

PACKET

JAN 25

2016



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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

**BOARD OF SELECTMEN
Monday, January 25, 2016
Wayland Town Building
Selectmen's Meeting Room**

**IF THIS MEETING IS CANCELLED DUE TO INCLEMENT WEATHER,
THEN IT WILL BE HELD ON TUESDAY, JANUARY 26, 2016**

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.

- | | |
|---------|---|
| 6:00 pm | 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to Discuss the Exchange, Lease or Value of Real Estate in regard to 4, 8 Sycamore Road, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Collective Bargaining Pertaining to the Police Union and the Fire Union |
| 6:20 pm | 2.) Call to Order by Chair <ul style="list-style-type: none">▪ Announcements; Review Agenda for the Public |
| 6:22 pm | 3.) Public Comment |
| 6:30 pm | 4.) Potential Vote to Approve the Memorandum of Agreement between the Town of Wayland and the New England Police Benevolent Association, Inc., Local 176, dated 12/21/15 for a Successor Collective Bargaining Agreement for the Period of 7/1/14 through 6/30/17; and Potential Vote to Approve the Memorandum of Agreement between the Town of Wayland and Local 178 of IAFF, AFL/CIO, dated 1/11/16 for a Successor Collective Bargaining Agreement for the Period of 7/1/13 through 6/30/14; and Potential Vote to Approve the Memorandum of Agreement between the Town of Wayland and Local 178 of IAFF, AFL/CIO, dated 1/11/16 for a Successor Collective Bargaining Agreement for the Period of 7/1/14 through 6/30/17 |
| 6:35 pm | 5.) Review and Potential Vote to Approve Board of Selectmen Annual Report for FY2015 |
| 6:40 pm | 6.) Vote Special Town Meeting: Discussion and Vote to Approve Letter to the Editor |
| 6:45 pm | 7.) Review Annual Town Meeting Articles and Vote Assignments |
| 7:00 pm | 8.) Approval of Four New Chapter 71, Section 26 A, B, C School Revolving Funds |

BOARD OF SELECTMEN
Monday, January 25, 2016
Wayland Town Building
Selectmen's Meeting Room
Proposed Agenda Page Two

- 7:15 pm 9.) Public Hearing on the Application filed by Eastbrook, Inc., dba Sperry's Liquors, for a New All Alcoholic Beverage License to Replace the Existing Wine and Malt, Off Premises (Package Store) License, at 87 Andrew Avenue
- 7:45 pm 10.) Attend Finance Committee Annual Town Meeting Warrant Article Hearing
- 9:40 pm 11.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:45 pm 12.) Review Correspondence (See Separate Index Sheet)
- 9:55 pm 13.) Report of the Town Administrator
- 10:05 pm 14.) Selectmen's Reports and Concerns
- 10:15 pm 15.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:20 pm 16.) Adjourn

(4) UNION VOTES

DATE: JANUARY 22, 2016
TO: BOARD OF SELECTMEN
RE: MOTIONS, POLICE AND FIRE UNIONS

MOTIONS:

Move to Approve the Memorandum of Agreement between the Town of Wayland and the New England Police Benevolent Association, Inc., Local 176, dated 12/21/15 for a Successor Collective Bargaining Agreement for the Period of 7/1/14 through 6/30/17

Move to Approve the Memorandum of Agreement between the Town of Wayland and Local 178 of IAFF, AFL/CIO, dated 1/11/16 for a Successor Collective Bargaining Agreement for the Period of 7/1/13 through 6/30/14

Move to Approve the Memorandum of Agreement between the Town of Wayland and Local 178 of IAFF, AFL/CIO, dated 1/11/16 for a Successor Collective Bargaining Agreement for the Period of 7/1/14 through 6/30/17

BOARD OF SELECTMEN

FY 15 began as a year of transition. Robert Mercier was serving as Interim Town Administrator and John Senchyshyn was serving as Acting Town Administrator. Following one unsuccessful search for a new Town Administrator, the Search Committee brought forward two finalists to the Board of Selectmen. On July 21, 2014 the Selectmen named Nanette Balmer to become Wayland's next Town Administrator. Ms. Balmer began work on September 8, 2014. Following the February 2015 retirement of Fire Chief Vincent Smith after 38 years of service to Wayland, David Houghton was sworn in as Wayland's Fire Chief. The Town welcomed a new Town Clerk, a new Treasurer/Collector and a new Recreation Director as well.

Throughout the year, the Selectmen worked with and appointed citizens to numerous permanent and temporary committees. In keeping with Wayland's rich history of citizen involvement in Town government appointees to boards and committees bring a wide-variety of professional experience to issues impacting the Town. A case in point was the excellent work of the Permanent Municipal Building Committee and the Board of Public Works. On June 20, 2015 the long awaited DPW Facility opened its doors to the public.

Traffic flow and enforcement continues to be a relevant topic as the Selectmen discussed with the Board of Public Works and the Police Chief how to monitor and/or mitigate traffic in the Damon Farms neighborhood, on Stonebridge Road, Thompson Road, Glezen Lane and Pelham Island Road as well as at the intersections of East Plain St./School St./Commonwealth Road and West Plain St./Old Connecticut Path.

In February, the Wastewater Management District Commission and the Selectmen announced a settlement to the adverse judgment from the lawsuit with Twenty Wayland. The judgment was reduced significantly and gift funds were used to contribute to the construction of the Wastewater Treatment Facility. There was no tax impact to residents as a result of this settlement.

The Board continues its efforts to make its meetings and actions transparent to the public. All meetings are taped by WayCam for rebroadcast, starting in October 2014 the entire packet has been available online in advance of the meetings, and regular and executive session minutes are produced, reviewed and posted online in a timely manner. In addition, the Selectmen worked with the School Committee and Town Clerk to co-host another Open Meeting Law Forum in May 2015.

In January 2015, the Town was the victim of a cyber attack. Fortunately, no financial loss occurred, and the Town has used this opportunity to review its Information Technology policies, procedures, controls and staffing with the assistance of outside experts. Town Meeting has been generous in its financial support to develop stronger controls and prevent this from happening again.

The Selectmen participated in many other and varied activities throughout the year:

- Wayland became a Purple Heart Community and received a proclamation at a ceremony in June
- Wayland's new Town flag was created as part of the 375th Anniversary celebration and was presented to the Town at the 2015 Annual Town Meeting and in June to our state legislatures for display in the Hall of Flags.
- Wayland continued its commitment to conservation with two significant additions:
 - A conservation restriction on over 10 acres of land near Hazelbrook Lane generously donated by the Beard family
 - Town Meeting approved the purchase of 246 Stonebridge Road to expand access to the Sudbury River
- The Board continues to support the efforts to construct the Rail Trail and assigned \$250,000 in gift funds to the project to supplement the town meeting appropriation.
- The Municipal Affordable Housing Trust was funded through Town Meeting, Community Preservation Funds and Selectmen's gift funds from the sale of each residential unit in the new town center River Trail development.

- The Energy Initiatives Advisory Committee oversaw the start of the ESCO energy saving projects throughout town and school buildings and successfully gathered Town Meeting support for the Town's first solar projects.
- The River's Edge Advisory Committee was created to shepherd the bid process for the residential rental development at site of the previous Septage facility. A request for proposals is anticipated in early FY2016.
- The new Minuteman Regional High School building project was met with skepticism. Town Meeting was not supportive of the projected financial impact on the Town and voted to withdraw from the District.
- Wayland Cares became part of Youth and Family Services and its budget continues to be supported with a combination of Town and grant funds.

At the April 2015 Town Election, citizens elected Mary Antes and Lea Anderson to serve on the Board of Selectmen for a three-year terms. The Board of Selectmen held their organizational meeting shortly after Annual Town Meeting, electing Cherry Karlson as Chair and Mary Antes as Vice Chair, as well as continuing the Board's practice of selecting liaisons to various departments and committees.

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

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Recognize Citizens and Employees for Particular Service to the Town	Board of Selectmen				
B	Pay Previous Fiscal Year Unpaid Bills	Board of Selectmen				
C	Current Year Transfers	Board of Selectmen				
D	OPEB Funding	Finance Committee				
E	FY 2017 Omnibus Budget	Finance Committee				
F	Compensation for Town Clerk	Board of Selectmen				
G	Accept Law Increasing Real Estate Tax Exemption Amounts	Board of Selectmen/Board of Assessors				
H	Personnel Bylaws and Wage & Classification Plan	Personnel Board				
I	Choose Town Officers	Board of Selectmen				
J	Accept Gifts of Land	Board of Selectmen				
K	Sell or Trade Vehicles and Equipment	Board of Selectmen				
L	Rescind Authorized but Unissued Debt	Board of Selectmen				

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
M	Hear Reports	Board of Selectmen				
N	Vote to Appropriate Funding for New Minuteman High School	Board of Selectmen				
O	Appropriate Funds for Design, Construction Documents and Bidding for a Proposed Council on Aging/Community Center at Wayland Town Center	Board of Selectmen/Council on Aging Community Center Advisory Committee				
P	Fund Glezen Lane Traffic Control Measures	Board of Selectmen				
Q	Petition the State Legislature to Remove All Police Personnel from the Provisions of Civil Service Without Affecting the Civil Service Rights of Incumbents	Board of Selectmen				
R	Petition the State Legislature to Adopt Special Act for Other Employment Benefits Trust Funds and Repeal Existing OPEB Trust Fund Special Act	Board of Selectmen				
S	Adopt Massachusetts General Laws Chapter 44, Section 53 E ½, Revolving Accounts	Board of Selectmen				
T	Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials	Board of Selectmen				

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
U	Confirmatory Taking of Newbury Conservation Land	Board of Selectmen/Conservation Commission				
V	Amend Chapter 145-Inspection, Testing, Maintenance of Private Fire Hydrants	Board of Selectmen				
W	Preservation of Historically Significant Buildings Through Demolition Delay	Historical Commission				
X	Transfer 193 and 195 Main Street to Library Trustees, Recreation Commission	Board of Library Trustees, Recreation Commission				
Y	Transfer 202 Old Connecticut Path to Library Trustees for Library Use	Board of Library Trustees				
Z	Fund Payment in Lieu of Sewer Betterment Assessment for Sewer Capacity for Town Library or Other Town Building	Board of Library Trustees				
AA	Transfer Custody of Small Portion of Lakeview Cemetery	Board of Public Works				
BB	Fund Reconfiguration of the Five Paths Intersection (Cochituate Road and Old Connecticut Path)	Board of Public Works				

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
CC	Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)	Board of Public Works				
DD	Accept Modified Route 30 and 27 Intersection as a Town Way	Board of Public Works				
EE	Regulating Temporary Signs Within Town-Owned Rights of Way	Board of Public Works				
FF	Establish 53D Recreation Revolving Fund for the Wayland Town Beach	Recreation Commission				
GG	Establish and Fund a Recreation Stabilization Fund	Recreation Commission				
HH	Funding to Design a Multi-Purpose, Rectangular, Artificial Turf Field 193 & 195 Main Street, also Known as the Former DPW Site	Recreation Commission				
II	Home Occupation	Planning Board				
JJ	Assisted/Independent Living and Nursing Home	Planning Board				
KK	Landscaping in Parking Areas Zoning Bylaw	Planning Board				

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
LL	Building Height	Planning Board				
MM	Sidewalk Construction in Roadside, Business Districts A and B, Light Manufacturing and Limited Commercial of the Zoning Bylaw	Planning Board				
NN	Conservation Cluster Developments	Planning Board				
OO	Set Aside Community Preservation Funds for Later Spending	Community Preservation Committee				
PP	Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund	Community Preservation Committee				
QQ	Appropriate Funds to Restore Monuments at North Cemetery	Community Preservation Committee				
RR	Appropriate Funds to Restore Cochituate Town Clock	Community Preservation Committee				
SS	Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm – CPA Only	Community Preservation Committee				
TT	Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm – CPA and General Borrowing	Community Preservation Committee				

ARTICLE LIST FOR 2016 ANNUAL TOWN MEETING

Article	2015 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
UU	Amend Chapter 36 of the Town Bylaws Relative to Time for Debate at Town Meetings	Petitioners				
VV	Amend Chapter 36 of the Town Bylaws Relative to Remarks at Town Meetings	Petitioners				
WW	Clarify Petitioner Access to Town Counsel	Petitioners				
XX	Amend Chapter 36 of Current Bylaws	Petitioners				



ARTICLES SUBMITTED FOR ADMISSION TO WARRANT FOR ANNUAL TOWN MEETING

April 7, 2016

The following articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Thursday, April 7, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

ARTICLE A: RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN

Sponsored by: Board of Selectmen

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

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

ARTICLE B: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

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

ARTICLE C: CURRENT YEAR TRANSFERS

Sponsored by: Board of Selectmen

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

ARTICLE D: OPEB FUNDING

Proposed by: Finance Committee

To determine whether the Town will vote to:

- a) authorize the transfer of \$XX from the following enterprise and revolving funds to the General Fund (TO BE DETERMINED):

1) Food Service	\$
2) Children’s Way	\$
3) Pegasus	\$
4) Building Use	\$
5) Enrichment	\$
6) Ice Hockey	\$
7) Athletics	\$
8) High School Parking	\$
9) Instrumental Music	\$
10) Transportation;	\$

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

1) Food Service	\$
2) BASE	\$
3) Children’s Way	\$
4) Full Day Kindergarten	\$
5) Water	\$
6) Transfer Station	\$
7) Recreation	\$
8) Pegasus	\$
9) Building Use	\$
10) Enrichment	\$
11) Ice Hockey	\$
12) Athletics	\$
13) High School Parking	\$
14) Instrumental Music	\$
15) Transportation;	\$

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

ARTICLE E: FY 2017 OMNIBUS BUDGET

Sponsored by: Finance Committee

To determine whether the Town will vote to appropriate a sum of money appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other

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purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

ARTICLE F: COMPENSATION FOR TOWN CLERK

Proposed by: Board of Selectmen

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk, to be effective July 1, 2016, which salary and compensation is printed below.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2015</u>	<u>FY 2016</u>
Town Clerk	\$ 69,122	\$ 70,504

ARTICLE G: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2017.

ARTICLE H: PERSONNEL BYLAWS AND WAGE & CLASSIFICATION PLAN

Sponsored by: Personnel Board

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

Amend bylaws as appropriate to conform with recent changes to collective bargaining agreements for vacation accruals, sick leave carryover and sick leave incentive.

ARTICLE I: CHOOSE TOWN OFFICERS

Proposed by: Board of Selectmen

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

ARTICLE J: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

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

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ARTICLE K: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

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

ARTICLE L: RESCIND AUTHORIZED BUT UNISSUED DEBT

Proposed by: Board of Selectmen

To determine whether the Town will vote to rescind the following borrowings, authorized at the corresponding Town Meetings, that are deemed no longer necessary because the projects funded by the borrowings have been completed:

1.) Septic System Repair	Article 6	5/8/00	\$188,425
2.) Feasibility Study-High School	Article 7	4/13/09	\$411,000
3.) High School	Article 2	11/18/09	\$2,313,814
4.) Middle School Replacement 7(3a)	Article 5	4/07/13	\$890,000

ARTICLE M: HEAR REPORTS

Sponsored by: Board of Selectmen

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

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

ARTICLE N: VOTE TO APPROPRIATE FUNDING FOR NEW MINUTEMAN HIGH SCHOOL

Sponsored by: Board of Selectmen

To determine whether the Town will:

- a.) appropriate the sum of ----- dollars for the purpose of construction of a new Regional Vocational Technical High School , ----- to be expended under the direction of the Minuteman School Committee; and to meet said appropriation the Minuteman School Committee is authorized to borrow said sum under M.G.L. Chapter 44, or pursuant to any other enabling authority. The District acknowledges that the Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the District incurs in excess

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of any grant approved by and received from the MSBA shall be the sole responsibility of the District through its members; provided further that any grant that District may receive from the MSBA for the Project shall not exceed the lesser of (1)----- percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; and

- b.) to meet said appropriation, authorize the Minuteman School Committee to borrow ----- under Massachusetts General Laws Chapter 44, or any other enabling authority; and
- c.) to authorize the Minuteman School Committee to enter into all necessary and appropriate agreements for the construction of a new Regional; Vocational Technical High School, including but not limited to a project funding agreement and a project scope and budget agreement with the MSBA, which agreements with the MSBA may include a provision requiring said School Committee to indemnify the MSBA for losses associated with the District's performance of its obligations and exercise of its rights under such agreements.

ARTICLE O: APPROPRIATE FUNDS FOR DESIGN, CONSTRUCTION DOCUMENTS AND BIDDING FOR A PROPOSED COUNCIL ON AGING/ COMMUNITY CENTER AT WAYLAND TOWN CENTER

Sponsored by: Board of Selectmen and Council on Aging/Community Center Advisory Committee

To determine whether the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen for the purpose of preparing Bid Documents and obtaining bids for a Council on Aging/Community Center building on the "municipal pad," the parcels of land located on and off Boston Post Road (Route 20) and Andrew Avenue in Wayland Massachusetts shown as Lot 4-1, Parcel R-20-1, Parcel R-21 and Lot 8-1 on a plan entitled "Plan of Land in Wayland, MA," dated December 12, 2013 prepared by Hancock Associates and recorded with the Middlesex South Registry of Deeds as Plan No. 1008 or 2013, a copy of which plan is on file in the Office of the Town Clerk.

In addition, to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Law Chapter 44 or other enabling authority, or otherwise, and to authorize the Town Administrator with the approval by the voters of the Town of Wayland to take any action necessary to carry out this program.

ARTICLE P: FUND GLEZEN LANE TRAFFIC CONTROL MEASURES

Sponsored by: Board of Selectmen

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works for the costs of design and construction of traffic control measures and improvements to Glezen Lane; and determine whether such appropriation shall be provided by taxation, by transfer

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from unappropriated funds for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

ARTICLE Q: PETITION THE STATE LEGISLATURE TO REMOVE ALL POLICE PERSONNEL FROM THE PROVISIONS OF CIVIL SERVICE WITHOUT AFFECTING THE CIVIL SERVICE RIGHTS OF INCUMBENTS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act exempting all Town of Wayland Police Personnel from the provisions of Civil Service Law substantially the same as the following act:

AN ACT EXEMPTING ALL POLICE PERSONNEL IN THE TOWN OF WAYLAND POLICE DEPARTMENT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Section 1: All police personnel in the Town of Wayland Police Department shall be exempt from the provisions of Chapter 31 of the General Laws and related regulations applicable thereto.

Section 2: The provisions of Section 1 of this act shall not impair the civil service status of the present employees of the Town of Wayland Police Department except for the purpose of promotion.

Section 3: This act shall take effect upon its passage.

ARTICLE R: PETITION THE STATE LEGISLATURE TO ADOPT SPECIAL ACT FOR OTHER EMPLOYMENT BENEFITS TRUST FUNDS AND REPEAL EXISTING OPEB TRUST FUND SPECIAL ACT

Sponsored by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act relative to the Town's Other Employment Benefits Trust Fund and repeal Chapter 372 of the Acts of 2010 substantially the same as the following act:

AN ACT ESTABLISHING A POSTEMPLOYMENT BENEFITS TRUST FUND IN THE TOWN OF WAYLAND

Section 1. Definitions. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Commission", the public employee retirement administration commission established under section 49 of chapter 7.

"GASB", the Governmental Accounting Standards Board.

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“Health Care Security Trust board of trustees”, the board of trustees established by section 4 of chapter 290 of the Massachusetts General Laws.

“Other Post-Employment Benefits Liability Trust Fund” or “OPEB Fund”; a trust fund established by a the Town under this section for the deposit of gifts, grants and appropriations and other funds for the benefit of retired employees and their dependents, the payment of required contributions of the Town to the group health insurance benefits and other post-employment benefits provided to employees and their dependents after retirement and the reduction and elimination of the unfunded liability of the town for such benefits.

“OPEB Fund board of trustees”; an independent board of trustees appointed by the Board of Selectmen with investing authority for the OPEB Fund.

“OPEB investing authority” or “investing authority”; the trustee or board of trustees appointed by the Board of Selectmen to invest and reinvest the OPEB Fund using the investment standard or investment vehicle established under this section.

“PERAC”, the public employee retirement administration commission established under section 49 of chapter 7 of the Massachusetts General Laws.

Section 2. Establishment and Management of OPEB Fund. The Town of Wayland shall establish and continue on its books and accounts the Other Post-Employment Benefits Liability Trust Fund, the assets of which shall be held solely to meet the current and future liabilities of the Town for group health insurance benefits and other post-employment benefits for retirees and their dependents. The town may appropriate amounts to be credited to the fund and the Town Treasurer, with the approval of the Board of Selectmen, may accept gifts, grants and other contributions to the fund. The fund shall be an expendable trust subject to appropriation and shall be managed by a trustee or a board of trustees as provided in subsection (b). Any interest or other income generated by the fund shall be added to and become part of the fund. Amounts that the Town receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may be dedicated to and become part of the fund by vote of the town at a town meeting. All monies held in the fund shall be accounted for separately from other funds of the town and shall not be subject to the claims of any general creditor of the town.

(a) The Town Treasurer shall be the custodian of the OPEB Fund and shall be bonded in any additional amounts necessary to protect fund assets.

(b) The Board of Selectmen, upon recommendation of the Town Administrator, shall appoint a trustee or board of trustees, which shall have general supervision of the management, investment and reinvestment of the OPEB Fund. The Board of Selectmen may appoint as the trustee or board of trustees (i) the custodian; or (ii) an OPEB Fund board of trustees appointed by the Board of Selectmen under subsection (c). If no designation is made, the Town Treasurer shall be the trustee and shall manage and invest the fund. The duties and obligations of the trustee or board of trustees with respect to the fund shall be set forth in a declaration of trust to be adopted by the Board of Selectmen, but shall not be inconsistent with this section. The declaration of trust and any amendments thereto shall be

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filed with the Board of Selectmen and the Town Clerk and take effect upon filing. The trustee or board of trustees may employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and pay for those services from the fund, if authorized by the Board of Selectmen upon recommendation of the Town Administrator. The trustee or trustees may, with the approval of the Health Care Security Trust board of trustees, invest the OPEB Fund in the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the Massachusetts General Laws.

(c) The Board of Selectmen, upon recommendation of the Town Administrator, may vote to establish a separate OPEB Fund board of trustees to be the investing authority. The board of trustees shall consist of 5 to 9 individuals, including a person or persons with the investment experience desired by the Town, a citizen or citizens of the town, an employee of the town, a retiree or retirees of the town, and a town officer or officers. The trustees will serve for terms of 3 or 5 years as determined by the Board of Selectmen, and if a vacancy occurs, a trustee may be appointed to serve for the remainder of the term. Trustees shall be eligible for reappointment.

(d) The trustee or board of trustees shall act in a fiduciary capacity and shall discharge its duties for the primary purpose of enhancing the value of the OPEB Fund and shall act with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise with like character and with like aims and by diversifying the investments in the fund so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.

In any civil action brought against a trustee or the board of trustees, acting within the scope of official duties, the defense or settlement of which is made by Town Counsel, such trustee or employee shall be indemnified from the OPEB Fund for all expenses incurred in the defense thereof and for damages to the same extent as provided for public employees in chapter 258 of the Massachusetts General Laws. No trustee or employee shall be indemnified for expenses in an action or damages awarded in such action in which there is shown to be a breach of fiduciary duty, an act of willful dishonesty or an intentional violation of law by such trustee or employee.

(e) Monies in the OPEB Fund not required for expenditures or anticipated expenditures within the investment period, shall be invested and reinvested by the custodian as directed by the investing authority from time to time; provided such investment is made in accordance with (i) section 54 of chapter 44 of the Massachusetts General Laws, in the case of the Town Treasurer or OPEB Fund board of trustees as investing authority, unless the Board of Selectmen, upon recommendation by the Town Administrator, authorizes investment under the prudent investor rule established in chapter 203C of the Massachusetts General Laws; or (ii) section 4 of chapter 29D and section 24 of chapter 32A of the Massachusetts General Laws, if the OPEB Fund is invested in the State Retiree Benefits Trust Fund.

(f) Amounts in the OPEB Fund may be appropriated by a majority vote of town meeting to pay the Town's share of health insurance benefits and other post-employment benefits for retirees and their dependents upon certification by the trustee or board of trustees that such amounts are available in the fund. The Town Treasurer after consulting with the Town Administrator shall determine the amount to be appropriated from the fund to the annual budget for retiree health insurance and notify the trustee

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or board of trustees of that amount at the earliest possible opportunity in the annual budget process. Upon notification, the trustee or board of trustees shall take diligent steps to certify those funds as available for appropriation by the town, or will be available by the time the appropriation would become effective or provide an explanation why the funds are or will not be available or should not be made available.

Section 3. Actuarial Reports. Whenever the Town obtains an actuarial valuation report in accordance with GASB statements of the liabilities of the unit for health care and other post-employment benefits for its retired employees and their dependents, it shall submit a copy to PERAC no later than 90 days after receipt of such report. PERAC may require that the Town provide additional information related to such liabilities, normal cost and benefit payments, as specified by the executive office for administration and finance in consultation with PERAC. The Town shall file the report and the additional information with PERAC and the division of local services. PERAC shall file a summary report of the information received under this section with the chairs of the house and senate committees on ways and means, the secretary of administration and finance and the board of trustees of the Health Care Security Trust established under section 4 of chapter 29D of the Massachusetts General Laws.

Section 4. Repeal of Existing OPEB Special Act. Chapter 372 of the Acts of 2010 is hereby repealed

Section 5. Effective Date. This act shall take effect upon its passage.

ARTICLE S: ADOPT MASSACHUSETTS GENERAL LAWS CHAPTER 44, SECTION 53 E ½ REVOLVING ACCOUNTS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to authorize the establishment or continuance of the following Revolving Accounts for the Fiscal Year beginning July 1, 2016, in accordance with Massachusetts General Laws Chapter 44, Section 53 E ½.

	REVOLVING FUND	AUTHORITY TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY17 SPENDING LIMIT
1	Transfer Station	DPW Director and Board of Public Works	Transfer Station fees, recycling fees	Transfer Station programs and activities	\$550,000
2	Recreation	Recreation Director and Commission	Recreation program user fees	Recreation programs	\$585,000

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3	Council on Aging	Council on Aging Director and Council	Council on Aging program user fees	Education, cultural and entertainment programs	\$50,000
4	School Department – Professional Development	School Business Manager and School Committee	Teachers’ user fees for training programs	Training program costs; instructional fees and materials	\$50,000
5	School Department – Curriculum	School Business Manager and School Committee	Departmental receipts from parents for materials	Instructional materials	\$25,000

ARTICLE T: AMEND CHAPTER 36, SECTION 18 OF TOWN CODE, ATTENDANCE AND PARTICIPATION OF NONRESIDENT TOWN OFFICIALS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 36, Section 18 of the Town Code, Attendance and Participation of Nonresident Town Officials, by adding thereto the words “Town Counsel” as follows:

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Town Counsel, Police Chief, Fire Chief, Finance Director, Director of Public Works, Public Buildings Director and Superintendent of Schools shall have the same right as registered voters of the Town to attend and sit on the floor of Town meetings and answer questions. Said Town officials shall not be considered in determining the presence of a quorum at Town meetings nor shall any of them be permitted to vote unless s/he is a registered voter of the Town.

ARTICLE U: CONFIRMATORY TAKING OF NEWBURY CONSERVATION LAND

Sponsored by: Board of Selectmen and Conservation Commission

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 eminent domain, for conservation purposes, to confirm and make clear the Town’s title to the fee in the parcel of land situated on Pelham Island Road in said Wayland containing approximately 70,953 square feet and shown as Lot 6B on a plan entitled “Plan of land in Wayland-Mass.”, dated September 4, 1973, by Everett M. Brooks Co., Civil Engineers (the “Plan”), recorded with the Middlesex South Registry of Deeds as Plan No. 125 of 1976;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land; and

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- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

ARTICLE V: AMEND CHAPTER 145 – INSPECTION, TESTING, MAINTENANCE OF PRIVATE FIRE HYDRANTS

Sponsored by: Board of Selectmen

To see if the town will amend Town Code Chapter 145, Inspection, Testing, & Maintenance of Private Fire Hydrants and Underground and Exposed Piping

Chapter 145 – Inspection, Testing & Maintenance of Private Fire Hydrants and Underground and Exposed Piping

Section 1- Purpose.

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

Section 2 - Referenced documents.

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

B. NFPA 25, the Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems (2014 edition).

C. Commonwealth of Massachusetts Regulation – 310CMR22

Section 3 -Definitions.

As used in this article, the following terms shall have the meanings indicated:

FIRE HYDRANT

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

PRIVATE FIRE HYDRANTS

Those hydrants not owned, rented, or maintained by the Town of Wayland or any other governmental entity.

