	three

A6. Vote to Authorize Chair to Sign Application to Department of Environmental Protection for Presumptive Approval to Change Site Assignment at River's Edge Property N. Balmer reviewed the application to the Massachusetts Department of Environmental Protection for site assignment at the River's Edge property, previously voted by the Board on March 30, 2015. T. Boschetto said he would be more comfortable waiting for the completion of the affidavit and the review of the Board of Public Works; J. Nolan agreed. It was the consensus of the Board to postpone this item to a later meeting.

A7. Vote to Petition State Legislature for Additional Liquor License for Town Center N. Balmer presented a motion to petition the State Legislature for an additional liquor license for Town Center as per the vote of Annual Town Meeting. C. Karlson explained that town meeting voted two amendments to the article: one to change the reference to Eastbrook Inc. at 87 Andrew Avenue to "new town center," and another to add the words "if any" to the end of Section 1(b). She then noted an error in the vote on the Certificate of Vote, and the need to add the word "new" before Town Center in the motion. M. Antes asked if there was any input from the Police Chief; N. Balmer said no. T. Boschetto said the motion was not consistent with the vote, and expressed concern about the lack of a formal designation of "new town center." He suggested that the article be clarified and voted again at a Special Town Meeting in the fall. C. Karlson said that while Town Meeting had voted to authorize the Board to petition the General Court of the Commonwealth for a special law, there was concern about the clarity of the language. Tony Speranzella, owner of Eastbrook Inc., dba Sperry's Fine Wine Brew and Cigars, 87 Andrew Avenue, said that he had undertaken the same process in Southborough with a site-specific license. L. Segal suggested that the definition of the Mixed Use Development Site could be found in the overlay district created in 2006; however, T. Boschetto said it is not within the purview of the Board to interpret the intent of town meeting. It was the consensus of the Board to ask Town Counsel for clarification of the language in the motion.

A8. Discussion and Potential Vote on Date for Fall Special Town Meeting N. Balmer discussed the potential need for a Special Town Meeting in the fall. She said that at least one issue, the school revolving fund, needs closure. She also said there are potential articles for zoning, appropriation of funds for the Route 30/School Street mitigation, a new DPW truck, potential IT expenses, and a commitment of funds for a

library site assessment. The Board considered calling a Special Town Meeting by the end of August to take place the first week of November, and asked the Town Administrator to prepare a draft schedule for a vote at its meeting of July 13.

A9. Policy Discussion: Board Description, Guiding Principles and Code of Conduct, and Board Procedures, Officers and Meetings The Board reviewed and edited the following sections of the Board Policies and Procedures: Board Description, Guiding Principles and Code of Conduct, and Board Procedures, Officers and Meetings C. Karlson said she would incorporate the Board's edits into a final copy for a vote on June 24.

A10. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve consent calendar items 1, 2, 5 and 6. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Items 3 and 4 were segregated for individual votes at the request of T. Boschetto, who said he would prefer to see items of substance as agenda items. M. Antes moved, seconded by J. Nolan, to approve item 3, the Collective Bargaining Agreement for the AFSCME 1 Professional Bargaining Unit for the period of July 1, 2014 to June 30, 2017. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: T. Boschetto. Adopted 4-0-1. Item 4, the update to the town's flexible spending plan, was tabled to a later date for clarification of the maximum spending amounts and the applicability of the federal limit.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. J. Nolan noted the vacancy on the WayCAM Board of Directors, and said it is beneficial to have someone on the Board with financial expertise. M. Antes highlighted the Olympic bid meeting on June 10, the Stone's Bridge application to the Massachusetts Historical Commission, and the presentation of the Town Flag at the State House on June 18. L. Anderson thanked Jonathan Saxton for organizing WayDog.

A12. Report of the Town Administrator N. Balmer reviewed the work being done in regard to the Recreation revolving fund, and said she hopes that the Recreation Commission will have a recommendation by mid-July. She discussed her meetings with department heads, in order to understand priorities and set goals; she said she may also consider meeting with committee chairs. She distributed a draft schedule for the 2016 Annual Town Meeting, and said she would like to see more specificity in the budget next year. The Board discussed the request of Duane Galbi for access to Town Counsel in regard to his request to remove speed limit signs in order to revert to the state standards for "thickly settled" neighborhoods. It was the consensus of the Board not to provide access to Town Counsel, and that the issue continue to go through the process for traffic calming with the Board of Public Works. The Board also requested that Town Counsel provide a definition of "thickly settled."

A13. Selectmen's Reports and Concerns T. Boschetto said the River's Edge Advisory Committee will meet on Wednesday. He said he will coordinate a meeting regarding the Minuteman Regional school when the new representative from Sudbury is available. M. Antes reported on a Conservation Commission meeting last week regarding the potential acquisition rights to Mainstone. She said the most recent appraisal of \$10.5 million would empty the Community Preservation Act funds of all but the ten percent allowed for housing and historic preservation, so fund raising will be needed. She reviewed the recent MetroWest Legislative breakfast. J. Nolan said there will be a ribbon cutting ceremony for the new MWRTA facility on Blandin Avenue in Framingham, and noted there is an LNG (liquefied natural gas) depot at that location that could potentially be used for town vehicles. He asked that the Conservation Commission expedite the approval of the use of MWRA aqueducts as trails. L. Anderson reported on the Finance Forum she attended on June 2, and she asked if the speed humps on the Weston end of Glezen Lane were approved. M. Antes advised the

Board to be aware that the Governor has issued executive order No. 562, to sunset state rules and regulations after a review and revision process. The Board agreed to discontinue paper packets after the June 24 meeting.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A15. Adjourn There being no further business before the Board, L. Anderson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 10:04 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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

1. Email Exchange between Chief of Police Robert Irving and Finance Committee Chair Thomas Greenaway, February 19-20, 2015, re: Speed Limit Article
2. Email of 6/8/15 from Gordon Cliff to Nan Balmer, Town Administrator, re: Public Comment, Additional Liquor License
3. Handouts and Powerpoint Presentation from Massachusetts Department of Revenue, New Officials Finance Forum, June 2, 2015

Items Included as Part of Agenda Packet for Discussion During the June 8, 2015 Board of Selectmen's Meeting

1. Memorandum of 6/8/15 from Nan Balmer, Town Administrator, re: Committee Interviews and Reappointments, with list of Reappointments
2. Email of 6/1/15 from Gretchen Schuler, Community Preservation Committee, and Historic District Commission, re: Recommendations for Reappointments
3. Email of 6/1/15 from Sherre Greenbaum, Chair, Conservation Commission, re: Recommendations for Reappointments to Conservation Commission
4. Memorandum of 6/8/2015 from Nan Balmer, Town Administrator, re: Execution of Application to Mass Department of Environmental Protection for Presumptive Approval to Use River's Edge Site for Housing, and Description of Proposed Activity
5. Memorandum of 6/8/15 from Nan Balmer, Town Administrator, re: Petition State Legislature to Enact a Special Act re: An Additional Package Store License
6. Annual Town Meeting Vote Certificate, Article 20, 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
7. Memorandum of 6/8/15 from Nan Balmer, Town Administrator, re: Fall 2015 Special Town Meeting
8. Board of Selectmen Policies and Procedures: Board Description and Guiding Principles, and Officers and Meetings
9. Report of the Town Administrator for the Week Ending June 5, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

**LIST OF PUBLIC DOCUMENTS
PROVIDED TO THE BOARD OF
SELECTMEN FROM JUNE 19, 2015,
THROUGH AND INCLUDING JULY 10,
2015, OTHERWISE NOT LISTED AND
INCLUDED IN THE CORRESPONDENCE
PACKET FOR JULY 13, 2015**

BOARD OF SELECTMEN

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

Items Distributed To the Board of Selectmen – June 19-July 10, 2015

1. Email of 6/22/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Finance Committee Applicant George Uveges
2. Email of 6/22/15 from Tom Abdella to Board of Selectmen re: Recommendation to Appoint Anette Lewis to the Finance Committee
3. Email of 6/24/15 from Nan Balmer, Town Administrator, to David Larson, Wayland Business Association, re: July 15 Event
4. Email of 6/24/14 from Sherre Greenbaum, Chair, Conservation Commission, to Nan Balmer, Town Administrator, re: Request to Reappoint Bob Goldsmith to Conservation Commission
5. Email of 6/26/15 from Town Counsel Mark Lanza to Board of Selectmen re: Glezen Lane Notice of Default

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

1. Email of 6/22/15 from Town Counsel Mark Lanza to Nan Balmer, Town Administrator, re: Motion to Petition State Legislature regarding Liquor License
2. Chart of Comparable Wage Rates for Election Workers, 6/24/15, compiled by Beth Klein, Town Clerk
3. Email of 6/24/15 from Tony Boschetto, Board of Selectmen, re: Comments on Special Legislation regarding Liquor License
4. Draft Schedule prepared by Nan Balmer, Town Administrator, for an October 2015 Special Town Meeting

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

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



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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BOARD OF SELECTMEN
Monday, July 13, 2015
Wayland Town Building
Selectmen's Meeting Room

REVISED CORRESPONDENCE - I

Selectmen

1. Memorandum of 6/15/15 from Board of Assessors to Board of Selectmen re: Solar PILOT, 2015 Annual Town Meeting Warrant Article 14
2. Letter of 6/16/15 from Elisa Scola, Chair, Historical Commission, to Planning Board, re: Protection of the Scenic Road Glezen Lane
3. Memorandum of 6/22/15 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Jane Purser from the Youth Advisory Committee
4. Email of 6/23/15 from Elizabeth Doucette, Financial Analyst, to Nan Balmer, Town Administrator, re: Town Center Gift Account Payments to Twenty Wayland
5. Email of 6/24/15 from George Harris to Nan Balmer, Town Administrator, re: Public Records Request
6. Email of 6/23/15 from Dennis Berry, Town Moderator, to Board of Selectmen, re: MSBA Letter
7. Letter of 6/25/15 from Attorney Patricia A. Cantor, Kopelman and Paige PC, to Middlesex Superior Court, re: Bernstein et al v. Wayland Planning Board et al, Notice of Withdrawal and Notice of Appearance
8. Letter of 6/25/15 from Attorney Jeffrey L. Roelofs to Nan Balmer, Town Administrator, re: Notice of Default of Judgment, Bernstein et al v. Wayland Planning Board et al
9. Letter of 6/25/15 from Town Counsel Mark Lanza to Middlesex Superior Court re: Bernstein et al v. Wayland Planning Board et al, Defendants' Memorandum of Law in Reply to Plaintiffs' Opposition to Town of Wayland Defendants' Motion for Temporary Relief from Judgment
10. Letters of 6/29/15 from Board of Selectmen to State Senator Richard Ross, State Representative Alice Peisch, and State Representative Carmine Gentile, re: Request for Special Act for Additional License for the Sale of All Alcoholic Beverages
11. Letter of 6/28/15 from Department of Environmental Protection to GLM Engineering Inc., re: Issuance of Chapter 91 Waterways License, Dudley Pond
12. Memorandum of 7/1/15 from Adam Chapdelaine, Arlington Town Manager, to Minuteman School Committee et al re: Arlington Board of Selectmen Vote, District Wide Ballot
13. Memorandum of 7/8/15 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Gordon Cliff from the Audit Committee
14. Memorandum of 7/8/15 from Nan Balmer, Town Administrator, to Cliff Lewis, Chair, OPEB Advisory Committee, re: OPEB Special Act Responsibilities
15. Director of Public Health Report, July 6, 2015
16. Monthly Report, Fire Department, June 2015
17. Monthly Report, Police Department, June 2015



Town of Wayland
41 COCHITUATE ROAD
WAYLAND MASSACHUSETTS 01778
www.wayland.ma.us TEL. 508-358-3788

OFFICE STAFF
Ellen M. Brideau, MAA Director of Assessing
Denise Ellis, Assistant Assessor
Jessica Marchant, Administrative Assessor
Savitri Ramgopalam, Department Assistant

BOARD OF ASSESSORS
Susan M. Rufo, Chair
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David Hill
Cheryl Kane

MEMO

TO: BOARD OF SELECTMEN
FROM: BOARD OF ASSESSORS
SUBJECT: SOLAR PILOT – 2015 ANNUAL TOWN MEETING WARRANT ARTICLE 14
CC: NAN BALMER, TOWN ADMINISTRATOR
DATE: 6/15/2015

Article 14, of the 2015 Annual Town Meeting, required "consideration by the Board of Assessors of a structured tax agreement will be subject to approval of this article."

The Board of Assessors has completed their review of issues related to a structured tax agreement as required Article 14 of the 2015 Annual Town Meeting. The review included meeting with members of the Energy Committee and reviewing their information. Reviewing various Informational Guidance Releases (IGR's) and Bulleting from the Department of Revenue (DOR), reviewing the Net Metering Task Force final report to the State Legislature dated April 2015, discussions with DOR's Division of Local Services, and gathering information from numerous peer communities, which included, Concord, Lowell, Sudbury, Melrose, Leominster and Natick who have engaged solar technology in their cities or towns.

The Board of Assessors was guided by the compelling reasons listed below in considering their recommendation.

The Board of Assessors is charged by the statutes of MA General Laws to treat all residents and taxpayers equally and fairly under the law. Towns may only assess, abate, exempt and collect taxes expressly authorized by state law.

Taxing the Solar Project at full and fair cash value is in the spirit and guidance received from the Department of Revenue.

Taxing the property at any other method except full and fair cash value is inconsistent to the practices of the Assessing Department. Department of Revenue guidelines require that all property be taxed based on value. Any other method requires the department to back into a value for page one of the annual tax recap.

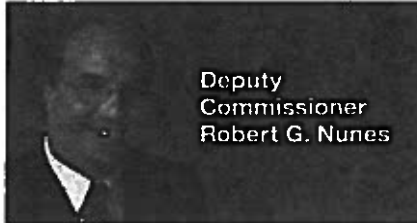
Department of Revenue has strong oversight over assessing practices and a pilot may jeopardize the timely certification of the town's tax rate.

The taxing of the Solar Project is a pass through to the Town from Ameresco. It has been conveyed to the Board of Assessors that it makes no difference to Ameresco on how the project is taxed.

For all the reasons identified above plus the opportunity to maximize new growth, the Board of Assessors unanimously voted to advise the Board of Selectmen that their recommendation is that the Solar Project be assessed as personal property at full and fair cash value.

A Publication of
the Massachusetts
Department of Revenue's
Division of Local Services

City & Town



Deputy
Commissioner
Robert G. Nunes

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DOR 360



City & Town is published by the Massachusetts Department of Revenue's Division of Local Services (DLS) and is designed to address matters of interest to local officials.

Editor: Dan Bertrand

Editorial Board: Robert Nunes, Robert Bliss, Zack Blake, Tony Rassias, Tom Dawley, Linda Bradley and Patricia Hunt

DLS Releases FY15 Strategic Plan

I'm pleased to announce that the Division of Local Services (DLS) has published our new FY15 Strategic Plan. You can view it by clicking [here](#).

The plan was developed after a series of roundtable meetings held at DLS offices in Springfield, Worcester and Boston, at which all staff participated. It aligns its 17 objectives with DOR's four goals in performance, internal capability, stakeholder satisfaction and quality.

Every DLS bureau - Executive, Legal, Bureau of Accounts, Bureau of Local Assessment, Municipal Data Management/Technical Assistance Bureau and Informational Technology - contributed to the plan.

The FY15 plan outlines eight initiatives DLS will actively pursue in FY15, including the pilot Taxpayer Assistance Program (TAP), a series of collaborations between various DLS bureaus and DLS Information Technology, the continuance of DLS' Professional Development Initiative, a review of DLS trainings and other public presentations, and the implementation of a new Applied Concepts in Municipal Finance Course designed for entry- to mid-level municipal staff.

The strategic planning process, which Governor Patrick initiated in his 2012 Executive Order on Performance Management, has been enormously helpful in providing a focus for improving performance and managing change in DLS.

Strategic Planning also fits with DOR Commissioner Amy Pitter's DOR360 policy to increase engagement and connection with DOR's stakeholders, and, in the case of DLS in particular, the local officials we

work with on a daily basis.

This new plan will continue to drive DLS forward in FY15. In some cases, it builds on objectives and initiatives outlined in the FY14 Strategic Plan. Each objective comes with a proposed measure to evaluate progress.

I truly believe that the process of empowering staff and listening to stakeholders has brought meaningful change and improvement to DLS. If you have further suggestions, I would like to hear from you at nunesr@dor.state.ma.us or by calling me at (617) 626-2381.

Robert G. Nunes
Deputy Commissioner and Director of Municipal Affairs
nunesr@dor.state.ma.us

Ask DLS

This month's *Ask DLS* features frequently asked questions regarding tax or payment in lieu of tax (PILOT) agreements with renewable energy companies. Please let us know if you have other areas of interest or send a question to cityandtown@dor.state.ma.us. We would like to hear from you.

May a city or town enter into a tax or payment in lieu of tax (PILOT) agreement with a property owner regarding its solar or renewal energy system or facility?

Yes, if the owner of the solar or renewal energy system or facility is a generation company or wholesale generation company as defined in MGL c. 164, sec. 1. That means the company must be in the business of producing, manufacturing or generating electricity for retail sale to the public or for sale at wholesale only.

Under the home rule amendment to the Massachusetts Constitution, cities and towns do not have the power to tax. Massachusetts Constitutional Amendments Article 89, sec. 7. They may only assess, abate, exempt and collect taxes as expressly authorized by state law. There is only one statute, MGL c. 59, sec. 38H(b), that could authorize a tax agreement in connection with solar or renewal energy systems or facilities. That statute is a tax stability measure enacted as part of the 1997 law deregulating and restructuring the electric utility industry. It addressed the Legislature's concern that subjecting conventional power plants to market forces could result in significant devaluation or instability in values thereby causing shifts in the tax burden from the plants to homeowners and other business properties. Chapter 164 of the Acts of 1997. It allows a city or town to enter into a tax or payment in lieu of tax (PILOT) agreement with an electric generation or

wholesale generation company for the purpose of meeting the company's annual property tax obligations. The amount paid remains as part of the tax base for purposes of determining the municipality's Proposition 2 1/2 levy ceiling and levy limit and of determining the minimum residential factor and allocation of the tax levy under property tax classification. See generally Informational Guideline Release (IGR) No. 98-403, Valuation and Taxation of Electric Generating Property. The statute is still in effect and therefore, may be used as an alternative to regular property taxation but only if the owner of the solar or renewable energy system or facility is an electric generation or wholesale generation company.

Which city or town officer, board or committee may enter into a tax or PILOT agreement with an electric generation or wholesale generation company?

A tax or PILOT agreement requires approval of the municipality's legislative body. See Section I-A-2 of IGR 98-403. As a general rule, a municipality acts through its legislative body unless a particular board or officer is authorized to act on its behalf. However, no board or officer is authorized by MGL c. 59, sec. 38H(b) to act on behalf of the city or town in entering into a tax or PILOT agreement with an electric generation company. This is notable because provisions of MGL c. 38H(b) and (c) authorized particular officials (assessors and selectboard) to enter into tax agreements with two specific power companies at the time of the 1997 law deregulating and restructuring the electric utility industry.

What is the maximum term for a tax or PILOT agreement?

There is no maximum term established by MGL c. 59, sec. 38H(b) for a tax or PILOT agreement with an electric generation company. The municipality should consider the useful life of the solar or renewal energy system or facility in negotiating a reasonable term for the agreement. See Section I-C of IGR 98-403.

Does a tax or PILOT agreement with an electric generation company have to state the valuation of the solar or renewable energy system or facility to be used to determine the PILOT for each year of the agreement?

Agreements should fix the values, or provide formulas for determining the values, of the solar or renewable energy system or facility over the life of the agreement. See Section I-C of IGR 98-403. The purpose of a PILOT agreement was to allow the parties to establish a valuation or valuation method for difficult to appraise special purpose power plants and avoid significant year to year swings in plant values while transitioning to the deregulation and restructuring of the electric utility industry. If an agreement specifies a dollar amount to be paid for each fiscal year, however, the assessors will have to convert that payment to a value for purposes of calculating the new growth increase in the levy

limit, the minimum residential factor under property tax classification and the tax rate. If an agreement specifies the payment dollar amount rather than a value, it should include the conversion formula.

Does a city or town need to have an expert appraisal of the solar or renewable energy property in order to negotiate a tax or PILOT agreement with an electric generation company? What documentation must the assessors provide during triennial certification for property subject to a PILOT agreement?

A formal appraisal by an outside consultant is not required. However, the assessors should develop initial projections of the fair cash valuations and tax payments of the solar or renewable energy system or facility, taking into account additions and retirements. The purpose of this documentation would be to assist the municipality in determining the advisability of entering into a tax or PILOT agreement with the electric generation company. See Section I-B of IGR 98-403.

The assessors of a city or town that enters into a tax or PILOT agreement with an electric generation company must provide the Bureau of Local Assessment with a copy of the agreement, the legislative body's approval vote and any initial appraisal documentation. See Section III-C of IGR 98-403.

For triennial certification, the assessors must update their property record cards to reflect the agreement values (or converted values). If the values (or converted values) change during an interim year, the property record cards must be updated accordingly as well.

May an electric generation company tax or PILOT agreement allow for new growth to be added to the municipality's levy limit over a number of years after the construction and installation of the solar or renewable energy system or facility?

No. Under MGL c. 59, sec. 21C(f), tax base growth is based on the increase in assessed valuation of a parcel of real property or an item of personal property over its prior year assessed valuation not attributable to revaluation. Therefore, the agreement "value" of the new real or personal property being "assessed" as part of the tax levy for the first fiscal year of the tax or PILOT agreement with the electric generation company is the basis for new growth in that year. In any subsequent fiscal year, only the agreement "value" of any *additional* new real property built or new personal property items installed by the company since the prior fiscal year and included in the year's PILOT payment would be growth. See Section IV-B of IGR 98-403.

Municipalities should consider the impact of the structure of PILOT payments when negotiating an agreement with an electric generation company. Agreements that provide for smaller payments in the first years of the agreement and larger payments in later years may provide the company with greater flexibility in financing the installation. They

will also limit the new growth for the plant to the increase in "value" attributable to the installation in the first year of the agreement. Ordinarily, that will be less than the amount that would have been added to the municipality's levy limit than if the company was assessed a regular property tax.

How is an electric generation company PILOT treated for reporting of assessed valuations on Form LA-4 "Assessment/Classification Report" and calculating the minimum residential factor?

The assessors must report the agreement "value" for the year on Form LA-4 "Assessment/Classification Report" in the assessed valuation of Class 4, Industrial, real property (Class Code 452), or Personal Property (Class Code 552), as applicable, so that it is reflected in the fair cash value levy percentage for that class of real property or of personal property. Those percentages are used to calculate the minimum residential factor under MGL c. 58, sec. 1A.

How is an electric generation company PILOT reported on the tax rate recapitulation?

The assessors must report the agreement "value" in the total assessed valuation of Class 4, Industrial, real property, or Personal Property, as applicable, on page 1 of the tax rate recapitulation so that the PILOT is part of the tax levy. MGL c. 59, sec. 38H(b). The PILOT *cannot* be reported on page 3 of the tax rate recap (or pro forma recap) as general fund estimated receipts.

How are any payments made by an electric generation company to the city or town in addition to the agreed PILOT reported on the tax rate recapitulation?

Any revenues received by the municipality from an electric generation company from the generated electricity sold to the grid through a Power Purchase Agreement (PPA), a lease of municipal property or any other contractual arrangement that is in addition to the PILOT and is being reported on the tax rate recap (or pro forma recap) must be reported on Page 3 as general fund estimated receipts under Miscellaneous Recurring.

How is an electric generation company PILOT billed? When are payments due? Is interest due on late payments?