UNDERGROUND AND EXPOSED PIPING

The supply piping connected to private fire hydrants.

Section 4 - Responsibility.

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

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Section 5 - Inspection, testing, and maintenance procedures.

- A. Fire hydrants shall be inspected, maintained, and tested in accordance with NPFA 25 (2014 edition).
- B. The Wayland Fire Department reserves the right to inspect private fire hydrants for compliance with this bylaw.
- C. Underground and exposed piping shall be inspected, maintained, and tested in accordance with NFPA 25 (2014 edition) and 510CMR22.
- D. Copies of all records related to the hydrants and piping shall be forwarded to the Wayland Fire Department within 30 days of the inspection, maintenance, and/or tests.
- E. The first round of inspection and maintenance procedures, which shall include flow tests of the hydrants (as specified by the Fire Department) and piping, shall be completed within the time period ~~April 15, 2016 - June 15, 2016~~ November 1, 2016. All testing will be done in cooperation with, and conducted following procedures outlined by the Department of Public Works Water Division. The records of the inspection, maintenance, and testing shall be filed with the Fire Chief at the Wayland Fire Department by ~~July 15, 2016~~ December 1, 2016.
- F. All subsequent yearly procedures shall take place in the time period between April 15 and ~~June 15~~ November 1 of each year and will be done in cooperation with the Department of Public Works – Water Division. Reports of the procedures shall be filed with the Fire Chief at the Wayland Fire Department by ~~July 15~~ December 1, each year.

Section 6 -Violations.

- A. For any violation of this bylaw, the property owner will be assessed the following fines. Property owners will be notified of all fines assessed and such fines must be paid within 30 days of notification.
 - (1) \$50: first offense, for each violation. This applies to each private fire hydrant. For instance, a subdivision with three hydrants in noncompliance with this bylaw would be assessed a fine of \$150.
 - (2) \$200: An additional \$200 fine will be assessed if the same violation(s) has (have) not been remedied after notification by the Fire Department and after a thirty-day period.
 - (3) \$300: if the same violation(s) is (are) not remedied after notification by the Fire Department during the next April 15 - June 15 time period. Failure to pay the fine within the prescribed time period will result in court action for violation of a Town bylaw or a municipal charges lien being placed on the subject real property pursuant to MGL c. 40, § 58, in the Middlesex County Registry of Deeds, South District, until the fine is paid.
 - B. As an alternative to the assessment of fines through criminal process, violations of this bylaw may be enforced through civil disposition in the manner provided in MGL c. 40, § 21D. The Fire Chief or his designee shall be the enforcing person.
-

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ARTICLE W: PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS THROUGH DEMOLITION DELAY

Sponsored by: Historical Commission

To determine whether the Town will vote to amend the General Bylaws of the Town of Wayland to include:

PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS THROUGH DEMOLITION DELAY

SECTION 1 INTENT AND PURPOSE

This by-law is enacted for the purpose of preserving and protecting significant buildings within the Town which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect of demolition on the character of the town. Through this bylaw, residents of the town are alerted to impending demolitions of significant buildings and owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Commissioner with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this bylaw. This bylaw applies only to the exteriors of buildings and structures.

SECTION 2 DEFINITIONS

APPLICANT-Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION-An application for the demolition of a building.

BUILDING-Any combination of materials forming a shelter for persons, animals, or property.

BUILDING COMMISSIONER - The person occupying the office of Building Commissioner or otherwise authorized to issue demolition permits.

COMMISSION – The Wayland Historical Commission or its designee.

DEMOLITION-Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

DEMOLITION PERMIT - The building permit issued by the Building Commissioner for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

PREFERABLY PRESERVED - Any significant building which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the twelve month demolition delay period of this bylaw.

SIGNIFICANT BUILDING – Any building within the town which is in whole or in part one hundred or more years old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

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SECTION 3 PROCEDURE

No demolition permit for a building which is in whole or in part one hundred or more years old shall be issued without following the provisions of this bylaw. If a building is of unknown age, it shall be assumed that the building is over 100 years old for the purposes of this bylaw.

An applicant proposing to demolish a building subject to this bylaw shall file with the Building Commissioner an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address, e-mail address and telephone number.
- A description of the building.
- The reason for requesting a demolition permit.
- A brief description of the proposed reuse, reconstruction or replacement.
- A photograph or photograph(s) of the building.

The Building Commissioner shall within seven days forward a copy of the application to the Commission. The Commission shall within twenty-one days after receipt of the application, make a written determination of whether the building is significant.

Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Commissioner and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Commissioner within twenty-one days of receipt of the application, the Building Commissioner may proceed to issue the demolition permit.

If the Commission finds that the building is significant, it shall hold a public hearing within thirty days of the written notification to the Building Commissioner. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in town hall for a period of not less than seven days prior to the date of said hearing and the applicant and the building inspector and abutters within 200 feet shall be notified in writing of the meeting time and place.

The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building should be preferably preserved or if agreed to in writing by the applicant, the determination of the Commission may be postponed.

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Commissioner and applicant in writing. No more than seventy-five days shall transpire from submittal of application to determination of preferably preserved. No demolition permit may then be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within fourteen days of the public hearing, the Building Commissioner may issue the demolition permit.

Upon a determination by the Commission that a building is preferably preserved, no building permit for new construction or alterations to the subject building shall be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission.

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Commissioner and have been found to comply with all laws pertaining to the issuance of a building

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permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for the issuance of such building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section. The Building Commissioner may issue a demolition permit or a building permit for a preferably preserved building within the twelve months if the Commission notifies the Building Commissioner in writing that the Commission finds that the intent and purpose of this bylaw is served even with the issuance of the demolition permit or the building permit. Following the twelve month delay period, the Building Commissioner may issue the demolition permit.

SECTION 4 ADMINISTRATION

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw. The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

SECTION 5 EMERGENCY DEMOLITION

If after an inspection, the Building Commissioner finds that a building subject to this bylaw is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building, then the Building Commissioner may issue an emergency demolition permit to the owner of the building. The Building Commissioner shall then prepare a report documenting the condition of the building and the basis for his decision which shall be forwarded to the Commission within fourteen days.

SECTION 6 ENFORCEMENT AND REMEDIES

The Building Commissioner is specifically authorized to institute any and all actions and proceedings, in law or equity, as it may deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent an imminent violation thereof.

Any owner of a building subject to this bylaw that demolished the building without first obtaining a demolition permit in accordance with the provisions of this bylaw shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of five years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

SECTION 7 SEVERABILITY

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

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**ARTICLE X: TRANSFER 193 AND 195 MAIN STREET TO LIBRARY TRUSTEES,
RECREATION COMMISSION**

Sponsored by: Board of Library Trustees, Recreation Commission

To determine whether the Town will vote to authorize the School Committee and/or the Board of Public Works, as the case may be, with approval of Town Counsel as to form, to transfer the care, custody, management and control of 1.) the parcel of land containing 2.0 acres, more or less, at 193 Main Street Wayland, Massachusetts, shown on Assessors Map 470 as Parcel 58C; and 2.) the parcel of land containing 4.7 acres, more or less, with the buildings and structures thereon at 195 Main Street Wayland, Massachusetts shown on Assessors Map 470 as Parcel 5 to the Board of Library Trustees for town library purposes and to the Recreation Commission for recreation purposes and to the School Committee for school purposes.

**ARTICLE Y: TRANSFER 202 OLD CONNECTICUT PATH TO LIBRARY TRUSTEES
FOR LIBRARY USE**

Sponsored by: Board of Library Trustees

To determine whether the Town will vote to authorize the Board of Selectmen, with approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcel of land on and off Cochituate Road and Old Connecticut Path, 202 Old Connecticut Path, Wayland, Massachusetts shown as Parcel C on the plan entitled "Plan of Land in Wayland, Massachusetts Showing Proposed Division of the Paine Estate" dated March 22, 1994, prepared by the Wayland Town Surveyor's Office and recorded with the Middlesex South Registry of Deeds as Plan No.693 of 1995, to the Board of Library Trustees for town library purposes.

**ARTICLE Z: FUND PAYMENT IN LIEU OF SEWER BETTERMENT ASSESSMENT
FOR SEWER CAPACITY FOR TOWN LIBRARY OR OTHER TOWN |
BUILDING**

Sponsored by: Board of Library Trustees

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Library Trustees for a payment in lieu of a betterment assessment relative to the new Town-owned wastewater treatment plant for sewer capacity at said plant to connect a Town Library building or other Town building at 5 Concord Road, Wayland, Massachusetts thereto; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

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ARTICLE AA: TRANSFER CUSTODY OF SMALL PORTION OF LAKEVIEW CEMETERY

Sponsored by: Board of Public Works

To determine whether the Town will vote to transfer custody of (*tbd est -18,000*) square feet of parcel 51C-047A from the Recreation Commission to the Board of Public Works for Cemetery purposes.

ARTICLE BB: FUND RECONFIGURATION OF THE FIVE PATHS INTERSECTION (COCHITUATE ROAD AND OLD CONNECTICUT PATH)

Sponsored by: Board of Public Works

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works for the costs of design and construction of traffic control measures and improvements to the intersection (including pedestrian crossings) of the 'Five Paths' Intersection (Cochituate Road and Old Connecticut Path); and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

ARTICLE CC: FUND PERMANENT RECONFIGURATION OF THE INTERSECTION OF EAST PLAIN STREET. SCHOOL STREET. AND ROUTE 30 (COMMONWEALTH ROAD)

Sponsored by: Board of Public Works

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works for the costs of design and construction of traffic control measures and improvements to the intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road), making permanent the temporary changes in configuration currently in effect; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

ARTICLE DD: ACCEPT MODIFIED ROUTE 30 AND 27 INTERSECTION AS A TOWN WAY

Sponsored by: Board of Public Works

To determine whether the Town will vote to accept as a town way the modified intersection of Main Street (Route 27) and Commonwealth Road (Route 30) as laid out by the Board of Public Works by adding to and incorporating into the respective layouts of said town ways the parcels of Town-owned land on said Main Street and Commonwealth Road shown as Parcel No.'s 1-T-1, 1-T-2, 1-T-3 and 1-T-4 on a plan entitled "Layout, Alteration and Easement Plan of Land in Wayland, Massachusetts", (2 sheets) dated October 27, 2015, prepared by Hancock Associates, Civil Engineers, Land Surveyors and Wetlands Scientists and recorded with the Middlesex County South District Registry of Deeds as Plan No. 879 of 2015.

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ARTICLE EE: REGULATING TEMPORARY SIGNS WITHIN TOWN-OWNED RIGHTS OF WAY

Sponsored by: Board of Public Works

To determine whether the town will vote to amend Chapter 97 of the town bylaws to add

§97-4 Temporary Signs in the Town Rights of Way

Definition: "Town right-of-way" for the purposes of this bylaw shall mean town owned land or roadway easements alongside roadways maintained by the Department of Public Works or the Commonwealth of Massachusetts. Rights-of-way shall extend to include all sidewalks, utility poles, fire hydrants and other utilities, at minimum 10' back from roadway pavement, and at minimum 2' back from sidewalks.

No temporary sign or advertising device shall be erected within any town right-of-way without first obtaining the written consent of the Selectmen.

Temporary signs or advertising devices so erected may be removed and disposed of without notice.

ARTICLE FF: ESTABLISH 53D RECREATION REVOLVING FUND FOR THE WAYLAND TOWN BEACH

Sponsored by: Recreation Commission

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53D to establish, authorize the use of and fund a revolving fund for the Recreation Department to be expended by the Recreation Commission and Recreation Director for the Wayland Town Beach for which the costs, which are seasonal salaries, supplies, materials, services, and utilities, shall be funded by user fees from beach memberships, rentals, and other associated beach facility service fees.

ARTICLE GG: ESTABLISH AND FUND A RECREATION STABILIZATION FUND

Sponsored by: Recreation Commission

To determine whether the Town will vote to

- a.) establish and authorize the use of a Recreation Stabilization Fund for the Recreation Department to be expended by the Recreation Commission and Recreation Director and;
- b.) appropriate a sum of money to be deposited into said Recreation Stabilization fund; and
- c.) provide for said appropriation by taxation, transfer from unappropriated funds, transfer from funds appropriated for another purpose or otherwise.

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ARTICLE HH: FUNDING TO DESIGN A MULTI-PURPOSE, RECTANGULAR, ARTIFICIAL TURF FIELD 193 AND 195 MAIN STREET, ALSO KNOWN AS THE FORMER DPW SITE

Sponsored by: Recreation Commission

To determine whether the Town will vote to allow the Recreation Commission to use up to \$200,000 from the Recreation Stabilization Fund, funded by field user fees, to design and investigate the construction of a potential Multi-Purpose, Rectangular, Artificial Turf Field at 193 & 195 Main Street (Old DPW Site) at the Wayland Middle School.

ARTICLE II: HOME OCCUPATION

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

(1) Strike the definition of "HOME OCCUPATION, CUSTOMARY (CUSTOMARY HOME OCCUPATION)" and replace it with the following:

See, Section 901.1.1 and 901.1.2

(2) Strike Section 901.1.2.4 and replace it with the following new paragraph:
The Customary Home Occupation shall not generate more than 150% of the total number of vehicle trips that the principal residential use of the lot generates on a daily basis.

(3) Add the following new Subsection:
901.1.2.8 - No change, extension or alteration of any portion of a building that is used for Customary Home Occupation shall be allowed except by a special permit under Section 198-203 granted by the Planning Board as special permit granting authority, after making the findings set forth in said Section 198-203.

ARTICLE JJ: ASSISTED/INDEPENDENT LIVING AND NURSING HOME

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

Amend the Table of Permitted Principal Uses by District by changing the designation for Line 24, "Assisted/Independent Living" from "SP" to "No" in Single Residence districts, and by changing the designation for Line 32, "Nursing Home" from "SP" to "No" in Single Residence districts.

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ARTICLE KK: LANDSCAPING IN PARKING AREAS ZONING BYLAW

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town’s Zoning Bylaw, by making the following revisions:

Replace section 506.8.1 to read as follows:

506.8. Landscaping in parking areas.

506.8.1. A continuous landscape strip of a minimum width of 10 feet shall be provided along the perimeter of a parking lot which is accessory to a non-residential use within or on a lot that is adjacent to a residential district. This strip shall be adequately landscaped and maintained with natural and living materials so as to form an effective year round screen from adjacent residential properties in said residential districts. The Special Permit Granting Authority or the Site Plan Approval Authority may also require a tight fence.

Existing language below

506.8. Landscaping in parking areas.

506.8.1. Parking lots immediately adjacent to a residence district shall be adequately screened year-round from view from said residence district by trees, hedges or a tight fence.

ARTICLE LL: BUILDING HEIGHT

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town’s Zoning Bylaw, by making the following revisions:

Under Section 104, strike the definition of “Building Height” and replace it with the following:
The vertical distance measured from the average natural grade to the highest point of the roof. Natural grade shall mean the elevation of the land in its natural state prior to disturbance for construction, filling or excavation, and shall be measured at each exterior corner of the building. In the event of a dispute or question concerning the accuracy of the average natural grade, an applicant shall produce a certification of the elevation from registered land surveyor.

ARTICLE MM: SIDEWALK CONSTRUCTION IN ROADSIDE, BUSINESS DISTRICTS A AND B, LIGHT MANUFACTURING AND LIMITED COMMERCIAL OF THE ZONING BYLAW

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town’s Zoning Bylaw, by making the following revisions:

These articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Thursday, April 7, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

To replace the following sections of the Zoning Bylaw with the following new paragraph:

In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purposes in which is the subject of a Special Permit or Site Plan Approval application, a pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be a minimum of five feet in width along and within the entire public right of way of the lot. The sidewalk shall be constructed of concrete and have at least six inches in height of raised granite curbing. The Special Permit Granting Authority, Site Plan Approval Authority and the Board of Public Works shall determine the sidewalk's final location including materials. The sidewalk location shall be such as to join in a reasonable manner to existing or potential sidewalks on or adjacent to abutting land. Pedestrian walkways shall also be required and integrated to the maximum extent possible, into the interior and/or perimeter landscaping of the parking lots. [Amended 5-5-1999 STM by Art. 11]

1002.1.7. In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purposes, a paved pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be no less than five feet in width and set back no less than four feet from the street lot line and to be constructed the full width of the lot, except where driveways exist, and separated from the remainder of the lot with a four-foot strip to be maintained as a landscaped area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land. [Amended 5-5-1999 STM by Art. 11]

§ 198-1106. Curbs and sidewalks

[Amended 4-28-1975 ATM by Art. 26; 4-28-1986 ATM by Art. 27]

1106.1. In both Business Districts A and B, in the event of the construction, reconstruction or substantial alteration of any premises that are used, or intended to be used, in whole or in part, for any industry, trade, manufacturing or commercial purpose, there shall be constructed as part of such construction, reconstruction or substantial alteration a raised granite curb at least six inches in height along the edge of the street, except at approved driveway openings, and a paved pedestrian sidewalk no less than five feet in width set back no less than four feet from the street lot line and covering the entire width of the lot, except where driveways exist, the sidewalk to be separated from the remainder of the lot with a strip four feet wide in which shall be maintained in good condition suitable evergreen shrubs or other landscaping approved by the ZBA. The strip between the sidewalk and the street shall be maintained in good condition as a grass area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land.

1302.1. In the event of the construction, reconstruction or substantial alteration of any premises that are used or intended to be used, in whole or part, for any industry, trade, manufacturing or commercial purposes, a paved pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be no less than five feet in width and set back no less than four feet from the street property line and to be constructed the full width of the lot, except where driveways exist, and separated from the remainder of the lot with a four-foot strip to be

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maintained as a landscaped area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land. [Amended 5-5-1999 STM by Art. 11]

1406.8. In the event of the construction, reconstruction or substantial alteration on any site that is used or intended to be used, in whole or in part, for the purpose allowed under this article, paved pedestrian sidewalks shall be constructed as a part of such construction, reconstruction or substantial alteration. Such sidewalks shall be no less than five feet in width, shall be set back no less than four feet from street lot lines and shall be separated from the remainder of the site by a four-foot landscaped strip. Sidewalks shall reasonably join existing sidewalks or shall be capable of reasonably joining potential sidewalks, internally and on abutting land. [Amended 5-5-1999 STM by Art. 11]

ARTICLE NN: CONSERVATION CLUSTER DEVELOPMENTS

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

By deleting the text shown below as ~~strikethrough~~ and adding the underlined text; or as otherwise indicated; text that is not being changed is shown for informational purposes only.

1803.1. After notice and public hearing in accordance with law, which public hearing shall be held within 65 days after the filing of the application with the Planning Board, the Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission and the Board of Health, grant such a special permit, provided that:

1803.1.1. It finds that the proposed plan is in harmony with the purposes and intent of this Zoning Bylaw and this article.

1803.1.2. The area of the tract of land is not less than 5 acres. [Amended 5-5-2005 ATM by Art. 27]

1803.1.3. The total number of ~~lots on which there is to be a single dwelling unit~~ dwelling units on the tract of land, including any affordable units required by Section 2204, does not exceed the larger of the following: [Amended 5-5-2005 ATM by Art. 29]

1803.1.3.1. The number of building lots that could be created in the tract shown on such plan by right without a special permit hereunder, plus one lot for each 10 of such building lots that could otherwise be created; or

1803.1.3.2. The number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land situated within the floodplain or designated as wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.3.3. ~~Within the Residence Districts, the Planning Board shall permit~~ may allow by special permit structures to be constructed containing more than one dwelling unit, but not more than four dwelling units per structure. The total number of dwelling units ~~for attached buildings~~ shall not exceed the total that is allowed under ~~§ 198-1805.1.1, 1803.1.3~~

1803.1.3.4. Notwithstanding any provision of this Zoning Bylaw to the contrary, the Planning Board may permit by Special Permit attached and detached dwelling units to be erected on single lot(s). [Added 10-3-2012 STM by Art. 6]

1803.1.4. Each of the building lots shown on the plan has adequate frontage, but no less than 50 feet,

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on a public or private way.

1803.1.5. Each of the building lots shown on the plan is of a size and shape as shall provide a building site that shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet as shown on the plan.

1803.1.6. The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built, provided that all dwellings and accessory buildings, driveways and roadways shall be set back at least 15 feet from the perimeter of the tract and 15 feet from any open land.

1803.1.7. ~~For Conservation Cluster~~ Developments consisting mostly of single-family detached dwellings, At at least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be open designated as Open Land, and the open land shall include all land not dedicated to roads or building lots. For Conservation Cluster Developments consisting mostly of attached single-family dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as Open Land-open land. The designated Open Land shall not include any land identified as a protected resource area under the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones). The Open Land shall maintain a lot width equal to at least the minimum frontage requirement in the underlying zoning district. and the open land shall include all land not dedicated to roads or building lots. For the purpose of this article, "open land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private. The Open Land shall be reserved to be used for open space, conservation, agriculture, outdoor passive recreation, park purposes or some combination of the foregoing. [Amended 5-5-2005 ATM by Art. 29]

1803.1.8. Conveyance of the open Open land Land.

1803.1.8.1. The Open land Land, and any other surplus land, wetlands or water bodies within the development tract, shall be conveyed either:

1803.1.8.1.1. To the Town, or its Conservation Commission, but only if the Town or Conservation Commission agrees to accept title to the open land which shall accept it for park or open space use;

1803.1.8.1.2. To the Sudbury Valley Trustees, Inc., and its successors or to another nonprofit conservation organization approved by the Planning Board, the principal purpose of which is the conservation of open space; or

1803.1.8.1.3. To a corporation, trust or association owned, or to be owned, by the owners of lots or residential units within the tract, provided that if such a corporation, trust or association holds title, ownership thereof shall pass with conveyance of the lots or residential units.

1803.1.8.2. If ownership is in an entity other than the Town, there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state, and provision shall be made so that the Town can enforce any other restrictions or easements imposed upon the open land by the Planning Board as conditions of its special permit grant.

1803.1.9. Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the open land to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the open land.

1803.1.10. If the land shown on the plan includes land in two residence zones, all of the land shall, for all purposes of this article, be considered as lying entirely within the zone having the largest area and frontage requirements, except that if 75% or more of the total area shown as building lots lies within one residence zone, all of the land shall be considered as lying within that zone. [Amended 5-5-2005 ATM by Art. 29[1]

1803.1.11. No lot shown on the plan for which a permit is granted under this article may be further

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subdivided, and a notation to this effect shall be shown on the plan. [Amended 5-5-2005 ATM by Art. 29]

§ 198-1804 Conditions.

1804.1. The Planning Board may, in appropriate cases, impose as a condition of the special permit further restrictions, conditions and safeguards upon the tract, or parts thereof, to protect and promote the health, safety, convenience and general welfare of the inhabitants of the Town of Wayland.

§ 198-1805 Decision.

1805.1. In connection with the granting or denying of a special permit under this article, the Planning Board shall issue to the applicant and shall file with the Town Clerk a written decision that shall include, at a minimum:

1805.1.1. A determination of the maximum number of lots upon which dwellings could be constructed without a special permit hereunder and a determination of the area of the tract usable for residential construction in accordance with § 198-1803.1.3 herein.

1805.1.2. A general description of the neighborhood in which the tract lies and the effect of the plan on the area.

1805.1.3. The relation of the proposed development to long-range plans of the Town, if any.

1805.1.4. The extent to which the proposed development is designed to take advantage of the natural terrain of the tract.

1805.1.5. The extent to which the proposed open land is of such a size, shape and location and has such adequate access so as to benefit the Town.

1805.1.6. If the Planning Board grants the special permit, the finding required by § 198-1803.1.1 above.

1805.1.7. If the Planning Board denies the special permit, its reasons for so doing.

1805.1.8. If the Planning Board disagrees with the recommendations of the Conservation Commission or the Board of Health, it shall state its reasons therefor in writing.

1805.1.9. If, by the terms of the special permit, the Planning Board permits the open land to be used for subsurface waste disposal, the finding required by § 198-1803.1.9 above.

1805.2. Such decision must be reached, filed with the Town Clerk and sent or delivered to the applicant within 90 days after the public hearing held on the application for the special permit, unless said ninety-day deadline is extended in accordance with law. Failure to so act shall be deemed approval in accordance with law.

§ 198-1806 Common land.

1806.1. If a special permit is granted, the Planning Board shall impose as a condition that the common land shall be conveyed, free of any mortgage interest or security interest and subject to a perpetual restriction of the type described above, prior to the Planning Board's release of any lots from the subdivision restriction covenant or, if there is no such covenant, prior to the Building Commissioner's issuance of a building permit for any lot. The petitioner shall provide satisfactory assurance of said conveyance and recording, in the form of copies of the recorded instruments bearing the recording stamp, and of such freedom from encumbrances.

§ 198-1807 Duration of special permit.

1807.1. A special permit granted under this article shall lapse within 18 months if substantial construction has not begun by such date, except for a good cause shown and approved by the Planning Board.

§ 198-1808 Amendments.

1808.1. Following the granting by the Planning Board of a permit under this article, it may, upon application and for good cause shown, after notice and a public hearing as required for granting a

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special permit, amend the plan solely to make changes in lot lines shown on the plan; provided, however, that no such amendment shall:

- 1808.1.1. Grant any reduction in the size of the open land as provided in the permit;
- 1808.1.2. Grant any change in the layout of the ways as provided in the permit;
- 1808.1.3. Increase the number of building lots as provided in the permit; or
- 1808.1.4. Decrease the dimensional requirements of any building lot below the minimal required by this Zoning Bylaw.

ARTICLE OO: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

Sponsored by: Community Preservation Committee

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

- a.) \$95,694 for open space, but not including land for recreational use, \$95,694 for historic resources, and \$95,694 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for FY 2016; and
- b.) \$10,000 for administrative expenses.

ARTICLE PP: TRANSFER COMMUNITY HOUSING FUNDS TO WAYLAND MUNICIPAL AFFORDABLE HOUSING TRUST FUND

Sponsored by: Community Preservation Committee

To determine whether the Town will vote to transfer funds in the amount of \$95,694 from the Community Housing Fund of the Community Preservation Fund to the Wayland Municipal Affordable Housing Trust Fund.

ARTICLE QQ: APPROPRIATE FUNDS TO RESTORE MONUMENTS AT NORTH CEMETERY

Sponsored by: Community Preservation Committee

To determine whether the Town will vote to:

- a) appropriate a sum of money not to exceed \$72,000 to be expended by the Wayland Historical Commission to preserve monuments in the Stoney section of the North Cemetery on Old Sudbury Road; and
- b) Determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$72,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Historic Preservation Fund.

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ARTICLE RR: APPROPRIATE FUNDS TO RESTORE COCHITUATE TOWN CLOCK

Sponsored by: Community Preservation Committee

To determine whether the Town will vote to:

- a) appropriate a sum of money up to \$29,000 to be expended by the Wayland Historical Commission to preserve restore/preserve the town owned clock located in the Community United Methodist Church tower in Cochituate; and
- b) Determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$29,000 of the funds so appropriate shall be transferred from the Community Preservation Fund’s Historic Preservation Fund.

ARTICLE SS: APPROPRIATE FUNDS TO PURCHASE CONSERVATION RESTRICTION ON MAINSTONE FARM – CPA ONLY

Sponsored by: Community Preservation Committee

To determine whether the Town will vote to:

- a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise a conservation restriction in accordance with Massachusetts General Laws Chapter 184, Sections 31-33, to be held by the Town of Wayland Conservation Commission and by the Sudbury Valley Trustees, Inc., on a parcel of land located on Old Connecticut Path and Rice Road, Wayland, Massachusetts containing 208.7 acres, more or less, being a portion of the land on Old Connecticut Path and Rice Road in Wayland, Massachusetts described in the deed dated April 18, 1991 and recorded with the Middlesex South Registry of Deeds in Book 21128, Page 94, which parcel of land to be covered by said conservation restriction is shown on Wayland Assessors Map as Parcel 35-031A and on an unrecorded plan entitled “Subdivision Plan of Land in Wayland Middlesex County Massachusetts” dated December 22, 2015, prepared for Mainstone Land Trust by Samiotes Consultants Inc., a copy of which plan is attached to the Warrant for the Annual Town Meeting 2016 in Appendix__;
- b) appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said conservation restriction to be held by the Town of Wayland Conservation Commission and by Sudbury Valley Trustees Inc.; and,
- c) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided:
 - i) not more than \$x of the funds so appropriated shall be transferred from the Community Preservation Fund of which \$x shall be from the Open Space Fund and \$x from the uncommitted funds in the Community Preservation Fund; and

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- ii) not more than \$x of the funds to be borrowed from Community Preservation Fund future receipts.

ARTICLE TT: APPROPRIATE FUNDS TO PURCHASE CONSERVATION RESTRICTION ON MAINSTONE FARM – CPA AND GENERAL BORROWING

Sponsored by: Community Preservation Committee

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise a conservation restriction in accordance with Massachusetts General Laws Chapter 184, Sections 31-33, to be held by the Town of Wayland Conservation Commission and by the Sudbury Valley Trustees, Inc., on a parcel of land located on Old Connecticut Path and Rice Road, Wayland, Massachusetts containing 208.7 acres, more or less, being a portion of the land on Old Connecticut Path and Rice Road in Wayland, Massachusetts described in the deed dated April 18, 1991 and recorded with the Middlesex South Registry of Deeds in Book 21128, Page 94, which parcel of land to be covered by said conservation restriction is shown on Wayland Assessors Map as Parcel 35-031A and on an unrecorded plan entitled “Subdivision Plan of Land in Wayland Middlesex County Massachusetts” dated December 22, 2015, prepared for Mainstone Land Trust by Samiotes Consultants Inc., a copy of which plan is attached to the Warrant for the Annual Town Meeting 2016 in Appendix__;
- b.) appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said conservation restriction to be held by the Town of Wayland Conservation Commission and by Sudbury Valley Trustees, Inc.; and,
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise, provided:
 - i) not more than \$x of the funds so appropriated shall be transferred from the Community Preservation Fund of which \$x shall be from the Open Space Fund and \$x from the uncommitted funds in the Community Preservation Fund, and
 - ii) not more than \$x of the funds to be borrowed from Community Preservation Fund future receipts, and
 - iii) not more than \$x from general borrowing.

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ARTICLE UU: AMEND CHAPTER 36 OF THE TOWN BYLAWS RELATIVE TO TIME FOR DEBATE AT TOWN MEETINGS

Sponsored by: Petitioners

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland entitled "Meetings" by adding thereto the following new section entitled "Time for Debate on Articles":

"§ 36-19. Time for Debate on Articles.

Except for motions under the Omnibus budget article, upon the expiration of thirty (30) minutes after the main motion under any article shall have been seconded, the Moderator shall terminate debate thereon, unless the town meeting shall have voted to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article under consideration shall not be included in the thirty (30) minute time limit of debates."

ARTICLE VV: AMEND CHAPTER 36 OF THE TOWN BYLAWS RELATIVE TO REMARKS AT TOWN MEETINGS

Sponsored by: Petitioners

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland entitled "Meetings" by adding thereto the following new section entitled "Time for Remarks on an Article":

"§ 36-20. Time for Remarks on an Article

Principal presenter(s) or principal opponent(s) of an article shall complete their remarks on the article in seven (7) minutes or less, and all other persons who wish to address the town meeting shall, when recognized, complete their remarks in two (2) minutes or less."

ARTICLE WW: CLARIFY PETITIONER ACCESS TO TOWN COUNSEL

Sponsored by: Petitioners

To determine whether the town will vote to:

2) Replace chapter 36-38 of the town code with the following:

Town Counsel shall be available for consultation or research at the request of the lead petitioner for an article. There will be no charge for the initial 20 minutes. If the time spent exceeds 20 minutes, the Board of Selectmen may require the lead petitioner to reimburse the Town for Town Counsel's time at his or her standard hourly rate.

<p>These articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Thursday, April 7, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.</p>
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ARTICLE XX: AMEND CHAPTER 36 OF CURRENT BYLAWS

Sponsored by: Petitioners

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


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

"§ 36-1. Town meeting and election.

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

These articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Thursday, April 7, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

(8) SCHOOL REVOLVING
FUND

DATE: January 8, 2016
TO: BOARD OF SELECTMEN
FROM: Susan Bottan, School Business Administrator 
CC: Mrs. Ellen Grieco, Esq. Chairperson Wayland School Committee
Dr. Paul Stein, Superintendent of Schools
RE: Consideration of Vote to Approve After-School Programs Established and Maintained Under M.G.L. Chapter 71, Section 26A,B,C

REQUESTED ACTION:

Vote to approve Public School Operated School-Age Child Care Program for Before and After School Extension (BASE), Global Language, Tutoring and Enrichment adopted by School Committee on November 30, 2015 (5,0).

BACKGROUND

The Board of Selectmen and School Committee engaged Attorney James Toomey of Murphy, Hesse, Toomey and LeHane in the spring of 2015 to provide legal guidance concerning certain revolving accounts held by the Town Treasurer for the School Committee. In Attorney Toomey's letter, dated August 25, 2015, he outlined recommended actions to assure that the accounts in question could be maintained in compliance with legal requirements as interpreted by the Bureau of Accounts.

Attorney Toomey's stated actions for the Before and After School Extension (BASE), Global Language, Tutoring and Enrichment programs follow:

1. School Committee to adopt programs – voted (5,0) on November 30, 2015.
2. Programs submitted to Department of Elementary and Secondary Education (DESE) for approval – completed on December 22, 2015.
3. Selectmen vote to approve programs – *request before Board of Selectmen.*

The School Committee's approved descriptions of each program submitted to DESE are attached for your reference.

Thank you for your consideration.

SCHEDULE OF OPERATION

Please provide the requested information for all that apply:

	# hours/ day	# days/ week	# of weeks	Total # of hours
School-Year (before school)	1.5	5	38	285
School-Year (after school)	3.2	5	38	608
School Vacation Weeks	10	4	2	80
Summer				

PROGRAM FEATURES

Services/Activities: Which of the following are components of the program? (check all that apply)

- Snack
- Homework time/support
- Enrichment/Academic Enrichment
- Physical activity/wellness

Transportation: Please indicate how students travel to/from the program. (check all that apply)

- Provided by program/school
- Parent pick-up/walk

Program Funding/Fees*: How is your program funded? (check all that apply)

- Parent/family-pay
- Department of Early Education and Care subsidies/contracts

***If parents/families pay fees, does your program offer a sliding scale and/or scholarships for families that cannot afford the program?**

Yes

OTHER INFORMATION/ COMMENTS:

Please use this space for any additional information/comments, if applicable.

If available, you may upload a copy of your program flyer/handbook. (This is not required for registration.) *Click Browse to find your file, click on the file, and then click Upload to begin upload process.*

CERTIFICATION

I hereby certify that services described are authorized by the local school committee (or other governing board), city/town council, are aligned with the Quality Standards for Public School Operated School-Age Child Care programs, and are in accordance with local school/district policy and procedures.

Superintendent (Typed Name) : Dr. Paul Stein

Superintendent (Signature)*: _____



Date*: _____

11/22/15

***Upon receipt of the PDF version of this submitted form, please print and return with the original signature of the Superintendent.**

Thank You!

Thank you for registering your School Operated School-Age Child Care Program. You will soon receive an email with a PDF copy of what you submitted. Please remember to print and mail it with the original signature of the Superintendent. Upon receipt of the signed form, ESE will process, and within three weeks will send a confirmation letter. An updated Registration Form should be submitted when/if any information provided in this form significantly changes.

SCHEDULE OF OPERATION

Please provide the requested information for all that apply:

	# hours/ day	# days/ week	# of weeks	Total # of hours
School-Year (before school)				
School-Year (after school)	1	5	20	100
School Vacation Weeks				
Summer				

PROGRAM FEATURES

Services/Activities: Which of the following are components of the program? (check all that apply)

Enrichment/Academic Enrichment

Transportation: Please indicate how students travel to/from the program. (check all that apply)

Parent pick-up/walk

Program Funding/Fees*: How is your program funded? (check all that apply)

Parent/family-pay

***If parents/families pay fees, does your program offer a sliding scale and/or scholarships for families that cannot afford the program?**

No

OTHER INFORMATION/ COMMENTS:

Please use this space for any additional information/comments, if applicable.

Global Languages is a successful program that is structured similarly to other enrichment programs offered by WSCP. We are considering moving it from a stand-alone program to the Enrichment offerings beginning in FY17.

If available, you may upload a copy of your program flyer/handbook. (This is not required for registration.) *Click Browse to find your file, click on the file, and then click Upload to begin upload process.*

CERTIFICATION

I hereby certify that services described are authorized by the local school committee (or other governing board), city/town council, are aligned with the Quality Standards for Public School Operated School-Age Child Care programs, and are in accordance with local school/district policy and procedures.

Superintendent (Typed Name) : Dr. Paul Stein

Superintendent (Signature)*: _____

Date*: _____

11/22/15

***Upon receipt of the PDF version of this submitted form, please print and return with the original signature of the Superintendent.**

Thank You!

Thank you for registering your School Operated School-Age Child Care Program. You will soon receive an email with a PDF copy of what you submitted. Please remember to print and mail it with the original signature of the Superintendent. Upon receipt of the signed form, ESE will process, and within three weeks will send a confirmation letter. An updated Registration Form should be submitted when/if any information provided in this form significantly changes.

Public School Operated School-Age Child Care Program - REGISTRATION FORM

BASIC PROGRAM INFORMATION

District : Wayland Public Schools
 Program Name : Enrichment
 School* : Loker, Happy Hollow, Clypfit Hill, Wayland Middle School, Wayland High School
 Program Address : 47 Loker Street, Wayland, MA 01778
 Program Director / Contact : Patricia Keefe
 Phone : 508-655-3103
 Year in which program was established : 1996

*Please include the school at which the program takes place; and also any schools that send students to this program.

Email of Program Coordinator / Contact: (an email with a PDF of the submitted form will be sent to this email address)

susan_bottan@wayland.k12.ma.us

Additional Email: (If you would like a copy of the submitted form to be sent to another email address as well, please include it here.)

Program Description: Please provide a brief description of the program/services offered. (This may be from program flyer/recruitment materials. If available, you may upload a copy of your program flyer at the end of this form.)

Activities are offered after school in areas such as photography, drama, chorus, private music lessons (Grades 3-12), computer coding (Grades 6-7), and STEM (Grades K-2). Summer programming includes: summer strings (Grades 5-9), fitness (Grades 8-12); summer math and literacy (Grades 1-3).

STUDENTS SERVED

Please indicate the *estimated* number of students served at each applicable grade-level.

	K	1	2	3	4	5	6	7	8	9	10	11	12
School-Year	74	29	49	20	22	21	18	8	8	2	2		2
Summer		31	27	36	2	3	7	1	9	21	20	14	14

SCHEDULE OF OPERATION

Please provide the requested information for all that apply:

	# hours/ day	# days/ week	# of weeks	Total # of hours
School-Year (before school)				
School-Year (after school)	1	4	22	88
School Vacation Weeks				
Summer	6	5	7	210

PROGRAM FEATURES

Services/Activities: Which of the following are components of the program? (check all that apply)

- Snack
- Enrichment/Academic Enrichment
- Physical activity/wellness

Transportation: Please indicate how students travel to/from the program. (check all that apply)

- Parent pick-up/walk

Program Funding/Fees*: How is your program funded? (check all that apply)

- Parent/family-pay

***If parents/families pay fees, does your program offer a sliding scale and/or scholarships for families that cannot afford the program?**

- No

OTHER INFORMATION/ COMMENTS:

Please use this space for any additional information/comments, if applicable.

Enrichment programming is provided by private contractors who establish their own rates and schedules, and manage their own registration processes. Each contractor remits 20% of their collected tuition to WSCP to cover the costs associated with offering a program in a WPS building.

If available, you may upload a copy of your program flyer/handbook. (This is not required for registration.) *Click Browse to find your file, click on the file, and then click Upload to begin upload process.*

CERTIFICATION

I hereby certify that services described are authorized by the local school committee (or other governing board), city/town council, are aligned with the Quality Standards for Public School Operated School-Age Child Care programs, and are in accordance with local school/district policy and procedures.

Superintendent (Typed Name) : Dr. Paul Stein

Superintendent (Signature)*: _____



Date*: _____

11/22/15

*Upon receipt of the PDF version of this submitted form, please print and return with the original signature of the Superintendent.

Thank You!

Thank you for registering your School Operated School-Age Child Care Program. You will soon receive an email with a PDF copy of what you submitted. Please remember to print and mail it with the original signature of the Superintendent. Upon receipt of the signed form, ESE will process, and within three weeks will send a confirmation letter. An updated Registration Form should be submitted when/if any information provided in this form significantly changes.

(9) SPERRY'S
LIQUORS

PUBLIC HEARINGS

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

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

Approved on February 9, 2004; revised and restated on October 13, 2010; revised September 28, 2015.

WILLIAM F. BREWIN, JR.
ATTORNEY AND COUNSELLOR AT LAW
277 MAIN STREET
MARLBOROUGH, MA 01752

TEL: (508) 460-3484
FAX: (508) 624-4599
E-MAIL: WBREW@VERIZON.NET
WWW.BREW@LAW.COM

RECEIVED

JAN -4 2016

Board of Selectmen
Town of Wayland

December 29, 2015

Office of the Board of Selectmen
41 Cochituate Road
Wayland, MA 01778
ATTN: MaryAnn DiNapoli
Executive Assistant

RE: ALL ALCOHOL LICENSE
87 ANDREWS AVENUE, WAYLAND, MA 01778
PROPOSED HEARING DATE: January 25, 2016

Dear MaryAnn:

Enclosed in connection with a new application for a Beer and Wine License please find the following:

1. Monetary Transmittal Form;
2. \$200.00 fee payable to ABCC;
3. Application for Retail Alcoholic Beverage License;
4. Applicant's Statement;
5. Articles of Organization for Eastbrook, Inc.;
6. Floor Plan;
7. Personal Information Form - Anthony MJ Speranzella
8. Manager's Application - Kevin R. Gelsinon;
9. Personal Information Form - Kevin R. Gelsinon;
10. CORI Forms for Anthony MJ Speranzella and Kevin R. Gelsinon;

Board of Selectmen
December 29, 2015
Page Two

11. Birth Certificate - Kevin R. Gelsinon;
12. Eastbrook, Inc. Corporate Vote;
13. Signed Lease with Wayland Town Center, LLC is with Beer & Wine Application - Please advise if you need another copy.

My client is looking to schedule the hearing for Monday, January 25, 2016.

It is our understanding that he will be responsible for mailing notices to the abutters within three (3) business days of the publication. Please advise as to the date of publication.

Please feel free to contact me with any questions or comments.

Very truly yours,



William F. Brewin, Jr.
WFB/vjd

Enclosures

cc: Mr. Anthony MJ Speranzella

Acts**2015****Chapter 153 AN ACT AUTHORIZING THE TOWN OF WAYLAND TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES**

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

SECTION 1. (a) Notwithstanding [section 17 of chapter 138 of the General Laws](#), the licensing authority of the town of Wayland may grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to [section 15 of said chapter 138](#), to an establishment located within the town's "Mixed-Use Overlay Zoning District," as that district is defined by the town's zoning map, as it existed as of May 3, 2006, upon approval of and under conditions set by the licensing authority of the town. The license shall be subject to all of said [chapter 138](#) except said [section 17](#).

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity for a period of 3 years from the date of original issuance and no license shall be transferred to a location outside of the town's "Mixed-Use Overlay Zoning District". A license granted pursuant to this act shall be clearly marked on its face "Mixed-Use Overlay Zoning District Only". The licensing authority shall only approve a transfer of a license under this section to a new applicant if the applicant files a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all taxes, fees and contributions have been paid.

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

(d) If the license authorized in this act is granted to Eastbrook, Inc. to be exercised at 87 Andrew avenue, Eastbrook, Inc. shall surrender to the licensing authority the license it currently holds for the sale of wines and malt beverages not to be drunk on the premises at 87 Andrew avenue pursuant to [section 15 of chapter 138 of the General Laws](#).

SECTION 2. This act shall take effect upon its passage.

Approved, December 16, 2015.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

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

LEGAL NOTICE

EASTBROOK, INC.
dba SPERRY'S LIQUORS
87 Andrew Avenue
Wayland MA

LEGAL NOTICE

Notice is hereby given that the Board of Selectmen will hold a Public Hearing on Monday, January 25, 2016, at 7:15 p.m. at the Wayland Town Building, 41 Cochituate Road, Wayland, MA 01778, on the application filed by Eastbrook, Inc., dba Sperry's Liquors, for a new all alcoholic beverage license to replace the existing wine and malt, off premises (package store) license, at 87 Andrew Avenue, Wayland MA, 01778.

Board of Selectmen
Town of Wayland

/md

dc: Town Crier January 14, 2016
Abutters
Post Wayland Town Building
Wayland Public Library

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Wayland

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Eastbrook, Inc.

B. Business Name (if different) : Sperry's Liquors

C. Manager of Record: Kevin Gelson

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises: 87 Andrews Avenue

City/Town: Wayland

State: MA

Zip: 01778

F. Business Phone: (508) 485-1594

G. Cell Phone:

H. Email:

I. Website: none

J. Mailing address (If different from E.): 7 Eastbrook Farm Lane

City/Town: Southborough

State: MA

Zip: 01772

2. TRANSACTION:

- New License
- New Officer/Director
- Transfer of Stock
- Issuance of Stock
- Pledge of Stock
- Transfer of License
- New Stockholder
- Management/Operating Agreement
- Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual
- (6) Day to (7)-Day License
- Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- §12 Restaurant
- §12 Hotel
- §12 Club
- §12 Veterans Club
- §12 Continuing Care Retirement Community
- §12 General On-Premises
- §12 Tavern (No Sundays)
- §15 Package Store

4. LICENSE CATEGORY:

- All Alcoholic Beverages
- Wines & Malt Beverages
- Wines
- Malt
- Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Annual
- Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Anthony Speranzella
ADDRESS: 7 Eastbrook Farm Lane
CITY/TOWN: Southborough STATE: MA ZIP CODE: 01776
CONTACT PHONE NUMBER: FAX NUMBER:
EMAIL:

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises. Please note that this must be identical to the description on the Form 43. **Your description MUST include: number of floors, number of rooms on each floor, any outdoor areas to be included in licensed area, and total square footage.** i.e.: "Three story building, first floor to be licensed, 3 rooms, 1 entrance 2 exits (3200 sq ft); outdoor patio (1200 sq ft); Basement for storage (1200 sq ft). Total sq ft = 5600."

2,000 square feet, 1 room, 2 doors, 2 bathrooms, 1.10 door walk-in cooler, 1 counter, wine racks, walk-in humidor

Total Square Footage: 2,000 Number of Entrances: 2 Number of Exits: 2
Occupancy Number: Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises. Other:

Landlord is a(n): LLC Other:

Name: Wayland Town Center, LLC, c/o KGI Properties, LLC Phone: 4012738600

Address: 10 Memorial Boulevard, Suite 901 City/Town: Providence State: RI Zip: 02903

Initial Lease Term: Beginning Date Ending Date

Renewal Term: Options/Extensions at: Years Each

Rent: Per Year Rent: Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

If Yes, Landlord Entity must be listed in Question # 10 of this application.

If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

Corporation

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

09/19/1996

State of Incorporation/Organization: Massachusetts

Is the Corporation publicly traded? Yes No **10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (4):A. All individuals or entities listed below are required to complete a Personal Information Form.B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form (unless they are a landlord entity)

Name	All Titles and Positions	Specific % Owned	Other Beneficial Interest
Anthony Speranzella	President, Treasurer, Clerk Director	100 %	
Kevin R. Gelsonin	Manager	none	none

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
Anthony Speranzella	\$15 Package Store	Eastbrook, Inc., 10 Technology Drive, Hudson, MA 01749
Anthony Speranzella	\$15 Package Store	Eastbrook, Inc., 17 East Main St., Marlborough, MA 01752
Anthony Speranzella	\$15 Package Store	Eastbrook, Inc., 531 Lincoln St., Marlborough, MA 01752
Anthony Speranzella	\$15 Package Store	Eastbrook, Inc., 87 Andrews Avenue, Wayland, MA 01778
Anthony Speranzella	\$15 Package Store	Eastbrook, Inc., 205 Turnpike Rd., Southborough, MA 01772
	Please Select	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:**A.) For Individual(s):**

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$0.00
C. Costs of Renovations/Construction:	\$0.00
D. Initial Start-Up Costs:	\$0.00
E. Purchase Price for Inventory:	\$15,000.00
F. Other: (Specify) Shelving	\$ 8,000.00
G: TOTAL COST	\$23,000.00
H. TOTAL CASH	\$23,000.00
I. TOTAL AMOUNT FINANCED	\$0.00

IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to cover the amount described, loan documentation, or other documentation.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §17 or §18 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (6): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

21. ANTICIPATED OPENING DATE:

March 1, 2016

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**

APPLICANT'S STATEMENT

I, Anthony Speranzella the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Eastbrook, Inc., hereby submit this application for All alcohol
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 

Date: 12-28-2015

Title: Owner

D

The Commonwealth of Massachusetts

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF ORGANIZATION

(Under G.L. Ch. 156B)

ARTICLE I

The name of the corporation is:

Eastbrook, Inc

ARTICLE II

The purpose of the corporation is to engage in the following business activities:

To engage in and carry on the business of buying and selling at retail, package goods all alcoholic and other related items and as necessary for the above purposes; to employ persons and agents as well as to buy, sell or lease real estate in connection with said business; to acquire assets, good will, rights, property and all other things necessary for said purposes; to accumulate cash, stock securities and to incur obligations for the corporation as well as to borrow and lend money with or without security for the purposes of the business and all other things permissible under Massachusetts General Laws Chapter 156B as amended.

96263010

Examiner
Jm

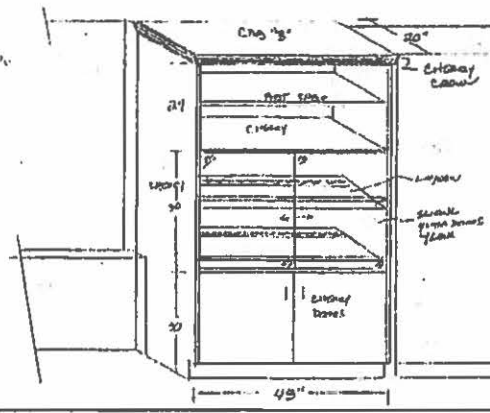
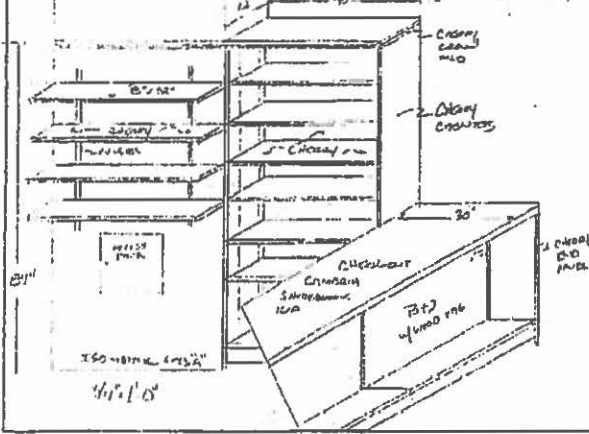
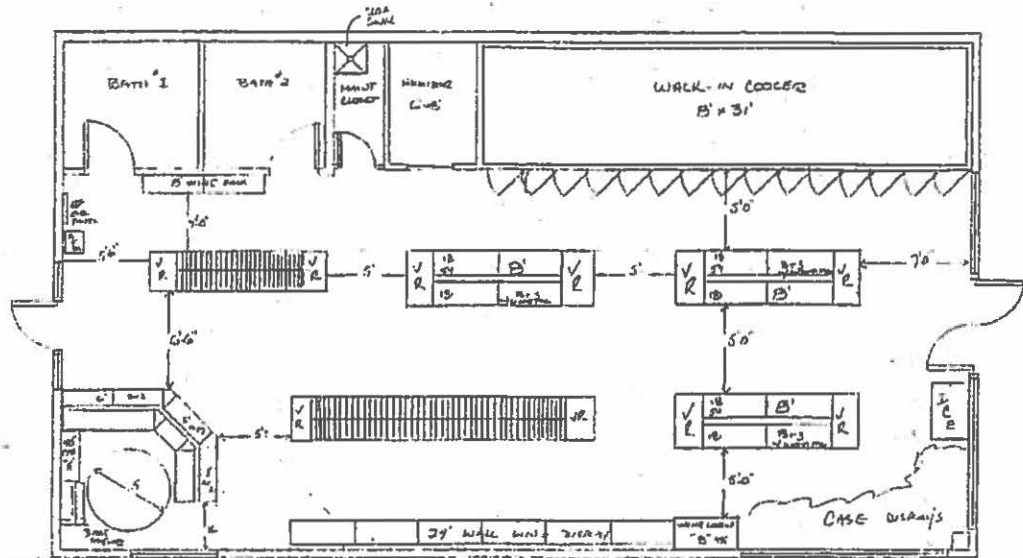
Name Approved
BS

C
P
M
R.A.

P.C.
6

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

PLAN VIEW
1/4" = 1'-0"



WINE RACKS
B/O 2'-1" →
ISO-APPC CAB #3
7/4" = 1'-0"

SPERB'S FINE WINES BREW-CLOARS	
DATE: 11/11/00	DRAWN: P.A.
PROJECT: 2-2000-N	SHEET: 1
PLAN & CAB. DETAILS	SCALE: 1/4" = 1'-0"
P.A. REYNOLDS CO.	SPW-1

Consent Vote of
Shareholders and Directors of
Eastbrook, Inc.

I, Anthony Speranzella, sole shareholder and director of Eastbrook, Inc., consent to the following action taken and votes adopted.

VOTED: To authorize the President of the Corporation to apply for a §15 Package Store, all alcoholic beverages license from the Town of Wayland for premises at 87 Andrews Avenue, Wayland, Massachusetts.

VOTED: To ratify and confirm the appointment of Kevin R. Gelsinon as Manager for the liquor license at 87 Andrews Avenue, Wayland, Massachusetts.

I hereby direct the Clerk of the Corporation upon execution of this consent to insert this document in the minute book of the Corporation.

Dated: December 28, 2015



Anthony Speranzella, Director
and, Stockholder

(13) TOWN ADMINISTRATOR
REPORT

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING JANUARY 22, 2015**

BOS MEETING: WEDNESDAY JANUARY 27

The Board will meet to sign the 2/11/16 Special Town Meeting warrant at Noon.

FINANCE COMMITTEE REQUEST

The Finance Committee requested my comments on the FY 17 Budget proposal. (See attached.)
The comments in brief include:

1. The Facilities Director's request for additional funding for temporary help to manage projects.
2. Response that an alternative reduced IT budget may be provided for consideration.
3. Request to increase funding by \$10,000 for Town Meeting (See Consent Calendar)
4. Request to carefully consider Town Clerk's needs for assistance for elections.
5. Note that DPW staffing level needs (in my opinion) further evaluation.
6. Summary of recommended Recreation Department funding model.

RECREATION FUNDING MODEL

After additional conversations with the Recreation Commission and Department of Revenue legal staff, my final recommendations were finalized, shared at a meeting with the Recreation Commission and Finance Committee and are attached.

The key role for the Board of Selectmen will be (as required under MGL Chapter 44, Section 53 E ½) to identify in an annual article reauthorizing the revolving funds, the designations for each fund of the authority to spend, the allowable revenues, the allowable expenditures, and the maximum allowable expenses.

DOR legal staff are available for a conference call to review the details of this complex issue.

TA COMMENTS TO
FC ON FY17
BUDGET

DATE: JANUARY 21, 2016
TO: FINANCE COMMITTEE
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: REQUEST FOR TOWN ADMINISTRATOR'S COMMENTS ON FY 17 BUDGET SUBMISSION

The Finance Committee requested the Town Administrator's recommendations on the FY 17 budget which are outlined below. As you know, the Town Administrator directly reports to the Board of Selectmen. All of the recommendations except item one were reviewed with the Selectmen.

The request of the Finance Committee for the Town Administrator's budget recommendations is separate from the requirements of Town Code Chapter 19 Section 4, included at the end of this document. Regarding Chapter 19, Section 4, the Finance Committee received two memoranda, approved by the Board of Selectmen, recommending FY 17 capital requests and operating expenses for boards and committees under the Board of Selectmen. The Town Administrator's responsibilities under the Town Code were fulfilled except for the requirement to "file estimates of all probable items of income", primarily user fees. Depending upon available staff resources, a comprehensive user fee schedule will be developed which provides all data relevant to setting fees through a consistent town wide process.

Please be advised that prior to submission of departmental budgets, Assistant Town Administrator John Senchyshyn and I met individually with Department Heads to review FY 17 capital requests and operating expense requests and compare the requests with actual FY 15 data, the FY 16 budget, the 5 year capital plan and outstanding capital projects. Although several changes were made as a result of these meetings, we found the departmental requests to be responsible and that the level of FY 17 budget increase, with the exception of Information Technology, is modest. In general, I believe that based on my prior experience (with some exceptions discussed below), that town departments are adequately staffed.