Unless provided otherwise in the tax or PILOT agreement, the PILOT should be billed and collected in the same manner as property taxes. Under MGL c. 59, sec. 38H(b), the negotiated PILOT is treated as a property tax in some respects. Arguably, except for the manner by which the amount is determined, the PILOT would also be treated as a property tax for billing and collection purposes. Since MGL c. 59, sec. 38H(b) does not specifically address billing and collection, the better practice is to set out in the agreement how the PILOT will be billed,

when payments are due and the consequences of late payments, including collection remedies. The PILOTs may be due and payable on the same or different schedule, and in the same or different manner, as property taxes. However, the municipality should consider the impact of including the PILOT as part of the tax levy when negotiating the payment schedule. See Section I-C of IGR 98-403.

Bureau of Accounts Announcements

Attention: Assessors, Auditors, Accountants, Mayors and Selectmen

The Division of Local Services has released the FY2015 EXCEL Tax Rate Recap, related forms and instructions. They can be found by using the following link:

Recap

This year's cover letter includes several important topics to consider when completing the FY2015 tax rate recap form including proper reporting of revenue from solar/wind power energy generating facilities, deficits in certain funds, enterprise indirect costs and Gateway submission.

Most Recap forms are submitted via the Gateway system. BOA and BLA suggest that forms be completed, printed, signed and filed locally (for audit purposes) as well. Forward to BOA or BLA only supporting documentation not entered into Gateway. Gateway can be found by clicking here.

Attention: Auditors and Accountants

The Division of Local Services has released the FY2014 EXCEL Schedule A, related forms and instructions. They can be found by using the following link:

Schedule A

If you have not received information indicating that your community's FY2013 Schedule A has been approved, fund balance information on the EXCEL program will not be available. The downloadable program will be updated after the FY2013 Schedule A has been approved.

The Bureau of Accounts strongly encourages completion of the FY2014 Schedule A in Gateway. The form is substantially the same as in FY2013 and is due November 30, 2014.

On Audit Engagements

Tony Rassias - Bureau of Accounts Deputy Director

Local officials oftentimes contact the Bureau of Accounts for advice on engaging the services of an independent Certified Public Accounting (CPA) firm. Although the Bureau cannot recommend any one firm, it does recommend contacting the Massachusetts Society of Certified Public Accountants located in Boston to help local officials find the right CPA and/or CPA firm for the job.

For governments then, what types of audit engagements are there? Which ones are needed and how can they help? For answers to these questions and more, I spoke with Paul Gargano, Chairman of the Government Accounting and Auditing Committee of the Massachusetts Society of Certified Public Accountants, whose committee meets monthly to keep membership abreast of developments in governmental accounting and auditing. Paul has been a Massachusetts CPA for over 13 years and is a manager with Roselli, Clark & Associates.

Tony Rassias: Paul, from your experience, what are the most common engagement types that city, town and district officials request of Massachusetts CPA firms?

Paul Gargano: I would say that the most common engagements are financial statement audits, single audits, and agreed upon procedures.

TR: Could you explain a little about each?

PG: Financial statement audits are the most common type of engagement and are required by the Single Audit Act when a city, town or district is an issuer of more than \$10 million in debt securities or expends \$500,000 or more in federal financial assistance, which increases to \$750,000 for fiscal year 2016. An audit may also be required if there is a bylaw requiring such an engagement or as in Massachusetts' case regarding regional school districts, if a state law requires an annual audit.

A critical component of the financial statement audit is to evaluate the credit worthiness of the entity issuing debt securities. Companies that evaluate credit such as Standard and Poor's, Moody's and Fitch obtain financial statement audits to perform a comprehensive financial analysis of the entity to arrive at an investment grade which is then used by the financial market place to price the entity's debt securities.

Financial statement audits express an opinion as to whether the basic financial statements are presented fairly, in all material respects, in accordance with generally accepted accounting principles (GAAP). In addition, these audits include a report on the auditor's consideration of internal control over financial reporting in accordance with generally accepted governmental auditing standards (GAGAS). This report is

important as it discloses any material weaknesses or significant deficiencies that come to the auditor's attention during the audit.

TR: At the Bureau, most of the financial statement audits we review are pretty clean. Those that aren't certainly attract our attention. What about the other common engagement types?

PG: A single audit includes the entity's schedule of expenditures of federal awards and also reports on internal controls of federal award programs, and an opinion on compliance with laws and regulations of major grant programs. This report is used by the federal government to determine if the entity is in compliance with federal requirements.

Agreed upon procedures apply specific procedures on a subject matter that have been agreed upon with the client. A report is issued after the completion of the procedures that details the procedures performed and any related findings and conclusions.

TR: Along with the financial statement audit and single audit, the Bureau also receives a management letter. Could you explain the purpose of this letter?

PG: A management letter is not required as part of the audit. Most firms use the management letter as an opportunity to communicate ways to improve internal controls, financial policies and procedures. Financial officials and the public typically attach a great importance to a management letter since it usually includes critical comments about key areas of the financial operation and of the individuals who administer those key areas. Many critical decisions are made by financial officials based upon the results of this report.

TR: How do you suggest that local officials implement these results?

PG: Some communities have created an audit committee that oversees the audit process, including implementation of the results. In the absence of such a committee, I would recommend that the local officials create an implementation plan for the management letter comments and meet regularly during the year to assess progress.

TR: I think many people appreciate the management letter because it's written in plain language. But is the audit ever discussed at a public meeting?

PG: The results of the audit and the management letter should be discussed at an exit conference as a best practice. This exit conference is typically held at a public meeting of the board of selectmen or city council. Communities may prefer, however, to have the exit conference with the audit committee, finance committee or the local finance team.

TR: If I'm a taxpayer, not a regulator, a local official or financial

institution, what do all these reports do for me?

PG: I realize that most taxpayers are not versed in reading governmental financial statements. So for them, I'd say that a review of the financial statements by a competent and independent third-party should give them either a sense of confidence if their tax dollars are being handled properly or a sense of concern if their tax dollars are not.

For taxpayers who are interested in the financial statements, I would steer them toward the management's discussion and analysis found near the beginning of the report to gain a better understanding of how the entity is performing financially, in its own words.

Finally, I would recommend that taxpayers review the management letter to determine if key controls are operating as expected and to determine if key employees are performing their assigned duties in an adequate and efficient manner.

TR: Have audits and the audit process changed since 2000?

PG: Oh yes. These are the more significant changes:

1. The Government Accounting Standards Board (GASB) has been increasingly more active as the years pass and they don't seem to be slowing down, which continues to add complexity to audits;
2. GASB Statement #34 introduced an entirely new reporting structure, especially significant in Massachusetts since fixed asset accounting was not required and many entities had to engage expensive consultants to inventory fixed assets;
3. GASB Statements #43 and #45 caused entities to perform actuarial valuations for their post-employment benefit obligations (OPEBs);
4. Several new GASB statements will change the way pension liabilities are reported;
5. Statement of Auditing Standards 99, or SAS 99, increased the auditor's focus on fraud and fraud risks;
6. New software and other technological developments have led to paperless audits and more efficient ways to analyze client financial data.

Audit costs for governments have increased significantly as a result of these changes, but reports have become much more transparent.

TR: Do you find that an auditor's services are being procured competitively?

PG: There is definitely a trend toward utilizing an RFP or RFQ. CPA services are exempt from Massachusetts General Law Chapter 30B, the procurement law, but for services that only a CPA can perform. Financial statement audits, single audits and agreed upon procedure engagements fall under this exemption. Other CPA services, such as temporary accounting support, are not exempt.

TR: Agreed upon procedure engagements. Are there different types?

PG: There are actually several types. Agreed upon procedure engagements include review of the Department of Elementary and Secondary Education (DESE) End of Year Financial Reports, examination of the Student Activity Funds - accounts and procedures, and other departmental reviews and procedures.

For End of Year Financial Reports, DESE specifies the procedures that are to be performed and has recently issued audit guidelines for student activity funds, which can be performed either as an audit or as agreed upon procedures. Departmental reviews are more open-ended and entities are more involved in determining what procedures are performed such as cash handling and disbursement policies, compliance with laws and regulations, organizational efficiency and specific areas where problems have occurred in the past.

Agreed upon procedure engagements may also be performed when a fraud has occurred or if fraud is suspected. These engagements usually involve the auditor examining all transactions in the area that a suspected fraud has occurred. Extensive interviews are conducted with department heads and staff that may have information regarding the fraud. A detailed report is then issued to substantiate the fraud, if it has occurred. The report can then be used to further criminal charges or other disciplinary action if warranted.

They are an extremely effective way to help entities improve productivity and efficiency and quite often the future savings exceed the current cost. They are an engagement that must be performed by a CPA because they are considered an "attestation engagement," where a CPA expresses a conclusion regarding the reliability of an assertion made by the client.

TR: Paul, we know that some very small entities do not have an annual audit. The Division of Local Services encourages communities not subject to the Single Audit Act to fund an audit every two or three years. What is your advice to them?

PG: Certain entities that do not meet the requirements to have an audit still should have them periodically as a good business practice. I understand that many feel it's too costly, but oftentimes it's these entities that can benefit most from an audit. Many do not have full-time employees in key financial positions and as a result the financial

controls are lacking. A well performed audit will discover the areas where operational deficiencies are occurring, so they can be corrected before a major fraud occurs.

TR: What questions do financial officials ask you about audits?

PG: Financial officials usually want to know how well they have performed during the year. They ask how they compare to their peers, whether their reserves are adequate or their controls sufficient. They want to know where improvements could be made and how or where their weaknesses will impact them.

TR: Thank you for sharing your time and expertise and for providing me and all of our readers with great information!

PG: Thanks, Tony. It was great speaking with you!

Register Now for "What's New in Municipal Law"

The Division of Local Services Legal Staff will offer its annual seminar "What's New in Municipal Law" for local officials on Thursday, September 25, 2014 at The Log Cabin Banquet & Meeting House in Holyoke and Thursday, October 2, 2014 at The Lantana in Randolph.

The general session in the morning will review new legislation and recent court decisions pertaining to local government.

The afternoon session will consist of three concurrent workshops on the following topics: (1) qualification of charitable, religious and other non-profit organizations for local tax exemptions, (2) expenditures for public purposes and administration of trust funds, and (3) potential pitfalls when local officials or employees wear multiple hats.

Please click the following for the [agenda](#) and [registration form](#). Registrations must be received by Wednesday, September 17, 2014. Pre-registration is required.

If you have any questions about these seminars, please contact DLS Training Coordinator Donna Quinn at (617) 626-3838 or by email at dlsregistration@dor.state.ma.us.

August Municipal Calendar

August 1

Taxpayer

Quarterly Tax Bills - Deadline for Paying 1st Quarterly Tax

		<p>Bill Without Interest</p> <p>According to M.G.L. Ch. 59, Sec. 57C, this is the deadline for receipt of the 1st Quarter preliminary tax payment without interest, unless the preliminary bills were mailed after July 1. If mailed by August 1, the 1st Quarterly payment is due August 1, or 30 days after the bills were mailed, whichever is later, and the 2nd Quarterly payment is due November 1. If mailed after August 1, the preliminary tax is due as a single installment on November 1, or 30 days after the bills were mailed, whichever is later.</p>
August 1	Taxpayer	Annual Boat Excise Return Due
August 1	Accountant	<p>Notification of Total Receipts of Preceding Year</p> <p>The total actual local receipts (e.g., motor vehicle excise, fines, fees, water/sewer charges) of the previous fiscal year must be included on Schedule A of the Tax Rate Recapitulation Sheet (Recap) which is submitted by the Assessors to DOR. On the Recap, the Accountant certifies the previous fiscal year's actual revenues, and the Assessors use this information to project the next fiscal year's revenues. Any estimates of local receipts on the Recap that differ significantly from the previous year's actual receipts must be accompanied by documentation justifying the change in order to be approved by the Commissioner of Revenue.</p>

August 10	Assessors	Deadline for Appealing EQVs to ATB (even numbered years only)
August 10	Assessors	Deadline for Appealing SOL Valuations to ATB (every fourth year after 2005)
August 15	Assessors	Deadline to Vote to Seek Approval for Authorization to Issue Optional Preliminary Tax Bills For semi-annual communities issuing optional preliminary property tax bills, the Assessors must vote to seek authorization to issue the bills from DOR by this date. After receiving approval, Assessors must submit a Pro-forma Tax Rate Recap Sheet to DOR for review and issue the tax bills by October 1.
August 31	DOR/BOA	Issue Instructions for Determining Local and District Tax Rates A copy of the Tax Rate Recap Sheet and its instructions are forwarded to the community.
August 31	Assessors	Begin Work on Tax Rate Recapitulation Sheet (to set tax rate for semi-annual bills) Until the Tax Rate Recap Sheet is completed and certified by the Commissioner of Revenue, the community may not set a tax rate nor send out its property tax bills (unless it issues preliminary quarterly tax bills or requests from DOR the authority to send out preliminary tax notices if DOR requirements are met). Communities should begin gathering the information in enough time for the tax rate to

be set and tax bills mailed by October 1. The Tax Rate Recap Sheet provides Mayors or Selectmen with a ready-made financial management tool because the town's most important financial management information is summarized on this form. The Mayor or Selectmen should review the Recap Sheet in preliminary form in order to understand the following financial information:

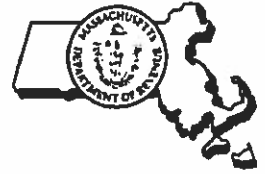
Page 1 (Tax Rate Summary) - The proposed tax levy should be compared to the levy limit. If a community does not levy to its limit, the remaining levy is referred to as excess levy capacity. Excess levy capacity is lost to the community for the current fiscal year although it will always remain in the levy limit calculation.

Page 2 (Amount To Be Raised) - This section includes appropriations and other local expenditures not appropriated. These include overlay deficits, revenue deficits, state and county charges, Cherry Sheet offset items, and the allowance for abatements and exemptions. By comparing this information to the prior year(s), any significant changes can be determined.

Page 2 (Estimated Receipts & Revenues From Other Sources) - In particular, Section C shows the amount appropriated from free cash and other available funds. By comparing the amounts appropriated to the balances in these accounts (available from

		<p>the Accountant/Auditor), the Mayor or Selectmen can get a sense of how their non-property tax revenues are being used.</p> <p>Page 3, Schedule A (Local Receipts Not Allocated) - By comparing these figures to prior year(s), the Mayor or Selectmen can determine any changes in these revenues.</p> <p>Page 4, Schedule B (Certification of Appropriations and Source of Funding) - This section includes financial votes of City/Town Council or Town Meeting not previously reported on last year's recap.</p>
<p>Final Day of Each Month</p>	<p>State Treasurer</p>	<p>Notification of monthly local aid distribution.</p> <p>Click www.mass.gov/treasury/cash-management to view distribution breakdown.</p>

To unsubscribe to City & Town and all other DLS Alerts, please click [here](#).



Bulletin

2015-03B

FY2016 BUDGET ISSUES AND OTHER RELATED MATTERS

TO: City/Town/Regional School District Officials
FROM: Anthony A. Rassias, Deputy Director of Accounts
DATE: April 2015
SUBJECT: FY2016 Budget Issues and Other Related Matters

This *Bulletin* addresses several issues that cities, towns, regional school and other districts should consider for FY2016 revenue and expenditure budgeting and other related matters.

New or modified information from last year's letter

Snow and Ice

Chapter 10, § 58 of the Acts of 2015 now authorizes cities and towns by local decision to amortize their FY2015 snow and ice removal account deficit over the next three fiscal years, in equal installments or more rapidly. The new law, which has an emergency preamble, took effect on March 31, 2015. The Bureau will soon provide local officials with further guidance in this matter.

In conjunction with this, the Bureau is aware that Massachusetts Emergency Management Agency (MEMA) has been working closely with the Federal Emergency Management Agency (FEMA) for potential reimbursement for qualifying expenditures incurred during certain February snowstorms. If FEMA agrees, the Bureau will allow special accounting treatment for the intended reimbursement and will provide local accounting officials with further guidance.

Pothole Funds and Transportation Bond Bill Apportionments

The Division of Local Services will soon release further details on the accounting treatment for receipt and expenditure of \$30 million in "pothole funds" made available by Governor Baker through the Winter Recovery Assistance Program, or WRAP.

The Division of Local Services is responsible for oversight of and assistance to cities and towns in achieving equitable property taxation and efficient fiscal management. The Division regularly publishes IGRs (Informational Guideline Releases detailing legal and administrative procedures) and the Bulletin (announcements and useful information) for local officials and others interested in municipal finance.

Post Office Box 9569, Boston, MA 02114-9569, Tel: 617-626-2300; Fax: 617-626-2330 <http://www.mass.gov/dls>

In addition, when apportionments are approved for the latest transportation bond bill, (Chapter 90 funding), the Bureau will provide local officials with further guidance.

New Laws

The Division of Local Services will soon release its annual Summary of Municipal Law Changes for 2014. Please watch for this Summary as it will include information on the creation of new funds for Municipal Water Infrastructure Investment, Mass. Clean Water Trust, Cable PEG Access, Regional Transportation Reimbursements and Tax Title.

Community Preservation Fund

During FY2015, 156 cities and towns collected the local Community Preservation Act (CPA) surcharge and are eligible for state matching grants in FY2016. The Division of Local Services (DLS) estimates that the balance in the state trust fund will be sufficient to provide a first round match of 18% of the surcharge levied by each city and town.

In FY2015, there will be equity and surplus distributions for those cities and towns that have adopted the maximum 3% surcharge. With these additional distributions, the total state reimbursement for qualifying cities and towns will increase, depending on their decile and total surcharge amount. The above estimates are subject to change depending on Registry of Deeds collections between now and October.

Estimating FY2016 Medicaid Receipts

During the FY2015 tax rate certification process, the Bureau noted that FY2014 Medicaid receipts received were far less than estimated for FY2014. Many communities lowered their FY2015 estimates as a result. The Bureau urges caution when estimating these receipts as the amount due the community may not be consistent from year to year.

Host Agreement Funds Received from Medical Marijuana Dispensaries

Funds received by communities per agreements with medical marijuana dispensaries belong to the community's General Fund under G.L. c. 44, § 53. These funds cannot be separately appropriated as available funds.

Internal Borrowing

The Bureau reminds Treasurers and other local officials that provisions of internal borrowing (G.L. c. 44, § 20A) require that advances must be repaid during the same fiscal year. Treasurers, accounting and budgeting officials in communities using internal borrowing for capital projects especially must be aware that funds not externally borrowed by June 30th oftentimes results in a significant reduction to free cash.

Suggestions Please

The Division of Local Services is beginning a Gateway modernization project starting with tax rate related forms. The forms are currently being updated, enhanced and improved. We are looking for your suggestions to make Gateway more user-friendly. Please E-mail your suggestions as to how to improve tax rate forms by June 1st to Jared Curtis (curtisi@dor.state.ma.us) or Maura O'Neil (oneilma@dor.state.ma.us) of our Bureau of Accounts staff.

Expenditure of Federal Funds Threshold

The FY2016 threshold under the Federal Single Audit Act of 1984 as amended requires that there be a financial audit or, if properly petitioned to the appropriate federal oversight or cognizant agency, a specific program audit, if \$750,000 or more in federal funds are expended during any one fiscal year. The level has increased from \$500,000.

Continued reminders from last year's letter that may be modified with respect to fiscal year reference

Energy PILOTS

Communities receiving "payment in lieu of taxes" (PILOTS) under the provisions of G.L. c. 59, § 38H(b) must follow the requirements spelled out in IGR 98-403 for tax agreements regarding power plants of generation and wholesale generation companies, which include solar generation facilities that provide electricity to the grid. Note Part I. C. which indicates that:

Agreements should fix values or formulas for determining values (rather than fixing tax payments). These values should be representative of the future full and fair cash values of the plant for the term of the agreement and payments resulting from them will be treated as property taxes for Proposition 2½ and tax classification purposes. The payments are subject to the municipality's levy limit, and the values will be used to calculate its levy ceiling and minimum residential factor. (Emphasis added.)

Communities are not allowed to place a negotiated dollar amount as part of PILOT estimated receipts on page 3 of the Tax Rate Recapitulation form. The negotiated payments must be translated into assessed value and applied as indicated in the Guideline.

For more detailed information on the matter, please contact the Bureau of Local Assessment.

Energy Generating Facilities Enterprise Fund

Cities and towns that own and operate energy generating facilities subject to accounting, finance and reporting provisions of G. L. Chapter 44 rather than Chapter 164 may establish an enterprise fund under G.L. c. 44, § 53F½ using the same method as for any other utility. Any funds received as energy credits by the city or town which would otherwise close to the General Fund under G.L. c. 44, § 53 would now close to the enterprise fund.

Balance Sheets as of 6/30/2015 and Revenue Recognition

The Bureau has traditionally allowed revenue recognition of State aid payments as well as other reimbursements on the balance sheet as of June 30. For free cash certification purposes, receipts from July 1 thru September 30 can be applied to offset expenditures that resulted in a deficit fund balance as of June 30.

Until further notice, the Bureau will not allow revenue recognition for expected reimbursements not received by September 30 from any source except MassDOT for Chapter 90 expenditures provided:

- the community can document that the request for reimbursement has been filed with MassDOT by September 30, 2015; and
- the Bureau must be satisfied that payment will be made.

Free Cash Update and Non-Recurrent Distributions to Cities and Towns

The Bureau will continue its policy to allow cities and towns an opportunity to request from the Director of Accounts authority to reserve and appropriate non-recurrent distributions over a certain period of time through the free cash update process.

For cities and towns, state law permits inclusion of receipts attributable to prior years, principally collection of property taxes, up to March 31. G.L. c. 59, § 23. This update to the amount previously certified provides additional spending authority based on those items, but must first be certified by the Director prior to appropriation. The Director will not certify an additional amount if use of those funds could, in the Director's opinion, result in a negative free cash as of the following June 30. Only one request may be made per fiscal year. If an amount is certified by the Director and a negative free cash results the following June 30, no similar update may be requested for the following fiscal year.

G.L. Chapter 44, § 31 Emergencies

Emergency payments under G.L. c. 44, § 31 made in FY2015 after the setting of the tax rate through June 30, 2015 must be reported to the Assessors for inclusion in the FY2016 tax rate unless otherwise provided for. Emergency payments made in FY2016 prior to the setting of the tax rate may be included in the FY2016 tax rate, but must be included in the FY2017 tax rate unless otherwise provided for.

Local and Regional School Finance

Requirement of Regional School District Annual Audit

Per G.L. c. 71, § 16A, the Regional School Committee has the duty to ensure that the district has an annual financial audit. The committee must solicit proposals and contract with an independent Certified Public Accountant to perform the audit and make management recommendations. It must also receive the audit report during a meeting open to the public and, within 10 days, forward a copy of the audit to the Director of Accounts and the Board of Selectmen, City/Town Manager or Mayor of each member municipality.

Regional School District Balance Sheet Required

Regional school districts must submit a balance sheet to the Bureau for certification of excess and deficiency as of June 30. DESE regulations indicate that if a balance sheet is not filed timely, the Commissioner of DESE may request of the Commissioner of Revenue to withhold all or some part of the distribution of State Aid for that school district until a balance sheet is submitted.

State law and the DESE regulations require a balance sheet to be submitted to the Bureau on or before October 31 of each year. Annual Bureau instructions indicate the submission requirements. Audited balance sheets are not required, but the submission must be in a format that will allow the Bureau to calculate an excess and deficiency amount.

Appropriation of Excess and Deficiency by Regional School District

The Bureau of Accounts and the DESE agree that excess and deficiency must be certified by the Bureau of Accounts from a regional school district's balance sheet and can only then be applied by the members for purposes of the FY2016 assessment.

State Special Education Reimbursement Fund ("Circuit Breaker")

Per DESE regulations, the balance in this fund at the close of FY2015 can be no greater than DESE's FY2015 reimbursement, not including extraordinary assistance. Any excess fund balance must close to the General Fund. Any deficit fund balance must be charged to FY2016's school budget. See 603 CMR 10.07 for additional details.

Federal School Grant Deficits

The Bureau has taken note that a number of city, town and regional school district balance sheets report deficits in certain federal school grants for which the Bureau has not traditionally reduced free cash or excess and deficiency. However, the Bureau may reduce free cash or excess and deficiency for any federal school grants which have been reported in deficit on the balance sheet since June 30, 2013.

Enterprise Funds

On Estimating FY2016 Enterprise Revenues

The Bureau will not allow FY2016 estimated revenue for user charges based upon the government's intent alone to raise these charges in the future. These charges must be increased before the tax rate recap is submitted for tax rate certification to the Bureau. When revenues are estimated based upon consumption alone, the Bureau will continue to require reasonable supporting documentation for this claim. Be reminded that a structural deficit in enterprise fund retained earnings (not due to timing) must be provided for in the next tax rate.

On Appropriating Enterprise Retained Earnings

Appropriation from retained earnings may only be made after the earnings are certified by the Bureau and in no greater amount than so certified.

Expenditure Budgeting for FY2016

- *Pension Appropriations:* A pension assessment must be provided for in the FY2016 tax rate. If the amount appropriated is less than the assessment, the amount needed to fully fund the assessment must be raised on the Tax Rate Recap, (page 2, part IIB, line 10) per G.L. c. 32, § 22.
- *Self-Insurance Plans for Employee Health Insurance:* If the June 30, 2015 claims trust fund balance is in deficit for cities, towns or regional school districts with such a fund, the deficit must be provided for (1) in a city or town by appropriation or by raising it on the Tax Rate Recap as an Other Amount to be Raised and (2) in a regional school district by providing for it in the FY2016 regional school district budget. The Bureau will notify DESE of any deficit in the regional school district. Any deficit is also a reduction to a city or town's certified free cash or to a regional school district's certified excess and deficiency amount.

Certification of Notes and Receipt of Audit Reports

Audit reports of cities, towns and districts are required if expenditure of federal funds exceed threshold amounts promulgated by the federal Office of Management and Budget. As indicated above, audits of regional school districts are required under G.L. c. 71, § 16A. For FY2016, the Bureau will not certify revenue notes of a city, town, district or regional school district if a required audit for the period ended June 30, 2014 has not been submitted to the Bureau.

Massachusetts Net Metering and Solar Task Force

Final Report to the Legislature

April 30, 2015

generating and selling SRECs. This exemption results in Investor Owned Utility (“IOU”) customers paying for the SRECs generated by projects located in MLPs.

Given the historical exclusion for MLPs from requirements and regulations imposed upon IOUs, the Task Force Members do not recommend any mandates on MLPs at this time. However, the members do suggest that the Legislature explore the following issues with respect to MLPs:

- a. RPS cross-subsidization (i.e., who pays for future SRECs)
- b. MLP customer access to solar (e.g., explore opt-in by MLPs to solar policy structure)
- c. Clarify that MLPs may allow third-party owned on-site distributed generation transactions without undermining their retail franchise.

Further Recommendations

Although not central to the scope of this Task Force, the Task Force recognizes that there could be opportunities to reduce soft costs associated with project permitting, interconnection timing and process, taxes, and financial risk of project incentive revenue streams that could be addressed.

Permitting

In particular, a process to support a uniform and expedited permitting process for small solar installations across the Commonwealth should be explored. While a single state-wide process may not be possible, state legislation can provide significant value by enabling a standardized and expedited process based on best practices to be shared and put in place by Massachusetts municipalities. Examples of states that have successfully implemented such approaches are Vermont, California, and New York, in which efforts have been particularly focused on small systems, generally 25 kilowatts or below.

Interconnection

Task Force Members recommend that the Technical Standards Review Group , DPU, and DOER continue to ensure that the most efficient interconnection practices possible are being utilized, noting that interconnection processes are complex, yet important as they address safety and reliability issues regarding the electric distribution grid.

Taxes

The Task Force Members note that there has been considerable confusion and/or variable treatment at the municipal level of the appropriate approach to taxing of solar facilities, and accordingly recommend that the Legislature should direct the Department of Revenue to provide clear guidance regarding municipal taxation that will have the salutary effect of assisting municipalities and providing greater consistency and certainty for solar developers and owners.

Additionally, the Task Force Members suggest the possibility of authorizing municipalities to grant local tax credits for solar facilities if that is desired by the municipality.

The Task Force Members observe that solar development could be supported via refinements of off-bill revenue.



TOWN OF WAYLAND
MASSACHUSETTS
01778
WAYLAND HISTORICAL COMMISSION

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-7701

June 16, 2015

Colleen Sheehan
Chair Planning Board
41 Cochituate Road
Wayland, MA 01778

RECEIVED

JUN 22 2015

Board of Selectmen
Town of Wayland

Re: Protection of the Scenic Road Glezen Lane

Dear Ms. Sheehan:

The Wayland Historical Commission believes the planned alterations to the west end of Glezen Lane where it intersects with Old Sudbury Road (Route 27) will negatively impact the historic use and character of Glezen Lane, a road designated as a Scenic Road.

Glezen Lane is a Scenic Road in part because of its history and many historic features. The Scenic Road Bylaw lists six criteria to consider when determining whether or not to designate a road as scenic; three of these criteria relate to the history of the road and surrounding features. Moreover, when considering alterations to a scenic road, under the bylaw, the preservation of historic resources must be considered.

There are a number of factors which make Glezen Lane historically significant. Although probably a path during the American Revolution, Glezen Lane was officially laid out as a town road in 1796. Where Glezen Lane intersects with Training Field Road there is a small triangle of land marking what remains of the original nine acres set aside in 1714 as a training field for use by the militia until 1804. At that time, Glezen Lane cut the original militia training field in half. From the Training Field heading west, there are a number of historic homes including the Captain Isaac Glezen House built in 1805, one of only a few remaining Federal style houses with brick ends. Another is the Phineas Glezen House built in 1835 and run as a local dairy farm into the twentieth century by the last of the Glezens. Finally, at the west end of Glezen where it dead ends into Old Sudbury Road are the town-owned conservation lands, called "The Old Cow Common." The fields seen from this end of Glezen Lane are part of what was the original village center of Sudbury Plantation when it was first settled. Moreover, in the spring of 1639, there were two fields designated for general farming, one of which was located between the Old North Cemetery and present-day Glezen Lane. Thus, the history of Glezen Lane includes some of the earliest Wayland history.

The addition of multiple speed bumps and changing the west end of Glezen Lane to prohibit traffic travelling west on Glezen from turning left negatively impacts the historic use and character of Glezen Lane. Wayland residents would no longer be able to drive west on Glezen, enjoy the view of the Cow Common and turn left to follow the Cow Common to the historic center of Sudbury Plantation. Their appreciation and enjoyment of this historic road will be unduly restricted in a way inconsistent with the historic use of Glezen Lane. Moreover, the speed bumps have already negatively impacted the scenic and aesthetic character of the road.

2

The Wayland Historical Commission requests that the Planning Board protect the historic use and character of Glezen Lane by limiting or prohibiting alterations to this Scenic Road.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elisa Scola', with a long horizontal flourish extending to the right.

Elisa Scola
Chair, Wayland Historical Commission

Cc: Cherry Karlson, Chair Board of Selectmen
Mark Lanza, Town Counsel



TOWN OF WAYLAND

MASSACHUSETTS

01778

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

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

TOWN BUILDING
41 COCHITUATE ROAD

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

Date: June 22, 2015
To: Board of Selectmen ↖
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective June 22, 2015:

Jane Purser Youth Advisory Committee
Term Expires: 6/30/17

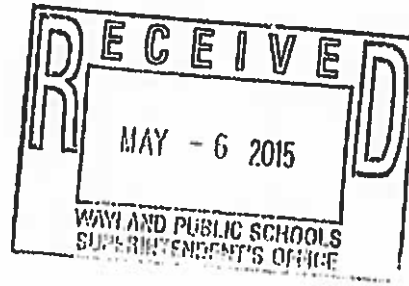
Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator
Dossie Kahn,
Ellen Grieco, Chair School Committee

RECEIVED

JUN 22 2015

Board of Selectmen
Town of Wayland



May 4th, 2015

Jane Purser
6 Hayward Road
Wayland MA, 01778

Dear Wayland School Committee:

I am writing this letter to officially tender my resignation from The Youth Advisory Council Board. My final day will be May 4, 2015.

It has been a great experience being on the board and representing the School Committee. I have gladly accepted the position of Wayland Cares Coordinator and need to step down from the board.

Kind regards,

Jane Purser
Jane Purser

RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2015 JUN 22 AM 10: 21

correspondence

Balmer, Nan

From: Doucette, Elizabeth
Sent: Tuesday, June 23, 2015 1:06 PM
To: Balmer, Nan
Subject: Town Center Gift Account payments to Twenty Wayland

Nan,

Today we paid Twenty Wayland for the 10th and 11th residential units. We now owe \$105,000 of the \$895,000, or 2 2/3 units. After that, we will pay to WWMDC \$175,000 or 4 1/3 units.

Beth

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, June 24, 2015 12:00 PM
To: DiNapoli, MaryAnn
Subject: FW: Public Records Request

Correspondence

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

From: George Harris [mailto:geoharris2@gmail.com]
Sent: Tuesday, June 23, 2015 3:32 PM
To: Balmer, Nan
Subject: Public Records Request

Nan,

Please provide me with all written communications (including emails) between or among attorney James Toomey and the Wayland Board of Selectmen, members of the Board of Selectmen, or yourself from May 1, 2015 to the present. Thank you.

George

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, June 24, 2015 6:54 AM
To: DiNapoli, MaryAnn
Subject: Fwd: MSBA letter

Correspondence

Nan Balmer
(508) 237-1330

Begin forwarded message:

From: "Berry, Dennis" <dberry@NFPA.org>
Date: June 23, 2015 at 10:02:33 PM EDT
To: "Balmer, Nan" <nbalmer@wayland.ma.us>, "Karlson, Cherry" <ckarlson@wayland.ma.us>, "Antes, Mary" <mantes@wayland.ma.us>, "Boschetto, Tony" <tboschetto@yahoo.com>, "Joe Nolan" <inolan@citypointpartners.com> (<inolan@citypointpartners.com>), "Anderson, Lea" <landerson@wayland.ma.us>
Cc: "Mary Ellen Castagno" <mecastagno@aol.com> (<mecastagno@aol.com>), "jeanne_downs@wayland.k12.ma.us" <jeanne_downs@wayland.k12.ma.us>, "Stein, Paul" <pstein@wayland.ma.us>
Subject: RE: MSBA letter

To all,

From the beginning of my involvement in nominating Mary Ellen (actually re-nominating) to the position of our nominee to the MM School Committee, Belmont has time and again come back to the School size issue. It is clear that someone in Belmont has done a lot of work chronicling the background here into a detailed history.

This continues to be one of the vexing issues in front of the Town. I know we have indicated that we would like to withdraw, but how feasible that may be is another issue.

Thanks to Mary Ellen and the others of you who have followed this issue and kept this in the forefront of the town's issues.

Dennis

From: Balmer, Nan [<mailto:nbalmer@wayland.ma.us>]
Sent: Tuesday, June 23, 2015 1:18 PM
To: Karlson, Cherry; Antes, Mary; Boschetto, Tony; Joe Nolan (inolan@citypointpartners.com) (inolan@citypointpartners.com); Anderson, Lea
Cc: Mary Ellen Castagno (mecastagno@aol.com); jeanne_downs@wayland.k12.ma.us; Berry, Dennis; Stein, Paul
Subject: FW: MSBA letter

Attached is correspondence from Belmont Selectmen to MSBA regarding Minuteman project.

From: Cleary, Susan [<mailto:scleary@belmont-ma.gov>]

Sent: Tuesday, June 23, 2015 12:03 PM

To: maureen.valente@massschoolbuildings.org; jack.mccarthy@massschoolbuildings.org; mary.pichetti@massschoolbuildings.org

Cc: Selectmens Mailbox; Kale, David; Marshall, Phyllis; bilodeaum@sudbury.ma.us; gillespie.d@westonmass.org; k.mahoney@minuteman.org; manager@acton-ma.gov; AChapdelaine@town.arlington.ma.us; townadministrator@townofbolton.com; sshaw@boxborough-ma.gov; tgoddard@carlisle.mec.edu; cwhelan@concordma.gov; alogalbo@concordma.gov; selectmen@dovertown.org; cvalente@lexingtonma.gov; higginst@lincolntown.org; KFitzpatrick@needhamma.gov; townadministrator@stow-ma.gov; townmanager@town.sudbury.ma.us; Balmer, Nan; VanderClock.D@westonmass.org; e.bouquillon@minuteman.org

Subject: MSBA letter

Please find attached a letter from the Belmont Board of Selectmen for your consideration. If you have any questions please call David Kale, Town Administrator at 617-993-2612.

Thank you!



KOPELMAN AND PAIGE, P.C.
The Leader in Public Sector Law

101 Arch Street
Boston, MA 02110
T: 617.556.0007
F: 617.654.1735
www.k-plaw.com

June 25, 2015

Patricia A. Cantor
pcantor@k-plaw.com

Clerk, Civil
Middlesex Superior Court
200 Trade Center, 2nd Floor
Woburn, MA 01801

RECEIVED

JUN 29 2015

Re: David Bernstein, et al. v. Wayland Planning Board, et al.
Middlesex Superior Court, C.A. No. 08-0552

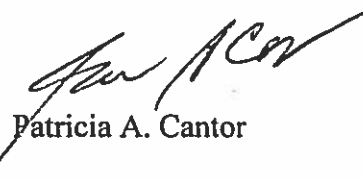
**Board of Selectmen
Town of Wayland**

Dear Sir/Madam:

Enclosed for filing please find a Notice of Withdrawal of Patricia A. Cantor and a Notice of Appearance of Gregg J. Corbo, as counsel for the defendants Wayland Planning Board, William Steinberg, Albert I. Montague, Jr., Daniel Mesnick, Kevin Murphy, Lynne Dunbrack, and Annette Lewis, as members and associate member of the Wayland Planning Board in the above-referenced litigation, and Certificates of Service.

Thank you for your attention to this matter.

Very truly yours,



Patricia A. Cantor

PAC/jam
Enc.

cc: Planning Board
Board of Selectmen ✓
Jeffrey L. Roelofs, Esq.
Daniel P. Dain, Esq.
Adam N. Weisenberg, Esq.
Mark J. Lanza, Esq.

524361/WAYL/0040

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT
C.A. NO. 08-0552

DAVID BERNSTEIN, KATHLEEN
BERNSTEIN, JEFFREY PORTER, JILL
PORTER, SUSAN REED, WILLIAM PETRI,
ARLENE PETRI, TIMOTHY MARSTERS, L.
HOWARD HARTLEY, MARCIA ANNE
HARTLEY, RICHARD MIKELS, DEBORAH
MIKELS, and MICHAEL BATE,

Plaintiffs

v.

WAYLAND PLANNING BOARD,
WILLIAM STEINBERG, ALBERT I.
MONTAGUE, JR., DANIEL MESNICK,
KEVIN MURPHY, and LYNNE
DUNBRACK, as members of the Wayland
Planning Board, ANNETTE LEWIS, as an
associate member of the Wayland Planning
Board, and TWENTY WAYLAND, LLC,

Defendants

NOTICE OF WITHDRAWAL


TO THE CLERK OF THE ABOVE NAMED COURT:

Please enter the Notice of Withdrawal of appearance of Patricia A. Cantor as counsel for the defendants, Wayland Planning Board, William Steinberg, Albert I. Montague, Jr., Daniel Mesnick, Kevin Murphy, Lynne Dunbrack, and Annette Lewis, as members and associate member of the Wayland Planning Board in the above-captioned action.

DEFENDANTS,

WAYLAND PLANNING BOARD

By their attorney,


Patricia A. Cantor (BBO# 072380)
Kopelman and Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110-1109
(617) 556-0007
pcantor@k-plaw.com

Date: June 25, 2015
524364/WAYL/0040

CERTIFICATE OF SERVICE

I, Patricia A. Cantor, hereby certify that on the below date, I served a copy of the foregoing Notice of Withdrawal by first-class mail, postage prepaid, to the following counsel of record:


Jeffrey L. Roelofs, Esq.
Law Offices of Jeffrey L. Roelofs, P.C.
30 Green Street
Newburyport, MA 01950

Daniel P. Dain, Esq.
Brennan, Dain, LeRay & Wiest, P.C.
129 South Street
Boston, MA 02111

Adam N. Weisenberg, Esq.
Goodwin Procter, LLP
Exchange Place
Boston, MA 02109

Mark J. Lanza, Esq.
9 Damonmill Square
Suite 4A4
Concord, MA 01742

Dated: June 25, 2015



Patricia A. Cantor

524364/WAYL/0040

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT
C.A. NO. 08-0552

DAVID BERNSTEIN, KATHLEEN
BERNSTEIN, JEFFREY PORTER, JILL
PORTER, SUSAN REED, WILLIAM PETRI,
ARLENE PETRI, TIMOTHY MARSTERS, L.
HOWARD HARTLEY, MARCIA ANNE
HARTLEY, RICHARD MIKELS, DEBORAH
MIKELS, and MICHAEL BATE,

Plaintiffs

v.

WAYLAND PLANNING BOARD,
WILLIAM STEINBERG, ALBERT I.
MONTAGUE, JR., DANIEL MESNICK,
KEVIN MURPHY, and LYNNE
DUNBRACK, as members of the Wayland
Planning Board, ANNETTE LEWIS, as an
associate member of the Wayland Planning
Board, and TWENTY WAYLAND, LLC,

Defendants

NOTICE OF APPEARANCE

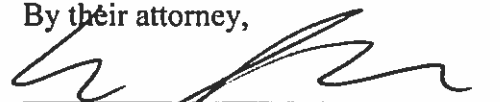
TO THE CLERK OF THE ABOVE NAMED COURT:

Please enter the appearance of Gregg J. Corbo as counsel for the defendants Wayland Planning Board, William Steinberg, Albert I. Montague, Jr., Daniel Mesnick, Kevin Murphy, Lynne Dunbrack, and Annette Lewis, as members and associate member of the Wayland Planning Board in the above-captioned action.

DEFENDANTS,

WAYLAND PLANNING BOARD

By their attorney,



Gregg J. Corbo (BBO# 641459)
Kopelman and Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110-1109
(617) 556-0007
gcorbo@k-plaw.com

Date: _____

524363/WAYL/0040

6/24/15

CERTIFICATE OF SERVICE

I, Gregg J. Corbo, hereby certify that on the below date, I served a copy of the foregoing Notice of Appearance by first-class mail, postage prepaid, to the following counsel of record:

Jeffrey L. Roelofs, Esq.
Law Offices of Jeffrey L. Roelofs, P.C.
30 Green Street
Newburyport, MA 01950

Daniel P. Dain, Esq.
Brennan, Dain, LeRay & Wiest, P.C.
129 South Street
Boston, MA 02111

Adam N. Weisenberg, Esq.
Goodwin Procter, LLP
Exchange Place
Boston, MA 02109

Mark J. Lanza, Esq.
9 Damonmill Square
Suite 4A4
Concord, MA 01742

Dated: _____

6/28/15



Gregg J. Corbo

524363/WAYL/0040

JEFFREY L. ROELOFS, P.C.

ENVIRONMENTAL AND LAND USE LAW

Newburyport

RECEIVED

JUN 29 2015

**Board of Selectmen
Town of Wayland**

Jeffrey L. Roelofs
30 Green Street
Newburyport, MA 01950

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

June 25, 2015

By Certified Mail,
RRR #70123460000204884355
Wayland Town Clerk
Wayland Town Hall
41 Cochituate Road
Wayland, Massachusetts 01778

By Certified Mail,
RRR #70123460000204884362
Frederic Turkington, Town Administrator
Wayland Town Hall
41 Cochituate Road
Wayland, Massachusetts 01778

By Certified Mail,
RRR #70123460000204884379
Nan Balmer, Town Administrator
Wayland Town Hall
41 Cochituate Road
Wayland, Massachusetts 01778

Re: **Notice of Default of Judgment on Count II of Plaintiffs' Amended Complaint in *Bernstein, et al. v. Wayland Planning Board, et al.*, Middlesex Superior Court Civil Action Number 08-0552**

Dear Ms. Klein, Ms. Balmer and Mr. Turkington:

This Notice of Default is provided on behalf of Jeffrey and Jill Porter and David and Kathleen Bernstein ("Plaintiffs") pursuant to Sections II(B) and (D) of the Judgment on Count II of the Plaintiffs' Amended Complaint issued in the above-referenced civil action (the "Judgment"). This Notice of Default supplements Plaintiffs' previous Notices of Default to the Town dated April 10, 2015 and August 27, 2014.

The Town of Wayland has further breached the Judgment by (1) filing with the Superior Court the previously-served Motion for Temporary Relief from Judgment, (2) refusing to oppose the Motion to Intervene recently served in this action by counsel to Eleanor and Wildon Farwell (such refusal communicated by Town Counsel), (3) affirmatively supporting the Motion to Intervene through affidavits provided by the Police Chief and Fire Chief, copies of which were served with and in support of the Motion to Intervene, (4) subsequently refusing to seek the rescission of those affidavits (as communicated by Town Counsel), and (5) on information and belief, actively encouraging third parties to retain counsel to seek to intervene in this action to challenge the Judgment.

Refusing to defend the Judgment against the Farwell's effort to void it and the Police Chief's and Fire Chief's affidavits in support of that effort constitute breaches of the Town's commitments in the Judgment, including:

- Section II(C) of the Judgment, requiring the Town to "defend against" efforts by "any person or entity ... seeking to prevent Wayland's performance under [the] Judgment" and to "take all steps necessary ... to otherwise secure performance of Wayland's obligations set forth in [the] judgment."
- Section II(F), requiring the Town to "cooperate and to act in good faith to achieve the terms and objectives of [the] Judgment."
- Section II(G), which provides that "[the] Judgment may not be modified except pursuant to a written amendment executed ... by all Plaintiffs who still reside in Wayland at the time any such amendment is executed."

In the Judgment (and also the Agreement for Judgment), Wayland expressly agreed that "the measures set forth in this Judgment are warranted and appropriate to address through traffic on Glezen Lane in the Town of Wayland generated by the Town Center Project, and are consistent with valid municipal planning purposes to promote public health, safety, and welfare in the Glezen Lane area of Wayland." Ex. C, Judgment, Preamble ¶ 5, p. 2.

Pursuant to Section II(B), Plaintiffs will "institute proceedings to enforce this Judgment and to compel specific performance," and Plaintiffs will seek to recover from the Town all attorney fees and costs incurred by Plaintiffs in connection with their enforcement of the Judgment – including all fees and costs incurred by Plaintiffs to oppose the Town's Motion for Temporary Relief and to unilaterally oppose the recently-served Motion to Intervene.

Sincerely,



Jeffrey L. Roelofs

cc: Mark J. Lanza, Town Counsel (By Certified Mail, RRR # 70123460000204884386)
Patricia A. Cantor, Special Counsel (By Certified Mail, RRR # 70123460000204884393)
Jeffrey Porter (by email)
David Bernstein (by email)



TOWN OF WAYLAND
MASSACHUSETTS
01778

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-7701
FAX: (508) 358-3627

June 25, 2015

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

RE: David Bernstein, et al v. Town of Wayland Planning Board,
et al; Docket No. MICV2008-00552-D

Dear Madam/Sir:

Enclosed with respect to the above-referenced action please find the Town of Wayland Defendants' Memorandum of Law in Reply to Plaintiffs' Opposition to Town of Wayland Defendants' Motion for Temporary Relief from Judgment.

Please docket and file this document.

Thank you for your attention to this matter.

Sincerely yours,

Mark J. Lanza
Town Counsel

MJL/ms
Enclosure
cc Jeffrey L. Roelofs, Esq. (w/ encl.)
Twenty Wayland, LLC (w/ encl.)
Board of Selectmen (w/ encl.) ✓
Planning Board (w/ encl.)
Board of Public Works (w/ encl.)

RECEIVED

JUN 24 2015

Board of Selectmen
Town of Wayland

9

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2008-00552

DAVID BERNSTEIN, KATHLEEN BERNSTEIN,)
JEFFREY PORTER, JILL PORTER, SUSAN)
REED, WILLIAM PETRI, ARLENE PETRI,)
TIMOTHY MARSTERS, L. HOWARD HARTLEY,)
MARCIA ANNE HARTLEY, RICHARD MIKELS,)
DEBORAH MIKELS, and MICHAEL BATE,)

Plaintiffs,)

v.)