TOWN ADMINISTRATOR'S RECOMMENDATIONS ON FY 17 BUDGET REQUESTS:

1. FACILITIES: PROJECT MANAGEMENT ASSISTANCE

Attached is a list of 46 outstanding and immediate future projects under the Facilities Director. The Facilities Director needs assistance to oversee and manage the projects this year. Mr. Keefe requests temporary contracted support on a project by project basis. This would enable him to: 1) account for management costs by project and, 2) evaluate the relative costs of obtaining contracted assistance based on the projects vs. hiring additional staff for the Facilities Department. *(Note that the DPW, ESCO, Claypit windows/ doors projects already have owner's project managers)*

A supplemental FY 17 budget request for the Facilities Department could be based on the following "ballpark" estimate of cost from Mr. Keefe:

Mr. Keefe subtracted the projects that are already managed by an OPM, John Moynihan or Pat Morri, leaving \$1.5M of work. The Facilities Director would manage 60% of that work, and looks for assistance with the remaining 40% (\$600K). Estimate going rate for OPM is 6%- 8% of project costs. Therefore Ben estimates \$36k - \$48K will cover project management services for 40% of Facilities Director's upcoming workload. Ben envisions these services will be provided by multiple vendors, combining projects when possible, and taking advantage of specific vendor knowledge and experience. If not approved, Ben will do his best to get all the projects completed. However Ben's time will be stretched thin and some projects will not get the same level of attention as others.

2. **INFORMATION TECHNOLOGY: ALTERNATIVE FY 17 BUDGET PLAN**

The Information Technology budget was submitted assuming the the high end of the budget recommendations made by the Town's IT consultant. I would be happy to work with staff and the town's consultants to provide an alternative, reduced FY 17 IT budget. Along with an updated budget plan, we could present the status of projects / use of resources for all IT projects. I ask that the Finance Committee allow town staff and consultants to continue to develop the IT system and manage town / school IT systems. (See "Recent History", below)

Recent History: Prior to Special Town Meeting, I requested the Selectmen's approval to request a Current Year Transfer of \$70,000 for e-mail licenses and new firewall. The Board of Selectmen, at the request of a local resident, added \$25,000 to that request for a specific IT project. The Finance Committee added \$45,000 to that request for "general support". A local resident persuaded Town Meeting to add \$50,000 to the request for a contracted IT manager for a total of \$190,000 or \$120,000 more than town management requested. In addition, numerous residents and committee members have lobbied via e-mail for a high financial commitment to IT.

3. **TOWN MEETING: \$10,000 INCREASE REQUESTED**

On Monday January 25th, the Board of Selectmen plans to vote its request for an additional \$10,000 to add to the Town Meeting Budget. Please see justification from Assistant Town Administrator John Senchyshyn.

4. **TOWN CLERK: ELECTIONS COSTS**

The Finance Committee is asked to carefully consider the Town Clerk's request for personnel for the upcoming presidential election and new election requirements.

5. **DPW STAFFING**

Based on my prior experience, I believe the DPW workforce may be insufficient to meet demands on the Department, even after the addition of one new position recommended by the Personnel Board. To help manage the increasing workload, Mr. Senchyshyn will draft a Memorandum of Understanding among the BOPW, Recreation Commission and School Committee that will require, as one provision, the identification and quantification of ongoing maintenance needs for all town and school recreation facilities. More evaluation of DPW staffing is needed.

6. RECREATION DEPARTMENT

Please see memo to Recreation Commission and Finance Committee explaining in detail my recommendations for a funding model for the Recreation Department. The MA Department of Revenue legal staff, which assisted in drafting the recommendations, offered to explain relevant municipal finance law in a conference call with local officials. The following is a brief summary of recommendations which would, if adopted, affect the FY 17 Recreation budget:

1. **CREATE ABILITY TO STAY UNDER EXPENSE CAP:** Creation by Town Meeting of a separate Beach Revolving Fund under MGL Chapter 44 Section 53 D will allow the Recreation Department additional spending capacity under the 53 E ½ statutory expense cap by moving \$90,000+ in annual operating expenses out of the MGL 53 E ½ fund.
2. **FUND BEACH 53 D REVOLVING FUND:** Funding the 53 D account with an estimated \$100,000 in “seed money” transferred by Town Meeting in the Finance Committee’s recommended budget motion from the General Fund to the 53 D fund with a parallel transfer of \$100,000 from the 53 E ½ fund, will reduce the fund balance of unspent user fees in the 53 E ½ Fund.
3. **CLOSE-OUT PORTION OF EXCESS REVOLVING FUND BALANCE:** Town Meeting may transfer between funds for any lawful purpose. The budget motion of the Finance Committee includes such fund transfers. The Recreation Commission is considering a request for a \$300,000 transfer from the 53 E ½ Fund to the General Fund, in recognition of #4 below, transferring \$300,000 from the General Fund to a new Recreation Stabilization Fund. The 53 E ½ Fund is estimated by the Finance director to have a balance of approximately \$800,000 in unspent user fees as of 6/30/16.
4. **CREATE RECREATION SPECIAL PURPOSE REVOLVING FUND:** The Recreation Commission will request Town Meeting approval of a Recreation Stabilization Fund. A transfer of \$300,000 from the General Fund into the Stabilization Fund will be requested. This will be in parallel with #3 above. 2/3 vote is required to create the fund, transfer into the stabilization fund and appropriate from the fund. The Recreation Commission may at the same time request an appropriation from the fund for an FY 17 capital project.
5. **SPEND FIELD USER FEES FOR PURPOSES FOR WHICH PAID:** Fees paid by filed user fees are accumulating unspent in the Recreation Revolving Fund at the rate of \$100,000 per year. User fees must be spent on “present” (vs. long term) expenses required to make municipal facilities available to the users. The Board of Selectmen must approve and submit an article annually to Town Meeting to re-authorize Revolving Funds under 53 E ½. This article must have affirmative approval by the Selectmen and specify 1) the authority to spend funds, and 2) the allowable sources of receipts 3) matched with the allowable expenses and the 4) spending cap. The Finance Committee, through its FY 17 budget motion, may present field user fees as a local receipt in the general fund budget as is done for most other user fees

with appropriate offsetting expenses budgeted in general fund line items. The Recreation Commission would prefer to accumulate the user fees for a future capital purpose. DOR legal staff say saving money in a revolving fund for a future project is not in keeping with MA municipal finance law.

REQUIREMENTS OF TOWN CODE CHAPTER 19, SECTION 4: ESTIMATES OF EXPENSES AND INCOME

1. The various Town boards, officers and committees charged with the expenditure of Town money shall, not later than the 15th of December in each year, file with the Clerk of the Finance Committee detailed estimates of the amounts deemed necessary for the administration of their respective board, office or committee for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their board, office or committee.
2. One month prior to the 15th of December in each year, for all Town boards, officers and committees under the jurisdiction of the Board of Selectmen, the Town Administrator shall submit to the Board of Selectmen detailed estimates of the amounts deemed necessary for the administration of all such boards, offices, or departments for the ensuing fiscal year, including both capital and expense items. The Town boards, officers and committees under the Board of Selectmen's jurisdiction shall be defined as those boards, officers and committees appointed by the Board of Selectmen in accordance with the Town's by-laws and/or state law. The budget submission should include explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding fiscal year. For each such Town board, officer, committee and department under the Board of Selectmen's jurisdiction, the Town Administrator shall also, as part of the submission, file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of each such board, office, committee or department.
3. For the Town boards, officers, committees and departments under the Board of Selectmen's jurisdiction, the Town Administrator shall submit preliminary budgets to the Finance Committee by December 15th of each year.
4. Prior to January 15 of each year, unless another date is agreed to, the Town Administrator shall review and make recommendations to the Board of Selectmen with respect to the budget requests, including both capital and expense items, and income estimates of all other Town boards, committees, offices and departments. except for the School Committee.
5. In addition, the Board of Selectmen shall, no later than the 15th of January in each year, unless another date is agreed to, make both a capital and expense budget recommendation to the Finance Committee for the ensuing fiscal year for each Town board, officer and committee under its jurisdiction.

ATTACHED: 1. List of Projects: Facilities Department; 2. Memo: John Senchyshyn: Town Meeting Budget

CC: Board of Selectmen

FACILITIES DIRECTOR: FY 16 AND FY 17 PROJECTS

Current Projects:

Study Stage

1. COA CC/ Municipal Pad
2. New Library Building or Addition
3. Street Light Conversion

Approved/ In progress Town

4. Solar Panel Installation
5. Resiliency Grant at Middle School
6. ESCO Projects (John Moynihan Assisting)
7. DPW New Building (John Moynihan Assisting)
8. Exterior Painting and Repairs to Town Building
9. Gatehouse and Dam Repairs
10. Conservation Garage Repairs
11. Public Safety Building Tight Tank
12. Fire Station #2 Septic System and Paving
13. Library Oil Tank Removal
14. Assisting with Housing Authority's Sprinkler Project

Approved/ In progress School

15. Claypit Hill Elementary School Doors and Windows
16. Middle School Windows
17. Loker Kitchen Renovation
18. Happy Hollow Nurse/ Café Reconfiguration
19. Happy Hollow Paving

Approved/ In progress School (Pat Morris assisting)

20. Middle School Furniture Replacement
21. Claypit Hill Furniture Replacement
22. Happy Hollow Furniture Replacement
23. Loker Furniture Replacement
24. Middle School Carpet/Floor Tile Replacement
25. Happy Hollow Floor Tile Replacement
26. Loker Floor Tile Replacement
27. Middle School Air Conditioner Renewal

Outstanding Conservation Orders of Conditions

28. High School Stadium Field
29. High School Parking Lots/Site
30. Public Safety Building
31. Wastewater Facility

Projects on FY 2017 Capital Budget Request

1. Old DPW Building Demolition
2. Transfer Station Repairs
3. Library Rotunda Windows Repairs
4. High School Stadium Renovations
5. High School Security Camera Upgrades
6. Middle School Food Service Equipment
7. Middle School Carpet/Floor Tile Replacement
8. Middle School Furniture Replacement
9. Loker Doors and Windows
10. Loker Floor Tile Replacement
11. Loker Furniture Replacement
12. Happy Hollow Phone Upgrade
13. Happy Hollow Tile Replacement
14. Happy Hollow Furniture Replacement
15. Claypit Hill Furniture Replacement

RECREATION FUNDING MODEL

DATE: JANUARY 19, 2016
TO: FINANCE COMMITTEE, RECREATION COMMISSION, AND BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: RECREATION

BACKGROUND:

- During the past year, the town grappled with several related issues regarding the funding and management of the Recreation Department for its 3 primary functions: 1) General Programs, 2) Beaches, and 3) Playing Fields under the custody of the Recreation Commission or the School Department and maintained by DPW.
- Special legislation was approved by Town Meeting and has been submitted to the legislature to increase the spending cap on the Revolving Fund. The new fund will provide a management tool for Recreation by FY 18 -- Certain underlying issues need correction, however, before the new fund is put in place.
- Three key issues include:
 1. Recreation Expenses Exceed Statutory Expenditure Cap: There is a firm cap by state law / Town Meeting action on expenses that can be incurred by the Recreation Revolving Fund (MGL 44, 53 e ½) The Recreation Department exceeds its cap in FY 15 and must cut back or restrain its programs to stay under the spending cap in FY 16.
 2. High Fund Balance in Revolving Fund: The Recreation Department collects fees from users that are in excess of what is paid for programs, the beach and for especially for playing fields. Per MA Department of Revenue, *"A fee must be collected not to raise revenues, per se, but to compensate the governmental entity for its expenses in providing services. This has been interrupted to mean a fee cannot exceed the cost to provide the service that is provided"*.
 3. The Town pays field operating expenses from the General Fund that could appropriately be paid by the user fees. Playing field maintenance may be under-funded.

SOLUTIONS:

These solutions are proposed after considerable research and advice from legal staff of the Department of Revenue, Town Counsel, the Finance Director, Recreation Director, Recreation Commission and Finance Committee liaison.

1. FY 16 – Maintain Spending under the 53 E ½ Cap: The Recreation Director is working to stay under the expenses cap by not offering new programs, will report any one-time “emergency” spending and is monitoring programs to restrain registration to FY 15 levels if required. Due to \$90,000 in one-time expenses in FY 15, it is expected that expenses will remain under the cap.

IMPLEMENTATION: This is a cooperative effort of the Recreation Director, Finance Director and Town Administrator.

2. FY 17 – Allow Program Growth through a Beach Revolving Fund : The Recreation Commission proposes an Annual Town Meeting article to create a second Beach Revolving Fund under MGL Chapter 44 53 D. In order to pay beach expenses, this fund will need “seed money” to be transferred from the 53 E ½ Revolving Fund (which will collect beach fees in the last two quarters of FY 16). A like amount will be transferred from the 53 E ½ fund to the general fund to make the general fund “whole.” Because beach expenses in the 53 E ½ fund are about \$100,000 annually, transfer of beach expenses from the 53 E ½ fund to a 53 D fund will provide greater spending capacity for program expenses in FY 17. Because the 53 D fund must be swept annually to a balance of \$10,000 there will be a need for an annual transfer of funds to replenish the 53 D fund to pay beach expenses at the start of the year.

IMPLEMENTATION: The Recreation Commission submitted an article to establish a 53 D Beach fund. The Recreation Commission and Finance Director are asked to work together to determine an appropriate transfer from the 53 E ½ Fund to the General fund and into the 53 D fund.

3. FY 17 – Reduce Balance in 53 E ½ Fund: User fees as stated by DOR are “*to compensate the governmental entity for its expenses in providing services*”. Several hundred thousand dollars in user fees primarily from field user fees have accumulated. Some portion may be transferred by Town Meeting through the Finance Committee’s budget motion. (See attached letter from DOR) Town Meeting through the Finance committee’s budget motion may transfer funds held by one fund to another fund for “any lawful purpose”.

IMPLEMENTATION: The Finance Committee may determine an appropriate transfer of funds from the Revolving Fund to the General Fund.

4. FY 17 – Recreation Stabilization Fund: The accumulation of funds in the 53 E ½ fund is primarily from field users. The Recreation Commission proposes to establish through a Town Meeting article a “Recreation Stabilization Fund” which would require a 2/3 vote to create, to receive funds through a transfer from another fund and to annually appropriate for a specific purpose. Town Meeting could take an action by a 2/3 vote to transfer funds from the General Fund to the Stabilization Fund. Although funds could be spent by a 2/3 Town meeting vote for any lawful purpose, the intent is usually to reserve funds for a capital purpose.

IMPLEMENTATION: The Finance Committee can include in its budget motion an action by which Town Meeting would transfer funds to the new Recreation Stabilization Fund proposed by the Recreation Commission to Town Meeting. . Because the funds transferred (See #3 above) are comingled receipts paid by users for multiple purposes, the transfer should be from the general fund and not a direct transfer from the Revolving Fund.

5. FY 17 – Field User Fees – Deposit as Local Receipt into General Fund – User fees must not be allowed to accumulate unspent for the purposes for which the users paid fees. Field user fees can be budgeted as a local receipt and applied to appropriate general fund expenses. A portion of the fee may be reserved in a legally established fund for a capital project at the location that matches the purpose of the user fee.

IMPLEMENTATION:

The Board of Selectmen may limit the revenues and expenses allowed under the 53 E ½ fund to programs, excluding beach receipts and field receipts. The Finance Committee could budget in the general fund appropriate expenses to match the purposes for which the field users paid.

6. **ADDITIONAL RECOMMENDATIONS:**

- a. Review indirect cost methodology; consider adoption of explicit indirect cost policy, review with affected boards and department heads.
- b. Continue to improve account codes for recreation revenues and expenses.
- c. Review and document user fees for all departments
- d. The statutory basis for the Turf Replacement fund should be determined so that the fund can be managed. If the fund is a Gift Fund, user fees cannot be deposited into the fund. The Board of Selectmen must approve the expenditures from the fund.
- e. Develop Memoranda of Understanding among the Recreation Commission, Board of Public Works, School Committee and Finance Committee about the funding, planning, design construction and management of recreational facilities.

7. **GENERAL PRINCIPLES:**

- a. User fees must be used to reimburse the town for the costs of the service for which the user paid the fee.
- b. Year – end balances in revolving funds should be evaluated annually and transferred or earmarked for appropriate expenditure. User fees may not be “banked” for future purpose except as specified.
- c. All funds must be set up and managed under the requirements of appropriate MGL.

ATTACHED:

1. SUMMARY: TOWN ADMINISTRATOR’S RECOMMENDATION
2. DOR: USER FEES
3. DOR: SPECIAL PURPOSE STABILIZATION FUNDS
4. DOR: APPROPRIATION FROM REVOLVING FUNDS – MGL 53 E ½

RECREATION – FUNDING MODEL TOWN ADMINISTRATOR’S RECOMMENDED PLAN		CURRENT FUND	TOWN ADMINISTRATOR RECOMMENDATION FOR FY 17	
I. OPERATIONAL COST CENTERS	APPROXIMATE USER FEE REVENUE APPROXIMATE EXPENSE		PROPOSED FUND	EXPLANATION / COMMENTS
1. PROGRAMS (ADULT, YOUTH, PRE-K, SKI, SUMMER CAMP, SEASONAL EVENTS)	USER REVENUES: \$575,000 EXPENSES: \$500,000 - \$550,000	REVOLVING FUND MGL 44, 53 E ½	REVOLVING FUND MGL 44, 53 E ½	Maintain 53 E ½ fund for programs only and charge appropriate share of indirect costs & OPEB. Allows for proper matching of user fee revenue to users expense. BOS approves annual article specifying source of revenue, allowable expense, cap, and authority to spend each 53 E ½ fund.
2. BEACH	USER REVENUES: \$100,000 EXPENSES: \$90,000	REVOLVING FUND MGL 44, 53 E ½	MGL 44 53 D	Create new fund for beach only. By removing beach expense from 53 E ½ fund, programs may accept additional participants. Will require the FC to recommend in its budget motion a transfer from the GF for start-up costs. This transfer will be in parallel with a transfer of beach user fees collected in last quarters of FY 16 in the 53 E ½ fund to the GF. 53 D is swept to \$10,000 annually.
3. PLAYING FIELDS	USER REVENUES: \$120,000 +/- EXPENSES: \$12,000 - \$13,000	REVOLVING FUND MGL 53 E ½	GENERAL FUND – LOCAL RECEIPT – IDENTIFY APPROPRIATE GENERAL FUND USES / EXPENSES FOR FIELD USER FEES	Field User fees are collected by Recreation Dep’t. User fees are applied to few expenses. Per DOR interpretation of Emersno v. Boston, “A fee must be collected not to raise revenues, per se, but to compensate the governmental entity for its expenses in providing services. This has been interrupted to mean a fee cannot exceed the cost to provide the service that is provided.” Field user fees should be deposited in the General Fund and be used to fund identified operating expenses.
II. ADMINISTRATIVE SALARIES	USER REVENUE: \$0 EXPENSES: UP TO \$200,000 FOR FY 17	GENERAL FUND - RECREATION	GENERAL FUND – RECREATION	Most towns statewide commit general fund resources to core recreation salaries. Specific positions may be paid by user fees in a 53 E ½ fund as long as fringe benefits are also paid. May require a fee increase.
III. ONGOING MAINTENANCE OF FIELDS FOR SCHOOL AND TOWN	USER FEE REVENUE: \$0 EXPENSES: ESTIMATED \$100K - \$135,000	GENERAL FUND: DPW BUDGET	GENERAL FUND: DPW BUDGET	An evaluation of field maintenance requirements is requested from DPW to be sure needs of field users are met. A portion of field receipts deposited in the GF could be applied to enhance or assure adequate field maintenance.
III. SMALL EQUIPMENT AND ONE-TIME NON-CAPITAL MAINTENANCE PROJECTS	NO BUDGET FOR ANNUAL EXPENSE -- APPROXIMATELY \$200,000 IS AVAILABLE FROM PRIOR YEARS (“2015 ATM - ONGOING REPAIR AND UPDATE OF WAYLAND’S RECREATIONAL FACILITIES”)	GENERAL FUND – CAPITAL APPROPRIATIONS (CAPITAL MAINTENANCE)	GENERAL FUND – CAPITAL APPROPRIATIONS (CAPITAL MAINTENANCE – USE FUNDS FROM PRIOR YEARS OR CLOSE- OUT AND FUND AS A GENERAL FUND LINE ITEM	Funds from prior years are available for this purpose. Recommendation is to continue to use capital funds from prior years for small equipment and one-time <u>non-capital</u> maintenance projects and reconsider funding for items such as benches, goal posts, backstops, netting, lighting and fencing when required in the future.
IV. INDIRECT COSTS / OPEB	APPROX. \$90,000 ANNUALLY – PRIMARILY FRINGE BENEFITS FOR FULL TIME RECREATION AND PARKS EMPLOYEES	APPLIED AS AN EXPENSES TO RECREATION REV	REVIEW INDIRECT COST CALCULATIONS AND DEVELOP EXPLICIT APPROVED POLICY	The Recreation Commission, WWMDC request more information on how this calculation is made.
V. RECREATION REVOLVING FUND BALANCE	\$600,000+ Balance 6/30/15 \$800,000+ Projected Balance 6/30/16	REVOLVING FUND MGL 44 53 E ½	CLOSE TO GENERAL FUND TRANSFER LIKE AMOUNT TO RECREATION STABILIZATION FUND	Except for about \$100k in receipts collected in prior year for future year, the fund balance represents user fees that were not spent for the purpose for which paid. Recommendation is for FC to include in budget motion a transfer to GF and a parallel GF appropriation to new Recreation Stabilization Fund requested in an article proposed by Rec Commission. For any lawful purpose – Primarily capital. 2/3 vote required to create, fund or appropriate.
VI. TURF REPLACEMENT FUND	\$200,000 Balance 12/31/15	GIFT FUND (MGL 44 53A)?	MAINTAIN AS IS UNTIL TURF IS REPLACED	The Turf Fund is believed to be a Gift Fund. The fund has but may no longer accept deposits of user fees until the statutory basis for the fund is identified.

User Fees

Since the passage of Proposition 2½ in 1980, municipal budgeting in Massachusetts has been revenue driven. This means that the ability to maintain or increase a community's level and/or quality of services is dependent on its revenues and careful planning. Therefore, at the start of the annual budget process, a community should review its four major revenue sources — tax levy, state aid, local estimated receipts and available funds — before entertaining departmental spending requests. However, because of the constraints of Proposition 2½, recent fluctuations in state aid, and the depletion of local reserves, communities have become more aware of local receipts as a source of needed funds.

Local receipts include a variety of excises, user fees, charges, and other revenues. Some are dictated by statute (i.e., motor vehicle excise, hunting license and firearms permits) while others may be negotiated (i.e., investment income and in-lieu-of-tax payments). Still other local receipts are established through the adoption of an ordinance or bylaw. However, among all categories, user fees typically offer communities the greatest potential for revenue gain.

A fee is an amount charged for a service to individuals who use or benefit from it. A fee may be imposed when a local government provides a particular service (i.e., police detail) issues a permit or license (i.e., building permit, dog license), or offers a benefit (i.e., recreational programs).

Much of the legal authority for specific municipal fees is found in MGL Ch. 140. However, absent statutory authority, municipalities can still establish fees and charges as long as the three-prong test set out in *Emerson College v. Boston*, 391 Mass. 415 (1984) is met.

1. A fee must be charged for a particular service which benefits the party paying the fee in a manner not shared by other members of society. In other words, a fee may not be charged for general services that are mandatory or supplied to the public at large, such as core education and police protection.
2. A fee must be paid by choice, that is, the person paying the fee must have the option of not utilizing the service, thereby avoiding the charge. It follows that a service can be withheld from individuals who refuse to pay.
3. A fee must be collected not to raise revenues, per se, but to compensate the governmental entity for its expenses in providing the services. This has been interpreted to mean that a fee cannot exceed the cost to provide the service that is provided.

As a practical matter, local officials are faced with many considerations when deciding whether or not to implement or increase fees. These include, but are not limited to, the legal authority (e.g., general laws, special legislation and home rule powers) to charge a fee, the

DEPARTMENT OF REVENUE

DIVISION OF LOCAL SERVICES

TECHNICAL ASSISTANCE SECTION

attitudes of citizens and political leaders towards fees, and the cost. To start, before proposing new local charges or increases, a community should review its current user fees in accordance with formal guidelines.

As a recommended practice, communities should adopt written policies for setting charges and fees. A policy should identify what factors are to be taken into account when pricing services. It should also state whether the community intends to recover the full cost of providing the service or benefit and under what circumstances a charge or fee is set at less than full recovery (e.g., debt exclusion or other subsidy). A policy, as well as an existing fee structure, should be reviewed periodically to ensure it is current and both should be communicated with the public clearly and openly. For guidance, see the Government Finance Officers Association (GFOA) recommended practices at <http://www.gfoa.org/services/rp/budget.shtml>.

When pricing a service or benefit, it is highly recommended that a community conduct a costing study. A costing study identifies and measures the direct, indirect, capital and debt service costs of providing a service or benefit over a given period. If a team of municipal officials is involved, all possible aspects of costing data will be accounted for and different perspectives will be entertained. The process and results should be documented for public disclosure and organized for easy replication when annually reviewed. With the costing information, a community can analyze the efficiency of a service, make budgetary decisions, set fees or charges, and/or consider alternative methods of providing a service (e.g., smaller scale, out source and privatization). For more information on costing services, see the Division of Local Services' workbook, *Costing Municipal Services: Workbook and Case Study*, at <http://www.mass.gov/dls>.

Finally, it is a good idea to maintain a log of all municipal fees. In addition to a name and description, useful information might include the amount of the fee, when it was last reviewed and which department collects it. This data might also be incorporated into a more encompassing revenue manual. (For more information on a revenue manual, see to www.gfoa.org)

Special Purpose Stabilization Funds: A Long-Term Planning Tool

The 1945 statute that initially authorized cities and towns to establish a stabilization fund restricted the use of any fund balance to capital expenditures. In 1991, permitted uses were expanded to include any lawful purpose, but funds could still not be reserved for a specific purpose. However, with the adoption of legislative amendments in 2003 to M.G.L. Ch. 40 s.5B municipalities can now create multiple stabilization funds, assign a different purpose to each and take advantage of a new funding option.

As a result, at a time when cities and towns are faulted for operating in perpetual crisis mode, for allowing municipal assets to deteriorate, and for general short-sightedness, a special purpose stabilization fund can be an effective planning tool.

A fund might be established, for instance, to pay solely for the maintenance and repair of municipal buildings. Another might be created to supplement state highway funds, received under Chapter 90, and to cover the cost of an on-going street improvement program. A stabilization fund might be set-up to finance a government-wide vehicle replacement program. For example, if a community anticipated the need to purchase a \$400,000 fire truck in five years, it could reserve \$80,000 a year in a special purpose stabilization fund, and retain interest earned. In the past, municipalities would need state approval of special legislation to set -up such a reserve.

A special purpose stabilization fund:

- Encourages a community to think long-term. Programs to replace vehicles, maintain buildings and improve roads require an evaluation of all assets, formulation of a replacement or repair schedule, and calculation of long-term projected costs;
- Helps a community save money. Rather than pay cash, if the \$400,000 purchase price of fire truck were borrowed over 15 years, interest payments could add around \$150,000 to the total cost, depending on interest rates. Even if this additional cost would have a nominal tax rate impact, it can instead be a savings or expended elsewhere;
- Helps a community manage debt. A plan to accumulate cash over time and pay outright for a moderate-range capital expenditure helps preserve debt capacity for major, high-dollar purchases or projects. An approach that balances debt

with pay-as-you-go practices, and protects against unforeseen costs is viewed in a positive light by credit rating agencies.

- Builds resident confidence in government. Special purpose stabilization funds directly address resident concerns and provide assurance that money appropriated for a particular purpose will be used for that purpose and will not be diverted.

Creation of the special purpose stabilization fund, and an appropriation to the fund, requires a two-thirds vote of a city council, town meeting or district prudential (or similar) committee. The vote must clearly define the purpose of each fund established. Now, under the new law, creating and appropriating to a general stabilization fund also requires two thirds vote.

There are two options for building balances in a special purpose stabilization fund. One is the traditional appropriation in a budget line-item, or in an article, from within the levy or from other general fund revenues. Balances can also be transferred-in from other existing accounts.

A second, new funding option is referred to as an override, but in fact, has characteristics of both a Proposition 2½ override and exclusion. Like an override, additional tax revenue can be raised year-after-year without town-wide or city-wide referendum votes beyond the year of inception. However, like an exclusion under Proposition 2½, the levy limit increase need not be permanent. Solely through the action each year of the selectmen, or city council, it can be continued, lowered or deferred entirely and resumed in a later year. In any event, each year, the amount available increases by 2½ percent.