WAYLAND PLANNING BOARD,)
WILLIAM STEINBERG, ALBERT I. MONTAGUE,)
JR., DANIEL MESNICK, KEVIN MURPHY,)
and LYNNE DUNBRACK, as members of the)
Wayland Planning Board, ANETTE LEWIS,)
as an associate member of the Wayland)
Planning Board, TOWN OF WAYLAND,)
WAYLAND BOARD OF SELECTMEN, AND)
WAYLAND BOARD OF ROAD COMMISSIONERS,)
and TWENTY WAYLAND, LLC,)

Defendants.)

**TOWN OF WAYLAND DEFENDANTS' MEMORANDUM OF LAW IN REPLY TO
PLAINTIFFS' OPPOSITION TO TOWN OF WAYLAND DEFENDANTS' MOTION FOR
TEMPORARY RELIEF FROM JUDGMENT ON COUNT II OF PLAINTIFFS'
AMENDED COMPLAINT**

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

Road Commissioners, by and through its successor, the Wayland Board of Public Works¹ (collectively, the "Town Parties"), Defendants in the above-captioned action, respectfully submit the following memorandum in reply to Plaintiffs' Opposition to the Town Parties' Motion for Temporary Relief from the Judgment on Count II of Plaintiffs' Amended Complaint entered in this action on July 14, 2008 (the "Judgment").

ARGUMENT

I. THIS COURT HAS AUTHORITY UNDER MASS. R. CIV. P.60(B) (6) TO ALLOW TEMPORARY RELIEF FROM THE JUDGMENT ENTERED PURSUANT TO THE PARTIES' AGREEMENT.

Relief under Rule 60 (b) (6) is limited to instances "when the vacating of judgment is justified by some reason other than those stated in subdivisions (1) through (5)." Chavoor v. Lewis, 383 Mass. 801, 806 (1981). A motion pursuant to rule 60 (b) (6) is addressed to the discretion of the judge, see Trustees of the Stigmatine Fathers, Inc. v. Secretary of Admin. & Fin., 369 Mass. 562 , 565-566 (1976), and the court's action "will not be reversed on appeal save for abuse." Clarke v. Burkle, 570 F.2d 824, 830 (8th Cir. 1978). See Schulz v. Black, 369 Mass. 958 (1975). Furthermore, rule 60 (b) (6) motions may be brought within a reasonable time, and the determination of what constitutes a reasonable time also is "addressed solely to the judge's discretion." Chavoor supra 383 Mass. at 805 n. 4. Rule

60 (b) (6) vests "power in courts adequate to enable them to vacate judgments whenever such action is appropriate to accomplish justice." Klapprott v. United States, 335 U.S. 601, 615 (1949).

As a general rule, "[a] court is powerless to enlarge or contract the dimensions of a true consent decree except upon (i) the parties' further agreement or (ii) litigation of newly-emergent issues." Pearson v. Fair, 808 F.2d 163, 166 (1st Cir. 1986). See generally 46 Am. Jur. 2d Judgments Section 688, at 840 (1969 & 1989 Supp.). However, in exceptional circumstances, a court may grant relief from a consent judgment pursuant to Rule 60(b)(6). See Parrell v. Keenan, 309 Mass. 809 (1983) (judge acted within his discretion in allowing the plaintiff's motion under Rule 60 (b) (6) for relief from a judgment awarding her only property damages, to the exclusion of her substantial personal injury claim, where the judge found that the plaintiff's insurer had acted without her authority in executing a release and an agreement for judgment on her behalf). See also, Bowers v. Board of Appeals of Marshfield, 16 Mass. App. Ct. 29, 33 (1983), (relief from the portion of consent judgment restricting use of the adjoining lots for parking where town selectmen's lacked authority to encumber the lots warranted relief from the judgment under Mass. R. Civ. P. 60(b)(6)). For the reasons discussed in the Town Parties'

Motion for Temporary Relief from Judgment and below, such exceptional circumstances exist in this case.

The Town must comply with the applicable bid laws before proceeding with the construction of the physical alterations. The Town Parties lack authority to waive or grant relief from the competitive bid requirements.

Current traffic conditions, which were impossible to predict when the judgment was entered and are the foundation upon which the Judgment was based, cannot be accurately measured in the absence of the requested temporary relief.

Further, proceeding with the physical alterations may compromise the safety of the public. The safety of the public is paramount to strict adherence to the terms of the Judgment.

Lastly, the Town Parties are not seeking to modify the substantive terms of the Judgment. They are requesting suspension of some of its terms on a temporary basis.

CONCLUSION

For all of the foregoing reasons and the reasons set forth the Town Parties' Memorandum of Law dated April 16, 2015, the Town Parties' Motion for Temporary Relief from the Judgment on Count II of Plaintiffs' Amended Complaint entered in this action on July 14, 2008 should be allowed.

Respectfully submitted,
The Town Parties, by their attorney,

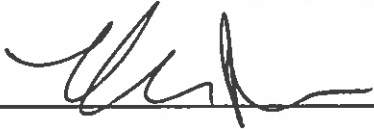


Mark J. Lanza BBO # 549994
Town Counsel, Town of Wayland
41 Cochituate Road
Wayland, MA 01778
(508) 358-3624 or (978) 369-9100

Dated: June 24, 2015

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2015, a copy of the foregoing document was served on the Plaintiffs by sending a copy thereof to their counsel of record, and on the Defendant Twenty Wayland, LLC, which is pro se, by sending a copy thereof to its Manager of record at its address of record, both via first class mail, postage prepaid.



Mark J. Lanza



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

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

June 29, 2015

Senator Richard Ross
State House
Room 419
Boston MA 02133

Dear Senator Ross:

At its 2015 Annual Town Meeting, held on April 6, 2015, the Town of Wayland voted to authorize the town to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. At its regular meeting on June 24, 2015, the Board of Selectmen voted as follows:

The Board of Selectmen respectfully petitions 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 Massachusetts, and all other applicable laws, to enact a Special Act authorizing the Board of Selectmen to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Massachusetts General Laws Chapter 138 Section 15 to be exercised by a licensee at a premises located in the Wayland Town Center Mixed Use Development Site, which is shown on Assessors Map 23 as Parcels 52, 52C, 52E through 52S, and 165 through 206, substantially the same as the Special Act printed on Page 90 of the Warrant for the 2015 Annual Town Meeting, as revised at said Town Meeting.

Sincerely,

Cherry C. Karlson
Chair, Board of Selectmen

cc: Board of Selectmen
Nan Balmer, Town Administrator



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

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

June 29, 2015

Representative Carmine L. Gentile
State House
Room 39
Boston MA 02133

Dear Representative Gentile:

At its 2015 Annual Town Meeting, held on April 6, 2015, the Town of Wayland voted to authorize the town to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. At its regular meeting on June 24, 2015, the Board of Selectmen voted as follows:

The Board of Selectmen respectfully petitions 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 Massachusetts, and all other applicable laws, to enact a Special Act authorizing the Board of Selectmen to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Massachusetts General Laws Chapter 138 Section 15 to be exercised by a licensee at a premises located in the Wayland Town Center Mixed Use Development Site, which is shown on Assessors Map 23 as Parcels 52, 52C, 52E through 52S, and 165 through 206, substantially the same as the Special Act printed on Page 90 of the Warrant for the 2015 Annual Town Meeting, as revised at said Town Meeting.

Sincerely,

Cherry C. Karlson
Chair, Board of Selectmen

cc: Board of Selectmen
Nan Balmer, Town Administrator



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

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

June 29, 2015

Representative Alice Hanlon Peisch
State House
Room 473G
Boston MA 02133

Dear Representative Peisch:

At its 2015 Annual Town Meeting, held on April 6, 2015, the Town of Wayland voted to authorize the town to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. At its regular meeting on June 24, 2015, the Board of Selectmen voted as follows:

The Board of Selectmen respectfully petitions 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 Massachusetts, and all other applicable laws, to enact a Special Act authorizing the Board of Selectmen to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Massachusetts General Laws Chapter 138 Section 15 to be exercised by a licensee at a premises located in the Wayland Town Center Mixed Use Development Site, which is shown on Assessors Map 23 as Parcels 52, 52C, 52E through 52S, and 165 through 206, substantially the same as the Special Act printed on Page 90 of the Warrant for the 2015 Annual Town Meeting, as revised at said Town Meeting.

Sincerely,

Cherry C. Karlson
Chair, Board of Selectmen

cc: Board of Selectmen
Nan Balmer, Town Administrator



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

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JUL -2 2015

**Board of Selectmen
Town of Wayland**

John Kwon
c/o GLM Engineering Consultants, Inc.
19 Exchange Street
Holliston, MA 01746
Attn: Joyce E. Hastings, P.L.S.

RE: ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE
Waterways License Application No. W15-4378, License No. 13908
Dudley Pond, Wayland, Middlesex County

JUN 29 2015

Dear Licensee,

The Department of Environmental Protection hereby issues the above-referenced Waterways license, enclosed, authorizing you to perform certain activities pursuant to M.G.L. c. 91, the Public Waterfront Act and its regulations 310 CMR 9.00. Any change in use or alteration of any structure or fill not authorized by this license shall render this license void.

This License is not final until all administrative appeal periods from this License have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed. The appeal period is for twenty-one (21) days. No work shall be undertaken until the License has become final and has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property

RECORDING OF THE LICENSE

This License must be recorded at the County Registry of Deeds or, if registered land, with the Land Registration Office within sixty (60) days from the date of license issuance. In the case of recorded land, the License shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the project is located. In the case of the registered land, the License shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the project is located. Failure to record this license within sixty (60) days of the date of issuance will render this license void pursuant to 310 CMR 9.18.

A Waterways License Recordation Notice Form has been enclosed for your use in notifying the Department of the recording information for this License. Failure to notify the Department of the recording of this license is a violation of 310 CMR 9.00 and is subject to enforcement action by the Department.



RE: ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE

Waterways License Application No. W15-4378, License No. 13675

Dudley Pond, Wayland, Middlesex County

- (f) a clear statement that a formal adjudicatory hearing is being requested;
- (g) a clear statement of the facts which are the grounds for the proceedings, the specific objections to the MassDEP's written decision, and the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written decision; and
- (h) a statement that a copy of the request has been sent to: the applicant and the municipal official of the city or town where the project is located.

DISMISSAL OF REQUEST

The request for appeal will be dismissed if the filing fee is not paid, unless the appellant is exempt or is granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

Please feel free to contact David B. Slagle of the Waterways Regulation Program, (617) 654-6520, if you have any questions pertaining to the recording of your Waterways license or Certificate of Compliance.

Sincerely,



Ben Lynch
Program Chief
Waterways Regulation Program

cc: Wayland, Board of Selectmen
Wayland, Conservation Commission
Wayland, Planning Board
Wayland, Harbormaster

Ecc: DEP/CE Wetlands File #
EOEEA, MEPA Unit File #

Enclosure(s) Waterways License # **13908**
Notification of Waterways License Recordation form

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

RE: Payment of fees for Waterways License No. 13908
Application No. W15-4378

Dear Sir:

Enclosed is the required fee for the referenced license.

Sincerely,

* Please attach and send payment to the above address

Michael Girvan
Waterways Regulation Program
Department of Environmental Protection
1 Winter Street, 5th Floor
Boston, Massachusetts 02108

**RE: NOTIFICATION OF RECORDING THE WATERWAYS LICENSE
Waterways License No. 13908
Dudley Pond, Wayland, Middlesex County**

Dear Mr. Girvan:

This is to notify you that the above referenced Waterways license was recorded with the appropriate Registry of Deeds/ Land Court for this project location and to provide your office with the following recordation information.

Date of Recordation: _____
County Registry of Deeds/ Land Court: _____
Book number _____, **and page number(s)** _____.

We will apply for a Certificate of Compliance with your office when the authorized work or change in use is completed.

Sincerely,

_____, Chapter 91 Waterways Licensee

License is void if not recorded within sixty (60) days of issuance.

The Commonwealth Of Massachusetts



No. **13908**

SIMPLIFIED LICENSE
BRP WW06

Applicant must fill in pages 1 and 2 of this license.

John Kwon of the Town/City of: Wayland in: Middlesex
Applicant's name Town/City County

County and Commonwealth aforesaid, has applied to the Department of Environmental Protection for a Simplified License to:

Please check:

maintain an existing (pre-1984):

construct a proposed or maintain an existing (post-1984):

Please check all that apply below:

Please check all that apply below:

- pier/dock
- boat ramp
- ramp
- float(s)
- pile(s)
- boat lift
- boat house
- retaining wall/seawall
- bulkhead
- rip rap/stone revetment
- groin(s)
- Nonwater-dependent (NWD) residence
- other _____

- pier/dock
- ramp
- float(s)
- pile(s)
- boat lift
- pile-supported boat house
- other _____

and has submitted plans of the same; and whereas due notice of said application has been given, as required by law, to the [Please check one.] Board of Selectmen Mayor and City Council, of the Town/City of:

Wayland

Town/City

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses said Licensee, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to:

Please check all that apply:

Please check all that apply:

- maintain existing structure(s) for:
- non commercial docking/access to navigable water
 - shoreline stabilization
 - residential, NWD building
 - other _____

- construct and maintain structure(s) for:
- non commercial docking/access to navigable water
 - other _____

in and over the waters of:

Dudley Pond

Waterway

in the Town/City of:

Wayland

Town/City

and in accordance with the locations shown and details indicated on the accompanying License Sketch Plan No. **DEP USE**

ONLY 13908 (total number of Sheet(s): **FOR DEPT USE ONLY** 1)

The total area of the combined structures, measured below mean/ordinary high water shall be no greater than a total of 600 square feet for proposed water-dependent structures, or for structures built or substantially altered after January 1, 1984 without any fill. For structures or fill constructed prior to January 1, 1984 and not substantially altered since that date: any structures and fill, either water-dependent or nonwater-dependent, total no more than 600 square feet. In both instances structure is not a marina (i.e. does not serve ten or more vessels). Dimensions of all structures are shown on the accompanying plan(s).

"I hereby make application for a License to authorize the activities I have described herein. Upon my signature, I agree to allow the duly authorized representative of the Massachusetts Department of Environmental Protection to enter upon the premises of the project site at reasonable times for the purpose of inspection. I hereby certify that the information submitted in this document is true and accurate to the best of my knowledge. And, upon my signature, that I have read the License and conditions and agree to the terms and conditions set forth herein."

BOX A:

Joyce E. Hastings, P.L.S.
Print Name

GLM Engineering Consultants, Inc, 19 Exchange Street
Mailing Address

Holliston
City/Town (not village)

MA 01746 Middlesex
State Zip Code County

508-429-1100 joyce.hastings@glmengineering.com
(area code) telephone e-mail

Notification: Your signature to the right certifies that you have notified the entities as checked off in the boxes below.

J. Hastings 3/4/2015
Signature of applicant Date

Notification of application has been provided to: (please check)

- Local Conservation Commission
- Board of Selectman
- Mayor and City Council
- Zoning Authority
- Planning Board
- Abutters
- Interested Parties
- Landowner (if not applicant)

BOX B:

If site address is different from mailing address:

107 Dudley Road
Site Address of the structures

Wayland
City/Town

MA 01778 Middlesex
State Zip Code County

BOX C:

If the applicant is different than the owner:

John Kwon
Owner

Joyce E. Hastings, P.L.S. - GLM Engineering Consultants, Inc.
Engineer/Agent

NOTE: This License is not valid until such time as it has been numbered and signed by the appropriate State officials (see page 5) and recorded at the Registry of Deeds.

NOTE: This License is not valid until such time as it has been numbered and signed by the appropriate State officials (see page 5) and recorded at the Registry of Deeds.

USE: The structures authorized herein shall be for private non-commercial use of the licensee. The structures shall not be used for commercial purposes, leased, rented or otherwise let for compensation. Any change in use shall require an amendment to this license by the Department. The structures authorized herein shall be limited to the following uses: noncommercial docking and boating access to navigable waters.

TERM: This License shall have an unlimited term.

WATERWAYS CONDITIONS:

1. **ACCESS:** In accordance with any License condition, easement, or other public right of lateral passage that exists in the area of the subject property lying between the high and low water marks" or "below the ordinary high water mark", the Licensee shall allow the public in the exercise of such rights to pass freely over, under or around all structures within such (intertidal) area. Accordingly, the Licensee shall place and maintain, in good repair, a public access sign on the easterly/westerly or northerly/southerly sides of the pier/dock, authorized herein or at each property line, adjacent to the high water shoreline. Said signs shall comply with the Department's signage guidelines (see instructions) and shall be posted immediately upon license issuance or completion of construction. Nothing in this condition shall be construed as preventing the Licensee from excluding the public from portions of said structure(s) or property not intended for lateral passage.

In partial compensation for the private use of structures and/or fill on tidelands and/or private tidelands and/or Great Ponds which interferes with the rights of the public to use such lands, the Licensee shall allow the public to pass on foot, for any purpose and from dawn to dusk, within the area of the subject property lying seaward of the high water mark or, for Great Ponds within the public access way delineated on the License plan/or within 5 feet of the ordinary high water shoreline. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the area intended for public passage, including but not limited to trespassing on adjacent private areas and deposit of refuse of any kind or nature in the water or on the shore. Further, the exercise by the public of free on-foot passage in accordance with this condition shall be considered a permitted use to which the limited liability provisions of M.G.L. c.21, s17c shall apply.

2. This License authorizes structure(s) and/or fill on:

FOR DEPT USE ONLY

<input type="checkbox"/> Private Tidelands	In accordance with the public easement that exists by law on private tidelands, the Licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, strolling and the natural derivatives thereof.
<input type="checkbox"/> Commonwealth Tidelands	The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. The Commonwealth holds said lands in trust for the benefit of the public.
<input checked="" type="checkbox"/> Great Pond	The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.
<input type="checkbox"/> Navigable River or Stream	The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.

3. Unless otherwise expressly provided by this license, the Licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon. No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.

4. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
5. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This License may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
6. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein.
7. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner(s) thereof.
8. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to G.L. Chapter 131, s.40, the Wetlands Protection Act.

CONSTRUCTION:

- 9a. The project shall not significantly interfere with littoral or riparian property owners' rights to access and egress their property from the waterway. All structures shall be set back, at a minimum, at least twenty-five (25) feet from abutting property lines, where feasible.
- 9b. Structures shall not extend beyond the length of existing piers used for similar purposes; in no case shall the length extend more than $\frac{1}{4}$ of the way across a water body and shall conform to the square footage requirements as stated in Construction Condition 9a.
- 9c. Within areas of salt marsh, structures shall be constructed with a minimum height of 4 feet above ground level measured from the bottom of the stringer, and maximum width of 4 feet, or at a 1:1 ratio so as not to have an adverse impact on the salt marsh or aquatic vegetation. Whereas, the width of the pier maybe equal to but not greater than the height. Any ladders shall be constructed of durable materials, shall be fixed to the pier in such a manner so as not to rest on the marsh, shall have a minimum width of 2.0 feet, and shall have adequate railings extending above the pier/dock decking in order to facilitate safe passage.
- 9d. When removed, all seasonal structures shall be stored landward of the mean or ordinary high water shoreline, vegetated wetlands, dunes and all wetland resource areas. Said storage shall be in conformance with any applicable local, state or federal requirements.
- 9e. The float(s) shall be constructed with an appropriate number of piles/pipes, legs or stop blocks attached to the float structural elements in order to maintain at least 24 inches of clearance off the bottom at extreme low tides.
- 9f. All work authorized herein shall be completed within five (5) years of the date of License issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department, thirty (30) days prior to the expiration of said construction period, a written request to extend the period and provides an adequate justification for said extension.

DOCKING OF VESSELS:

- 10a. Motorized vessels shall be moored stern seaward of the float and shall have a draft no greater than that which provides a minimum of one foot clearance from the bottom at extreme low water. Where eelgrass is present, vessels shall not have any adverse affects on eelgrass in the area.

10b. Vessels shall be moored such that they do not become grounded at any tide.

10c. No dredging (including, but not limited to effects of prop wash) is permitted herein.

10d. No boat moored at any dock may block or unduly impede navigation within the waterway or the use of any adjacent dock.

COMPLIANCE

The Licensee, within sixty (60) days of completion of the licensed project, shall submit a written statement to the Department that the project has been completed in substantial conformance with the conditions and plans of said license, or a copy of the Certificate of Compliance for this project issued pursuant to the Wetlands Protection Act (if the project was previously issued an Order of Conditions or Superseding Order of Conditions under said Act).

This License shall be void unless the License and the accompanying plan(s) are recorded within 60 days from the date hereof, in the Registry of Deeds for the said County.

Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein. This License is granted upon the express condition that any and all other applicable authorizations required due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity of use authorized pursuant to this License.

FOR DEP USE ONLY

THE COMMONWEALTH OF MASSACHUSETTS

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands on this

29 day of June in the year 2015
date month year

Commissioner [Signature]
Program Chief [Signature]

Department of
Environmental
Protection

THE COMMONWEALTH OF MASSACHUSETTS

This License is approved in consideration of the payment into the treasury of the Commonwealth by said —
John Kwon of the further sum of Two hundred and ten dollars and zero cents (\$210.00)
Applicant Amount

The amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

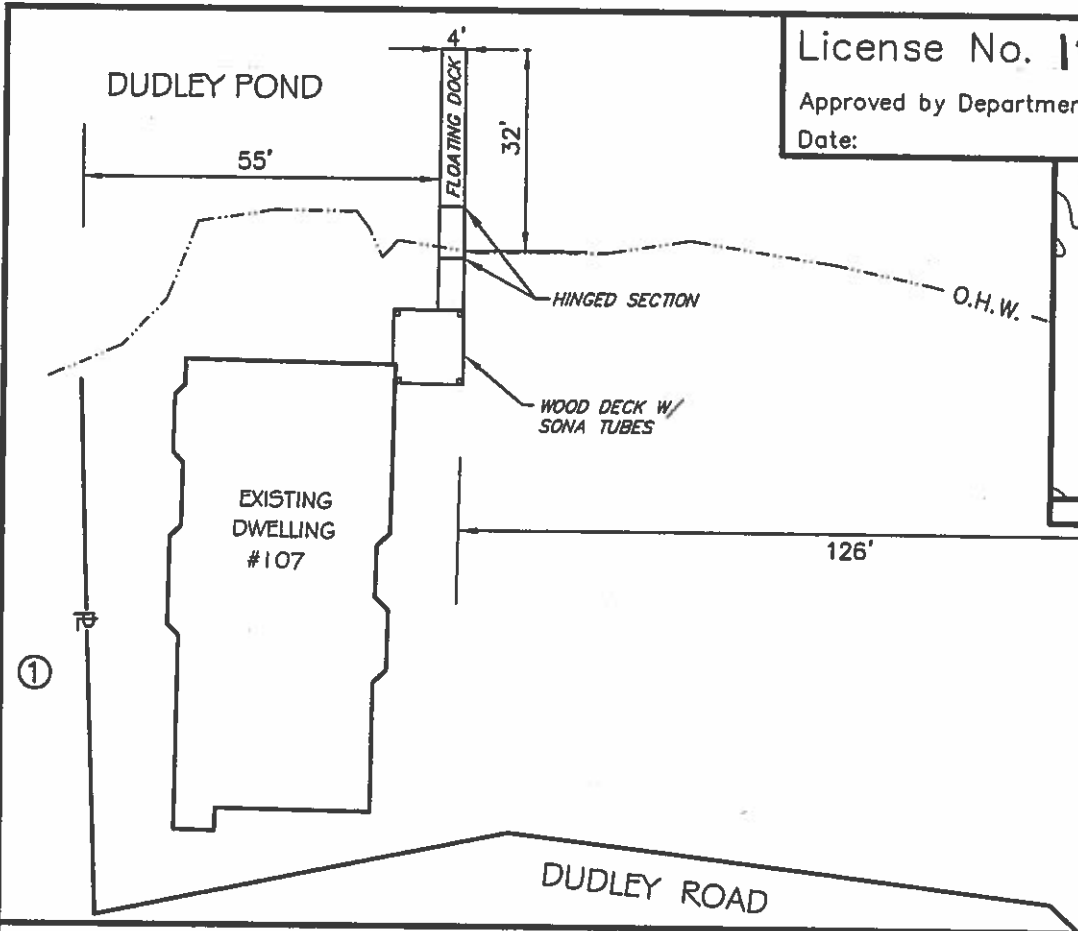
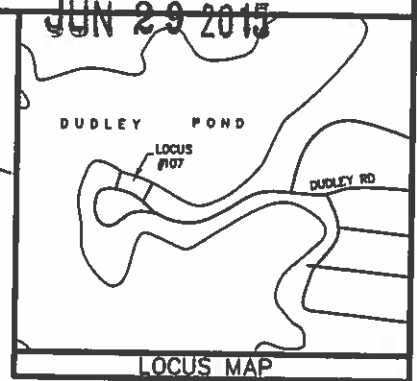
Approved by the Governor.

Boston
[Signature]
Governor

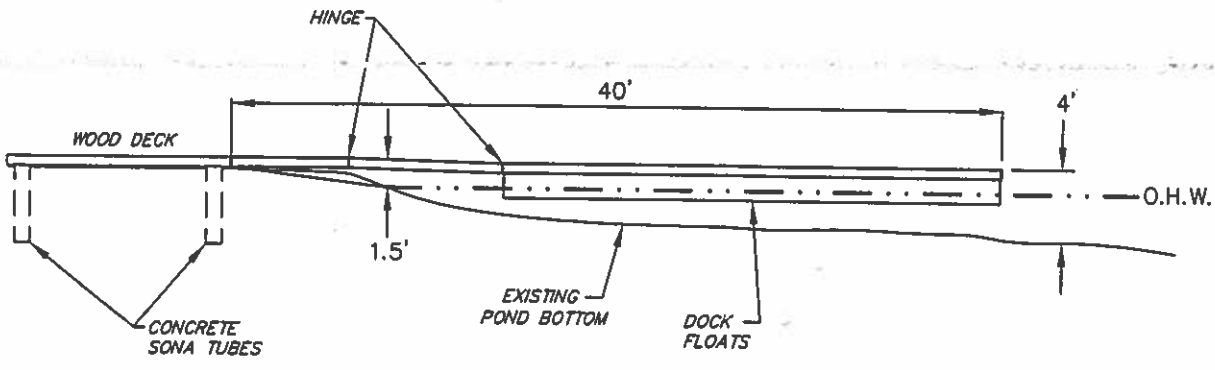
License No. 13908

Approved by Department of Environmental Protection
Date:

JUN 29 2015



PLAN VIEW
SCALE: 1"=30'



PROFILE VIEW
SCALE: 1"=10'

Purpose: Simplified Licensing
Adjacent Property Owners:
1. David Kershaw & Maureen Murray
2. Nancy E. Newhall

Plan Accompanying Petition of:
John Kwon
#107 Dudley Road
Wayland, MA 01778

Project Description: Floating Dock
In: Dudley Pond
At: Wayland
County of: Middlesex
State: MA
By Applicant: John Kwon
Date: 2/23/2015 Sheet: 1 of 1



**Town of Arlington
Office of the Town Manager**

**Adam W. Chapdelaine
Town Manager**

**730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010
Fax (781) 316-3019
E-mail: achapdelaine@town.arlington.ma.us
Website: www.arlingtonma.gov**

**To: Members of the Minuteman School Committee
Dr. Ed Bouquillon, Superintendent
Minuteman District Member Town Managers/Administrators
Maureen Valente, Chief Executive Officer of the MSBA
State Senator Kenneth Donnelly
State Representative Sean Garballey
State Representative Dave Rogers**

From: Adam Chapdelaine, Town Manager

RE: Arlington Board of Selectmen Vote – District Wide Ballot

Date: July 1, 2015

Please find the attached vote of the Arlington Board of Selectmen, unanimously adopted at its meeting of June 29, 2015. As you will see, this vote restates the Board's commitment to a collaborative dialogue regarding Minuteman governance and school building issues, but clearly states its opposition to the pursuit of a district wide ballot initiative for approval of the currently proposed school building project.

If you have any questions in regard to this issue, please do not hesitate to contact me.

In light of recent public comments by the Superintendent of the Minuteman Regional Vocational Technical High School District regarding the initiation of a district wide ballot initiative to support a school building project, the Arlington Board of Selectmen hereby adopts the following position statement:

- 1) The Arlington Board of Selectmen has long supported vocational and technical academic opportunities in partnership with the Minuteman School District.
- 2) Representatives of Arlington's Board of Selectmen, Finance Committee and other Town officials have worked tirelessly for the past several years to revise the regional agreement to allow for a collaborative approach among member towns' leadership to approving a school building project. This collaborative approach was also evidenced by the Board's approval of the Needham resolution.
- 3) These Representatives remain committed to such a collaborative process focused on a revised agreement that will augment district sustainability and equity.
- 4) As a direct referendum bypasses each Town's elected representatives who have spent many month and years working to improve Minuteman's physical and operational capacity, the Arlington Board of Selectmen is steadfastly opposed to the Minuteman School Committee pursuing the initiation of the district wide ballot initiative regarding the proposed school building project. Pursuing such a path is not compatible with a collaborative process and undermines trust between Town leadership and the leadership of the regional school district.
- 5) The Arlington Board of Selectmen does not believe that an adequate analysis and resulting methodology has been offered to support the school enrollment figure currently being proposed.
- 6) The Arlington Board of Selectmen does not currently support the proposed building project as the conditions outlined by both the Board and the Finance Committee in 2012 have not been met. These conditions are as follows:
 - Amend the MSBA statute to allow for a greater reimbursement for the Minuteman project. This may come in the form of a change in the formula that recognizes the higher costs of building a vocational school, a change in the formula that recognizes the demographics of all enrollees in the school, not just the member town enrollees, or a change that allows for 100% capital reimbursement for non-member students. Arlington is also interested in the possibility of a non-MSBA state appropriation that could be directed to the project.
 - Make the following changes to the regional agreement:
 - A. Adopt a Capital Apportionment Model that provides a fair share of the project be paid by Arlington. That model might include a common share, wealth factors described in the DESE "Combined Effort", and enrollment; use of other funding sources; or other creative solutions.
 - B. Adoption/Voting Formula – A change to the regional agreement that would require Minuteman's annual operating budget to be approved by 11 town legislative bodies that represent at least two-thirds of the in-district enrollment.
 - C. Exit Provision – A change to the regional agreement that would allow for member communities to exit the district without unanimous consent of all member communities. This proposed provision would require any member community interested in exiting to pay capital costs for a pre-determined amount of time after their exit.



TOWN OF WAYLAND

MASSACHUSETTS

01778

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

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

TOWN BUILDING
41 COCHITUATE ROAD

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

Date: July 8, 2015
To: Board of Selectmen ✓
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective July 8, 2015:

Gordon Cliff Audit Committee
Term Expires: 6/30/17

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

cc: Nan Balmer, Town Administrator
Nancy Funkhouser, Finance Committee

July 8, 2015

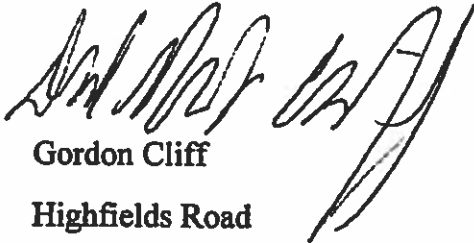
c/o Beth Klein

To whom it may concern,

I have been appointed to Wayland's Finance Committee. By this note I am therefore informing you that I am resigning from the Audit Committee.

Please let me know if you have any questions/concerns or need any additional information.

Regards and thanks,



Gordon Cliff
Highfields Road

DATE: July 8, 2015
TO: Clifford Lewis, Chairman OPEB Committee
FROM: Nan Balmer, Town Administrator *NB*
RE: OPEB Special Act Responsibilities

The Finance Director, Treasurer and I reviewed with Special OPEB Counsel Brian Fox our responsibilities under the Special Act establishing the OPEB fund. Our understanding from Attorney Fox is:

1. The Town Administrator and Finance Director are responsible for supervision and management of the fund and the Treasurer acts as Custodian of the fund. Together these three town officials are responsible to act as prudent investors under MGL 203C, act in the best interests of the retirees and future retirees and ensure the funds are managed with no conflict of interest. The three officials are held out as experts in investment. To the extent these officials are not experts in investment, they have a duty to employ an investment expert. The size of Wayland's OPEB fund makes it clear that an expert must be hired through a legal procurement process.
2. The Town Administrator and Finance Director are, effectively, the Trustees of the OPEB fund and are responsible for setting goals for the fund and setting the Investment Policy. The Investment Policy adopted by the Board of Selectmen can be considered in setting the Investment Policy.
3. The Treasurer is responsible for regular reporting to the Town Administrator and Finance Director to provide monitoring to insure the funds continue to be prudently invested. Funds must be invested consistent with MGL 203C.

The Finance Director, Town Administrator and Treasurer discussed this information and agreed:

1. The OPEB Fund must be managed as required under the Special Act and, unless the Special Act is changed, the Town Administrator, Finance Director and Treasurer must fulfill their duties as spelled out under the Special Act.
2. The Town Administrator and Finance Director must meet as an OPEB Board of Trustees.
3. An expert in investing must be hired through legal procurement process.
4. The expert will have experience with municipal OPEB funds and the skills to recommend revisions to the Investment Policy Statement adopted by the Board of Selectmen. The Investment Policy will then be considered for adoption by the OPEB Board of Trustees.

CC: Board of Selectmen
Finance Director
Treasurer

BOS

Wayland Board of Health
Director's Report
July 6, 2015

Septic work and building approvals- Things continue to be very busy for office staff with construction season soil testing and some field work. We have continued to receive many building approval applications and requests for soil testing. We are still working on backlogged paper work, and will continue to focus on catching up.

Coach Grill-Office staff has been involved with reviewing plans and inspection installation of a new grease trap and new piping.

Willowbrook Condos-Office staff has been involved with inspections of the new tanks for the White Knight treatment system, last week we were onsite on 2 occasions during construction. We expect installation to be complete very soon.

PHN/Nurse Leader, Ruth Mori update:

Ruth has continued to work with the Community Health Nurses on end of school year work, including office supplies, and preparing reviews. Now that school is over camp inspections for the summer are upcoming.

Beach water testing and pool testing – Town beach testing is weekly and results have been pretty good so far with the town beach having low (good) numbers and Dudley Pond (Mansion Beach) being lower than last year. Test results at both locations are in compliance with state regulations.

Year-end-Patti has been very busy entering bills and any payroll due for the end of the year to prepare for this evening's BoH meeting.

I will be on vacation from July 18 to July 26. The office will be covered and I will be reachable for emergencies by office staff if needed.

Farmer's Market-Office staff has been busy gathering information for the vendor's at the farmer's market (located at Russell's Garden Center). We also conducted an opening day inspection, all was in compliance.

Catch basin treatments-The East Middlesex Mosquito Control Project has almost completed treating the catch basins. We will be providing a press release to the public on West Nile Virus prevention.

Staff training/orienting-I have been working with our new Health Agent/Inspector to familiarize him with Wayland Regulations, town business/construction projects, field work, soil testing, etc. All is going very well and his assistance has already been a great help to the department.

Respectfully,



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



HOUGHTY'S HEROES



Monthly News from the Wayland Fire Department

Volume Four

June 2015

A Dangerous Condition - On Monday June 29th I was following up on a voice mail from a daughter of a resident that recently passed away. In her voice mail she stated she was cleaning out his house and had some chemicals that she needed help finding a way to dispose of. I went to the residence on Old Connecticut Path and was met by a worker who said there were chemicals in the basement, kitchen and in the back yard. What I found was a LOT of bottles of various chemicals, in various quantities in the house, and trash bags of mixed chemicals in a shed in the back yard. These bags and two trash barrels had a strong odor coming from it that was cause for concern. The owner was a chemist. These chemicals were in the basement and moved in trash bags to the back yard by family. With the appearance of the bottles and the odor that was emanating it was decided to call for a response from the State Hazardous Materials response team, and due to the crystalizing of some of the chemicals the State Police Hazardous device unit. A stretch of the road was shut down for the crews to operate safely. The Haz Mat teams working with the State Police were able to move the bags and sample the air in each, as well as, to make them stable for the night.

A call was made to the Environmental Protection Agency for some assistance. A response team arrived and after a briefing set up to check each bottle and to categorize it according to a variety of classes. This process took two days and when complete they were able to identify 880 bottles and to separate them by classes to further assure the safety of the neighbors. The last immediate task at hand was to take care of two bottles that were determined not able to be shipped and to some degree could be considered unstable; I once again reached out to the State Police for assistance. After speaking with them it was decided it would be best to destroy these in a safe location. With help of our DPW and two State Police Bomb Technicians these bottles were moved to a safe location on Route 20 and "Disposed".



The Fire Department is working with the home owner to locate a proper company to package and move the balance of the chemicals off the property to a registered disposal site. I am very happy the daughter called and there were NO chemicals leaked on the property, and were not just thrown into a dumpster or in the Towns recycle center. The mixing of these chemicals could have had a tremendous effect on the neighbors and if they found their way into the ground they may have gotten into the aquifer and into the Towns wells.

Arson ?? – On Tuesday June 16th a police officer and the shift officer on the Fire Department went to a property on Loker Street to investigate some reported suspicious activity. The same week a resident was taken from the same residence, by ambulance, to a local hospital for a mental health evaluation. Monday June 22nd I went to the same Locker Street address with the Board of Health and the Building Department for an annual inspection of the property for licensing purposes. While touring the property we located multiple sites where someone had tried to light the structure on fire both interior and exterior. Detective Cohen from our Police Department and an investigator from the State Fire Marshal's office was requested to the site. After photographing the house and conducting interviews, it was discovered that two cars as well as the house had been compromised. A person of interest was identified. The photos and details would be handed to the District Attorney's Office who would take any further legal steps. This incident proves once again how crucial it is for the local public safety departments to not only work closely with each other but to have a working relationship with State agencies. I have been in contact with the building owner and as of the writing of this article no action has been taken, no further damage has occurred and we have not been called back to the address since.



FEMA Grant - Two years in a row Chief Smith and I have written grant applications for Federal Assistance to the Firefighters grant program for communications equipment. I am happy to report the Federal Emergency Management Agency has awarded the Fire Department a "small" grant for paging equipment in the sum of \$16,147.00. The Department will add an additional amount \$1202.50 to complete the project. The project includes purchasing pagers, chargers, programming equipment and some accessories. Each Firefighter will be issued a pager that will operate on our primary radio channel. The intent is to allow us to quickly notify staff of the need to return to the station for coverage or to assist at an active incident. The equipment has been selected, ordered and delivered and I anticipate that it will be programmed and issued in the next few weeks.

Doing our Homework - Members of the department traveled to West Springfield to attend the New England Fire Chiefs show. At this show we were able to view samples of several items that are in the capital plan and some smaller items to consider funding from our operating budget or future grant applications. As a result of attending this show we have arranged for a vendor to bring a demo ladder truck to Wayland in July for other members to look at and for us to test

drive and see how it would work in the community. I have put together a purchasing management team with representation from each of the four working groups and the department mechanic. I will be working with the team on developing the technical specifications for apparatus purchases. Now is our time to do our homework to see what is available, and what will work best for us, to deliver services to the residents and the commercial buildings in town. It is my goal to have a strong reasonable budget figure to bring to the Finance Committee as part of the upcoming budget preparation season.

Fire Alarm Update – As part of the plan to decommission the municipal fire alarm system I have held four informational meetings with representatives from several buildings that are currently on the system. All the meetings went very well. I presented and answered questions on several options that people have and offered to continue to work with and inspect all installations. One of the main topics of discussion was the cost factors. Using average cost for a third party system and the wireless system, we demonstrated that although the Towns wireless system has a higher up front cost for installation, that in ten to twenty years the system is actually half the cost spent in that time frame. The Fire Alarm specialist has taken down 100 fire alarm boxes and a couple miles of cable. The goal will be to have all the street boxes and associated wires down by winter.

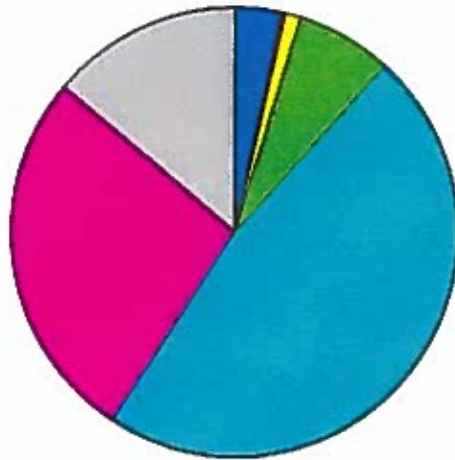
A Visit to B group – Every once in a while people that have been helped stop by the station to say thanks..... On February 8th a resident fell off his roof while shoveling snow and was transported in serious but stable condition to a Boston Trauma Center by the on-duty shift. Recently, the patient stopped in the station and was very emotional while thanking the crew for the compassionate care, treatment, and transport decisions that were made and what he thinks saved his life. The resident stated he had multiple rib and vertebrae fractures and that after a long recovery he is doing much better. Although we do get cards and letters on a regular basis, it is truly rewarding to actually see and speak to people that I know crews made a difference in their life. As a Chief, there is nothing I could be more proud of.

It's Safe to go in the Water – For the past few years the life guards at the Town Beach review and update their emergency procedures for in water emergencies with the fire department. Along with this review the Fire Department conducts a full scale drill, with the staff, just before the beach is open for the season. This year the drill began with the sinking of a full size manikin in the water within the swim area, in an undisclosed location. After it was reported to the life guard they put the emergency plan in action. Concurrently life guards cleared the water to set up for a search, while other staff searched the beach and playground area, while still one other made a 911 call. The dispatchers took the call and dispatched the emergency apparatus to the beach as part of the drill. Life Guards located the "victim" and brought it to shore and began CPR. Fire and EMS arrived and worked with the staff to package and move the victim to the ambulance. The drill continued with doing some in water back boarding skills. Working with the beach director more drills will be conducted during the summer months. As Fire Chief and conducting the drills the past few years, it is comforting to know that we have competent staff working the Town Beach and that prior to Emergency Response staff arrival everything that can be done is being done and done efficiently.



The Month of June certainly had some challenging incidents for the Department that had 354 activities recorded. I am proud to say that all of the challenges were handled extremely well and all in the safest manner. A quick look at the incident statistics for the year shows 3898 records of activity, of which 27% (1048) are for EMS related incidents.

Primary Type Incidents



False Alarms & False Calls	3.4%
Fire	0.3%
Good Intent Calls	1.1%
Hazardous Conditions/No Fire	8.8%
Other Types of Incidents	47.8%
Rescue & Emergency Medical Service	27.1%
Service Calls	13.8%
Total	100.0%

Fire

- 1 Telephone Alarm, Building Fire

Rescue & Emergency Medical Service

- 78 EMS call (excluding MVA)
- 2 Mutual Aid - Amb., NON-MVA
- 1 Mutual Aid - Amb., MVA
- 9 Vehicle accident with injuries
- 6 Well-Being Check

Hazardous Conditions(No Fire)

- 1 Chemical hazard (no spill or leak)
- 1 CO incident (includes CO alarm investigation)
- 16 Wire(s) down, arcing, etc.
- 6 Hazardous condition, other

Service Calls

- 10 Lock-out (not lock-in)
- 2 Water or steam leak

- 2 Assist police or other governmental agency
- 14 Assist invalid
 - 1 Mutual Aid - Eng/Lad, Cover Station
- 20 Service Call, other

Good Intent Calls

- 1 Dispatched & canceled en route
- 3 Smoke scare, odor of smoke

False Alarms & False Calls

- 2 Smoke detector activation due to malfunction
- 2 Alarm system sounded due to malfunction
- 4 Smoke detector activation, no fire - unintentional
- 3 Detector activation, no fire - unintentional
- 1 Alarm system sounded, no fire - unintentional

Other Type of Incidents

- 10 Fire Alarm Work by Dispatcher
- 3 Car Seat Installation
- 1 Detail
- 21 Error (or training incident)
- 11 Fire Alarm Maintenance (Supt. Work)
- 25 Fire Alarm System Work
 - 1 Fire Drill
- 42 Inspection (26F)
 - 3 Inspection (Demolition)
 - 1 Inspection (LP)
 - 7 Inspection (Occupancy)
 - 3 Inspection (Placement)
 - 1 Inspection (Quarterly)
 - 4 Inspection (Site)
 - 6 Inspection (Tank Removal)
 - 1 Inspection (Tank Truck)
- 10 Public Education
 - 2 Smoke Detector Installation
 - 2 Special type of incident, other
- 14 Training

Grand Total Count of Unique Incident Numbers for this Period:

354



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

June 2015

On Sunday, June 14th, 2015, at approximately 9:43 P.M. Wayland police responded to a report of a home invasion at 65 West Plain Street. The victim, a 23 year old female, stated that an unidentified male entered her home through an unlocked door, approached her and grabbed her. The victim screamed, alerting other persons in the household and the assailant fled the home on foot. The victim was not injured.

The victim described the attacker as a white male, approximately 5' 9" tall with a husky build and short blonde hair. She said the man had a blank stare in his eyes and did not say anything. As the man fled the home, the victim grabbed the subject's shirt, ripping it off. He fled on foot in an unknown direction, shirtless and wearing dark shorts.

Officers immediately responded and searched the area. Natick police assisted with a canine unit which tracked the person down Main Street towards the town of Natick before the scent was lost. It was discovered that a police cruiser parked nearby had captured an image on the cruiser's dash camera. That video and a composite sketch were broadcast widely in an effort to generate leads in the case. Detectives, acting on an anonymous tip, were able to identify a suspect and on June 17th, a 21 year old Wayland man was charged with Assault and Battery and Breaking and Entering Nighttime.

On June 12th Wayland officers arrested a 30 year old Wayland man and charged him with Intimidation of a Witness, Resisting Arrest and Disorderly Conduct. The arrest was made on behalf of Framingham police who investigated the incident that occurred at Framingham District Court.

On Saturday, June 27th, numerous motor vehicle burglaries were reported to Wayland Police. These burglaries occurred between approximately 1:30 a.m. and 3:30 a.m. Approximately 30 unlocked vehicles had been entered and several items stolen. During the course of the investigation, a male juvenile and female juvenile were identified as suspects and both now face criminal charges. Some stolen items have been recovered, but not identified by their owners.

The Wayland Police Department participated in the "Cut It Out" program sponsored by Middlesex District Attorney Marian Ryan at the Lauren Craig Salon on June 15th. The program is intended for Hair salon professionals and gives tips on how to spot and help women who may be victims of chronic domestic violence.

A handwritten signature in black ink, appearing to read "Robert Irving", with a long horizontal stroke extending to the right.

Robert Irving
Chief of Police

By Susan L. Wagner
Staff Writer

July 02, 2015 2:01AM

Wayland salon hosts talk on signs of domestic violence

Middlesex District Attorney Marian T. Ryan spoke recently to a group of hair salon professionals from Wayland and surrounding towns at Lauren Craig Salon in Wayland Town Center about "Cut It Out," a program to help them identify victims of domestic violence among their clients.

The program was launched in Birmingham, Alabama, after a spate of women died at the hands of abusers. The founders were a group of salon owners who got together to figure out how they could address the issue.

Salon professionals, Ryan said, are in a particularly crucial position to detect abuse because they often have decades-long relationships with their customers, can observe telltale behaviors and physical signs at close range, and may hear things that are said unconsciously or in an unguarded moment.

"When you think that one in every three American women will at some time report being involved in a violent relationship," Ryan said, "that tells you that you'll have victims coming into your salon – as well as mothers, sisters, and friends of victims. Many of these women have been isolated. One of the few places they're allowed to go is the salon, because it's an all-female environment, and the salon can easily become their support network."

Domestic violence, she asserted, happens across the gamut of different cultures and socioeconomic strata, and people tend to lose sight of their own communities.