Option 1

The additional levy capacity that can be appropriated, or raised, by the override increases by 2½ percent each year. After the first year, the selectmen or city council may appropriate less than the originally approved amount. However, the lower amount then becomes the maximum that can be raised in subsequent years, plus 2½ percent annual escalations. A higher amount can only be raised with voter approval of another referendum. A year, or years, can be skipped. The selectmen, or city council, can choose not to appropriate to the stabilization fund through an override in any year. They can then, in later years, resume the override. However, the new allowed amount that can be raised would be the last amount raised plus 2½ percent.

Option 2

For example, town meeting and town voters approve a \$100,000 override for a capital project stabilization fund in FY2008. In FY2009, \$102,500 ($1.025 \times \$100,000$) is available for "appropriation" and that entire amount is "appropriated." For FY2010, \$105,062 ($1.025 \times \$102,500$) is available, but only \$80,000 is "appropriated." The amount available in FY2011 now becomes \$82,000 ($1.025 \times \$80,000$), but the selectmen choose to make no appropriation. The amount available in FY2012 is \$82,000 ($1.025 \times$ last appropriation made, *i.e.*, \$80,000).

Ultimately, special purpose stabilization funds are most effective as a revenue source, or savings account, for anticipated expenditures. They work best when used to build moderate balances and to pay mid-level expenditures that the community will eventually have to make, like building maintenance, road repairs and vehicle purchases.

Building stabilization balances through an override unquestionably involves an increase to the tax levy but, as important, special purpose stabilization funds provide a response to resident concerns about the absence of long-term planning in municipal government. If considered thoughtfully and implemented prudently, they offer a vehicle that can help a community think and act in a forward looking manner, and effectively plan for future costs.

For more information, please see the DOR Information Guideline Release (IGR) 04-201.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 5B** Stabilization funds; establishment

Section 5B. For the purpose of creating 1 or more stabilization funds, cities, towns and districts may appropriate in any year an amount not exceeding, in the aggregate, 10 per cent of the amount raised in the preceding fiscal year by taxation of real estate and tangible personal property or such larger amount as may be approved by the director of accounts. The aggregate amount in such funds at any time shall not exceed 10 per cent of the equalized valuation of the city or town as defined in section 1 of chapter 44. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all such funds and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loans associations situated in the commonwealth.

At the time of creating any such fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation an approved school project under chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. Such specification and any such alteration of purpose, and any appropriation of funds into or out of any such fund, shall be approved by two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C, in a town or district any such vote shall be taken at an annual or special town meeting, and in a city any such vote shall be taken by city council.



March 16, 2004

Bruce L. Vogel
City Council, City Hall
60 Pleasant St.
Newburyport, MA 01950

Re: Appropriation from Revolving Fund under GL Ch.44 §53E½
Our File No. 2003-422

Dear Mr. Vogel:

This is in reply to your letter raising several issues concerning a recreational services revolving fund established under GL Ch.44 §53E½. The mayor had sought city council approval for a transfer of part of the revolving fund balance to pay for a shortfall in an appropriation for the skateboard park account, which we understand was for the construction of the skateboard facility.

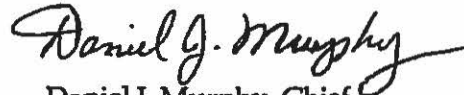
Irrespective of whether costs of the skateboard park were within the scope of the recreational services revolving fund, we believe that the mayor and council can appropriate an unencumbered balance in a revolving fund established under §53E½ for any lawful purpose. We think the restrictions on the expenditure purposes of the fund established by the vote to create it are binding on the department that has charge of the fund, but not on the municipal appropriating authority (in this case, the mayor and council acting together). In the absence of the appropriating body's vote to create the fund, the fund's receipts would be general fund revenues that could be appropriated for any municipal purpose. If the fund were not renewed, any balance would close out to the general fund at the end of the fiscal year, and become part of the city's free cash. We see no basis in the statutory language of §53E½ itself or the scheme of municipal finance generally why the appropriating authority should not be able to revoke the spending authority delegated to a department by the creation of a revolving fund under that section.

You also asked whether there were a problem with a cross-subsidy between different activities that were within the scope of a single revolving fund. We do not believe that §53E½ mandates an exact penny-for-penny accounting for, and segregation of, the revenues and expenditures of each activity within the scope of the fund. To the extent that the appropriating body wishes to insure that each activity is financially self-supporting, it can create distinct revolving funds for each activity. How much latitude a municipality or one of its departments has in establishing different fees and charges for different classes of participants in an activity is a matter on which we decline to comment. It is too remote

from our regulatory interest in the proper authorization of and accounting for revolving funds.

Please do not hesitate to contact us again if we may be of further assistance.

Very truly yours,

A handwritten signature in black ink that reads "Daniel J. Murphy". The signature is written in a cursive style with a long, sweeping tail on the "y".

Daniel J. Murphy, Chief
Property Tax Bureau

DJM/CH



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
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, January 25, 2016
Wayland Town Building
Selectmen's Meeting Room

CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through December 31, 2015, Invoice 172, Account 5673-01M: \$201.84
3. Vote the Question of Approving the Invoice for Bateman & Slade, Inc., for Legal Services, January 7, 2016, Invoice No. 11002: \$596.53
4. Vote the Question of Approving the Notification to the Town Clerk to Place on the Ballot for the April 5, 2016 Annual Town Election the Position of Planning Board Associate for a Three (3) Year Term
5. Vote the Question of Approving the Notification to the Town Clerk to Place on the Ballot for the April 5, 2016 Annual Town Election the Position of Planning Board Member for a Three (3) Year Term
6. Vote the Question of Approving the Notification to the Town Clerk to Place on the Ballot for the April 5, 2016 Annual Town Election the Position of Board of Health Member for a Two (2) Year Term
7. Vote the Question of Approving the Resolution Concerning Lost and Unaccounted for Gas
8. Vote the Question of Approving the Request of the Finance Committee to Increase the FY17 Town Meeting Budget Request from \$90,000 to \$100,000
9. Vote the Question of Approving the Request of the BBRG TR, LLC, dba Coach Grill, 55 Boston Post Road, for a Change of Sunday Opening Hours from 10:00 a.m. to 12:00 noon (Sunday Brunch Hours)
10. Vote the Question of Approving the Minutes of November 16, 2015, and November 30, 2015

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

RECEIVED

JAN 21 2016

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

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

Page 1
01/19/2016
Account No. 5673-01M
Invoice No. 172

Attn: Town Administrator

Labor

TOTAL CURRENT INVOICE 201.84

BALANCE DUE \$201.84

BATEMAN & SLADE, INC.
— The Brief People —
OLD CENTRAL WHARF — 77 CENTRAL STREET
BOSTON, MASSACHUSETTS 02109

EMAIL: BATEMANSLADE@MSN.COM

(617) 423-5556

FAX: (617) 423-7812

Mark J. Lanza, Esquire
Town Counsel, Town of Wayland
41 Cochituate Road
Wayland, Massachusetts 01778
(508) 358-3624

January 7, 2016

Invoice No. 11002

Appeals Court

No. 2015-P-1437

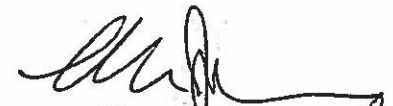
KENNETH TODD NELSON	Print & File:	
v.	Appellee's Brief	\$ 559.00
TOWN OF WAYLAND	Sales Tax	N/A
CONSERVATION COMMISSION	Postage/Courier	37.53
	Filing Fee	N/A
	TOTAL	\$ 596.53

Federal Tax Identification

No. 04-2552058

Invoices are due and payable UPON RECEIPT.

Thank you for using the Brief People, Bateman & Slade!

Approved: 
Town Counsel
Legal Expense
1/21/2016



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: January 21, 2016

RE: RESIGNATION OF ELECTED OFFICIAL- Planning Board-Associate Member

Per MGL c. 41 s. 10 – “No election shall be held for any office pursuant to this section unless the Selectmen file with the Town Clerk notice of an election for such office not less than fifteen days before the last day to submit nomination papers to the registrars of voters for certification.”

In order for the position of Planning Board Associate Member for a three (3) year term to be placed on the ballot for the April 5, 2016 Annual Town Election, the Selectmen must submit written notice to the Town Clerk by February 1, 2016. This is fifteen (15) days prior to February 16, 2016, the deadline for submission of nomination papers to the Board of Registers.

We, the Board of Selectmen for the Town of Wayland, hereby notify the Town Clerk this date to place on the ballot for the April 5, 2016 Annual Town Election the position of Planning Board-Associate Member for a three (3) year term.

Cherry C. Karlson, Chair _____

Joseph F. Nolan _____

Mary M. Antes _____

Lea T. Anderson _____



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: January 21, 2016

RE: RESIGNATION OF ELECTED OFFICIAL- Planning Board

Per MGL c. 41 s. 10 – “No election shall be held for any office pursuant to this section unless the Selectmen file with the Town Clerk notice of an election for such office not less than fifteen days before the last day to submit nomination papers to the registrars of voters for certification.”

In order for the position of Planning Board- Associate for a three (3) year term to be placed on the ballot for the April 5, 2016 Annual Town Election, the Selectmen must submit written notice to the Town Clerk by February 1, 2016. This is fifteen (15) days prior to February 16, 2016, the deadline for submission of nomination papers to the Board of Registers.

We, the Board of Selectmen for the Town of Wayland, hereby notify the Town Clerk this date to place on the ballot for the April 5, 2016 Annual Town Election the position of Planning Board for a three (3) year term.

Cherry C. Karlson, Chair _____

Joseph F. Nolan _____

Mary M. Antes _____

Date: _____

Lea T. Anderson _____



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: January 21, 2016

RE: RESIGNATION OF ELECTED OFFICIAL- Board of Health

Per MGL c. 41 s. 10 – “No election shall be held for any office pursuant to this section unless the Selectmen file with the Town Clerk notice of an election for such office not less than fifteen days before the last day to submit nomination papers to the registrars of voters for certification.”

In order for the position of Board of Health member for a three (3) year term to be placed on the ballot for the April 5, 2016 Annual Town Election, the Selectmen must submit written notice to the Town Clerk by February 1, 2016. This is fifteen (15) days prior to February 16, 2016, the deadline for submission of nomination papers to the Board of Registers.

We, the Board of Selectmen for the Town of Wayland, hereby notify the Town Clerk this date to place on the ballot for the April 5, 2016 Annual Town Election the position of Board of Health member for a two (2) year term.

Cherry C. Karlson, Chair _____

Joseph F. Nolan _____

Mary M. Antes _____

Date: _____

Lea T. Anderson _____



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
CHERRY C. KARLSON
JOSEPH F. NOLAN

RESOLUTION

Concerning Lost and Unaccounted For Gas

January 25, 2016

WHEREAS. . . “Unaccounted For Gas” (UFG) or “Lost And Unaccounted For Gas” (LAUF) represents the difference between the total gas from all sources and the total gas accounted for a sales, interchange, and use and includes leakages or loss by other means, discrepancies in measuring or monitoring, variations of temperatures or pressures and other variations, and

WHEREAS. . . The cost of UFG is typically passed down from providers to consumers, and

WHEREAS. . . Leaking gas in the ground is harmful to vegetation and can kill valuable shade trees by depriving roots of oxygen, and

WHEREAS. . . There are 20,000 unrepaired gas leaks in the Commonwealth including 74 UGLs in Wayland

WHEREAS. . . Unaccounted For Gas exceeds 8 billion cubic feet per year (worth more than \$50M)

WHEREAS. . . Unaccounted For Gas is a global warming gas that kills plants and creates ozone that affects human health and allergies

WHEREAS. . . Massachusetts House Bill (H2871), “An Act Relative to Gas Leak Repairs During Road Projects” seeks to require all gas leaks to be repaired when a road is opened up for a construction project, and

WHEREAS. . . Massachusetts House Bill (H2870), “An Act relative to protecting consumers of gas and electricity from paying for leaked and UFG,” seeks to protect all gas and electricity customers from paying for UFG by prohibiting providers from including the cost of UFG as well as the costs of reducing or remedying loss, in the rate base, and

WHEREAS. . . H2870 will provide economic incentive to gas providers to mitigate loss, pushing development of improved technologies and practices, as well as to reduce heat-trapping gasses released during transportation, distribution, and storage, which have an impact on global warming,

**RESOLUTION Concerning Lost and Unaccounted For Gas
Page Two**

THEREFORE, BE IT RESOLVED. . . That the Wayland Board of Selectmen supports H2870 and H2871, and

BE IT FURTHER RESOLVED. . . That the Wayland Town Clerk forward an engrossed copy of this resolution to the elected Wayland delegation in the House and Senate as well as House Speaker Robert A. DeLeo and Senate President Stanley C. Rosenberg on behalf of the entire . Wayland Board of Selectmen.

Read and adopted January 25, 2016

Attest: Beth Klein, Town Clerk

Respectfully submitted,

**BOARD OF SELECTMEN
Town of Wayland**

Cherry C. Karlson

Lea T. Anderson

Mary M. Antes

Joseph F. Nolan

DATE: January 11, 2016
TO: Board of Selectmen
FROM: John Senchyshyn, Asst. Town Administrator/HR Director
RE: **FY 17 Town Meeting Budget**

REQUESTED MOTION:

MOVE TO REQUEST THAT THE FINANCE COMMITTEE INCREASE THE FY 17 TOWN MEETING BUDGET FROM \$90,000 TO \$100,000.

BACKGROUND:

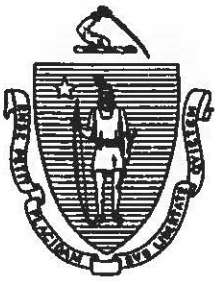
In FY 15, Wayland had the following Town Meeting expenses:

<u>Meeting</u>	<u>Nights</u>	<u>Cost</u>
Spring – 3/31/15	4	\$65,289 or \$16,322/night

In FY 16, Wayland has the following potential Town Meeting expenses:

<u>Meeting</u>	<u>Nights</u>	<u>Cost</u>
Fall – 11/9/15	2	\$36,510 (actual)
Spring (1) – 2/11/16	1	\$11,800 (projected)
Spring (2) – 4/7/16	5	\$81,610 (projected at \$16,322/night)
Total	8	\$129,920 or \$16,240/night

If the above average costs per night carry through for FY 17, and if Wayland has 6 nights of combined Spring and Fall Town Meeting, then the projected total cost for FY 17 is \$97,440. I suggest the budget for FY 17 Town Meetings be raised from \$90,000 to \$100,000.



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

13400002

ABCC License Number

Wayland

City/Town

Jan 25 2016

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Other Change of Hours |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee **BBRG TR, LLC** EIN of Licensee _____

D/B/A **Coach Grill** Manager **Hector Tovar**

ADDRESS: **55 Boston Post Road** CITY/TOWN: **Wayland** STATE: **MA** ZIP CODE: **01778**

Annual **All Alcohol** **Restaurant** Granted under Special Legislation? Yes No
 Annual or Seasonal Category: (All Alcohol; Wine & Malt; Wine, Malt & Cordials; Wine; Malt) Type: (Restaurant, Club, Package Store, General On Premises, Etc.)
 If Yes, Chapter _____ Year _____

Complete Description of Licensed Premises:
 One Floor and Basement, First Floor Two Dining Rooms and Cocktail Lounge and Kitchen, Basement for Storage

Application Filed: **Jan 11, 2016 8:00 a.m.** Advertiser: **N/A** Abutters Notified: Yes No
 Date & Time Date & Attach Publication

Licensee Contact Person for Transaction **Jefferson R. Voss, BBRG TR LLC Manager** Phone: **407-909-9000**

ADDRESS: **9350 Conroy Windermere Road** CITY/TOWN: **Windermere** STATE: **FL** ZIP CODE: **34786**

Remarks: **Request Sunday opening time of 10:00 a.m.**

The Local Licensing Authorities By: _____

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

ABCC Remarks: _____

TAVISTOCK — GROUP —

January 11, 2016

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

**RE: BBRG TR, LLC, d/b/a Coach Grill
55 Boston Post Road
Wayland, MA 01778**

To Whom It May Concern:

Enclosed is an application for a change in Sunday hours for the above referenced restaurant. This request is submitted to change the opening hour on Sundays to 10:00 a.m. from 12:00 p.m.

This request for change in hours has been approved by our Corporate Board. This request is now being submitted for approval from the Board of Selectmen in the Town of Wayland and the Alcoholic Beverages Control Commission in Boston.

Sincerely,



Jefferson R. Voss
BBRG TR, LLC Manager

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RECEIVED

JAN 11 2016

Board of Selectmen
Town of Wayland

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

134000002

LICENSEE NAME:

BBRG TR, LLC d/b/a Coach Grill

ADDRESS:

55 Boston Post Road

CITY/TOWN:

Wayland

STATE MA

ZIP CODE

01778

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
 Change of DBA
 Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396



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
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes November 16, 2015

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

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association

At 6:30 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association, because a public discussion of the matter may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, School Committee Chair Ellen Grieco, Personnel Board Chair Jessica Green, Finance Committee Chair Nancy Funkhouser, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 6:58 p.m.

A2. 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. M. Antes said the first duplex built by Habitat for Humanity will be dedicated on December 5. L. Anderson commended the Wayland Police Department for receiving state certification from the Massachusetts Police Accreditation Commission on November 5. C. Karlson noted that the water ban was lifted today.

A3. Public Comment Steven Glovsky, 36 Shaw Drive, requested that the Board consider whether the town is best served by the current Town Counsel.

A13. 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: none. ABSTAIN: none. Adopted 4-0.

A14. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. In regard to the issue of maintaining common driveways, N. Balmer advised that the issue

came to light during an insurance dispute, at which time the Board of Public Works reviewed its policies and notified the affected homeowners that the town will no longer plow common driveways. The Board discussed the appropriateness of the action and the legal definition of common driveways versus rights-of-way. The Board requested documentation from the Board of Public Works for further review.

A4. Public Hearing regarding a Petition from Nstar Electric Company dba Eversource Energy for the Purpose of Obtaining a Grant of Locations to Install Approximately Forty-Five (45) Feet of Conduit in Shaw Drive C. Karlson opened the public hearing at 7:19 p.m. regarding the petition from Nstar Electric Company dba Eversource Energy for the purpose of obtaining a grant of locations to install approximately forty-five (45) feet of conduit in Shaw Drive. The Board was joined by Christine Cosby of Eversource, who explained the need to obtain approval from the Board to access public property to bring electricity to new construction on Shaw Drive. Steven Glovsky, 36 Shaw Drive, said he was opposed to putting a conduit under Shaw Drive, as the construction will create a divot in the road. He said Fox Meadow Lane and Shaw Drive need to be repaved, and the cost should be charged to Eversource. C. Cosby said the roadway would not be disturbed, as the conduit is drilled below ground. J. Nolan suggested that S. Glovsky refer his concerns to the Board of Public Works. He also asked if there was a precedent for a utility to make a donation to the town for further work; C. Cosby said no. C. Karlson closed the hearing at 7:28 p.m.

J. Nolan moved, seconded by M. Antes, to approve the petition from Nstar Electric Company dba Eversource Energy for the purpose of obtaining a grant of locations to install approximately forty-five (45) feet of conduit in Shaw Drive. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

J. Nolan asked C. Cosby to provide the Board with a count of double poles, and he noted a streetlight outage.

A5. Joint Meeting with the Planning Board to Interview and Potential Appointment as an Associate Member of the Planning Board for a Term to Expire Upon the April 2016 Annual Town Election The Board was joined by members of the Planning Board (Andrew Reck, Kevin Murphy, Colleen Sheehan, Daniel Hill, Ira Montague) to interview Paul Morenberg, Nicole Riley and Jennifer Steel for the position of associate member of the Planning Board. Applicants discussed their backgrounds and their interest in serving in the position. K. Murphy moved, seconded by D. Hill, to appoint Nicole Riley as an Associate Member of the Planning Board for a term to expire upon the April 2016 Annual Town Election. YEA: A. Reck, K. Murphy, C. Sheehan, D. Hill, I. Montague. NAY: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by J. Nolan, to appoint Nicole Riley as an Associate Member of the Planning Board for a term to expire upon the April 2016 Annual Town Election. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSTAIN: none. Adopted 4-0.

A10. Review of New Positions Proposed to the Personnel Board for Departments under the Board of Selectmen for FY17 The Board was joined by John Senchyshyn, Human Resources Director/Assistant Town Administration, to discuss potential new positions. He said the Personnel Board is reviewing the requests and will submit its recommendations to the Finance Committee. Requested new positions include a Business Systems Administrator, an Executive IT Director, one new Police Officer, one part-time clerical staff for the Board of Health and the Town Clerk, and several requests from the DPW, including two maintenance workers. He noted that the Recreation Commission wants to replace the Program Administrator with two full-time positions, but needs to find funding for the second position. He said that in total, there are nine new requests and five reclassifications. The Board discussed procedures, and agreed to review the information and make its recommendation to the Finance Committee.

A7. Discussion and Potential Appointment of Board of Selectmen Representative to the River's Edge Advisory Committee for a Term to Expire upon the Final Disposition of Said Land by Sale, Lease or Otherwise, and Vote to Rescind Appointment of Mary Antes The Board was joined by Michael Ellenbogen to interview for the River's Edge Advisory Committee. M. Antes moved, seconded by J. Nolan, to rescind the vote of October 26, 2015, to appoint Mary Antes to the River's Edge Advisory Committee as the representative of the Board of Selectmen for a term to expire upon the final disposition of said land by sale, lease or otherwise. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSTAIN: none. Adopted 4-0. M. Ellenbogen reviewed his background and his interest in serving on the committee. J. Nolan moved, seconded by L. Anderson, to appoint Michael Ellenbogen to the River's Edge Advisory Committee as the representative of the Board of Selectmen for a term to expire upon the final disposition of said land by sale, lease or otherwise. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSTAIN: none. Adopted 4-0.

A6. Discussion and Potential Vote on Priorities for Wayland Real Asset Planning (WRAP) Committee The Board reviewed the discussion points prepared by the Wayland Real Asset Planning (WRAP) Committee for property under the control of the Board. J. Nolan noted the deferred maintenance of the town building, and said an upgrade is needed soon. C. Karlson asked about the need for storage and meeting space. M. Antes noted the need for parking, and the potential ability to rent space to people who want to have a community event. In regard to the scattered parcels of town-owned land, C. Karlson suggested that the Board review its policy and consider four points: the Board's willingness to sell the land, the ability to combine parcels to provide community space, the potential for municipal use, and whether the land is conducive to affordable housing.

A8. Town Meeting Follow-up The Board reviewed a chart prepared by the Town Administrator regarding Special Town Meeting follow-up. N. Balmer reviewed discussions with the Superintendent of Schools regarding IT services, and the decision to hire a permanent Executive IT Director, an interim manager, or a consultant. C. Karlson asked that she prepare a recommendation for the Board. The Board agreed that the discussion regarding the municipal parcel and the library project will continue, and C. Karlson suggested that the Permanent Municipal Building Committee get involved. The Board requested that the chart be kept updated.

A9. Presentation of FY17 Operating Budgets under the Board of Selectmen The Board reviewed the FY17 operating budgets under its jurisdiction. N. Balmer said the Finance Director will appear before the Board on December 15 to review the full budget. She noted the biggest budget variance was in the IT department. J. Nolan asked for a comparison of the current budget to the previous year's budget, with a description of any variances. C. Karlson requested an overview of the increases that exceed the Finance Committee guidelines, with an explanation, such as contractual obligations or salary increases. She also noted that if increases are necessary, then corresponding budget cuts should be suggested. C. Karlson asked for a worksheet on healthcare costs and utilities, and a packet of quarterly reports. M. Antes asked whether the work previously done by the Beautification Committee would be done by the additional DPW personnel. The Board asked the Town Administrator to provide her recommendations to the Board.

A11. Vote FY17 Capital Project Recommendations The Board reviewed the FY17 capital project recommendations, and a draft memorandum to the Finance Committee prepared by the Town Administrator. J. Nolan questioned the cost of demolition of the former DPW garage. The Board discussed the estimated cost of the Council on Aging/Community Center building, and M. Antes asked that estimates also be prepared for different scenarios, including the potential addition of an arts center or a recreation facility.

C. Karlson noted that a decision is needed from the Wayland Real Asset Planning (WRAP) Committee, and the project may not be ready by Annual Town Meeting. The Board noted the prioritization of the requested fire vehicles. J. Nolan moved, seconded by L. Anderson, to approve the FY17 capital projects as presented with two amendments: that the Council on Aging/Community Center be noted as under consideration, and that the cost of the demolition of the old DPW building be examined further. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSTAIN: none. Adopted 4-0.

A12. Discuss Evaluation with Town Administrator The Board reviewed the Town Administrator evaluation. M. Antes said she was pleased that the Board seemed unanimous in its evaluations. She said she is very pleased with her work, noting it would be helpful if she provided more recommendations; for example, in the case of the Minuteman issue. L. Anderson praised her willingness to bring departments together, and her rapport with residents. She thanked her for the implementation of electronic packets, and also requested that she provide more recommendations, such as in the budget process. J. Nolan said she is professional and communicates well with the residents. He noted that he expects the Town Administrator to be able to provide advice. C. Karlson thanked her for her work, and noted the progress being made in several issues. She expressed concern about the workload, and asked that more projects be brought to closure. The Board suggested better communication with local media. N. Balmer thanked the Board, the residents of Wayland, and the staff.

A15. Report of the Town Administrator N. Balmer said the holiday lighting is being put up at the Public Safety Building, and she updated the Board on the special legislation for a town center liquor license.

A16. Selectmen's Reports and Concerns L. Anderson provided an update on the issue of the Minuteman Regional School. She said that Selectmen and representatives from the Minuteman regional towns met recently and expressed displeasure with the proposed district wide vote. She described an alternative process for returning to the revised agreement, with changes, that can be put before town meetings, which would allow communities to withdraw before incurring debt for the new construction. She said she will work with N. Balmer and Special Counsel to put together a plan moving forward. C. Karlson said the review of executive session minutes will be on the November 30 agenda, and the auditors will appear before the Board in December.

A17. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A18. Adjourn There being no further business before the Board, J. Nolan moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 10:32 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of November 16, 2015

1. Résumés of Nicole Riley and Jennifer Steel
2. Final Town Administrator Evaluation, September 2014-September 2015

Items Included as Part of Agenda Packet for Discussion During the November 16, 2015 Board of Selectmen's Meeting

1. Memorandum of 11/16/15 from Nan Balmer, Town Administrator, to Board of Selectmen
re: Order for Location of Conduit, 41 Shaw Drive, and Backup Material
2. Memorandum of 11/13/15 from Office of the Town Administrator to Board of Selectmen
re: Appointment to Vacant Position as Associate to the Planning Board and Letters of Interest from Jennifer Steel, Nicole Riley, and Paul Morenberg
3. Discussion Points and Municipal Land Data Base provided by Gretchen Schuler, Wayland Real Asset Planning (WRAP) Committee
4. Memorandum of 11/13/15 from Office of the Town Administrator to Board of Selectmen
re: Appointment to River's Edge Advisory Committee and Letter of Interest from Mike Ellenbogen
5. Chart of 2015 Special Town Meeting Article and Suggested Board of Selectmen/Town Administrator Next Steps prepared by Nan Balmer, Town Administrator
6. Memorandum of 11/16/15 from Nan Balmer, Town Administrator, to Board of Selectmen
re: Preliminary Submission of FY17 Operating Budget Under Chapter 19-4 of Town Code/FY17 Budget Process
7. Memorandum of 11/16/15 from Nan Balmer, Town Administrator, to Board of Selectmen
re: FY17 Personnel Requests
8. Memorandum of 11/16/15 from Nan Balmer, Town Administrator, to Board of Selectmen
re: FY17 Capital Projects, and Memorandum of 11/16/15 from Nan Balmer, Town Administrator, to Finance Committee re: FY17 Capital Projects
9. Town Administrator's Report for the Week Ending November 13, 2015



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

Board of Selectmen Meeting Minutes November 30, 2015

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

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(5) to Investigate Charges of Criminal Misconduct; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Collective Bargaining; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel At 6:01 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(5) to discuss the investigation of charges of criminal misconduct; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to collective bargaining in regard to the AFSCME clerical union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real property in regard to the municipal parcel in the Town Center Project. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, litigating, or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:03 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:05 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. M. Antes announced that the dedication for the new Habitat home will be Saturday, December 5, at 12:00 noon. L. Anderson noted the Raytheon PIP meeting at the Town Building on Thursday, December 3, at 7:00 p.m.

A3. Public Comment Mike Lowery, 120 Lakeshore Drive and member of the Board of Public Works, said the Board of Public Works is considering a bylaw regarding sign regulations in the town's rights-of-way.