"Wayland, for example, accounts for 10 percent of the 500 restraining orders that the Framingham District Court has out at any given time," Ryan said. "Domestic violence happens in all kinds of intimate relationships, and traditional law enforcement approaches are not going to solve it. So we decided to take the issue to the community – to salons and vocational schools where cosmetology is taught."

After discussing the different types of domestic abuse (physical, economic, emotional, verbal, sexual and psychological) and the cycle of domestic abuse (tension-building and escalating violence followed by apologies, gifts, affection and promises), Ryan addressed the types of injuries and behaviors she commonly sees in domestic violence cases.

At the top of the list is chunks of hair that have been pulled out. "It's incredibly painful and humiliating, it's a real assertion of power, and it's not visible to the casual observer."

Another is strangling, which leaves marks on the neck that can easily be camouflaged by clothing, but that are visible to a salon worker, or burst blood vessels in the eyes, again observable at close range.

Likewise, defensive wounds on the inner arms.

Telltale behaviors include a reluctance to make an appointment or change a hairstyle without consulting her partner, a partner who stays at the salon for the duration of the appointment (perhaps sitting in the chair next to the victim), agitation about answering cell phone calls, concern she might be several minutes late returning home, or anxiety about money if the bill runs over by a few dollars.

"When you see a constellation of these kinds of behaviors," Ryan said, "you might want to ask your customer if she's OK or if it's OK for her to go home. Often, that can be a trigger for her to ask for help."

Victims will procrastinate about leaving their abuser or seeking help for a number of reasons, including fear, embarrassment, shame, illness, and upcoming family milestones like weddings or graduations, among others.

She counseled patience above all. "Leaving an abuser is very hard. We see victims who've tried five or six or even more times. You never know what's going on in their minds or what's going to save someone. You just have to keep putting the information out there."

Salon workers, she continued, should never put themselves in a dangerous situation. Instead, they can offer literature, including lists of resources and contact information. Providing a private place to make phone calls is another great way to help, she said.

Members of the audience said they learned valuable lessons from Ryan's presentation.

Terry Lebrun, owner of the Lauren Craig Salon, said, "We'll be a little more observant in the future. We'll make greater efforts to establish helpful relationships, listen more carefully, and enhance the procedures we already have in place."

Another salon worker from a neighboring town said she was impressed by hearing about the value of patience. "I probably won't give up so quickly in the future – I'll wait a little more for people to come and talk to me."



Middlesex District Attorney Marian T. Ryan spoke recently to a group of hair salon professionals from Wayland and surrounding towns at Lauren Craig Salon in Wayland Town Center. WICKED LOCAL STAFF PHOTO / SUSAN L. WAGNER

Wayland Police Department Detective Division Report for June 2015

INVESTIGATIONS

Home Invasion – West Plain Street
Fire Investigation – Loker Street
Motor Vehicle B&E's (32) – West Plain Street area
Larceny over \$250 – Andrew Avenue
Residential B&E - Old Connecticut Path
Residential B&E – Bent Avenue
Larceny prescription meds – Boston Post Road
Larceny/Receiving stolen property – Launcher Way
Larceny/CC Fraud – East Plain Street
Larceny over \$250 – Andrew Avenue

MEETINGS/TRAININGS

In-Service Training – Reading Police Academy

MISCELLANEOUS

Applied Patrol Procedures – Boylston Police Academy
Framingham District Court - MV/Criminal Hearings
Old Arrest/Summons filing



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

7/6/2015

To: Det. Chris Cohen, Officer Timothy Henderson

From: Robert Irving, Chief of Police

Subject: Commendation – Vehicle Burglaries

On Saturday, June 27th, 2015, Wayland Police responded to the report of numerous vehicle breaks in the south side of town. Investigation revealed that at least 32 motor vehicles were burglarized overnight.

Acting on information provided by Officer Henderson, Det. Chris Cohen was able to identify, and subsequently charge, two juveniles with the crimes. Stolen property was also recovered.

Officer Henderson is commended for stopping and identifying two juveniles in the early morning hours of June 27th. Officer Henderson also noted the license plate of the vehicle that came and picked the two juveniles up. This information turned out to be a key element in solving this case.

Det. Cohen is commended for a thorough and immediate follow-up that resulted in the preservation of evidence, the seizing of stolen property, and the identification of the two suspects.

Congratulations to both of you on a job well done.

cc: Personnel Files
Lt. Swanick
Sgt. Akins
Det. Sgt. Berger

Irving, Robert

From: Akins, Charles
Sent: Thursday, July 02, 2015 10:12 PM
To: Irving, Robert
Cc: Swanick, Patrick
Subject: OFFICER HENDERSONS PERFORMANCE ON THE NIGHT OF JUNE 26.2015

CHIEF, I WOULD LIKE TO TAKE A MOMENT TO MAKE YOU AWARE OF AN INCIDENT THAT OCCURRED ON JUNE 26, DURING THE 2300-0700 SHIFT. I WAS THE SHIFT SUPERVISOR AND OFFICER HENDERSON WAS ASSIGNED TO THE SOUTH SIDE OF TOWN. AT APPROXIMATELY 0330 HOURS OFFICER HENDERSON CALLED OFF ON WEST PLAIN STREET AND STATED THAT HE WOULD BE SPEAKING WITH TWO INDIVIDUALS. I LEARNED LATER THAT NATCIK PD WAS LOOKING FOR ONE OR TWO INDIVIDUALS WHO HAD FLED A TRAFFIC CRASH IN THEIR TOWN. OFFICER HENDERSON DETAINED THESE TWO SUBJECTS UNTIL NATICK ARRIVED AND SPOKE TO THEM. OFFICER HENDERSON THEN IDENTIFIED BOTH AND QUESTIONED THEM BRIEFLY. HE ALSO TOOK POSSESSION OF A BAG OF MISC. ITEMS THAT WERE LOCATED NEAR THE TWO SUBJECTS, THAT NIETHER CLAIMED OWNERSHIP OF. OFFICER HENDERSON ALSO NOTED THE REGISTRATION PLATE OF A FRIEND THAT CAME TO TAKE ONE OF THE SUBJECTS HOME. ON SAT. JUNE 27 THE WAYLAND POLICE RESPONED TO APPROXIMATELY 32 MOTOR VEHICLE BREAKS ALL COMMITTED ON THE SOUTH SIDE OF TOWN. THE INFORMATION AND EVIDENCE THAT OFFICER HENDERSON WAS ABLE TO PROVIDE DETECTIVES FOR A FOLLW-UP INVESTIGATION HAS LED THEM TO THREE SUSPECTS ALL OF WHOM OFFICER HENDERSON HAD STOPPED AND IDENTIFIED THE NIGHT BEFORE. IF NOT FOR THE ACTIONS OF OFFICER HENDERSON ON THE NIGHT IN QUESTION, DETECTIVES MAY HAVE NEVER BEEN ABLE TO SOLVE THESE CRIMES IN SUCH A SHORT TIME, WITH THE HOPE OF CHARGES BEING FILED ONCE DET. COHEN COMPLETES HIS INVESTIGATION.

SGT. AKINS

Irving, Robert

From: Lombardo, Seanna
Sent: Friday, June 19, 2015 12:51 PM
To: Irving, Robert
Subject: Community Interaction - Happy Hollow School

Chief,

Today at 10:30, Officer Chris Custodie and I participated along with Firefighter Winner in a community Interaction program that included speaking to the 5th grade about fire/police in the community. We covered topics such as cyber safety, gun safety, stranger danger, Use of 9-1-1, Fireworks and roles of the police officer/Detective in the Wayland Community. The presentation including the Fire Dept. was about 1 hours long and included a lengthy Q & A session for both.

Any questions, let me know.

Seanna

Seanna E. Lombardo
Detective/ Court Prosecutor
Wayland Police Department
38 Cochituate Road Wayland, MA 01778
508-358-4721(Main)
508-358-1724(Fax)
508-358-1725 (Direct Line)
Email: slombardo@wayland.ma.us



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, July 13, 2015
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE - II

Zoning Board of Appeals

18. Decision No. 15-07, 15 Doran Road
19. Decision No. 15-11, 25 Dean Road
20. Decision No. 15-12, 26 Lake Road
21. Public Hearing, July 14, 2015, 135 Boston Post Road, 163 Glezen Lane

Minutes

22. Council on Aging/Community Center Advisory Committee, June 18, 2015, June 25, 2015
23. Finance Committee, January 5, 2015
24. Municipal Affordable Housing Trust Fund Board, June 3, 2015
25. OPEB Advisory Committee, May 6, 2015, May 11, 2015
26. Personnel Board, May 4, 2015
27. Planning Board, November 20, 2014, May 26, 2015
28. River's Edge Advisory Committee, October 14, 2014, January 29, 2015, June 11, 2015, June 25, 2015



TOWN OF WAYLAND

MASSACHUSETTS
01778

BOARD OF APPEALS

RECEIVED
Kullstam
JUL -2 2015

Board of Selectmen
Town of Wayland

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

DECISION NO. 15-07

NAME OF APPLICANT:

Johan Kullstam and Elizabeth Driscoll Kullstam

APPLICATION FOR:

Any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (construct two car garage with master bedroom above and mudroom) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2 and 401.1.3 and 1604.2. The property is located at 15 DORAN ROAD which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-07)

DATES OF HEARING:

June 23, 2015.

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Eric Goldberg, Thomas White, Michael Connors, Linda Segal and Argie Shapiro.

DECISION:

Special Permit granted, with conditions.

VOTE OF BOARD:

Unanimous (5-0).

CONDITIONS:

1. Construction shall be in substantial conformity with the plans filed with the Building Department April 24, 2015 dated April 20, 2015 as well as the topographical schematic septic plan submitted at the hearing. Additionally, the Applicants agreed to submit a Basement Plan to be added to the Case File.
2. The Applicants must obtain any other necessary permits and approvals from other municipal boards having jurisdiction over this matter as may be required.

FACTS AND REASONS:

The property in question is located at 15 Doran Road. The Applicants seek zoning relief as may be necessary to “construct two car garage with master bedroom above and mudroom”. The property is pre-existing non-conforming due to insufficient lot area.

Because the Applicants seek to alter and extend a pre-existing, nonconforming property, under M.G.L. c. 40A, § 6 and § 401.1.2 of the zoning bylaw, the Applicants need a special permit, and must demonstrate to the Board that the proposal “shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood.” The current house contains 1,380 square feet of Gross Floor Area. The new construction will add 667 square feet of Gross Floor Area. This results in 2,047 square feet of total Gross Floor Area which is an increase in Gross Floor Area of approximately 48.33%.

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

The Chairman, Eric Goldberg, asked whether any members of the public wished to be heard.

Three neighbors who live on Doran Road spoke in favor of the Petition. They were: Alan Palevsky of 23 Doran Road, Larry Budnick of 28 Doran Road and Marie Dorr of 14 Doran Road. No member of the public spoke against the Petition.

Additionally, the Board reviewed an email from Molly Upton of 23-B Bayfield Road dated June 21, 2015 which is stamped as received on June 23, 2015 in the Case File. The Board considered the email and the fact that Molly Upton is not a statutory abutter.

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

Thus, the Board concludes that the proposed construction of a “two-car garage with master bedroom above and mudroom” will not be substantially more detrimental than the existing nonconforming structure to the neighborhood and votes unanimously to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING OF DECISION:

July 1, 2015

BY ORDER OF THE BOARD


Michael R. Connors, Member

CERTIFICATION:

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

BOARD OF APPEALS


Michael R. Connors, Member



TOWN OF WAYLAND
MASSACHUSETTS
01778

BOARD OF APPEALS

RECEIVED

JUN 23 2015

Board of Selectmen
Town of Wayland

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

DECISION NO. 15-11

NAME OF APPLICANT:

KALLANTHOTTATHIL RAJEEV

APPLICATION FOR:

Any necessary approvals, special permits, and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (demolish a portion of the house and construct new two-car garage and addition) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 401.1.3. The property is located at 25 DEAN ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-11)

DATE OF HEARING:

June 9, 2015.

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Aida Gennis, Eric Goldberg, Shaunt Sarian, Linda Segal, Argie Shapiro

DECISION:

Special Permit granted, with conditions.

VOTE OF THE BOARD:

Unanimous (5-0).

CONDITIONS:

1. Construction shall be in substantial conformity with the plans dated April 1, 2015 by Kevin Wong & Associates, Inc., Wayland, MA 508-655-4767 and stamped by the Building Department on April 23, 2015 and consisting of a cover sheet and 8 sheets:
Cover – Renovation and Addition to Kallanthottathil Residence, 25 Dean Road, Wayland, MA
A1- Existing & Proposed Site Plan
A2- Existing Floor Plans
A3 – Existing Elevations
A4 – Proposed Basement Plan
A5 – Proposed First Floor Plan
A6– Proposed Second Floor Plan
A7 – Proposed Elevations (note it shows front and side)
A8 – Proposed Elevations (note it shows rear and side)
2. The applicant must obtain any other necessary permits and approvals from other municipal boards having jurisdiction over this matter as may be required.

FACTS AND REASONS:

The subject property, 25 DEAN ROAD, is in a single residence district in a neighborhood of similar residences. The structure was built in 1955. The Applicant, represented by his architect, Kevin Wong, stated that an addition was built in 1986 and the current garage was added at that time. The Applicant has been living in the residence since 2006. The current structure is a split level ranch with a two car garage, the garage is below the grade and is accessed by a driveway with a downward pitch. The Applicant's driveway has severe drainage problems throughout the year and ice build up in the winter months making it difficult to enter and exit the house via the driveway. The Applicant, through his architect, stated that he tried to work with the existing footprint of the house and found that a new garage would need to be sited on the other side of the house. To accomplish this the Applicant proposes demolishing a portion of the current structure, relocating and adding a two car garage at grade, a new and larger living room, kitchen, family room and basement. The existing garage will become a basement area, the existing bathroom in the garage noted on page A2 of the Plans will be removed. The height of the proposed construction is noted at 32 feet, which is within the height allowed by the Bylaw and an increase from 22' 10" of the current structure. The proposed addition will increase the square footage by 1858 sq. ft. an increase of 91%.

The property is non-conforming as to area, with the lot being 22,512 sq. ft in a 30,000 sq. ft Zone. The property is non-conforming with respect to frontage with 134 feet where 150 feet is required. The proposed addition a 91% increase in gross floor area which is more than the 20% increase in gross floor area allowed. All other setbacks are met.

A Board of Health application for the proposed construction is date stamped February 20, 2015 and is approved on April 8, 2015. It is conditioned on: a new septic being installed prior to a C. of O., an asbestos inspection and abatement required with BOH review prior to work starting, and that there will be 9 rooms and 4 bedrooms.

No members of the public commented on the Applicant's proposal.

Because the Applicant proposes to increase the gross floor area in existence by an amount exceeding 20 percent, a special permit is required pursuant to Section 198-401.1.3 of the Bylaw and the applicants must therefore demonstrate to the Board that the proposal "shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood," as required by Section 401.1.2 of the Bylaw. Under Section 301, because the Applicant's property is less than the square footage than is required in its Zone, he must seek a special permit. Under Section 198-203 of the Bylaw, in order for the Applicant to receive a special permit, he must further demonstrate that "the use of the premises [as altered] . . . shall not be against the public interest, shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety." Section 201 grants the Zoning Board of Appeals the authority to issue special permits.

The Board determined through site visits that the neighborhood contained a mix of styles and house sizes and that the proposed addition would be consistent with the scale and character of the other residences in the neighborhood.

By a unanimous vote, the Board finds that although the addition will increase the existing nonconformity, the proposed addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use.

The Board finds that the proposed addition is not against the public interest, nor will it be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and it will not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety and thus meets the requirements of the Zoning Bylaw.

The Board voted unanimously to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD OF APPEALS

JUNE 22, 2015

Aida Gennis, AG

Aida Gennis, Member

CERTIFICATION:

The Board of Appeals, by delivery of a copy of this decision to the applicant, KALLANTHOTTATHIL RAJEEV, does hereby certify that copies of this decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

BOARD OF APPEALS

Aida Gennis, AG

Aida Gennis, Member



TOWN OF WAYLAND
MASSACHUSETTS
01778

RECEIVED
Submittal
JUN 23 2015

BOARD OF APPEALS

Board of Selectmen
Town of Wayland

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

DECISION NO. 15-12

NAME OF APPLICANT:

MARK and KAREN HUGHES

APPLICATION FOR:

Any necessary approvals, special permits and/or variances as may be required to expand existing porch and convert into den within side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 703.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 26 LAKE ROAD, which is in a SINGLE RESIDENCE DISTRICT.

DATES OF HEARING:

June 9, 2015.

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Eric Goldberg, Aida Gennis, Linda Segal, Argie Shapiro and Shaunt Sarian.

DECISION:

Special Permit granted, with conditions.

VOTE OF BOARD:

5-0 in favor.

CONDITIONS:

1. Construction shall be in substantial conformity with the revised plans filed with the Building Department on April 28, 2015.
2. The applicant must obtain any other necessary permits and approvals from other municipal boards having jurisdiction over this matter as may be required.

FACTS AND REASONS:

The property in question is located at 26 Lake Road. The Applicant seeks zoning relief as may be necessary to expanding an existing 3-season porch into a 4-season den. The property is pre-existing non-conforming due to insufficient lot area, insufficient frontage and side yard setback.

Because the Applicant seeks to alter and extend a pre-existing, nonconforming property, under M.G.L. c. 40A, § 6 and § 401.1.2 of the zoning bylaw, the Applicant needs a special permit, and must demonstrate to the Board that the proposal "shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood." The current house contains 1,460 square feet of living space. The new finished space will add 123 square feet, an increase in gross floor area of 8.4%. The existing structure is within the side yard setback on the northeastern side of the property, in the area of the proposed expansion. Due to the angle of the lot line, the proposed expansion will further encroach into the side yard setback by only two additional inches. The Board considered the nominal additional encroachment to be insubstantial.

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

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

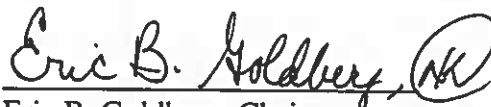
By a vote of 5-0, the Board finds pursuant to G.L. c. 40A, § 6 that the proposed construction would increase the existing nonconformity by expanding the existing structure on a nonconforming lot. Nonetheless, the Board further finds that the proposed construction is not against the public interest, nor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

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

DATE OF FILING OF DECISION:

BY ORDER OF THE BOARD

June 23, 2015


Eric B. Goldberg, Chair

CERTIFICATION:

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

BOARD OF APPEALS


Eric B. Goldberg, Chair



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

RECEIVED
Substman
JUN 26 2015

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

A public hearing will be held on JULY 14, 2015 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following applications at the time indicated:

- 7:00 p.m. Application of LELAND SMITH for any necessary approvals, special permits and/or variances as may be required to renew ZBA Dec. #10-19 dated July 2, 2010 to allow the operation of customary home occupation (sale of antique and reproduction clocks and clock repairs) under the Town of Wayland Zoning Bylaws Chapter 198 Sections 104, 201, 203, 901.1.3, 804 – Table of Permitted Accessory Uses by District (Use #62) and 805-Classification of Accessory Uses. The property is located at 135 BOSTON POST ROAD which is in a ROADSIDE BUSINESS DISTRICT. (15-14)
- 7:15 p.m. Application of KATHERINE KELLIHER for any necessary approvals, special permits and/or variances as may be required to add a 14' x 12' deck within side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, 703.2, 1604.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 163 GLEZEN LANE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-13)

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

BOARD OF APPEALS

Eric Goldberg
Aida Gennis
Thomas White
Michael Connors

Minutes

Council on Aging /Community Center Advisory Committee

Wayland, MA

June 18, 2015

Present -

Members: Steven Correia (absent), P. Jean Milburn, Marylynn Gentry, Mark Foreman, Frank Krasin, William Sterling.

Ex Officio: Ben Keefe, Julie Secord.

Public Comment: Linda Segal asked that copies of the handouts be made available to the visiting members of the public. Handouts were provided to her. She thanked those present for their service on the committee.

Bill Sterling asked if all members present had been sworn-in. All replied in the affirmative. Discussion moved to selection of committee leadership. It was suggested that Bill serve as chairman. He replied that he preferred a co-chair model. It was suggested that Jean Milburn serve as the second co-chair. Jean suggested that since much of the important work of this committee will be environmental in nature, Marylynn might be a better selection. Marylynn stated that she had too many work and professional commitments already. Frank Krasin moved that Bill Sterling and Jean Milburn serve as co-chairs. Mark made the second motion. The motion passed 5-0.

Bill Sterling distributed a stack of handouts to the members and directed their attention to the list of tasks on a timeline. He encouraged members to study the timeline to understand how the work must be organized.

Discussion moved to providing some background information for the two members who had not served on the previous committee. He directed their attention to the document titled "Expanded Municipal Pad Site Plan – 4.16 Acre lot" so that they can become familiar with the municipal pad, the river setback lines, and the location of the existing building. The group looked at the document "Wayland Community Center Plan – 4.16 Acre Lot" to see the concept drawing of the proposed annex, the 100-space parking lots, the river trail extension and the potential future boathouse.

Bill Sterling stated that chairman of the BoS, Cherry Karlson, has spoken with Raytheon and asked what information they require from the Town to consider whether or not the Activity Use

Limitation can be removed from the municipal pad site. She awaits a reply and will provide the information to us when she obtains it.

The group reviewed the document " Environmental Site Assessment Proposal for Municipal Parcel 440 Boston Post Road, Wayland MA" dated June 12, 2015. This proposal from CMG Environmental will be sent to BoS for their action at their next meeting. The following edits were proposed:

Cover sheet: Delete Mr. Sarkis Sarkisian, Town Planner, replace with Nan Balmer, Town Administrator.

Page 1. PP1. Ask Sarkis to confirm that the Lot numbers match the Town Warrant. PP3. Delete reference to Planning Board and insert Board of Selectmen. Add that the goal is to obtain release from any existing AUL.

Page 2. Last PP. Delete Planning Board, insert Board of Selectmen.

Page 3. PP1. Delete "Planning" insert "of Selectmen"

PP2. Delete "Planning" insert "of Selectmen", delete "task" insert "Raytheon Interaction Time."

PP5. Delete "Planning" insert "of Selectmen"

Frank Krasin made a motion for acceptance of the document as amendment and for forwarding it to the BOS for action. Mark made the second motion. Approved 5 – 0.

The group moved to discussion of future tasks. An RFP for architectural services must be written. We need to interview engineers for the Alternate Site Report. We must plan for testing of the condition of the existing building for mold and other substances. Also, preparing an improved web page for the project would improve communication with the public. Submitting informative articles to the Town Crier, Voter's Network, WCPA and Wayland Dads would improve information dissemination. We need to do outreach to the other boards in town. Jean will contact Elisa Scola about Historic Commission display space. Marylynn and Mark will write a first draft of the RFP for the site engineer.

Jean moved that the committee adjourn. Marylynn made a second. Adjournment approved 5 – 0. Adjourned at 9:45 p.m.

Respectfully Submitted,

Jean Milburn



Town of Wayland Massachusetts

Council on Aging/Community Center Advisory Committee:

Steve Correia,
Mark Foreman
Marylynn Gentry
Frank Krasin,
Jean Milburn, Co-Chair
William Sterling, Co-Chair

Council on Aging/Community Center Advisory Committee (CoA/CCAC)

Minutes: June 25, 2015

Attendance: Steven Correia, P. Jean Milburn, Marylynn Gentry, Mark Foreman, Frank Krasin, William Sterling.

Ex Officio: Ben Keefe, (Public Buildings Director), Julie Secord (Director of Council on Aging) , Nan Balmer (Town Administrator)

Meeting called to order at 7:30PM

Public Comment: Linda Segal thanked the committee for using Ben Gould, LSP, LEP of CMG Environmental, Inc. She noted that she shared Ben's documents before hand. She also recommended that an environmental attorney be hired that is more experienced in the areas we are reviewing.

Alice Boelter spoke about her concern with the schedule in order to be prepared for a Fall Town Meeting especially in light of a recommended public forum that was proposed.

Bill Sterling made a motion to approve the minutes of June 18,2015 and Marylynn seconded it. One change was made to the minutes that reflected a vote and who was present at that meeting. Minutes were approved 4-0 and Steve abstained since he was not present at that meeting.

Moved into agenda topic: Review draft of proposals for site engineering, alternative site analysis and building conditions reporting services.

Jean suggested the Statement of Purpose needs to be tighter and very specific per what the Conservation Committee has already commented. She suggested we look at all the documents and letters from the ConCom that lists all their needs and concerns.

We then had a discussion on the actual section titles of the RFP draft. It was noted and agreed that the draft document should be changed so that there are steps and not phases. There are multiple steps and

milestones within in each phase of the project . Bill suggested that under the Scope of Work that Step 1 should be the Alternative Analysis that should be accomplished between 7/1/15 to 8/1/15. It then needs to be provided to the working committee who is looking at a new Library so that they understand our scope. Jean noted that the Library just did an alternative analysis and we should consider using the same vendor because they already have the relevant data.

Bill then suggested that Step 2 should be to Layout of Alternative Site Plans. He noted that all the alternatives have been provided and just need to be reviewed. We then had a discussion on whether the boathouse and boat launch should be included. Should it be part of the overall analysis? It was agreed in general that it needed to be since that is what has been presented from the beginning. However, we agreed that the boathouse and ramp access should be broken out separate from the other parcels. Thus, Step 2 would include the various building layouts plus the boathouse plans. Step 2 should start at 7/1/15 and be finished by 9/1/15.

Mark Forman joins meeting at 8:05PM

Ben brought up the utility layout and should also be addressed in this review. Bill mentioned that it has already been reviewed and approved by the developer and there are no issues. We all agreed that we should just put it into the RFP again because someone will bring it up.

It was noted that under the History section we should include any maps and site plans. We will get them from the Town Surveyor, Alf Berry.

We continued to review the Scope of Work and made recommendations and changes that Marylynn will put into the next draft. We noted that the terms of the contract, payments etc should all be standard language that the town uses.

Marylynn asked what we should put in for a budget and we all agreed it was the town meeting amount of \$63,500

We continued to review document one more time and agreed that the Statement of Purpose should be changed to Objective on page 1.

Ben will review the next draft with MaryLynn and it will then be sent out to us for review. All comments should be sent back to Ben so that no OML issues occur.

Steve agreed to work with Sarki , Alf, Julie, Nan and MaryAnn DiNapoli to get the CoA/CCCAC website loaded with all the document and information to date. Mark agreed to create a spreadsheet to track and analyze all spending.

Motion was made to adjourn at 8:40. Vote 6-0 to adjourn.



Town of Wayland Massachusetts

Finance Committee

Tom Abdella
Nancy Funkhouser
Thomas Greenaway, Chair
Carol Martin
Bill Steinberg
Dave Watkins
Gil Wolin

Finance Committee Meeting Minutes January 5, 2015

Attendance: B. Steinberg, C. Martin, T. Greenaway, , N. Funkhouser, T. Abdella, G. Wolin, Brian Keveny, D. Watkins

The meeting was called to order in the Town Building COA meeting area when a quorum was available. The Chair announced that the meeting was being recorded by WayCam.

1. **Public Comment: None**
2. **OPEB Committee:** Dave Gutschenritter of the OPEB Committee provided an update on Committee work. They have chosen the Odyssey Group as the actuarial firm that they will switch to. Dave discussed the selection process that they underwent. He also explained that they are continuing to explore other enterprise revolving funds for covering accrued OPEB liabilities such as Pegasus and ice hockey, etc and they are also continuing to consider whether special legislation requirements for funds is currently covered. Expected \$300,000 OPEB request in ATM warrant.
3. **Review of the proposed operating budget for Fiscal Year 2014**
Following is a basic summary of the budget discussion. For more details you can view the meeting online.
DPW: DPW Stephen Kadlik and Mike Lowery BPW
A discussion of the proposed DPW budget ensued as well as the possibility of Parks budget being added to DPW. Stephen reviewed the budget by explaining the underlying assumptions.
Water Dept.: There was discussion about the overtime budget for water main breaks and water testing, etc.
Police: New officer likely to be requested– 24th officer – for FY17. In 2014, we added an officer from the officer that was cut in 2005. No cutting OT budget due to retirement, staff changes, and there is need for the funds.
Fire: 19% additional yearly support charge for mobile computing in budget.
Peer Town Analysis: Discussion about analysis ensued and decision was made to utilize 12 peer towns as a group based on Dave's work.
4. **Finance Director Report:** The overlay is roughly \$700,000, which represents the accumulation over time. With respect to payroll, town and school payrolls are separate, but the Town is considering outsourcing the Town side payroll work. School is currently not.

5. **Member's Report:** Tom Abdella indicated the legal matter pertaining to the access road improvement has been decided by the DEP in the town's favor.

There was discussion with the Committee members about making the budget more granular by having one salary line item in the budget.

Carol Martin reported on the current status of the sprinkler project at the Cochituate Apartments. WHA has selected a design firm and it appears that the capital item may be withdrawn as funding for the project has been identified.

Carol also mentioned that there will also likely be a \$150,000 warrant article for design work for a COA/community center.

6. **Minutes:** Carol Martin moved to approve the 12/15/14 minutes. Bill Steinberg seconded the motion and the vote to approve the minutes was unanimous in favor.

At 10:04 pm Tom Greenaway moved to adjourn the meeting, Carol Martin seconded the motion and the vote was unanimous in favor of adjourning.

Respectfully Submitted,
Nancy Funkhouser

MAHTF Minutes—June 3, 2015

Municipal Affordable Housing Trust Fund (MAHTF)

Meeting Minutes—June 3, 2015

Wayland Town Building

Attendance: Mary Antes; Jacqueline Ducharme; Stephen Greenbaum; Brian O’Herlihy; Armine Roat; and Susan Weinstein

Absent: Kevin Murphy

Materials Distributed:

- Memo identifying websites of other communities that have affordable housing trusts
- Draft of the May 6, 2015 minutes
- June 3, 2015 MAHTF Agenda

Open Meeting: Mary Antes called the meeting to order at 7:34 PM at the Wayland Town Building

Public Comment: None

Notes

1. The Trustees reviewed the May minutes. Susan Weinstein moved the minutes be approved, with revisions. Stephen Greenbaum seconded the motion. Motion approved 6-0.
2. Brian O’Herlihy provided the Treasurer’s report. John Senchyshyn, Acting Town Treasurer, funded Wayland’s MAHTF two savings accounts on May 11, 2015: \$419,202 and \$128,088. It was further reported that the Town Center has sold 4 additional condominiums (condos). The warrant for three of the four condos, totaling \$38,374.29 is in process, and will be deposited in the near future. Funds from the 4th condo (\$12,791.43) will also be deposited in the near future. Furthermore, there are an additional 32 units still to be sold. At the end of May, the MAHTF has \$598,555.83, which includes \$100 from two Village Bank accounts that were opened prior to the decision to have Wayland MAHTF under the custody of the Town.
3. The Trustees discussed the memo identifying websites of other communities that have affordable housing trusts to determine their activities and initiatives. The Trustees felt a review of these sites could be helpful in developing our strategic plan, and that each Trustee would review 2-3 of the

websites identified in the memo. The Trustees also discussed using a website as a marketing tool. To help further a discussion about the reviewed websites, the Trustees will identify the community's AHTF's specific projects, programs and initiatives, indicate positive elements in the website and print out any useful information. Additionally, the Trustees thought it would be helpful to have a list of all communities in Massachusetts that did have an Affordable Housing Trust Fund Committee. Mary Antes indicated she had such a list and would mail it to the Trustees.

ACTION: Mary Antes will send out a list of communities in Massachusetts that have an AHTF committee.

ACTION: Armine Roat will review the Sudbury and Weston websites.

ACTION: Jacqueline Ducharme will review the Stow and Hudson websites.

ACTION: Stephen Greenbaum will review the Southborough and Harvard websites.

ACTION: Susan Weinstein will review the Natick and Easton websites.

ACTION: Brian O'Herlihy will look for 2-3 additional towns with AHTF websites not listed.

ACTION: Mary Antes will talk to Kevin Murphy about reviewing 2 AHTF websites.

4. The Trustees discussed the various components identified on the June 3rd agenda, and how to prioritize and proceed with its mission. The Trustees discussed specific elements that should be addressed as the Trustees research and review identified strategic items, and that there should be a template that the Trustees use. It was further decided that our findings should be documented on this template and sent to Mary Antes, only, no later than June 26th. Mary Antes will include these documents with the July Agenda.

ACTION: Brian O'Herlihy will draft and send a template to be used in the review of specific strategic plan components as the Trustees review identified items from the June 3rd agenda.

ACTION: Brian O'Herlihy will review items a. Identifying funding options and alternatives and n. Financing alternatives, e.g. affordable housing tax credit syndications.

ACTION: Stephen Greenbaum will review item f. Housing demand study.

ACTION: Mary Antes will review item g. Providing small grants to affordable homeowners/ renters.

ACTION: Jacqueline Ducharme will review item h. Assistance with condo fees.

ACTION: Armine Roat will review item m. Create a list of affordable housing developers.

ACTION: Susan Weinstein will review item r. Identification of potential acquisition targets.

ACTION: Mary Antes will ask Kevin Murphy to consider reviewing items d. "Buy down" of home prices to make them affordable and/ or p. Explore potential for additional affordable units at Town Center.

5. The Trustees also updated the status of the Housing Working Groups. The working group that was defining the vision and priorities for affordable housing submitted its position paper. The group working on monitoring and preserving existing affordable housing was reviewing and revising its draft position paper. The working group to assess a need for new zoning or overlay districts is waiting for the other two working groups to complete its work. It has been proposed that another housing meeting take place in the autumn.

6. Stephen Greenbaum discussed that the Trustees should consider having Kevin Honan, State Representative from Brighton and Chair of the Housing Committee, to attend a MAHT committee meeting. State Representative Kevin Honan may be a beneficial resource.
7. Susan Weinstein moved to adjourn the meeting at approximately 8:55 PM; Stephen Greenbaum seconded the motion. Motion approved 6-0.

Respectfully Submitted,

Jacqueline Ducharme



Town of Wayland Massachusetts

OPEB Advisory Committee

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

Minutes of May 6, 2015 Committee Meeting

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

The meeting was called to order at 7:05 pm in the Selectmen's Office of the Town Building.

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

The following Agenda topics were addressed:

1. Public Comment

No public comments were made.

2. Approve Minutes from April 15, 2015 meeting

Minutes were approved as submitted 5-0

3. Legal Structure of the Investment Account – summary and status

Kent George reported that 4 RFQs has been sent out and 2 were returned. Murphy, Hess, Toomey, & Lehane and The Wagner Law Group were the two respondents. Cliff and Kent interviewed both firms and decided to choose Murphy, Hess, Toomey, & Lehane. Questions asked were related to relevant experience in the specific area and if either firm was currently doing work for the Town of Wayland and if there were any potential conflicts of interest. After discussion, it was moved and seconded to recommend to the Board of Selectmen (BOS) that they appoint Murphy, Hess, Toomey, & Lehane to review the current legal structure of Wayland's OPEB Investment Account and recommend what, if any, changes should be made. The vote was 4-0-1 (Peabody abstained due to a conflict of interest).

4. Discussion of the Investment Account Management

Jay and Cliff updated the Committee on a discussion that they had with Ms. Karlson on how to approach the BOS to discuss the issue of Investment Account Management. It is estimated that the OPEB Committee will have about 15 minutes to present the relevant topics and engage in discussion. Among the suggestions made by Ms. Karlson was to review the deliverables given to the OPEB Committee by the BOS to insure that all the work asked of the OPEB Committee is performed. The Committee then

reviewed the deliverables and it reinforced the need to request an extension to finish the work required of the Committee.

In addition, the Committee discussed the various investment management styles. Active (PRIT or other managers, including managing in-house) versus passive (assets allocated to the appropriate index mutual funds). The Committee agreed to continue to think through the alternatives.

5. General discussion of Selectmen's Meeting Presentation

The Committee discussed the structure of the presentation to the BOS. Cliff suggested that following order be followed:

- OPEB Committee Summary (Cliff)
- Request to extend the Committee charter until September 30, 2015 (Dave)
- Request the BOS appoint Murphy, Hess, Toomey, & Lehane to perform a comprehensive legal analysis of the current OPEB investment account structure. (Cliff)

After further discussion, it was agreed that this format would be followed.

6. Next steps and how they all fit into an OPEB legacy program package

The Committee next discussed what work would need to continue to be performed once the OPEB Committee disbands. It was generally agreed that the following work would need to be done:

- a. Prepare the annual warrant article
- b. Provide key assumptions for the actuarial analysis
- c. Monitor OPEB healthcare costs and future inflation
- d. Advise the Town on the management of the OPEB Investment Account

The Committee intends to resolve the legal structure and whether or not to continue under the present Special Act before September 30, 2015.

7. Items not reasonably foreseen by the Chair

The Committee agreed to meet on May 20th and on June 17th

8. Public comment

There was no public comment

9. Adjourn

The Committee voted 5-0 to adjourn at 8:53pm.

Respectfully submitted

David J. Gutschenritter



Town of Wayland Massachusetts

OPEB Advisory Committee

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

Minutes of May 11, 2015 OPEB Committee Meeting (Approved June 24, 2015)

In attendance were David Gutschenritter, Cliff Lewis, Maryanne Peabody and Jay Sherry. Kent George was absent. The Board of Selectmen portion of the meeting was videotaped and is currently available on WayCAM On Demand.

The meeting was called to order at 7:58 PM by Chair Cliff Lewis in the Planning Board conference room. The following agenda topics were addressed:

1. Public Comment

There were no members of the public present at this portion of the meeting.

2. General discussion of how to transfer OPEB responsibilities after the Committee ends its work in September

Jay reminded the Committee of the need for the Committee to provide some text to the Town's auditing firm Melanson, Heath that describes the rationale for Wayland's use of premium-based actuarial assumption. This text would be included in the financial statements' Management Discussion & Analysis section of fiscal year 2015.

The Committee enumerated some of the tasks associated with the preparation of the warrant article for each year's Annual Town Meeting. The warrant article appropriates the contribution to the OPEB investment account.

- a) Every December 31 prior to the April Town Meeting, the overall OPEB-eligible employee headcount must be tallied by the Town's Human Resources Director (currently John Senchyshyn), with the FTE headcount also identified for each fee-based program so that the OPEB contribution can be properly apportioned between the general taxpayer and the users of fee-based programs.
- b) Every January/February, the School Committee must approve the parity contributions of \$25,000 each for both Food Services and The Children's Way, for the next eight fiscal years or so until the parity contributions have been completed. The Wayland Public Schools Business Director (currently Susan Bottan) should assist with this task.
- c) The Committee believes that the Town's Finance Director (currently Brian Keveny) is the most appropriate town official to prepare the text of the annual warrant article. Warrant Article 4 in the 2015 warrant should serve as a useful template for warrant articles in future years.

The Committee also enumerated some of the tasks associated with the biennial OPEB valuation by the Town's actuarial firm. The next valuation is required as of December 31, 2016.

- a) The Committee believes that the Town's Finance Director is the most appropriate town official to manage the actuarial valuation, assisted by the Town's Human Resources Director.
- b) A Request for Quotation (RFQ) should be sent to four or five actuarial firms in the September timeframe. Responding firms should be queried in the RFQ for their likely investment return assumptions and healthcare inflation rate assumptions that would be most appropriate for Wayland's situation. The respondents' quotations should include fees for both the GASB 45 and premium-based valuations.
- c) The actuarial firm should be selected in October, based on the proposal response to the RFQ that provides the Town with the most overall value: accuracy in the OPEB forecast at an appropriate fee.
- d) A planning meeting with the selected actuarial firm should happen in November, with a focus on validating the modeling assumptions the actuarial firm will use.

- e) The Town's OPEB-eligible active employee headcount, retired employee headcount, and qualifying spouse headcount as of December 31 must be provided by the HR Director to the actuarial firm, along with data about healthcare insurance costs, employee & retiree selections, and other data that may be required.
- f) The actuarial firm's analysis should be complete by mid-February. The OPEB contribution for the subsequent fiscal year will come from the premium-based forecast, and will be used in the text of the warrant article published in March.

3. Joint Meeting with Board of Selectmen

At 8:19 PM the Committee re-convened in the Board of Selectmen's Meeting Room, where they joined Chair Cherry Karlson, Tony Boschetto, Mary Antes and Lea Anderson. *[The WayCAM video of the BOS – OPEB Committee meeting begins at 1:34:30]*

The Committee made three specific proposals to the Board of Selectmen (BOS) and discussed other topics as follows:

1. **Extend the timeframe of the OPEB Committee's charge from June 1, 2015 to September 30, 2015.** Dave Gutschenritter made this proposal, and explained that this would allow the Committee to complete its work on several items:
 - a. To fully document the process of how the biennial OPEB valuations should be conducted by various town officials: actuarial assumptions, employee census, etc
 - b. To focus on the cost of healthcare benefits and cost containment
 - c. To provide proper advice and counsel to Town Treasurer and Town Administrator on the management of the OPEB investment account
 - d. To define the process for producing the annual OPEB warrant articles
 - e. To complete the analysis of the proper legal structure for the OPEB investment account.
 Tony Boschetto made the motion on this proposal, seconded by Mary Antes and approved 4-0 by the BOS.
2. **Appointment of special counsel Murphy Hesse Toomey & Lehane, LLP for OPEB issues.** This will support a legal analysis of the appropriate OPEB legal structure and of the Town's special OPEB statute. Cliff spoke to this proposal. Lea Anderson made the motion, seconded by Mary Antes, and then approved 4-0 by the BOS.
3. **Approval of OPEB account Investment Policy revision A dated May 6.** Dave Gutschenritter spoke to this proposal and noted that the Committee and the two investment management firms Bartholomew and Rockland Trust believe that the 75% equities/25% fixed income allocation optimizes the chance to meet the 7% annual return objective. John Senchyshyn commented that in the future the Town Treasurer will need the regular review by the BOS of the investment allocation. Tony Boschetto asked about the current management fees from our two managers and potentially from PRIT. The BOS asked for the Committee's views on how frequently the investment policy should be reviewed. Dave suggested that an annual review by the BOS would be appropriate.

Cherry Karlson expressed her discomfort with an elected body like the BOS directly establishing the investment allocation, because a political body will not necessarily have the requisite financial expertise. She also asked the Committee to edit the document to make it tighter and clearer, and that the revision be reviewed at the May 18 meeting of the BOS. Cherry Karlson and Tony Boschetto both expressed a desire to have the OPEB governance document suggest the specific oversight role that the BOS should exercise.

4. **Request that Selectmen Tony Boschetto make his time available for review and oversight of the remaining OPEB work items.** Cliff spoke to this request. Tony agreed to provide time for these tasks.
 5. **Legacy work plan items.** Jay spoke to the processes that must survive the dissolution of the OPEB Committee. The Town needs to produce the annual OPEB warrant article, the biennial OPEB actuarial valuation, and needs a documented governance model for the OPEB investment account. These tasks need to be owned by an elected or appointed official of the Town, or by a staff person. Cherry asked Town Administrator Nan Balmer and Tony Boschetto to review where responsibility for each of the legacy tasks fits best from a job description perspective.
4. **Wrap Up.** The Committee reconvened at 9:25 PM in the Planning Board conference room. Cliff agreed to rework the Investment Policy to reflect the comments of the BOS. By a vote of 4-0, the Committee adjourned at 9:37 PM.

Respectfully submitted,
Jay Sherry

Personnel Board Meeting
Wayland Town Building – Large Hearing Room
Meeting Minutes
May 4, 2015 7:10 pm

Members Present:

J. Green (JG); M. Peabody (MP), P. Schneider (PS), D. Cohen (DC)

Also Present: J. Senchyshyn (JS)

JG called the meeting to order at 7:10 pm

Public Comment

Linda Segal addressed the Transfer Station as an individual resident comment. D. Gladu (TS Foreman) has done a great job. His type of qualities should be in the next TS Foreman, if there is a change. She wanted to express positive comments about his performance.

Release of Executive Session Minutes

JS noted that the Board released a number of minutes in the last executive session, but neglected to do so in open session. JS suggested the Board release the minutes publically.

MP moved to approve the release of executive session minutes of 5/5/14, 6/2/14, 9/15/14, 10/20/14, 11/24/14, 12/8/14 and 1/12/15 as redacted. PS seconded the motion. Four members voting in the affirmative, the motion passed.

Review of the 3/23/15 Minutes

MP moved to approve the draft minutes of 3/23/15. PS seconded the motion. Four members having voted in the affirmative, the motion passed.

Review of COA Project Coordinator Job Description

JS reviewed a draft job description for the COA Project Coordinator. COA representatives discussed the position with the Board during the budget process. ATM approved funding effective 7/1/15. Members discussed the job description and suggested several edits.

PS moved to approve the COA Project Coordinator job description at a grade N3 as amended. MP seconded the motion. Four members voting in the affirmative, the motion passed.

Review of Conservation Land Manager Job Description

JS reviewed a draft job description for the Conservation Land Manager. COA representatives discussed the position with the Board during the budget process. ATM approved funding effective 7/1/15. Members discussed the job description and suggested several edits.

PS moved to approve the Conservation Land Manager job description at a grade N3 as amended. MP seconded the motion. Four members voting in the affirmative, the motion passed.

Revise Asst. Youth Director, COA Director, Sanitarian and Y&F Services Director Job Descriptions

JS stated the grades for these positions were changed in the recently settled contract. He suggested the Board revise the job descriptions to reflect the changes.

DC moved to approve the revised grades for the following job descriptions: Asst. Youth Director-G6, COA Director-G7B, Sanitarian-G6 and Y&F Services Director-G9. MP seconded the motion. Four members voting in the affirmative, the motion passed.

Executive Session

JG moved the Personnel Board enter Executive Session pursuant to MGL Ch30A, Sec 21(a)(3) to Discuss Collective Bargaining Negotiations with the Police, Fire, and AFSCME-2 (Clerical) Unions and to Review and Potentially Vote to Approve Executive Session Minutes of 3/23/15 as an open discussion might have a detrimental effect on the town's negotiating position.

DC seconded the motion.

JG took a roll call vote:

Member Cohen	Aye
Member Schneider	Aye
Vice Chair Peabody	Aye
Chair Green	Aye

The Board having voted 4-0 to move into Executive Session, the motion carried. JG announced that the Board would be going into Executive Session for approximately 60 minutes for the stated purpose. The Board would be returning to Open Session.

The Board Entered Executive Session at approximately 7:50 pm.

The Board returned to Open Session at approximately 8:20 pm.

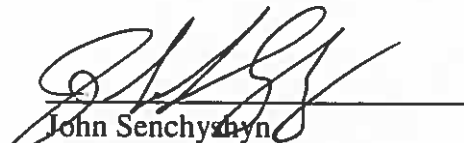
Topics not Anticipated 48 Hours in Advance

JS stated that a candidate, Darren MacCaughey had been identified for the Sanitarian position. MacCaughey is the Director of Environmental Services for the Westford BOH. He has 15 years of service in Westford. JS requested that the Board approve hiring MacCaughey at top step and credit his 15 years of service for vacation accrual purposes. Otherwise, the move to Wayland would be an economic step backwards for him.

DC moved to approve offering Darren MacCaughey top step of the Sanitarian position and crediting him with his years of service in Westford for vacation accrual purposes. PS seconded the motion. Four members voting in the affirmative, the motion passed.

Next Meeting

The Board scheduled there next meeting for Monday, June 22, 2015.