A12. Review and Approve Consent Calendar (See Separate Sheet) L. Anderson moved, seconded by M. Antes, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A15. Selectmen's Reports and Concerns J. Nolan reported on the MetroWest Regional Transit Authority meeting. He said there was a budget discussion regarding the CNG facility in Framingham, and noted that many towns have expressed interest in changing to natural gas vehicles. M. Antes reported on a meeting of the MetroWest Regional Collaborative on November 19, and reviewed the discussion of how local

communities are handling the licensing of medical marijuana and farms. She said the Metropolitan Area Planning Council is urging municipalities to get involved in the Community Compact Cabinet.

A4. Tax Classification Hearing – Presentation by the Board of Assessors of Tax Classification Options; Potential Vote of the Board of Selectmen on Tax Classification; Review of Tax

Recapitulation Sheets and Supporting Documents C. Karlson opened the tax classification hearing at 7:21 p.m. The Board was joined by the Board of Assessors (Jayson Brodie, David Hill, Cheryl Kane, and Susan Rufo), Director of Assessing Ellen Brideau, and Administrative Assessor Jessica Marchant. S. Rufo stated that the purpose of the hearing was to adopt the town's tax policy by allocating or classifying the tax levy among the property types. S. Rufo described the property assessment review, the classification percentages, and the new growth in Wayland. She reviewed how the tax rate is calculated, and the classification options being presented for consideration. Brian Keveny, Finance Director, said the Finance Committee recommended a residential tax factor of one. M. Antes asked about the use of the residential exemption to address the affordable housing rate; E. Brideau said the residential exemption is all-inclusive and cannot be applied to one class or owner. C. Karlson asked if the residential increase matched the commercial development in town center. E. Brideau said the percentage was stable, and in fact, the residential growth was higher.

M. Antes moved, seconded by J. Nolan, to establish the residential tax factor of one. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. L. Anderson moved, seconded by M. Antes, to not adopt the small commercial exemption. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. M. Antes moved, seconded by L. Anderson, to not adopt a residential exemption. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

The Board was joined by Finance Director Brian Keveny to review the FY16 tax recapitulation sheet. He reviewed the spending appropriations from town meeting votes, funding sources, local receipts, expenses, enterprise fund balances, community preservation funds, and free cash. He said the new tax rate is \$17.34, noting that spending has increased, but is offset by the use of free cash and the CPA fund. He said the Department of Revenue has reviewed the tax recapitulation sheet and has no issues. J. Nolan asked if the increase in expenses was a concern for the future. B. Keveny said yes; he would like to stabilize the use of free cash and the slow the growth of expenses. C. Karlson closed the hearing at 7:57 p.m.

A5. Minuteman: Discuss Boxborough Proposal and Town Position on Minuteman Issues The Board was joined by Mary Ellen Castagno, Wayland representative to the Minuteman High School, Town Moderator Dennis Berry, and School Committee member Jeanne Downs. L. Anderson reviewed the current situation. She said the MSBA approved the new Minuteman school project, there are other towns that want to withdraw, and there are many towns that are interested in finalizing an amended agreement. She said a potential solution, proposed by the Town of Boxborough, would be a vote at each member's town meeting on three issues: withdrawal, approval of the proposed amended agreement to allow withdrawal before paying the capital costs, and approval for the new construction. The Board discussed the scheduling of a town meeting. L. Anderson said the wording is such that the agreement must be approved by all sixteen member communities by February 16, 2016. M. Castagno confirmed that Wayland students could continue to attend Minuteman. L. Anderson also noted that Dr. Paul Stein, Superintendent of Schools, is comfortable with using other regional technical schools. D. Berry asked if the vote could be extended to the April Annual Town Meeting. L. Anderson said there are many outstanding questions, and the dialogue will continue.

A6. Consider and Vote Recommendation of Facilities Director to Request Assignment of Library Project and Council on Aging/Community Center Project to Permanent Municipal Building Committee The Board was joined by Facilities Director Ben Keefe to discuss the assignment of building projects to the Permanent Municipal Building Committee. J. Nolan moved, seconded by M. Antes, to assign the Library project and the Council on Aging/Community Center project to the Permanent Municipal Building Committee as recommended by the Facilities Director Ben Keefe. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A7. Discuss and Potential Vote to Approve Concept Plan and Authorize Modification to Depot Parking Lot Required by Rail Trail Project The Board was joined by Larry Kiernan, Rail-Trail Committee, and Town Planner Sarkis Sarkisian. S. Sarkisian reviewed the process for the design of the rail-trail as it passes through the Depot parking lot. He said the Historic District Commission has issued its approval of the plan, and permission is now required from the Board of Selectmen as the owners of the property. The Board discussed parking and the need to address a plan for the turntable in the future. M. Antes moved, seconded by J. Nolan, to approve the concept plan for the Rail-Trail to pass through the Depot Parking Lot at 1 Cochituate Road, dated October 13, 2015, as presented. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A8. Meet New Building Commissioner Geoffrey Larsen and Discuss Approach to Class II Auto License Zoning with Building Commissioner and Town Planner The Board was joined by Geoffrey Larsen, Building Commissioner, to address the issue of Class II auto licensing. Board members welcomed G. Larsen to the town. J. Nolan reviewed the background of the licensing of Class II auto dealers, and said there is a need to codify the town policy without putting an undue financial or regulatory burden on established businesses. G. Larsen said he plans to begin a dialogue with the auto dealers, with the expectation that a process can be established to resolve the zoning issues. He said the Town Planner, Sarkis Sarkisian, is updating the town bylaw to establish the sale of five used cars by right, with site plan approval required for an excess of five cars. He said there will be a public hearing on December 8. J. Nolan suggested that the business owners be invited to a forum to explain the process.

A9. FY17 Budget: Review IT and Facilities Budgets The Board was joined by Financial Analyst Elizabeth Doucette to review the IT budget. N. Balmer said that the overall increase is 2 ¼ percent, including the \$400,000 increase in IT expenses; however, it does not include the \$200,000 for a potential new position. She said that Assistant Town Administrator/Human Resources Director John Senchyshyn will discuss the unclassified budget and health insurance next week, as well as two new positions proposed by the police department and the IT department. She said that on December 14, the Finance Director will discuss the entire budget. E. Doucette reviewed the town IT budget, noting that there were discrepancies due to the separation of the shared expenses of an IT Executive Director and the separation of recurring costs. She said the potential school/town budget split has not yet been decided.

The Board was joined by Facilities Director Ben Keefe to review the budget for utilities. B. Keefe discussed the stable cost of natural gas, the increase in electricity costs, and the savings impact of solar benefits. He said the ESCO savings are reflected in the budget. He said the water charges are unchanged, but noted increases in telephone charges, custodial supplies, and salaries. He said he cut the overtime budget, as it has been tracking low. He said the overall budget for utilities is approximately 2% over last year.

A10. Review Final Response to Wayland Real Asset Planning (WRAP) Committee Questionnaire Ben Keefe, Facilities Director, appeared before the Board to review the WRAP questionnaire regarding property under the jurisdiction of the Board of Selectmen. He said the town building needs a substantial

amount of work, and M. Antes said that there have been requests from builders to purchase the building for conversion to housing. C. Karlson suggested that alternative space be considered. In regard to the draft priorities, the Board suggested that the municipal parcel be the first priority, followed by community space, affordable housing, and the disposition of land. J. Nolan asked that every town board be questioned as to surplus property. M. Antes said the committee would like to meet with the Board in December.

A11. Discuss Sign Policy M. Antes reviewed a draft sign policy. The Board discussed suggested edits, safety issues in regard to securing the signs, and the composition of the signs. The Board agreed that while businesses and religious institutions cannot advertise, community events sponsored by a business or a religious institution would be acceptable. Mike Lowery, Board of Public Works, said he is consulting with the Zoning Board of Appeals in regard to the town sign bylaws. C. Karlson said that the town bylaw applies to signs on private property; the policy before the Board deals with town-owned property. C. Karlson asked M. Antes to prepare a draft policy for review and comment.

A12. Review and Approve Consent Calendar (See Separate Sheet) L. Anderson moved, seconded by J. Nolan, to reconsider the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. L. Anderson moved, seconded by J. Nolan, to approve the consent calendar with an edit to the minutes of October 5, 2015. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A13. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A14. Report of the Town Administrator N. Balmer reported on ongoing budget issues in the recreation department, including a registration cap, a potential revolving fund for the beach program, account reconciliation, and the turf field fund. She said the Board of Public Works will discuss the issue of common driveways at its December 1 meeting, after residents were informed that the town will no longer plow on private property. She said the River's Edge proposals are due December 1.

A15. Selectmen's Reports and Concerns L. Anderson reported on the post-town meeting forum hosted by the Town Moderator.

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

A17. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30 A, Section 21(a)(6), to consider the Disposition of the Wayland/Sudbury Septage Facility, and to Consider the Purchase, Exchange, Lease or Value of Real Property Relative to the Town Center Municipal Parcel; and Pursuant to Massachusetts General Laws Chapter 30 A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission and Potential Litigation by a Group of Wastewater Users; and to Discuss Strategy with Respect to Pending Litigation between Moss and Borner v. Lingleys and the Town of Wayland regarding "Crown Path," and to Consider Potential Litigation regarding Bernstein et al v. Wayland Planning Board, and to Discuss Potential Litigation regarding Affordable Housing Restrictions, and to Discuss the Value of Real Property at 87 Old Connecticut Path, Wayland, Commonly Known as Mainstone, and to Conduct a Grievance Hearing with Representatives of SEIU Local #888, and to Discuss Strategy with Respect to Collective Bargaining in Regard to Contract Negotiations with the AFSCME Clerical Union, the AFSCME

Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) 7, to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to these Subjects: , because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town: March 31, 2010, November 6, 2013, March 23, 2015, August 31, 2015, September 8, 2015, September 14, 2011, March 5, 2012, November 5, 2012, May 6, 2013, August 26, 2013, January 27, 2014, June 23, 2014, November 24, 2014, March 30, 2015, May 18 2015, June 24, 2015, July 13, 2015, July 27, 2015, September 21, 2015, September 8, 2015, September 11, 2015, October 5, 2015, and October 19, 2015 At 10:36 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30 A, Section 21(a)(6), to consider the disposition and value of the Wayland/Sudbury septage facility, and to consider the purchase, exchange, lease or value of real property relative to the Town Center Project municipal parcel; and to discuss the value of real property at 87 Old Connecticut Path, Wayland, commonly known as Mainstone; and pursuant to Massachusetts General Laws Chapter 30 A, Section 21(a)(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission and potential litigation by a group of wastewater users; and to discuss strategy with respect to pending litigation between Moss and Borner v. Lingleys and the Town of Wayland regarding "Crown Path," and to consider potential litigation regarding Bernstein et al v. Wayland Planning Board, and to discuss potential litigation regarding affordable housing restrictions, and to discuss the value of real property at 87 Old Connecticut Path, Wayland, commonly known as Mainstone, and to discuss a grievance hearing with representatives of SEIU Local #888, and to discuss strategy with respect to collective bargaining in regard to contract negotiations with the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) 7 and 22, to review and consider for approval the potential release of the following executive session minutes pertaining to these subjects: March 31, 2010, November 6, 2013, March 23, 2015, August 31, 2015, September 8, 2015, September 14, 2011, March 5, 2012, November 5, 2012, May 6, 2013, August 26, 2013, January 27, 2014, June 23, 2014, November 24, 2014, March 30, 2015, May 18, 2015, June 24, 2015, July 13, 2015, July 27, 2015, September 21, 2015, September 8, 2015, September 11, 2015, October 5, 2015, and October 19, 2015. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, litigating, or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer. The Board will reconvene in open session in approximately twenty minutes.

The Board returned to open session at 10:49 p.m.

A18. 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 10:50 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of November 30, 2015

1. Email of 11/25/15 from Linda Segal to Board of Selectmen re: Notice of Raytheon PIP Meeting on December 3, 2015

Items Included as Part of Agenda Packet for Discussion During the November 30, 2015 Board of Selectmen's Meeting

1. Tax Classification Hearing Presentation from Board of Assessors
2. Notes on Minuteman, 11/20/2015, from Selectman Lea Anderson, and Protocol for Adopting Amended Agreement, Bonding, and Withdrawal
3. Memorandum of 11/24/15 from Ben Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, re: Permanent Municipal Building Committee Project Assignment
4. Memorandum of 11/23/15 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Rail Depot –Bike Path and Layout
5. Email of 11/23/15 from Geoff Larsen, Building Commissioner, to Nan Balmer, Town Administrator, re: Used Car Dealer's License Class II Zoning Review Status Update
6. Memorandum of 11/24/15 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Used Car Dealers
7. Memorandum of 11/30/15 from Nan Balmer, Town Administrator to Board of Selectmen re: FY17 Budget Variances: Departments Under the Board of Selectmen
8. Memorandum of 11/30/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Response to Request Regarding Facilities Under Selectmen Jurisdiction
9. Board of Selectmen Sign Policy with Suggested Changes and Questions prepared by Selectman Mary Antes
10. Town Administrator's Report for the Week Ending November 25, 2015



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

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF
SELECTMEN FROM JANUARY 8, 2016, THROUGH AND
INCLUDING JANUARY 21, 2016, OTHERWISE NOT LISTED
AND INCLUDED IN THE CORRESPONDENCE PACKET FOR
JANUARY 25, 2016**

Items Distributed To the Board of Selectmen –January 8-21, 2016

1. Email of 1/8/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: New Minuteman Documents, Agreement and FAQ

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of January 11, 2016

1. Handout, Draft Resolution Concerning Lost and Unaccounted For Gas
2. Account Detail Appropriated at Annual Town Meeting 2015, Council on Aging/Community Center Advisory Committee, January 11, 2016
3. Annual Town Meeting 2016 Article, Confirmatory Taking of Newbury Conservation Land, submitted by Conservation Commission
4. Memorandum of 1/11/16 from Board of Selectmen re: Change of Venue, Special Town Meeting, February 11, 2016
5. Minuteman Vocational Regional FAQ, Published Originally by the Sudbury Board of Selectmen and Edited with Permission by Lea Anderson
6. Minuteman New Agreement Cost Comparison, Draft, January 7, 2016
7. Draft Articles for the February 2016 Special Town Meeting

Items Included as Part of Agenda Packet for Discussion During the January 25, 2016, Board of Selectmen's Meeting

1. Draft Annual Report, Board of Selectmen, Fiscal Year 2015
2. List of Articles Submitted for 2016 Annual Town Meeting
3. Memorandum of 1/8/16 from Susan Botta, School Business Administrator, to Board of Selectmen, re: Consideration of Vote to Approve After-School Programs Established and Maintained under M.G.L. Chapter 71, Section 26 A, B, C
4. Application of Eastbrook, Inc., dba Sperry's Liquors, for a New All Alcoholic Beverage License to Replace the Existing Wine and Malt Off Premises License at 87 Andrew Avenue
5. Town Administrator's Report for the Week Ending January 21, 2016



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BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, January 25, 2016
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Letter of 1/11/16 from Jennifer Ordway, NEPBA #176 Union President, to Board of Selectmen re: Union's Opposition to Removal of Civil Service
2. Memorandum of 1/21/16 from Robert Irving, Chief of Police, to Board of Selectmen, re: Withdrawal from Civil Service
3. Memorandum of 1/13/16 from Nan Balmer, Town Administrator, to Finance Committee, re: Board of Selectmen FY17 Expense Budget Recommendation and New Personnel Recommendation for Boards, Officers and Committee's under Jurisdiction of the Selectmen
4. Memorandum of 1/21/16 from Beth Klein, Town Clerk, to Board of Selectmen, re: Resignation of Cynthia C. Hill from the Board of Health
5. Wayland Police Department Goals, 2015 Results
6. Monthly Report, Police Department, December 2015

Conservation Commission

7. First Amendment to Chapter 194 Permit/Order of Conditions, 1/20/16, from Brian J. Monahan, Conservation Administrator, re: 32/34 Covered Bridge Lane

Zoning Board of Appeals

8. Public Hearing, February 9, 2016, 14 Hawthorne Road, 10 Chestnut Road

Minutes

9. Historical Commission, November 5, 2015, December 10, 2015
10. Housing Partnership, November 17, 2015
11. Board of Library Trustees, November 18, 2015, December 2, 2015
12. Municipal Affordable Housing Trust Fund Board, December 16, 2015
13. Planning Board, November 3, 2015, November 16, 2015, December 8, 2015
14. Board of Public Works, December 15, 2015
15. River's Edge Advisory Committee, December 2, 2015
16. Wayland Real Asset Planning (WRAP) Committee, November 12, 2015, December 3, 2015, January 6, 2016

Region

17. Letter of 1/6/16 from the MBTA Advisory Board re: Agenda, January 11, 2016

State

18. Letter of 1/7/16 from Office of the Governor to Fire Chief David G. Houghton re: Award of Student Awareness of Fire Education (SAFE) Grant and Senior SAFE Grant



Wayland Police Officers' Union

38 Cochituate Road
Wayland, MA 01778

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

January 11, 2015

Re: Union's Opposition to Removal of Civil Service
To whom it may concern:

On behalf of the Wayland Massachusetts Police Officers' Association, affiliated with the New England Police Benevolent Association (NEPBA #176), please accept this letter as the Union's formal objection to the removal of civil service.

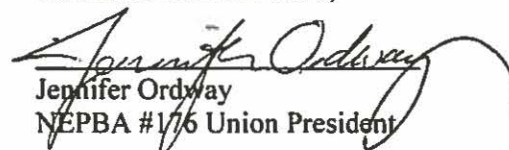
Chapter 31 of the Massachusetts General Laws states that the Civil Service is based on the Basic Merit Principle, defined in the law as the "selecting and advancing of employees on the basis of their relative ability, knowledge and skills, including an open consideration of qualified applicants for initial appointing." This is a noble principle that has provided and continues to provide enormous benefits to the Town of Wayland.

Civil service laws are designed to serve two main functions: First, they establish a set of exams that test the merit of both new hires and promotional candidates. Second, they protect public employees from arbitrary dismissal, discipline, and provide layoff seniority for public employees. Hiring and promoting through civil service rules and regulations ensures that the Town hires only the top qualified candidates and avoids political favoritism. Candidates are not simply ranked based on test scores but they are also awarded additional points based on specific statutory preferences to ensure further fairness and opportunity to applicants seeking to join the field of public law enforcement.

Although the state Human Resources Division (HRD), which oversees the administration of both state and local civil service testing and hiring, has not given a test for non-public safety personnel in years, such is not the case for public safety personnel. Promotional exams within public safety are given on a regular basis and have continued to serve as an effective process for the hiring, promoting and retention of quality law enforcement employees.

Civil service laws were originally enacted to encourage public Employers to hire and promote candidates based upon a system of merit, rather than political favoritism. It is the Union's position that the Town should continue to hire individuals based on these merit principals as originally intended in chapter 31. Utilizing chapter 31 has shown to be successful in the past for the Town with no evidence to establish otherwise. The Union is opposed to the removal of civil service and insists that the civil service rules and regulations continue to positively and effectively assist the Town in their ultimate goal of only hiring, promoting and retaining the very best candidates.

Respectfully Submitted,
On Behalf of Local #176,


Jennifer Ordway
NEPBA #176 Union President



"Strength Through Unity"

2



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

1/21/2016

RECEIVED

JAN 21 2016

Board of Selectmen
Town of Wayland

To: Wayland Board of Selectmen

From: Robert Irving, Chief of Police

Subject: Withdrawal from Civil Service

At the April Town Meeting, residents will be asked to decide on the future of Civil Service in Wayland. Wayland is not the only community to face this decision. Town after town in Massachusetts have left the Civil Service system. Acton, Maynard, Sudbury, Wellesley, Westwood, Norwood, Franklin, Walpole Randolph, Burlington, and Reading have withdrawn from Civil Service over the past few years. Other towns, such as Framingham, are in the process of leaving Civil Service. Today, Wayland is bordered by Weston, Lincoln, and Sudbury which have non-Civil Service Police Departments. Towns are opting out of Civil Service because the system has proven to be ineffective and obsolete. Today, Civil Service in Massachusetts is no longer up to the important task of assisting cities and towns to recruit and hire the most talented candidates to staff their Police Departments.

Civil Service was enacted in 1884 with the primary purpose of protecting the hiring and the disciplinary processes from patronage and political interference. Today, we have comprehensive policies and procedures in place to provide these protections. Collective bargaining agreements protect Police Officers from arbitrary dismissal, discipline and unfair labor practices.

When recruiting new Police Officers, the minimal entrance standard for Civil Service is a high school education or GED and a Massachusetts' driver's license. By withdrawing from Civil Service Wayland can improve upon the standards for prospective candidates and create greater flexibility within the hiring process. The Town can set minimum eligibility standards not currently allowable by Civil Service. The Town and the Department can determine the hiring preferences they deem most important. These may include college degrees, residency, military experience, language proficiency, prior academy training and others.

The length of time required to replace an Officer will be greatly improved. In reviewing the past six Police Officers hired by the Department through the Civil Service system, we find that the average length of time from the day an opening occurred to the day the opening was filled by a newly trained officer was thirteen months. This lengthy time frame causes shift shortages, officer holdovers, and overtime hours.

In recruiting under Civil Service, the department is only allowed to consider three potential candidates when filling a vacancy. Limited choices have led to situations where there were no acceptable candidates, resulting in the hiring process starting over.

In an absurd instance Wayland requested and received a Civil Service list in which the number one candidate on the list had been arrested in Wayland for domestic violence charges. When passed over for the position, this candidate appealed the department's decision to the Civil Service Commission. The Commission's decision was to place this candidate at the number one position on the next two lists requested by Wayland. The outcome was a period of 26 months before a replacement officer was hired, trained and filling shifts.

Without Civil Service restrictions; towns can diversify their workforce, recruit educated candidates from colleges to take their exam, choose from a pool of twenty or more candidates and incorporate community and department specific criteria into hiring and exams. The length of time to deploy a qualified Police Officer can be greatly reduced.

While the primary reason for withdrawing from Civil Service is to improve our ability to recruit and hire the best potential candidates, the promotional process will also be improved. Wayland's recent Civil Service promotional exams have only produced one or two candidates to consider for promotion to a supervisory position. Wayland is fortunate to have qualified Officers who could flourish in supervisory roles, but the Civil Service promotional exams do not provide them the opportunity. The high failure rate on promotional exams state-wide greatly reduces the ability to apply appropriate promotional criteria when selecting a candidate for a supervisory position. Factors such as job related experience, supervisory evaluation of the employee's potential, score on promotional exam, sick leave record, formal education, training and education through career development, disciplinary record, attitude toward the police department and work ethics and initiative are often not given consideration because of the limited number of successful candidates who passed the promotional exams. In addition, the cost of taking the exam and the purchase of books and course materials to prepare for a promotional exam is a burden on many Officers. This provides a disincentive for them to participate in the promotional process.

The department has worked very hard over the years to hire and promote the right people for police positions so important to the residents of Wayland. Our

successes have been made in spite of Civil Service, not because of it. Withdrawal from this antiquated system will bring the Town and the Police Department to a point where we can best serve the community by appointing the best qualified and brightest applicants for police positions. If Town Meeting approves the withdrawal from Civil Service, current officers will retain their "Civil Service Status".

It is time for our town to take control of our hiring process for Police Officers and not rely on the state to send three candidates who may not represent what the town expects for its police force. It is time for the Wayland Police Department to join other Police Departments across the Commonwealth and leave the antiquated Civil Service system behind us.

3

DATE: JANUARY 13, 2016

TO: FINANCE COMMITTEE

FROM: NAN BALMER, TOWN ADMINISTRATOR

RE: BOARD OF SELECTMEN: FY 17 EXPENSE BUDGET RECOMMENDATION AND NEW PERSONNEL RECOMMENDATION FOR BOARDS, OFFICERS AND COMMITTEE'S UNDER JURISDICTION OF THE SELECTMEN

On January 4, 2016 the Board of Selectmen voted to approve the attached FY 17 summary, prepared by the Finance Director, of operating expense budgets for the Town boards, officers and committees under the Selectmen's jurisdiction. The Finance Committee received notice of the Board's approval of proposed FY 17 capital projects in previous correspondence.

In addition, the Board of Selectmen reviewed requests for new personnel under its jurisdiction and is notifying the Finance Committee of the Selectmen's support for funding in FY 17 for a Director of Information Technology and one additional full-time IT support position. Detailed information about these positions will be provided to the Finance Committee by the Human Resources Director and Personnel Board. The Selectmen are in support of the Police Chief's request for an additional officer, but recommends that this new position be considered for inclusion in the FY 18 budget.

CC: Board of Selectmen

Board of Selectmen Departments

	2014 ACTUAL	2015 ACTUAL	2016 APPROVED	2016 Actual-4-Months	2017 REQUEST	\$ Variance FY 17 / FY 16	% Variance FY 17 / FY 16
SELECTMAN							
TOTAL PURCHASE SERVICE	18,262	20,760	24,000	11,611	24,000	0	0.00%
TOTAL SUPPLIES	6,757	3,015	6,000	5,227	6,000	0	0.00%
TOTAL SELECTMEN	25,019	23,775	30,000	16,838	30,000	0	0.00%
TOWN OFFICE							
TOTAL PERSONNEL SERVICES	489,230	468,323	435,000	154,767	435,000	0	0.00%
TOTAL PURCHASE SERVICE	13,618	14,843	10,000	3,755	10,000	0	0.00%
TOTAL SUPPLIES	67,094	66,139	71,500	11,086	71,500	0	0.00%
TOTAL TOWN OFFICE	569,942	549,305	516,500	169,608	516,500	0	0.00%
PERSONNEL BOARD							
TOTAL PERSONNEL SERVICES	0	2,100	5,000	0	5,000	0	0.00%
TOTAL PURCHASE SERVICE	4,095	8,540	10,000	2,023	10,000	0	0.00%
TOTAL PERSONNEL BOARD	4,095	10,640	15,000	2,023	15,000	0	0.00%
FINANCE OFFICE							
TOTAL PERSONNEL SERVICES	274,089	296,257	318,300	97,239	338,618	20,318	6.38%
TOTAL PURCHASE SERVICE	64,946	60,910	48,700	31,781	53,700	5,000	10.27%
TOTAL SUPPLIES	991	1,563	3,000	3,000	3,000	0	0.00%
TOTAL FINANCE OFFICE	340,026	358,731	370,000	129,020	395,318	25,318	6.84%
TREASURER							
TOTAL PERSONNEL SERVICES	196,076	208,555	199,000	53,142	190,104	-8,896	-4.47%
TOTAL PURCHASE SERVICE	36,461	72,609	115,700	37,814	99,900	-15,800	-13.66%
TOTAL SUPPLIES	0	0	200	200	200	0	0.00%
TOTAL TREASURER	232,537	281,164	314,900	90,955	290,204	-24,696	-7.84%
LEGAL							
TOTAL PURCHASE SERVICE	173,227	142,089	175,000	40,775	175,000	0	0.00%
TOTAL LEGAL	173,227	142,089	175,000	40,775	175,000	0	
INFORMATION TECHNOLOGY							
TOTAL PERSONNEL SERVICES	84,085	84,694	83,842	28,808	87,699	3,857	4.60%
TOTAL PURCHASE SERVICE	205,868	250,015	238,190	62,376	629,747	391,557	164.39%
TOTAL INFORMATION TECHNOLOGY	289,953	334,709	322,032	91,183	717,446	395,414	122.79%

Board of Selectmen Departments

	2014 ACTUAL	2015 ACTUAL	2016 APPROVED	2016 Actual-4-Months	2017 REQUEST	\$ Variance FY 17 / FY 16	% Variance FY 17 / FY 16
CONSERVATION							
TOTAL PERSONNEL SERVICES	135,051	132,862	169,457	50,458	177,902	8,445	4.98%
TOTAL PURCHASE SERVICE	10,038	7,942	23,000	0	23,000	0	0.00%
TOTAL SUPPLIES	6,233	6,767	14,400	2,540	18,200	3,800	26.39%
TOTAL CONSERVATION	151,322	147,571	206,857	52,997	219,102	12,245	5.92%
SURVEYOR							
TOTAL PERSONNEL SERVICES	160,604	162,411	160,778	55,242	168,118	7,340	4.57%
TOTAL PURCHASE SERVICE	12,519	21,521	22,800	2,682	23,000	200	0.88%
TOTAL SUPPLIES	2,578	1,137	4,150	57	4,150	0	0.00%
TOTAL SURVEYOR	175,701	185,069	187,728	57,981	195,268	7,540	4.02%
FACILITIES							
TOTAL PERSONNEL SERVICES	270,837	263,107	279,722	95,397	277,932	(1,790)	-0.64%
TOTAL PURCHASE SERVICE	668,996	669,866	792,450	180,679	814,000	21,550	2.72%
TOTAL SUPPLIES	25,253	31,415	39,500	7,009	43,000	3,500	8.86%
TOTAL FACILITIES	965,086	964,388	1,111,672	283,085	1,134,932	23,260	2.09%
POLICE							
TOTAL PERSONNEL SERVICES	2,105,444	2,192,172	2,231,344	734,737	2,275,760	44,416	1.99%
TOTAL PURCHASE SERVICE	132,758	138,689	138,890	33,320	140,710	1,820	1.31%
TOTAL SUPPLIES	187,608	167,962	181,400	77,475	169,400	(12,000)	-6.62%
TOTAL POLICE	2,425,810	2,498,823	2,551,634	845,532	2,585,870	34,236	1.34%
JCC COMMUNICATION							
TOTAL PERSONNEL SERVICES	462,550	449,984	475,400	150,697	496,675	21,275	4.48%
TOTAL PURCHASE SERVICE	16,185	11,775	11,600	10,717	21,600	10,000	86.21%
TOTAL SUPPLIES	6,004	4,363	5,500	1,080	5,500	0	0.00%
TOTAL JCC COMMUNICATIONS	498,507	477,141	502,500	162,494	523,775	21,275	4.23%
EMERGENCY MANAGEMENT							
TOTAL PURCHASE SERVICE	13,447	15,203	16,000	915	16,000	0	0.00%
TOTAL SUPPLIES	11,216	7,002	7,000	0	7,000	0	0.00%
TOTAL EMERGENCY MANAGEMENT	24,663	22,204	23,000	915	23,000	0	

Board of Selectmen Departments

	2014 ACTUAL	2015 ACTUAL	2016 APPROVED	2016 Actual-4-Months	2017 REQUEST	\$ Variance FY 17 / FY 16	% Variance FY 17 / FY 16
DOG OFFICER							
TOTAL PURCHASE SERVICE	22,962	21,228	21,500	7,218	21,500	0	0.00%
TOTAL DOG OFFICER	22,962	21,228	21,500	7,218	21,500	0	0.00%
FIRE							
TOTAL PERSONNEL SERVICES	2,204,981	2,122,359	2,305,349	700,497	2,325,349	20,000	0.87%
TOTAL PURCHASE SERVICE	34,527	39,073	77,500	20,593	74,500	(3,000)	-3.87%
TOTAL SUPPLIES	150,851	188,058	175,608	55,904	181,500	5,892	3.36%
TOTAL FIRE	2,390,359	2,349,490	2,558,457	776,994	2,581,349	22,892	0.89%
BUILDING & ZONING							
TOTAL PERSONNEL SERVICES	271,998	278,200	293,767	94,386	301,759	7,992	2.72%
TOTAL PURCHASE SERVICE	12,537	7,875	12,000	2,310	12,000	0	0.00%
TOTAL SUPPLIES	907	1,367	2,501	0	2,501	0	0.00%
TOTAL BUILDING & ZONING	285,442	287,442	308,268	96,696	316,260	7,992	2.59%
VETERANS SERVICES							
TOTAL PURCHASE SERVICE	26,400	37,004	41,600	36,919	44,000	2,400	5.77%
TOTAL SUPPLIES	2,826	4,939	3,000	0	4,000	1,000	33.33%
TOTAL VETERANS SERVICES	29,226	41,943	44,600	36,919	48,000	3,400	7.62%
COUNCIL ON AGING							
TOTAL PERSONNEL SERVICES	166,009	172,253	195,776	66,128	207,486	11,710	5.98%
TOTAL PURCHASE SERVICE	44,758	43,753	46,700	3,020	46,700	0	0.00%
TOTAL SUPPLIES	9,026	7,763	8,800	0	9,300	500	5.68%
TOTAL COUNCIL ON AGING	219,793	223,768	251,276	69,148	263,486	12,210	4.86%
YOUTH SERVICES							
TOTAL PERSONNEL SERVICES	157,401	167,101	205,053	77,009	222,400	17,347	8.46%
TOTAL PURCHASE SERVICE	2,733	2,808	2,850	658	2,850	0	0.00%
TOTAL SUPPLIES	907	789	1,225	134	1,225	0	0.00%
TOTAL YOUTH SERVICES	161,041	170,698	209,128	77,802	226,475	17,347	8.29%

Board of Selectmen Departments

	2014 ACTUAL	2015 ACTUAL	2016 APPROVED	0 0	2017 REQUEST	\$ Variance FY 17 / FY 16	% Variance FY 17 / FY 16
DEBT SERVICE							
TOTAL DEBT SERVICE	7,308,512	7,692,911	7,751,620	1,339,771	7,502,831	-248,789	-3.21%
RETIREMENT							
TOTAL RETIREMENT	3,507,480	3,740,468	3,971,988	3,971,988	4,235,414	263,426	6.63%
UNCLASSIFIED							
INSURANCE GENERAL	480,146	573,611	615,000	565,865	615,000	0	0.00%
INSURANCE 32B	5,905,967	6,057,649	6,925,218	2,180,167	7,080,976	155,758	2.25%
MEDICARE	557,986	561,962	570,000	156,186	580,000	10,000	1.75%
UNEMPLOYMENT	47,214	32,465	75,000	3,889	75,000	0	0.00%
NON-CONTRIBUTORY RETIREMENT	16,772	17,537	18,000	150	0	-18,000	-100.00%
POLICE/FIRE DISABILITY	6,536	3,083	15,000	113	15,000	0	0.00%
RESERVE FOR SAL ADJUSTMENTS		0	374,000	0	374,000	0	0.00%
OCCUPATIONAL HEALTH	5,108	1,919	8,000	474	8,000	0	0.00%
RETIREMENT/BUYBACK	7,500	7,500	40,000	0	40,000	0	0.00%
TOWN MEETING	89,999	65,289	90,000	865	90,000	0	0.00%
STREET LIGHTING	106,417	122,538	130,000	22,809	130,000	0	0.00%
RESERVE FUND		0	300,000	0	300,000	0	0.00%
TOTAL UNCLASSIFIED	7,223,645	7,443,554	9,160,218	2,930,517	9,307,976	147,758	1.61%

4



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: January 21, 2016

To: Board of Selectmen ✓

From: Town Clerk's Office

Re: RESIGNATION OF ELECTED OFFICIAL

This office received the attached letter on January 20, 2016. The effective date of the resignation is January 21, 2016.

Cynthia C. Hill Board of Health Term Expires: April 2018

Following the posting of the vacancy for one week, the Board of Selectmen together with the Planning Board meet and form one committee to interview and then appoint a qualified person to fill the vacancy until the next annual town election.

Beth R. Klein
Town Clerk

cc: Board of Health

RECEIVED

JAN 21 2016

Board of Selectmen
Town of Wayland

Klein, Beth

From: LINCTRAV@aol.com
Sent: Wednesday, January 20, 2016 1:38 PM
To: Klein, Beth
Cc: juliajunghanns@hotmail.com; Balmer, Nan; klemtj@yahoo.com
Subject: Wayland Board of Health

Dear Beth,

Just an informal note to advise you that, as of today, January 20th 2016, I am resigning from the Wayland's Board of Health.

You will have your formal notification tomorrow, but with the clock ticking, thought it best to give anyone wanting this position, as much time as possible.

I wish to thank Tom Klem, my Chairman, who has been a great cohort and advisor for the past 4 years.

Note please, this is a resignation, not a retirement.

Please advise Beth is you need anything beside a formal signed letter. 508-414-5541.

Sincerely,

Cynthia Hill
Wayland Board of Health



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Wayland Police Department Goals

2015 Results

RECEIVED

JAN 20 2016

Board of Selectmen
Town of Wayland

The overall mission of the Wayland Police Department is to make the Town of Wayland as safe as possible for its residents, employees and visitors. In an effort to further the mission of the department, some goals and specific objectives have been identified that we will attempt to meet in 2015. Each member of the Wayland Police Department is expected to contribute in meeting objectives that will allow us to attain the goals established.

Improve Police Officer Training

The Wayland Police strives to maintain the highest standards of excellence utilizing training and technology to create a safe environment for citizens. Police officer training is vital in preparing officers for the daily tasks that society places on them each day. Well-trained officers are less likely to make mistakes that will place them in a dangerous situation or create a cause for unnecessary legal action against the department and the town. Given the budgetary constraints faced by the department, efforts will be made to control the costs of some of the training received by the officers.

Objectives: Provide each officer with a minimum of 16 hours of additional training this year above the 40 hours required, in accordance with **MGL Chapter 41 §96B**. This year there will be an added emphasis to providing in-house police training. Areas where additional training could be conducted are: domestic violence, officer survival, defensive tactics, police liability, investigative techniques, emergency driving, etc. This year the department will again participate in reward seminars sponsored by MIA.

Continue an annual qualification of firearms consisting of a minimum of eight hours of training and the successful qualification of all department members. Included in the 8 hours of training, Officers will receive use of force training. This will be accomplished with scenario based training. The department will also supply added firearms training for those officers identified as being able to benefit from one on one skills enhancement in the use of firearms.

Maintain the certifications of specific officers in specialized functions such as child car seat installers, traffic accident reconstructionists, computer forensics, and field training officers.

The department is always encouraging leadership development within the department. This year Sergeants will be giving the opportunity to attend leadership training. This will include training through the Massachusetts Police Institute, Massachusetts Police Training Council, FBI-LEEDA (Law Enforcement Executive Development Association), MIIA, etc.

Results: The department had a very successful year in the area of training. One supervisor completed the FBI-LEEDA program and other supervisors attended various courses on supervisor liability. Many officers attended training programs outside the normal 40 hour in-service training required each year.

The department maintained all necessary certifications for specialized duties and one more officer received training as a field training officer.

Eight hours of firearms training was completed by all officers with an emphasis on the new 9 mm Glock handgun that the department recently switched to.

Improve Traffic Safety

Accidents are a problem in the Town of Wayland and the department needs to continue efforts in several areas to improve the safety of the roads in town. Our efforts at accident reduction have played a major role in the significant decrease in reportable accidents since 2003.

Objectives: Reduce the accident rate from 2014 levels by 5%. There were 328 reported accidents in 2014, a 7.6% decrease from 2013. There was one fatal motor vehicle crash in 2014. The department will maintain a program designed to identify roadways and intersections that have a high accident rate and/or generate citizen complaints. Once identified, the areas will be targeted for

selective enforcement. In addition, the department will utilize the programmable signboard to warn motorists of potential hazards, road closures and construction projects. The department will also use speed and traffic counters to help determine problem areas in town. The department will continue its efforts to support permanent improvements at the intersection of East Plain St. /School St. and Commonwealth Road. The police department supports traffic-calming measures, such as speed bumps, to deter motorists from traveling too fast. All officers and supervisors will be encouraged to continue proactive enforcement of motor vehicle laws and to maintain a high police presence on our roadways, especially in high accident areas. On shifts with three patrol officers assigned, a unit designated as a traffic unit will be deployed to target problem areas.

During 2015, it will be an objective to keep alcohol related crashes at an absolute minimum. The department will aggressively enforce the O.U.I laws and deter underage consumption of alcohol by conducting spot checks of establishments that sell liquor. Officers and supervisors will be encouraged to be on the lookout for impaired drivers and to take enforcement action when one is found. The department will look to significantly improve upon its record of 11 O.U.I. arrests in 2014. The department will participate in all programs sponsored by the Governor's Highway Safety Bureau to include, "Over the Limit, Under Arrest" and "Click It or Ticket."

Two additional police officers will be certified in the inspection of child safety seats and will periodically perform child safety seat inspections for Wayland residents. It will be an objective to conduct a minimum of 50 child car seat inspections for Wayland residents.

The department will inspect pedestrian crosswalks throughout town and work with the Highway Department to insure that the crosswalks are highly visible for operators of motor vehicles and pedestrians.

Results: There were 350 reported motor vehicle accidents in 2015, an increase of 6.3% from 2014 when there were 328. There were no fatalities on Wayland roads in 2015. The department continued to conduct directed speed enforcement on streets throughout town and issued a total of 2,577 citations.

The intersection at East Plain Street and School Street has been redesigned, on a temporary basis, and the occurrence and seriousness of accidents there has decreased. The new intersection at West Plain Street and Old Connecticut Path also has seen a decrease in serious motor vehicle crashes.

There were 19 arrests for Operating Under the Influence of Alcohol during the year. The department also participated in all programs sponsored by the Highway Safety Division of the Executive Office of Public Safety to promote safety on our roads.

There was a very large increase in the number of infant car seat installations in 2015, rising to 70 from 26 in 2014. All crosswalks were repainted during 2015 and extra signs were placed at several local crosswalks.

Reduce False Burglar Alarms

False burglar alarms cause unnecessary emergency police response and can contribute to officer involved automobile accidents and officer complacency. In addition, they take officers away from other duties they may be performing.

Objective: Reduce false burglar alarms by 5%. In 2014 there were 559 false commercial and residential burglar alarms that required a police response. This represents an 18.5% decrease in false burglar alarms from 2013. By enforcing the Town By-law 83-2, regarding false alarms, and by proactive publicity on the importance of proper maintenance of burglar alarm systems, it is hoped that the number of false burglar alarms will be reduced to 531 or less. In addition to enforcing the Alarm By-law, the department will contact alarm violators after five false alarms to help resolve the problem with the alarm system.

Results: There were a total of 678 commercial and residential burglar alarms in 2015. This represents a 21.3% increase from 2014 and is the third straight year that burglar alarm responses have increased. Despite this fact, there were few instances where fines were levied for having more than three false alarms in one year. The increase in numbers seems to be related to more alarm systems coming on line, rather than individual alarm systems being responsible for multiple alarms.

Maintain Staffing Levels

The current authorized strength of the Wayland Police Department is 23 sworn officers. At the beginning of the calendar year the department is operating two below full strength. Two new recruits are scheduled to begin the police academy in January and are expected to graduate in July.

Objective: Maintain the staffing level at 23 during the calendar year. Replace any opening caused by retirement or resignation with qualified civil service candidates. The department will track activity caused by the Town Center

development to determine what staffing level may be needed in the future to handle increased demand. Based on analysis, the department will consider proposing an increase of total sworn staff to 24 during the 2016 budget presentation.

Results: The department ended the year fully staff, with the addition of two new officers who graduated from the police academy in the summer. The department discussed increasing the total staff to 24 sworn officers with the Personnel Board; however, they recommended that the department not increase staffing levels in the upcoming year.

Improve Technology and Equipment

Police work in the year 2015 requires sophisticated computer and electronic equipment. The police department must continue to improve its effectiveness by acquiring the latest equipment used in the law enforcement profession. Reliable communication systems are imperative for the operation of a police agency. In order to maintain effective communications systems, periodic upgrades are necessary.

Objectives: It will be a goal of the department to upgrade the current Crossmatch Fingerprinting System in 2015. The current system is 12 years old and is due for replacement.

The department will pursue the upgrade of the 20 M.P.H. school speed limit signs at the Middle School and Happy Hollow School. Current signs are more than 25 years old. A switch from traditional police sedans to the Ford SUV police vehicle will continue in 2015 as part of the regularly scheduled police cruiser replacement program.

The department will investigate the possibility of acquiring less lethal weapons in 2015 such as Tasers. A complete and thorough analysis of benefits and drawbacks of certain less lethal weapons will be made in 2015.

Results: The department replaced the Crossmatch Fingerprinting System in 2015. Three new Ford SUV police vehicles were purchased, making the entire patrol fleet the four wheel drive Ford SUV.

The department is receiving bids for the replacement of the 20 M.P.H. school speed limit signs for Happy Hollow School and expects replacements in early spring 2016.

The department investigated the possibility of obtaining Tasers in 2015 and opted not to at this point. Tasers can be an effective non-lethal weapon when dealing with an unruly person; however, there have been instances where Taser use has been the cause of death or injury to persons.

Improve Community Relations

The Wayland Police Department is firmly committed to the community policing philosophy and currently engages in many community-policing activities. These include; a Youth Officer position, Bicycle Officers, Auxiliary Program, Police/Youth forums and a web and Facebook page. As community policing is a never ending principle, new ideas and programs are necessary to keep the concept expanding throughout the department and the town.

Objective: Continue existing programs that are designed to foster good community relations. Programs such as the Child Safety Seat Inspection Program, Rape Aggression Defense Training and Cops/Kids Lunches will be continued in 2015.

Continue regular Police/Youth interactions at Wayland High School and Wayland Middle School. Work with WaylandCares to help develop strong ties between officers and the town's youth and parents.

Increase outreach to the elderly community on how to protect themselves from the various scams they may encounter by mail, telephone or e-mail.

In conjunction with Wayland Youth and Family Services, continue the Youth Diversion Program for juvenile first time offenders that was established in 2007.

Continue the prescription drug disposal days at the Public Safety Building. This program allows residents to safely dispose their unused prescription medications.

Maintain the use of the Wayland Police Bicycle Patrol. This will include bicycle patrol presence at the Memorial Day Parade, Walden Pond trip, Halloween and other special events.

The department will continue to communicate with the public through social media, such as Twitter, Facebook and the department's website.

Results: The department participated in all of the objectives mentioned in the Community Policing goals in 2015. New programs, such as “Coffee” and “Conversation” and bingo at the Carriage House complemented the many existing programs provided by the department to promote community relations.

The department also sponsored a Citizen Police Academy in 2015, which had 12 participants from the community.

Improve Emergency Preparedness

The Wayland Police Department must be trained and equipped to handle many emergencies. It is necessary for the department to work together with other state and local agencies to share resources and expertise.

Objective: The police department is committed to working with the Local Emergency Planning Committee to help maintain full emergency preparedness certification. The department will maintain its membership and participation in the Metropolitan Law Enforcement Council.

The department will continue to oversee the Swiftreach 911 System to provide emergency notifications within the community.

Results: The department remained active with the Local Emergency Planning Committee and maintained active status with the Metropolitan Law Enforcement Council. The Chairman of the L.E.P.C. attended the national conference for emergency management in the fall.

The Swiftreach 911 System was used several times to provide residents with important safety related information.

Reduce Underage Consumption of Alcohol

Underage drinking is a serious problem in the Town of Wayland, as it is in many Massachusetts communities. Although 2014 was another successful year, in that there were no serious alcohol related accidents or injuries involving our youth, there have been tragedies in the past that were related to youths and alcohol consumption.

Objective: Reduce underage drinking in Wayland, and thereby, reduce the likelihood of alcohol related injuries and accidents. The department will aggressively enforce alcohol related laws as they pertain to juveniles and will hold adults accountable for providing alcohol to underage persons. A program of spot inspections of local establishments that sell alcohol will be conducted on two or more occasions during the year.

Results: Two compliance checks of liquor license holders were conducted during the year. A local restaurant received a one day suspension after failing a compliance check.

Work Towards Police Certification and Accreditation

The Wayland Police Department has been enrolled in the Massachusetts Police Accreditation program since July of 2006. To reach full accreditation the department must first become certified. The certification process consists of 155 standards that the department must comply with. To comply with these standards the department must complete a comprehensive review of all Policies and Procedures, and Rules and Regulations. Some of the requirements for certification require only written directives or policies to be in place and followed, while others require working procedures or particular types of equipment to be available to department personnel.

Objective: The police department is committed to the accreditation process and will continue to work to attain the level of certification. A new accreditation manager, Sgt. Sean Gibbons, was appointed in 2014. He has been tasked with the responsibility of getting the department through the certification process as soon as possible. An initial exam for certification is planned for the first half of 2015.

Results: In 2015 the Wayland Police Department was awarded certification by the Massachusetts Accreditation Commission. The department had been working towards certification for more than five years. In October, the

department passed an extensive review of policies and procedures by a team of accreditation examiners. The award for certification was presented to the department on November 5th at a ceremony at Andover Country Club.



Robert Irving
Chief of Police



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

December 2015

On October 8th, 2015, the Wayland Police Department began an investigation in cooperation with Stop & Shop Supermarket Asset Protection, regarding numerous thefts from the Wayland, Framingham and Natick Stop & Shop Supermarket locations. On December 26th, after a lengthy investigation, a Southborough man was charged with four (4) counts of Shoplifting and one (1) count of Attempt to Commit a Crime for shoplifting thefts that occurred in Wayland between September and December 2015. The Natick and Framingham Police Departments were forwarded all information for possible charges in their jurisdictions.

On December 11th, a Gloucester man was arrested for shoplifting from the Donelan's Supermarket on Commonwealth Road. The man was arrested by officers after store employees reported the theft and notified police.

During the month, officers participated in the "Drive Sober or Get Pulled Over" grant program to target intoxicated drivers. The grant is sponsored by the Highway Safety Division of the state's Executive Office of Public Safety. A total of 48 hours of directed patrols for drunk drivers were paid for by the grant. Two arrests were made for Driving Under the Influence and numerous motor vehicle stops were performed.

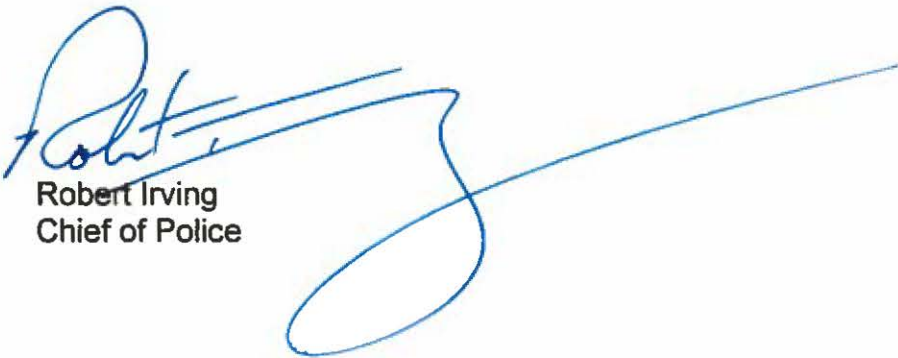
On December 1st, a Marlborough man was charged with Operating Under the Influence of Alcohol after he was observed by an officer travelling at a high rate of speed and crossing over marked lines.. On December 26th a Fitchburg man was arrested for Operating Under the Influence of Alcohol after officers were dispatched to a report of an accident with the vehicle leaving the scene. Officers found the vehicle on Rice Road and determined that the man was intoxicated.

RECEIVED

JAN 11 2016

Board of Selectmen
Town of Wayland

A new dispatcher was hired in December. Crystal Cosgrove was hired to replace Eric Newton, who left to take a similar position in the town of Weston. A second opening for dispatcher was created when Andrew Rokes resigned to take a position with the Framingham Fire Department. The department is in the process of selecting a replacement for Andrew.

A handwritten signature in blue ink, appearing to read "Robert Irving", with a long horizontal flourish extending to the right.

Robert Irving
Chief of Police

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

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

In-Service

MPTC

Boylston Academy

Jamie Berger

Charles Akins

December 14-17, 2015

December 14-17, 2015

Chiefs-- In-Service

MPTC

Boylston Academy

Robert Irving

December 8, 2015

Wayland Police Department Detective Division Report for December 2015

INVESTIGATIONS

Larceny over \$250 – Woodridge Road
Larceny over \$250 – Old Connecticut Path
Larceny under \$250 – Claypit Hill
Residential Break & Entering – Edgewood Road
Harassment – Boston Post Road
Shoplifting – Andrew Avenue
Shoplifting – Andrew Avenue
Shoplifting – Andrew Avenue
Identity Theft – Main Street

MEETINGS/TRAININGS

Wayland Cares
Massachusetts Juvenile Police Officer Association Training
Acton area detective meeting

MISCELLANEOUS

Coffee with Cops – Carriage House
Bingo with seniors – Carriage House
Alice Drill – Wayland High School
Framingham District Court – MV/Criminal Hearings



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

1/4/2016

To: Sgt. Ed Walsh, Sgt. Charles Akins, Officer Chris Custodie, Officer Tyler Castagno, Officer Colin Fitzpatrick, Dispatcher William Reed, Dispatcher Jessica Gennaro

From: Robert Irving, Chief of Police

Subject: No Sick Leave Bonus

A review of attendance records reveals that you did not use any sick days from July 1st through December 31st, 2015. In accordance with Article 18, Section 5 of the Police Collective Bargaining Agreement, Sgt. Walsh and Officer Custodie will receive an incentive of 1 ½ days' pay. Sgt. Akins, Officer Castagno and Officer Fitzpatrick will receive an incentive of ½ days' pay. In accordance with Section 19-11 of the Dispatcher's Collective Bargaining Agreement, Dispatcher Reed and Dispatcher Gennaro will receive an incentive of ½ days' pay. Your excellent record of attendance is commendable and an example of the dedication that you have each demonstrated towards your job with the Wayland Police Department and Joint Communications Center.

I wish you continued good health in 2016.

cc: Lisa Dana
Personnel Files



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

12/10/2015

To: Det. Sgt. Jamie Berger

From: Robert Irving, Chief of Police

Subject: Commendation – Citizen Police Academy

This fall you organized and conducted the fourth Citizen Police Academy for the Wayland Police Department. This eight week program gives our citizens a chance to learn about the police department and the work we do in the community. Various officers tackle a topic during the classroom presentations and all participants get a chance to do a ride-a-long with a patrol officer.

I have spoken to several people that participated in the academy and all praised you for your efforts in making this a learning and enjoyable experience for them. They were particularly impressed that you were able to arrange for a helicopter from the Massachusetts State Police Air wing to fly in for a demonstration and tour.

Activities such as the Citizen Police Academy are a vital part of our community relations philosophy. Thank you for a job well done in presenting this course for our residents.

cc: Lt. Swanick



*The Commonwealth of Massachusetts
Department of State Police*

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

DANIEL BENNETT
SECRETARY

COLONEL RICHARD D. MCKEON
SUPERINTENDENT

*Special Operations
470 Worcester Road
Framingham, Massachusetts 01702*

December 4, 2015

Jamie D. Berger
Detective Sergeant
Wayland Police Department
38 Cochituate Road
Wayland, Ma. 01778

Detective Sergeant Berger,

I am in receipt of your recent letter in which you commend Sergeant Brandon Arakelian, Trooper Kevin Doyle and Trooper Michael Wong of the Massachusetts State Police Air Wing Unit for their participation in the Wayland's Citizen Police Academy on November 24, 2015.

As you know, it is a pleasure to receive letters such as yours regarding the professionalism and dedication displayed by our personnel during the course of their duties.

Be assured that Sergeant Brandon Arakelian, Trooper Kevin Doyle and Trooper Michael Wong will be apprised of your letter of appreciation and a copy will be placed in their personnel file.

Again, thank you very much for taking the time to write to me and for your kind words regarding members of the Massachusetts State Police. It is very much appreciated.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "R. Prior".

Major Richard Prior
Commanding Special Operations

Excellence In Service Through Quality Policing

Irving, Robert

From: Marc Rockmore [REDACTED]
Sent: Sunday, December 06, 2015 2:55 PM
To: ChildProof Seat
Cc: Irving, Robert
Subject: Thank you

Dear Officer Sloan,

We greatly appreciate your installing our car seat last week. We had tried to have this installed in Worcester by Certified Child Passenger Safety Technicians. They unable to install the car seat and informed us that it could not be done. When we contacted the store where we bought the car seat, they told us that Wayland Police was the best and we think that this reputation is well deserved.

We were very impressed that you had researched our car seat and watched videos specific to its installation. The installation was very quick. We especially appreciate your teaching us how to install it in case we have to remove it. Thanks to you, our baby is well protected.

Thank you

Marc

Irving, Robert

From: Lou Gaglini <[REDACTED]>
Sent: Saturday, December 05, 2015 10:54 AM
To: Irving, Robert
Cc: Sally Gaglini
Subject: Thank You

Chief Robert Irving
Wayland Police Dept.

Good Morning, Bob:

I just wanted to offer my thanks to you and your officers for their work yesterday morning. We just had a new alarm system installed, and are now getting accustomed to it in the house. Friday morning, a door must have been ajar and tripped the alarm while we were out for a few minutes. The Wayland Police were called by the monitoring service and arrived promptly. When they saw me returning home, the officers were very courteous and informed me that they had already checked around the property. I let them know that it was a new system that would take some getting used to. They were very understanding.

Again, thanks for the valuable work you all do.

Happy Holidays,

Lou & Sally Gaglini

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YOUR ELECTRONICS HEADQUARTERS FOR THE HOLIDAYS!

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NEWS NOW muscle cars ... Wayland students earn spot at music festival ... Mass. marijuana advocates look toward 2016 ballot

Letter: Thank you, Wayland Police

My third grader came home from school last week and couldn't wait to tell me about PE (gym) class. Four Wayland Police officers showed up and played dodgeball with the class for the entire PE period. I'm not sure if the officers realized how "cool" and special this was for the class.



COMMENT 0



By Gretchen Dresens

Posted Dec. 4, 2015 at 10:00 AM

TO THE EDITOR:

My third grader came home from school last week and couldn't wait to tell me about PE (gym) class. Four Wayland Police officers showed up and played dodgeball with the class for the entire PE period. I'm not sure if the officers realized how "cool" and special this was for the class.