John Senchyn
ATA/HRD

Documents From Personnel Board Meeting

Regular Session

May 4, 2015

Document:

Draft COA Project Coordinator
Draft Conservation Land Manager
Draft Minutes – 03/23/15
MacCaughey Resume and AFSCME 1 Wage Chart
Non-Union Wage Scale



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

SARKIS SARKISIAN
WAYLAND TOWN PLANNER
TEL: (508) 358-3615
FAX: (508) 358-4036

MEETING MINUTES

November 20, 2014

The Wayland Planning Board met on **Thursday November 20, 2014 at 7:30PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

- 7:30 Review Agenda / Public Comment/ Correspondence**
- 7:35 Preview Preliminary Recommendations to the Planning Board from the Temporary Municipal Space Planning Committee**
- 8:15 Review Preliminary zoning articles list prepared by Planning Board, Town Planner and Zoning Board of Appeals.**
- 9:00 Adjourn**

Attendance:

Ms. Colleen Sheehan, Chair
Mr. Andrew Reck, Vice Chair
Mr. Kent Greenawalt, Member

Mr. Kevin Murphy, Clerk
Mr. Ira Montague, Member - Absent
Mr. Dan Hill, Associate Member

The Town Planner, Mr. Sarkis Sarkisian, was not present. Minutes taken by K. Murphy

7:30AM Open and Public Comment:

C. Sheehan opened the meeting, reviewed the agenda and informed those in attendance that the meeting is being taped.

Correspondence: S. Sarkisian informed the Board that a "Notice of Constructive Approval" has been received and related legal filings have been filed in district court. Advice from Town Counsel, Mark Lanza, is to schedule a future meeting to discuss.

Sarkisian: Jeff Rogers and wife, are the owners of a proposed Ace Hardware store that is planning to open in Town Center. Rogers sent an email to Sarkisian requesting a meeting to review signage and other design matters.

Sarkisian: Informed the Board that a Bond Bill recently approved by the state legislature includes \$2.5mm earmarked for Wayland's water and sewage plans. Town will follow up once new administration is established to access these funds.

Sarkisian: Some funds may be released from the Town Center Developer's Gift to construct sidewalks and curbing in the center of Town.

Sarkisian: At land use meeting, Rec Dept indicated intention to request funds at Town Meeting as follows: \$40k turf field design at the DPW site, \$100k for trails at Dudley, additional funding for stormwater issues and for designing a new soccer field.

Sarkisian: Town Administrator as asked Staff to prepare a license agreement for Town Green to facilitate the Town's ability to install a skating rink this winter.

Sarkisian: Solar Project at High School does not require zoning change (Building Commissioner) if located on fields but plan has changed to install panels over parking areas. This might need a revision to the approval for the High School.

Sarkisian: Working with Larry Kiernan to review integrity of bridge structure over the Sudbury River.

Sarkisian: Municipal Pad needs to have an Environmental Review – Phase 1 completed before moving forward with any proposals. Sarkisian would like Board to approve a request to Selectmen to fund this.

Sheehan: MAPC has funds available to provide technical assistance for planning for municipal planning. Motion: Authorize Town Planner to request \$40k from BoS to conduct Environmental Review.

Move: K. Greenwalt

Second: K. Murphy

Vote: 4-0

Sheehan: Noted that housing groups in Wayland have requested a joint meeting to discuss housing needs and planning in Wayland. The Board agreed to meet on January 20, 2015.

Public Comment: Molly Upton, Bayfield Road, suggested the Board consider proposing zoning articles to address floor-area-ratios (FAR) and the definition of maximum building height. The current definition is measured with reference to the post-construction mean grade vs pre-construction mean grade which can vary significantly.

7:55 PM: Preview Preliminary Recommendations to the Planning Board from the Temporary Municipal Space Planning Committee

C. Sheehan presented an overview of a proposal that has been drafted by two Board members (Sheehan and Greenawalt) and some residents to move forward with a review of the Town's open space and facilities with a goal of creating a long range plan.

The main proposal is for the BoS to create an Interim Committee (size and constituents TBD) that would then be approved by TM.

The Board discussed various constructs for the Interim Committee and discussed how new projects would approach the Committee for support.

A number of suggestions were made relating to scope, members of the committee and methodology for creating the committee. The Board agree to review the draft proposal and continue the discussion.

8:47 PM: Review Preliminary Zoning Articles

S. Sarkisian distributed a list of potential zoning articles for consideration. Not included on the list is the Overlay District proposal to limit pruning/removing trees.

C. Sheehan recommended that the Board prioritize the list to provide guidance for this and future Boards.

The Board then discussed various potential ZBLs including potential approaches for addressing FAR. The Board also agreed to discuss these issues on a more regular basis to avoid a rushed process just prior to TM.

Public Comment: Scott Mechanic, Meadowview Road discussed the Scenic Tree Overlay Protection District (STOP). He noted that the warrant article was prepared and proposed for the last Town Meeting but not submitted. He would like to revisit this. The Board expressed concern regarding enforceability and agreed to look into this issue. If the ZBL could limit the ability of a Utility to unilaterally prune/remove trees, then the Board would consider moving forward with the bylaw.

Future Meetings:

December 2 and December 16 were set as meeting dates.

9:45PM Adjourn

Move: A. Reck

Second: K. Greenwawalt

Vote: 4-0

Respectfully submitted,

Kevin Murphy, Clerk

Date



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

SARKIS SARKISIAN
WAYLAND TOWN PLANNER
TEL: (508) 358-3615
FAX: (508) 358-4036

FINAL MEETING MINUTES

May 26, 2015

Wayland Planning Board

FILED BY: Sarkis Sarkisian, Town Planner
DATE OF MEETING: May 26, 2015
TIME OF MEETING: 7:30 P.M.
PLACE OF MEETING: Wayland Town Building

AGENDA

- 7:30 P.M.** Public Comment/Correspondence/Town Planner update on Projects and developments/Elect new officers and reorganization
- 7:35 P.M.** Patriot Way – Continuation of Public hearing for a proposed Definitive Subdivision for Patriot Way (at 41 Shaw Drive) to subdivide land into two buildable lots each over 60,000 square feet with 210' of frontage for the construction of single family homes.
- 8:00 P.M.** Michael Road Violation – Town Planner action
- 8:10 P.M.** Wayland Bike Trail update and presentation by Allan Hanscom LSP Beta Engineering/Larry Kiernan Wayland Bike Trail
- 8:35 P.M.** Town Center Green construction update
- 8:40 P.M.** Discussion on the plan to develop a long-range facilities plan and capital plan Committee. Wayland Real Asset Planning Committee (WRAP)
- 9:00 P.M.** ANR Plan for River's Edge Assessors Map 22 Lot 3
- 9:10 P.M.** Potential zoning articles for Town Meeting

9:20 P.M Approve minutes March 3, 2015. March 24, 2015. April 28, 2015 May 11, 2015

9:30 P.M. Adjourn

Attendance:

Ms. Colleen Sheehan, Chair-
Mr. Andrew Reck, Vice Chair

Mr. Kevin Murphy, Clerk-Absent
Mr. Ira Montague, Member
Mr. Dan Hill, Associate Member; Absent

Also present was Mr. Sarkis Sarkisian, Town Planner. Minutes taken by S. Sarkisian

Meeting began at 7:40 P.M.

C. Sheehan opened the public hearing and read through the agenda.

C. Sheehan stated that we would not be electing new Chairs because we do not have a full board present.

Public Comment:

Gordon Schultz from Spencer Circle requested that the Board take action and have Spencer Circle accepted as a public way.

Evelyn Schultz also commented that the Town should not have released the bond to finish the roadway.

C. Sheehan stated that she completely understands the issues with the road for the past 15 years and that we must move forward with a complete resolution. She requested that the Town Planner investigate all funds if available and a cost estimate to complete the road.

I. Montague, the Board's representative to the CPC, asked the board if they have any projects that they would like to bring forward. The CPC is conducting an inventory of projects.

41 Shaw Drive.

S. Sarkisian informed the board that we have received a withdrawal letter without prejudice from Attorney Ed MacCarthy representing 41 Shaw Drive Oxbow Development Group, LLC.

Motion: To accept the withdrawal letter dated May 22, 2015.

Move: A. Reck

Second I. Montague

Vote 3-0

C. Sheehan instructed S.Sarkisian to file notification with the Town Clerk.

S. Sarkisian gave the Board of Selectmen an update on the Michael Road violation.

Wayland Bike Trail update.

Larry Kiernan Champion of the Wayland Bike Trail gave the Planning Board an update of where the project stands.

S. Sarkisian stated that we are working collaboratively with the conservation and mass historic commissions of putting together a workable plan. He further stated that maybe a Design Build approach would be the most cost effective way of constructing the Trail but wanted to get a definitive answer from the AG's office.

Al Hanscom from Beta Engineering was present to explain the Design Build concept. In the Design Build concept the owner has one primary contractual relationship with an entity that is responsible for the design and building of the construction project. The advantages he further explained are time savings, cost savings, one point of contact, few change orders reduced risk to owner. Possible disadvantages are loss of control of project design, less project oversight/quality control, suitability of design build team.

C. Sheehan stated to go with this approach the Town of Wayland would have to write a strong RFP.

A. Reck and S. Sarkisian raised a point whether this method is permitted if total construction is less than \$5 million.

A. Hanscom stated that the approach to constructing Rails to Trails has been over design and we must remember the rail line is a highly engineered "trail".

Discussion around the topic of drafting a strong RFP followed and that the Town Planner would get it in writing for permission to go forward with Design Build from the AG's office.

Motion to adjourn.

Move: A. Reck

2nd I. Montague

3-0

Respectfully submitted,

Sarkis Sarkisian, Town Planner

Date



Town of Wayland Massachusetts

Members:	Christine DeBona	Rebecca Stanizzi
	Anthony Boschetto	William Steinberg
	Jerome Heller	William Sterling
	Daniel Hill	Michael Wegerbauer
	Robert Morrison	

River's Edge Advisory Committee ("REAC") Meeting Minutes for Meeting of October 14, 2014

In attendance: Jerome Heller, Anthony Boschetto, Daniel Hill, Robert Morrison, Rebecca Stanizzi, William Steinberg, William Sterling. Absent: Christine DeBona, Michael Wegerbauer

The meeting was called to order at 7:06 PM in Meeting Room #2 of the Wayland Town Building.

I. Public Comment

Although there were three non-members in attendance, there were no questions or public comment.

II. 9.30 Meeting Minutes

Ms. Stanizzi suggested the following two clarifications inserted in red:

"From a practical perspective, Members discussed mid-late December as a realistic date for making a Developer recommendation to the Town Administrator."

"Attorney selection should be by the end of October."

III. Selection of Committee Chair

Mr. Heller confirmed that he accepts the role of chair of the Committee. Mr. Heller disclosed that he had worked for Burns & Levinson 40 years ago, but that it does not constitute any conflict of interest.

IV. River's Edge Background

There were no questions about the circulated materials from the last meeting.

Members discussed the possibility of touring together the building site and a few similar housing projects to get a better understanding of the issues to address in the Developer RFP. Mid November is an ideal time to do that. Ms. Stanizzi shall make recommendations of which sites to visit.

V. Structuring Review Criteria for Developer RFP

Members discussed the reasoning behind the 25% affordable minimum in the RFP. One major reason is that the CPC money would have to be returned to the Town if the affordable unit mix is under 25%. In addition, if 25% are affordable in a building of rental units, all the units will qualify toward the 40B count.

A similar question arose regarding the mix of seniors. A Market study determined that the building would be difficult to fill with 100% seniors. In addition, even though a developer may make more money with fewer seniors, more family housing puts a significant added burden on the school system costs for the town. Mr. Heller added that risk of adding school age children is mitigated by the small unit sizes. Real Estate advisor Edward Marchant suggested a unit mix with 80 % seniors. The CDC suggested 75% seniors.

Mr. Hill suggested the committee have Ed Marchant attend one of our meetings and discuss his criteria for his analysis of the proposed development, particularly with respect to the Wayland tax revenue impact.

Mr. Steinberg suggested we may need to update the EDC market study given the lapse of time since the last one. Recent market values may change the recommended percentages in the mix within the Fair Housing Act limitations.

Mr. Hill suggested we revisit the Developer selection criteria terminology, questioning the term "highly advantageous," for example.

VI. Legal Services Recommendation

Assistant Town Procurer, Elizabeth Doucette, had notified Mr. Heller that any discussion of the individual firm proposals must be done in executive session. Mr. Boschetto added that executive session needs to be posted in the meeting agenda 48 hours prior to the meeting. This interpretation of 30B implied that interviews would all have to be held in executive session as well. Mr. Hill does not believe that any of the legal selection proceedings come under the ruling of 30B. Rather than risk impropriety, the committee decided to tally their votes without discussing the individual merits of any applicants, then determine whether further discussion in executive session would be required after that.

Members confirmed that they had filled in the rating sheets and were ready to compile them in a spreadsheet fashion. The top three firm selections by each member were tallied and ranked with a weighted score given as follows:

Five points for first place, three points for second place and one point for third place.

The results are on the attached tally sheet.

Mr. Boschetto moved to submit the rankings as voted without need for interviews. Mr. Steinberg seconded the motion. The vote in favor was 7-0.

VII. Other topics

It was determined that the next meeting of REAC will occur on October 21, 2014, at 7:00 PM. At that time, the Committee will meet with Nan or Beth in executive session to discuss their ratings of the respondents to the RFP. At that time the fee proposals may be opened and discussed.

VI. Adjournment

At 7:55 PM, Ms. Stanizzi made a motion to adjourn the meeting and Mr. Steinberg seconded. The vote in favor was 7 – 0.

Handouts:

Agenda of tonight's meeting



Town of Wayland Massachusetts

Members: Christine DiBona
Anthony Boschetto
Jerome Heller
Daniel Hill
Robert Morrison
Rebecca Stanizzi
William Steinberg
William Sterling
Michael Wegerbauer

River's Edge Advisory Committee ("REAC") Meeting Minutes for Meeting of January 29, 2015

In attendance: Dan Hill, Rob Morrison, Becky Stanizzi, Bill Steinberg, Bill Sterling, Chris DiBona.
Absent: Mike Wegerbauer, Tony Boschetto, Jerry Heller (chair).

Guests: Stephen Anderson and David Weiner of Anderson & Krieger, Nan Balmer, Wayland Town Administrator.

The meeting was called to order at 7:02 PM

No public comment.

Minutes of January 8, 2014: Minutes taken by Jerry Heller, Chair, had not yet been circulated for review by committee members. Agreed to postpone review and acceptance of minutes until next meeting.

Steve Anderson presented sets of the following documents based on feedback from prior meetings:

- Clean and cumulative refined draft of RFP
- Release for RFP Respondents attending the Site Visit
- List of documents needed from Town for RFP
- Clean and cumulative redlined redraft of the Land Disposition Agreement
- Right of Entry and License Agreement
- Repurchase Agreement
- Escrow Agreement

Brief discussion of list of documents needed from various town sources – Bill Sterling mentioned "Project Dog," an online project management resource for posting all necessary documents on one site easily accessible to bidders.

Mr. Anderson asked for any questions or comments from committee members regarding RFP changes and revisions.

Section A (2)/RFP Schedule: Bill Steinberg expressed concern that the proposed timeline is at least 30 days too aggressive. Given slow turnaround times for parts of the RFP process, we may be looking at a longer time period start to finish.

Discussion veered toward solicitation of bidders and Becky Stanizzi asked if we could directly approach developers with RFP who are seen as good candidates to bid on project. Steve Anderson

said this is permissible. Discussed compiling list of brokers who might be willing to circulate RFP to potential developers without assessing fees to Town for their services. Mr. Anderson feels that, once the RFP is posted, we will not have difficulty finding interested bidders.

Section A (7)/Submission Process: Discussed rationale of keeping rejected bidders “on the hook” for a period of six months before returning deposit. Mr. Anderson answered that the 180-day period is designed to give us working room without holding bidders for an unduly long timeframe. 180-day period also prevents bidders from quickly exiting once rejected and returning with a significantly lower bid if chosen developer fails to proceed and project must be re-bid.

Section B (3)/Access Road: Mr. Steinberg felt the language regarding the access road was too restrictive and should be rewritten to allow for possible alternatives submitted by developer. Reasoning for restriction is mainly due to desirability of having only one curb cut along that stretch of road. Language about access road will be “toned down” to allow for alternate proposals.

Section B (7)/Taxes: Discussed advantages of setting accurate expectations for bidders with regards to Wayland’s high tax rate. Agreed that RFP should allow bidders to calculate real numbers or as close as possible based on assessment of property.

Section B (9)/Water & Sewer: Mr. Anderson feels this is a thorny area and we must be careful about what is ^{described} ~~promised~~ in terms of ^{potential} ~~state~~ grant to fund water & sewer line running to Town Center plus a leaching field at River’s Edge. There is no guarantee this potential grant will be decided upon or issued prior to RFP period. Multiple scenarios are outlined and developers are asked to break down bids accordingly. After lengthy discussion on the merits of outlining various case scenarios or eliminating paragraphs, it was agreed to leave the wording as A&K currently have it in draft RFP and answer bidder questions in depth during Information Session.

Section B (13)/Site Assignment: This paragraph will be rewritten after DEP specifications are finalized.

Section B (14)/Fair Housing: Ms. Stanizzi questioned whether there should be further explanation of our expectations on how bidders might satisfy fair housing law. There are various means of compliance with FHL, but we want to make it clear to bidders that alternative solutions are welcomed. Mr. Anderson said he was comfortable with the wording as is since relevant developers will be familiar with FHL and must own the burden of compliance when making proposals.

Section B (17)/Closing: Agreed to strike wording, “..and has secured necessary financing for the Acquisition of the property and the construction of the Project.”

Section E (1E)/The Project and the Work: Current wording affords Site Plan approval to Board of Selectmen, but REAC agrees as a whole this is not really the jurisdiction of BOS. Change BOS to “Town” in order to widen scope of who will approve Site Plans.

Section E (6G)/Senior and Affordable Housing Requirements: Mr. Steinberg asked if we could emphasize our interest in local preference in this paragraph further than it is currently stated. Mr. Anderson responded that we are not allowed to do anything beyond the extent of Mass. Law, and in, fact, DHCD may no longer allow local preference for housing applicants at all. Selected developer must follow DHCD fair marketing plans which are strictly governed.

Section E (9)/Enforcement of Covenants: Mr. Hill asked for revision of Item C which states the developer will, “use the Property solely for residential rental housing as provided in this RFP.” The committee has previously agreed that accessory use by the Town may be provide desirable community features (such as a café) and the RFP should not restrict building use as solely residential.

At this point in the meeting, Mr. Anderson asked that committee members give thought to how the RFP evaluation criteria will be applied. We should have an idea of what we really want in the final project and come to some sort of an agreement as a committee about agreement about the most desirable aspects of River’s Edge. It was agreed that we are interested in leaving the specs open to creative interpretation by bidders, and a number of committee members felt we would “know the best proposal when we see it” even if we can’t specifically define all of our wants in advance.

In discussing “most desirable” criteria, there is consensus that this will include a bidder hitting all necessary 40B targets, allowing for a broad range of income levels rather than targeting high-end renters, and successfully providing an attractive “visual gateway” into Wayland. Bidders scoring in the most desirable category will ideally propose a wide variety of amenities along with features accessible by the town at large, thus weaving River’s Edge into the existing community.

Although the evaluation criteria must be worded to give a uniform, objective basis on which to judge bidders, A&K understands REAC’s interest in encouraging creativity and needing a certain amount of subjectivity to evaluate potential projects. The RFP will be carefully worded so as to allow creativity while protecting us if evaluation criteria are contested in the future.

The process of bid review was discussed: when bidding period ends, REAC will review all bids on a qualitative basis and rank them accordingly. At that point, price bids will be opened and REAC will make our recommendation of most desirable integrated bids to the Board of Selectmen.

Discussed the merits of setting a “minimum bid” to set parameters at the outset. Mr. Anderson disagrees with doing this and feels that educated developers will evaluate assessment and appraisal and determine reasonable value without prior figures being set forth.

A meeting has been tentatively scheduled to submit the final draft RFP to the Board of Selectmen on Monday, February 23. A&K will be present at this meeting.

REAC will hold a prior meeting on Tuesday, February 10 at 7:00 to further discuss design guidelines and evaluation criteria before A&K finalizes RFP.

Meeting was adjourned at 9:37 PM.

River's Edge Advisory Committee (REAC)

Minutes of Meeting held on June 11, 2015

The following members were present: Jerome Heller (Chair), Rebecca Stanizzi, Daniel Hill, Robert Morrison, Bill Steinberg, and Michael Wegerbauer (7:45), constituting a quorum of the Committee.

Meeting was called to order at approximately 7:30PM.

No public comment

- Jerry explained that a meeting had not been held recently because there was no issue that required a vote and there were a number of things that had to take place before the Committee could attempt to finalize the RFP such as the vote of the BoPW, the ANR plan, the settlement with Sudbury on the septage facility, etc. He attempted to keep people informed with status messages.
- Becky said she was informed that the BOS could act to approve the RFP in the week of July 13, therefore she suggested the Committee meet next week to finalize the draft so it could be submitted to the BOS for their review in advance of that meeting. Also, she believes the BOS will take up the settlement agreement with Sudbury in Executive Session on June 24 so there is a possibility an agreement could be reached and incorporated into the RFP. However, if an agreement is not reached, she pointed out that the agreement expires in 2017 and demolition can take place following expiration. This will be reflected in the RFP.
- A review of the various issues then took place:
 - The BoPW voted to relinquish control of the land declaring it as surplus subject to being able to retain it if a deal with a developer does not take place. In addition the BoPW wants to be compensated for the additional expense they expect to incur resulting from the loss of use of the land.
 - The ANR plan has been approved by the Planning Board. This was delayed due to an error in the location of the western boundary of

the access road. The road remains under the control of the BoPW but an easement will be granted to the developer for access to the project at the southern end to the project.

- A&K drafted the application to the DEP for “presumptive approval” of the change of designation of the land from land fill to residential use. It will be submitted once the affidavit of the public works maintenance supervisor regarding past uses of the land has been completed. Discussion regarding its content is taking place with Town counsel.
- Tata and Howard completed an analysis of the adequacy of the Town water for domestic use and it was favorable under current regs. However, any water for irrigation will have to be derived from wells on the land.
- Becky and Sarki met with the new environmental secretary and found it was unlikely that any grant or other financing will be coming from the State. Therefore the RFP will have to reflect that case for waste removal.
- The ORAD is being worked on and should be available from the ConCom within the next two weeks.
- Jerry submitted the A&K invoice for the month of April for approval. Dan moved it be approved. On second, the bill was unanimously approved.
- Bill submitted a new introduction to the RFP to make it more appealing. After discussion it was agreed this was appropriate and the committee will discuss including the draft in the RFP at the next meeting.
- The Committee reviewed a list of documents and information prepared by A&K that are needed to complete the RFP as of June 10th. Becky is working with the various Town entities to obtain those items that are outstanding. The list will be attached to the minutes.
- Mike stated the Committee should be aware of a memo dated May 13,2015 from the Board of Health requesting groundwater testing of a list of chemicals and pointing out that approval of a wastewater treatment

plant can be required at both the State and local levels. It requested this information be incorporated into the RFP.

- It was agreed that the next meeting will take place on Wednesday June 17th at 6P.M. The latest drafts of the RFP and the LDA were sent to the committee electronically by A&K.
- The meeting adjourned at approximately 8:45 P.M.

Respectfully submitted by Jerome Heller

Attachments:

List of Documents and Information Needed from the Town to Complete the RFP
(as of June 10,2015)

Memo dated 5/13/15 from Board of Health

**River's Edge Meeting Minutes
Subcommittee Meeting of June 25, 2015
Panera Bread Company, Wayland Town Center, Wayland, MA**

Present: Dan Hill, Becky Stanizzi & Bill Steinberg

The meeting was called to order at 8:00 AM. There were no members of the public present, and therefore no public comment.

The Rivers Edge Committee had provided the three members present with the authority to meet in order to "clean-up" the RFP and Land Disposition Agreements that had been discussed at the Committee's meeting of June 17, 2015. The three members present looked through the two documents to make sure that the changes proposed by the overall committee had been incorporated into the document. It was determined that Becky would send such documents to counsel for the committee, for any clean-up and additional comments.

The review of such documents was completed at 8:40 AM, and the meeting was adjourned.

It should be noted that the documents reviewed had been made available to the public at our meeting of June 17, 2015.