The schools have just completed ALICE training, where all the students engaged in hard-to-think about conversations and training and participated in hard-to-think-about drills. Having children in the elementary, middle and high schools, the training was handled well, and a very large part of that was due to the sensitivity and presentation displayed by the Wayland PD. Maybe the dodgeball game was an opportunity to present a fun and approachable side of the police for the children? Regardless, it was a fantastic PE class for a bunch of third graders.

The outreach to Wayland's youth by Wayland Police has always impressed me. This is another fabulous example. Wayland PD "does it right," Thank you, Wayland Police. - Gretchen Dresens, Main Street

» Comment or view comments

» SUGGESTED STORIES

- Wayland High School graduates engaged to marry
- Letter by George Harris of Wayland: You reap what you sow
- Debra Goldman of Wayland: Unacceptable bullying
- Weston residents receive 'surprise' from Tom Brady
- Wayland resident helps honor singer Lisa Loeb
- Wayland students earn spot at music festival

» PROMOTED STORIES

- Worst Things to Buy at Costco and Sam's Club *Kiplinger*
- The 10 Best Luxury SUVs in the Market *Kelley Blue Book*
- Top Stocks for 2016 *Venture Capital News*
- Silicon Valley Startup Is Disrupting The Traditional Broker Model *Yahoo! Finance*
- 11 Stories That Will Make Your Blood Boil *AARP*
- 16 Horrific Urban Legends That Are Really True *RantLifestyle*

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"Fill the Cruiser"



"Fill The Lambo"



Stop&Shop®

The Wayland Police Department in conjunction with Stop & Shop Supermarkets and Lamborghini of Boston will hold a Toys for Tots, "Fill the Cruiser", "Fill the Lambo" event on Saturday, December 5, 2015 from 10am-2pm at the Wayland Stop & Shop. Please bring, NEW, UNWRAPPED, NON-VIOLENT toys and help "Fill the Cruiser, Fill the Lambo".

**"Fill the Cruiser, Fill the Lambo" Event
Toys for Tots
Stop & Shop Supermarket, Wayland
Saturday, December 5, 2015 from 10am-2pm
New, Unwrapped, Non-Violent toys**

A sign of history, service



The original Wayland Police badge from 1916. COURTESY PHOTOS

Police to wear replica badges for anniversary

By Michael Wyner
Daily News Staff

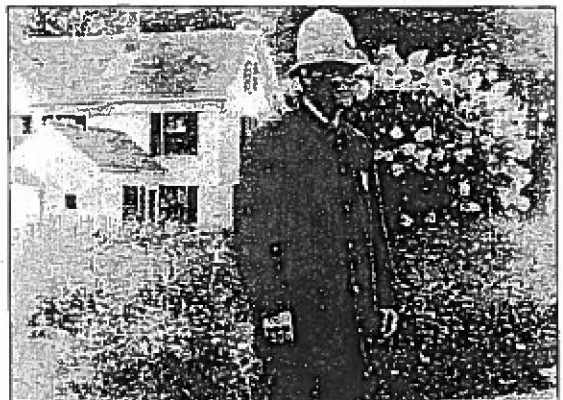
Beginning on Jan. 1, all Wayland Police officers will begin wearing a replica badge from 1916 in recognition of 100 years of policing in Wayland.

The town of Wayland employed its first full-time police chief in 1916. Edward F. Dorsheimer served as chief from 1916 until his death in 1929. Prior to that, part-time police constables were employed to keep the peace.

All officers will wear the badge during the anniversary year. The Wayland Police Association provided

for the badge. The anniversary occurred over the last 100 years, in Wayland and across the country, in a talk at Wayland Library at 7:30 p.m. He will speak about current challenges that law enforcement faces on a local and national level.

Irving was appointed as the ninth chief of the Wayland Police Department on Sept. 21, 2001. Before coming to Wayland, he served 23 years with the Cheshire, Connecticut, Police Department, rising through the ranks from patrolman to captain. He is a veteran of the U.S. Army, having served three years as a military policeman.



7



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

January 20, 2016

Ben Stevens
Trask Inc.
30 Turnpike Road, Suite #8
Southborough, MA 01772

Re: First Amendment to the Chapter 194 Permit/Order of Conditions – 32/34 Covered Bridge Lane,
DEP File 322-843

Dear Mr. Stevens:

Enclosed is the Amendment voted by the Conservation Commission to the Chapter 194 Permit and Order of Conditions issued for work at 32/34 Covered Bridge Lane, Wayland.

The Amendment documents must be recorded at the South Middlesex Registry of Deeds and a copy of the recording given to this office.

The conditions of the Chapter 194 Permit and Order of Conditions, other than the enclosed Amendment, are still applicable and should be carefully read.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enclosure

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

RECEIVED
JAN 20 2016
Board of Selectmen
Town of Wayland



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

8

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

A public hearing will be held on February 9, 2016 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following applications at the time indicated:

- 7:00 p.m. Application of STEPHEN COY and SANDRA COY for any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure to demolish existing family room and construct a new family room, porch and deck addition within required front yard under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3, 702, and 801 – Table of Dimensional Requirements (front yard) The property is located at 14 HAWTHORNE ROAD which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (16-01)
- 7:15 p.m. Application of JOSEPH DORR for any necessary approvals, special permits, and/or variances as may be required to demolish a pre-existing non-conforming single family dwelling and construct a new single family dwelling within required front and side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.6, 702, 703, 1604.2 and 801 – Table of Dimensional Requirement (front and side yard). The property is located at 10 CHESTNUT ROAD which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (16-02)

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

RECEIVED

JAN 21 2016

Board of Selectmen
Town of Wayland

Wayland Historical Commission Meeting minutes- November 5, 2015

Attendees: Elisa Scola (Chair), Tonya Largy, John Dyer, Rick Conard, Sheila Carel, Mike Lowery (associate member)

Guest: Karen Montague

Chair Elisa Scola called the meeting to order at 7:30 pm.

1. There were no public comments.
2. Meeting minutes for October 2015 were reviewed and accepted.
3. Dudley Woods Project: Mike Lowery requested a copy of the avoidance map for the Surface Water Quality Committee as there is interest in potentially putting a common leaching field on the land. Tonya Largy mentioned that before moving forward on putting in a leaching field, it is important that the Water Surface Quality Committee contact the Historical Commission as the state archaeologist has identified Dudley Woods as a sensitive area and has requested an archaeological survey of the area. Sheila mentioned the importance, moving forward of having all reports and maps delivered to and reviewed by the liaison from the Historical Commission on any project before providing deliverables on projects so as to avoid making sensitive information part of the public record. Once reviewed by the liaison, information can be made available to departments working on projects on Town owned land. John Dyer suggested providing the building inspector with a copy of the avoidance map as the trails project progresses. Sheila stated that the CSL report, due October 30, from Ceremonial Landscape Research, had not yet been submitted to the Historical Commission. Sheila and Tonya expressed concerns about the performance of the mapping team as it pertained to the research aspects of the project as well as contractual obligations. Sheila has asked for an executive session to discuss the findings once the report has been submitted.
4. Library: Mike Lowery spoke to the Commission about a nonbinding motion he planned to present at Town Meeting expressing an interest in maintaining the current library as the site for the Wayland Public Library due to its historical significance. The Wayland Public Library is the only Town owned building of historical significance that is still used for its intended purpose. Tonya Largy reported an archaeological survey was performed at the current library site before the existing addition was built. She stated there is no archaeological reason to block an addition to the existing library. Elisa Scola moved to support the resolution. Tonya Largy seconded the motion. The Commission voted unanimously to support the resolution.
5. CPA funding: Elisa Scola asked for Commission input on projects of interest or concern which might require the need for CPA funds in the foreseeable future. Areas of concern identified were the following: North Cemetery, Stone's Bridge (for restoration of the remainder of the bridge), an archaeological excavation of the engine house at the railroad site and interpretive signs for other features, and interpretive signs for Dudley Woods.
6. North Cemetery: Tonya Largy reported the preservation plan, redacted to protect archaeologically sensitive information, is available for circulation. She and Elisa Scola will now go to the Board of Public Works to explain the study findings and recommendations. She also

reported that Barbara Donahue's talk is now available on YouTube. John Dyer suggested tasteful markers or signs be put in place to mark the sites of the first and second meeting houses. John Dyer proposed a motion to accept Barbara Donahue's report. Elisa Scola seconded the motion. The Commission voted unanimously to accept the report.

7. **Railroad:** Rick reported the events of a rail trail meeting he attended on November 3. He reported Eversource would like to control the construction base of the trail and if they do, the Town would not have to pay the cost of the construction of the base, but would still be responsible for the surface. He mentioned that Eversource would be ready to do the work next spring. He said that the TEC consultant proposed a layout with the trail running close to the Wayland Depot and would run parallel to the platform on the parking lot side of The Depot but would be directly in front of the entrance to the building. He said that Sarkis Sarkesian had asked for an on site meeting with various Town boards to further discuss the layout plans. He also mentioned that the Historic District Commission will be holding a hearing. Rick stated he prefers routing through the parking lot rather than outside of the door of the building. Rick has reached out to DCR's archaeologist, Ellen Berkland, to keep her apprised of developments.
8. **Sensitivity Map:** Sheila Carel asked that given information provided by Ed Bell, from MHC, that any ground disturbance planned on Town owned land is, by law, supposed to trigger an archaeological exam, if the WHC needs to revisit the sensitivity map protocol. She expressed concern that if the WHC provides a sensitivity map to departments and boards in town, they might then assume no archaeological exam is needed if the site does not appear as sensitive on the map. She suggested that the WHC maintain a sensitivity map for Commission use and that the Commission advise other boards, departments, and commissions of the state law mentioned by Ed Bell. Sheila Carel will try to locate the law to which Ed Bell referred so that the WHC can determine whether or not there is a need to amend the current version of the proposed protocol.
9. **Historical Commission Representatives to PMBC:** Mike Lowery provided clarification of the PMBC description that allows for non elected, but appointed officials on boards or commissions, who know the most about the subject matter of a project, and who can provide needed guidance for the project, to be appointed by the Selectmen to serve for that project.
10. **New Business:** John Dyer spoke of the need to organize our work to provide for "corporate memory" so that future members of the WHC can access the information acquired by current and past WHC members. It was mentioned that the inventory and archiving of important papers, a recent project, and the sensitivity map, are good starting points of this project.

The meeting was adjourned at 9:40 pm.

Respectfully submitted

Sheila Carel

Wayland Historical Commission Meeting minutes- December 10, 2015

Attendees: Elisa Scola (Chair), Tonya Largy, John Dyer, Rick Conard, Sheila Carel, Mike Lowery (associate member)

Guest: Karen Montague

Chair Elisa Scola called the meeting to order at 7:30 pm.

1. There were no public comments.
2. Meeting minutes for October 2015 were reviewed and accepted.
3. CPA North Cemetery Monument Preservation.

Documents: Mike Lowery offered to digitize the report from 2003 .Mike Lowery requested a map of the cemetery be made available to the DPW. The redacted version of Barbara Donahue's report will be made available on line. Elisa Scola requested that the information be made available soon as she would like to have it on line before meeting with the CPC. Hard copies of the redacted report will be made available at the library and the Wayland Historical Society. A full version of the report will be kept with the Historical Commission in its archives and will be available to WHC commissioners.

Funds: Rick Conard asked whether travel and accommodation expenses for experts would be included in the money allocated for the project.

Restoration and preservation concerns: Tonya Largy expressed concern that the exfoliating of some of the older stones would result in the loss of information. Mike Lowery said that the "Bad Elf" GPS system could be used while documenting location of stones and their information as the GPS capabilities of that system are highly corrected.

Sheila Carel made a motion to submit a request to CPC for the restoration of the stones at The North Cemetery. Tonya Largy seconded the motion. The Commission voted unanimously to submit the request.

Tonya Largy and Elisa Scola reported that they met with the BPW to discuss preservation priorities for the cemetery. The BPW has requested that the WHC prioritize the preservation concerns and suggestions outlined by the report. It was mentioned that there is no one person assigned to caring for the cemeteries, but rather the responsibility for cemetery care falls under the obligations of the BPW. Discussion regarding the use of de-icing products revealed that they may not be currently in use at the cemetery as was suggested by the report. Adequate parking was stated as more of a priority than the widening of the roads. Tonya Largy reported there are stones in the front wall that are collapsing and are in need of repair. The report suggests a certified stone mason be engaged to address the problem. John Dyer suggested the topic of signage at the cemetery should be studied, with the possibility of putting signs in the parking lot and using a system similar to that found in the conservation areas of Wayland. Discussion ensued

pertaining to the vaults, cleaning of stones, as recommended by Trinkly in the report, and orphaned stones. Mike Lowery shared that the Cemetery Commissioners are in charge of the stones and not the WHC. It was suggested that there is a need for communication between the WHC and the BPW about these concerns.

Elisa Scola suggested that given the long list of recommendations for restoration and preservation, the WHC prioritize the suggestions, 1 being the highest priority and 5 being the lowest and that the Commission revisit the issue at a future meeting.

4. Demolition Delay Bylaw (DDB):

Elisa Scola reported that the Planning Board did not have time to discuss the DDB but will discuss it in a future meeting. She did meet with Jeff Larson, the Building Commissioner to obtain his feedback on the draft of the proposed bylaw. Elisa reported she will also bring the draft of the proposed bylaw to the BOS, Town Counsel, and Nan Balmer. The bylaw would concern all buildings over 100 years old and for historically significant places and/or structures. Before demolition could occur, all permits must be in place. Elisa Scola made a **motion to approve the bylaw for submission to Town Meeting dependant on Town Counsel input. John Dyer seconded the motion. The WHC voted unanimously to accept the motion.**

5. Dudley Woods

Sheila Carel reported that in undertaking research for the Dudley Woods project, she and Tonya Largy went to the Peabody in Andover and consequently learned from the director of the Peabody that the museum has in its collection pertinent information that falls under NAGPRA rules. The Peabody staff has alerted the appropriate Native American tribes according to protocol. Any forthcoming information from this source will have to come through the federally recognized tribes who are involved with the NAGPRA process.

Sheila mentioned that she is requesting an executive session with the Recreation Commission in order to discuss the findings from the Dudley Woods study.

The Commission discussed the technical report submitted by CLR. The Commission is asking CLR to make amendments and further clarifications in the report in order to meet the expectations set forth in the scope of work and contract. Sheila Carel will send a letter to Doug Harris requesting the changes.

6. Sensitivity Map

Given the late hour, it was decided that discussion of the sensitivity map would be put on January's agenda.

7. Railroad

Rick Conard explained that the revised plan of the rail trail has the trail going around the Depot. Rick reported that he spoke with Sarkis Sarkisian, who brought this plan before the BOS for approval. He reported that the MBTA is asking for due diligence and licenses and then Eversource will be able to go before Conservation. Rick reported that Eversource will not build the trail west of Route 20, Great Meadows, but rather will be looking to build from Route 20 East to the Weston Town line. He reported that the surface for the trail is still unknown. He reported that the plan is still a concept and is not the final design. Per the current concept, the plan avoids the platform and leaves siding in place on the South side track, but that the trail will cross and call for the removal of the main line. Elisa Scola asked that those working on the project be reminded that the WHC would like them to avoid removing track by the turntable.

8. Unanticipated business

Tonya Largy reported she spoke with Brian Monahan and the oil drums located at Castle Hill will be removed. Tonya reported that the oil drum removal project would require a monitor.

Next meeting set for January 7.

Motions passed:

Approve the demolition delay bylaw for submission to Town Meeting dependant on Town Counsel input.

Submit a request to CPC for the restoration of the stones at The North Cemetery.

Elisa Scola called the meeting at 9:45.

Respectfully submitted,

Sheila Carel

WAYLAND HOUSING PARTNERSHIP

Minutes – November 17, 2015

Submitted by Rachel G. Bratt

Attending: Mary Antes, Kathy Boundy, Rachel Bratt, Chris Di Bona, Pat Harlan, Marty Nichols, Armine Roat, Betty Salzberg

Guests: 2 residents from 89 Oxbow: Lina Russo and Margot Stitham
Jennifer Steel

At 7:50 Rachel called the meeting to order.

Jennifer Steel is interested in being appointed as the Housing Partnership’s representative to the Municipal Affordable Housing Trust. She shared a bit about her background – she is the Senior Environmental Planner for the City of Newton. She has also served on a number of committees in town. Members provided some information about our committee and the interests we represent. We agreed to vote on this appointment at the end of the meeting.

The discussion then turned to a question that came up at the prior meeting, which had been raised by Armine: owners of homes at 89 Oxbow Road are concerned about increases in their property taxes and the possibility that some people may need to move if costs keep rising. Armine presented data showing that while the assessments at 89 Oxbow have been going up, the assessments for some of the other deed restricted homeownership units elsewhere in town have actually been going down. In addition, Lina Russo mentioned that several other towns, including Newton and Wellesely, have created mechanisms to keep tax bills low for the deed-restricted units. Jennifer volunteered to find out what she can about the Newton initiative. Several years ago, Lina had written a letter to prior Town Administrator, Fred Turkington, about this issue and his response was that the town was doing all that it can for these homeowners. Members agreed that a good next step would be to meet with Ellen Brideau, the assessor, to further discuss these issues. Mary, Marty, Kathy, Armine and Rachel will all try to attend that meeting and, perhaps, one or more of the other 89 Oxbow neighbors. Mary mentioned that articles for the spring Town Meeting would need to be submitted by January 15.

Rachel announced that Rev. Dr. Stephanie May, minister at the First Parish Unitarian Church, will be the Clergy Association’s representative to the Housing Partnership. She was not able to attend tonight’s meeting, but Rachel said she had arranged to meet with her on November 19 to provide background about the Housing Partnership.

The ribbon-cutting for the first two Habitat homes will take place on Sat. Dec. 5, noon to 5:00 pm, although it is unlikely that the families will move in before Christmas.

Mary mentioned that the meeting of the combined housing groups will take place on Thursday, Dec. 3 at 7:30. All members were encouraged to attend. Among the agenda items will be a follow-up to the joint meeting held in January 2014. Three housing working groups had been formed: The Visions group, chaired by Katherine Provost has completed a draft report. The major need is for rental housing with at least 2 bedrooms. Sarki’s group on zoning still has not yet met. Brian’s group on monitoring has met once but Rachel has not heard from him. Another issue to be discussed is whether we should try to hold a meeting with several other MetroWest communities, with Rep. Kevin Honan, who is sponsoring several bills

related to zoning for multifamily housing. Marty asked for more information about these bills; Rachel said she would send the links.

Chris reported that the River's Edge committee would start reviewing proposals in December, with the expectation that all qualified applicants would be interviewed. Rachel mentioned that she had met both with the River's Edge Advisory Committee and with the Board of Selectmen concerning the language in the Housing Production Report, currently being revised by Sarki. Specifically, she raised the point that the town is directed to set aside 50% of the units as affordable, if a town-owned parcel is being sold and developed for housing. Unfortunately, the Housing Production Report has not yet been approved and the warrant article that had been approved in spring 2014 which directed the use of the River's Edge property only prescribed the need for 25% of the units to be set aside as affordable. Members agreed that it would have been good if we had raised this issue earlier. But, on the other hand, would Town Meeting have approved a rental development with as much as 50% of the units set aside as affordable? In any case, for the moment, it is clear that it is too late to re-set the guidelines for the affordable units at River's Edge. Hopefully, at least some of the proposals will include more than the minimum required affordable housing and/or target households at less than 80% of area median income.

Several corrections to the minutes were offered. Kathy moved to approve the minutes, as corrected; Betty seconded. Unanimously approved.

Mary moved that we appoint Jennifer Steel as the Housing Partnership's representative to the Municipal Affordable Housing Trust. Seconded by Pat. Unanimous approval.

Next meeting: Tuesday January 12, 7:45, 2016

At 9:20 Marty made a motion to adjourn, seconded by Mary.

**Wayland Free Public Library
Board of Library Trustees
Minutes of Meeting Wednesday, November 18, 2015
Raytheon Room, Wayland Free Public Library**

Present: Library Director Ann Knight, Trustees Aida Gennis (chair, presiding), Sally Cartwright, Anne Heller, Lynne Lipcon, Suzanne Woodruff **Absent:** Thaddeus Thompson

Call to Order: 7:48 a.m.

Visitors and Public Comment

Ben Keefe, the Town’s Public Facilities Director, attended for a portion of the meeting to discuss wastewater and other project issues. Former Trustee Nan Jahnke took the minutes. There were no other visitors. Mrs. Lipcon congratulated the Friends of the Library on their recent Book Sale, which grossed \$7,500 and netted \$6,800—a record. Mrs. Gennis thanked town residents for their support of Article 6, for a planning and design study for the Library, which passed overwhelmingly at Town Meeting on November 9.

Minutes of Previous Meeting(s)

After correcting a typo, Trustees approved the minutes of the Board meetings of October 22 and November 4 unanimously (5-0).

Financial and Statistical Matters

Mrs. Knight reported on several measures to reverse recent declines in circulation at the Library, including displaying current bestsellers in a new location, increasing the number of copies of books to one for every two holds, buying more copies of ebooks, and monthly tracking.

Trustees decided on a schedule for signing warrants for bills: Mrs. Heller in December, Mrs. Cartwright in January and February, Mrs. Woodruff in March and April.

Library Planning and Design

a. Anticipated announcement and schedules. Mrs. Gennis reported that the Massachusetts Board of Library Commissioners will announce a new round of Massachusetts Public Library Construction Program grants in the spring. Meanwhile, the Trustees will continue to oversee work on the recently approved Library Planning and Design study, which requires investigation of two sites.

b. Procurement process. Mrs. Knight reported that Trustees and the Town must work quickly to produce a Request for Qualifications (RFQ) to secure an Owners’ Project Manager (OPM) for the study. Once selected, the OPM will assist the Town and Trustees in hiring an architect and other professionals. Thom White, an architect currently serving on the Library Planning Committee (LPC) and former selectman Tom Fay, the LPC chair, are helping draft and shepherd the RFQ through Town channels; Mrs. Gennis may also ask the Town’s Permanent Municipal Building Committee (PMBC) for advice and assistance. Mrs. Gennis reiterated that the state discourages towns from presenting in-house candidates for OPM; the Board of Library Commissioners wants to see library experience and fresh ideas in that position.

c. Scope of work. Mrs. Knight reported that several good models are available for drafting the RFQ and the scope of work. Certain issues particular to Wayland will affect the scope of work. These include legal questions concerning the bequest establishing the Library in 1897, wastewater management at the current Concord Road site, access to an adequate number of Town parcels for investigation, and coordination with the PMBC and Wayland Real Property Assets Committee (WRAP). Moreover, any necessary land transfers would have to be approved at the April Annual Town Meeting, whose warrant closes in January. Trustees are still struggling to understand who controls which public parcels, and how control can change. Mrs. Woodruff urged that requisite preliminary work for the Library site be done immediately so that site investigation can be fast-tracked, giving the Town time to clear any obstacles for investigating the second site, which has not yet been identified.

Wastewater issues. Mrs. Gennis noted that the state will require evidence of adequate wastewater capacity from towns seeking state construction funds. Mr. Keefe confirmed that there is a sewer pipe under Route 126 extending to a point in front of the Grout-Heard House that is ready for hookup. He stated that, in his opinion, the Town owns enough capacity to accommodate the Library. Mrs. Knight pointed out that the Town's Wastewater Commissioners assert that any reallocation for the Library would have to come from capacity currently allocated to the Town Center "municipal parcel." Mrs. Woodruff asked for clarification. Mr. Keefe said that the Town holds a large wastewater capacity in reserve for the Town Building, Public Safety Building, and municipal pad at Town Center, and that the Town is currently using only a fraction of that capacity; these reserves are more than adequate to cover the Library, too, he said. In his view, it would be imprudent for the Town to purchase additional capacity for the Library while holding such reserves.

Mrs. Knight noted that reallocations of capacity must be approved by the Wastewater District Management Commission, which could refuse a transfer to the Library for its own reasons, and Mrs. Gennis asked what the Town would do then. Mr. Keefe replied that the Town could then purchase additional capacity. Mrs. Gennis noted that 820 gallons of capacity are currently for sale. Mrs. Gennis asked Mr. Keefe if he would support efforts to secure a wastewater hookup and adequate capacity for the Library building to satisfy state requirements. Mr. Keefe said he supports the Library building's eventual connection to the Wastewater Management District and that more investigation needs to be done to determine how best to secure capacity for the Library. Mrs. Knight suggested that if the Town is unwilling to give a written guarantee of an allocation from these reserves, then the Trustees might want to pursue the purchase of capacity for the Library themselves. Mrs. Knight and Mrs. Gennis will have more information on the wastewater issue at the next Trustees' meeting, as they are scheduled to attend a meeting with the Wastewater Commission on November 18.

d. Involvement of other Town Boards: Role of the Permanent Municipal Building Committee. Mr. Keefe, who serves as the administrator for the PMBC, presented information on a new charge recently given to the PMBC that will affect the Library project. Under the new charge, Town projects will come before the PMBC earlier than in the past. For example, the PMBC will review the Library's RFQ for the OPM along with all scope of work statements; it will also review the OPM's work during the project and review all bills. The purpose of the PMBC's involvement is to offer construction expertise, provide financial oversight, and see that the project develops in the best interests of the town as a whole. It will ensure that any library construction project proposed to the state is accurate, cost effective, and well done.

The Trustees are invited to designate two people to represent the Library at these deliberations; those representatives should have Library and project experience. Mrs. Gennis said the Board will make those designations immediately and will consider ways to also involve the Board of Trustees and the LPC in the process. She then thanked Mr. Keefe for his help. On a motion by Mrs. Heller, seconded by Mrs. Lipcon, the Trustees voted unanimously (5-0) to authorize Mrs. Gennis to approach likely candidates from among the Trustees and the Library Planning Committee to serve as the Library's representatives to the PMBC and to select two to present to the Board of Selectmen for appointment.

e. Communication with other Town boards. Trustees agreed among themselves who would attend upcoming meetings of other Town boards interested in the Library project, including the Board of Selectmen, the Historic District Commission, and the Wastewater District Management Commission.

Other Key Trustee Tasks: Succession Planning and Long-Range Plan

Trustees noted that they must begin succession planning soon as Mrs. Knight will retire as Library Director in October 2016. Mrs. Lipcon and Mrs. Cartwright will explore what needs to be done.

Mrs. Gennis noted that the Library's current Long-Range Plan goes out to Fiscal Year 2017, and work for the next plan would ordinarily begin in 2016. She wondered how the Library Planning and Design Study and the application for a state library construction grant should affect that timing. Should the plan be finished early, to provide more up-to-date support for the grant application, or later to reflect anticipated work if a grant is awarded? She asked that Mrs. Woodruff and Mr. Thompson consider the matter.

Mrs. Gennis also asked Trustees to be thinking about fundraising, pointing out that if a construction grant is awarded, it will not cover the costs of library furnishings and private donations could lessen the cost to taxpayers.

Additional Trustees Concerns

Mrs. Woodruff reminded Trustees to keep their Ethics Training current.

The Meeting Was Adjourned at 9:48 a.m.

Documents for This Meeting

1. Agenda of Meeting Wednesday, November 18, 2015
2. Minutes of Board of Trustees Meeting, October 22, 2015
3. Minutes of Board of Trustees Meeting, November 4, 2015
4. Circulation Report, October 2015
5. Email, Janet S. Moonan, Project Engineer, Tighe&Bond, to Library Director Ann Knight, Oct. 21, 2015, concerning Library drainage

Next Meeting(s)

- Wednesday, December 2, 2015, 8:15 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, December 16, 2015, 7:45 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 6, 2016, 7:45 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 20, 2016, 7:45 a.m., Raytheon Room, Wayland Free Public Library

**Wayland Free Public Library
Board of Library Trustees
Minutes of Meeting Wednesday, December 2, 2015
Raytheon Room, Wayland Free Public Library**

Present: Library Director Ann Knight, Trustees Aida Gennis (chair, presiding), Sally Cartwright, Anne Heller, Lynne Lipcon, Thaddeus Thompson, Suzanne Woodruff **Absent:** None

Call to Order: 8:20 a.m.

Visitors and Public Comment

Former Trustee Nan Jahnke attended the meeting and took the minutes. There were no other visitors and no public comment.

Minutes of Previous Meeting(s)

No minutes were presented for approval at this meeting.

Financial and Statistical Matters

No financial or statistical reports were presented at this meeting.

Library Planning and Design

a. Involvement of the Permanent Municipal Building Committee (PMBC). Mrs. Gennis reported that the Board of Selectmen voted on November 30 to assign the Library's Planning and Design Study to the PMBC; that move was expected under that committee's new charge to take up municipal projects early in their work. Subject to the Selectmen's appointment, Mrs. Woodruff will serve as the Board's representative to the PMBC in its deliberations on the Library's study; she will be joined by Library Planning Committee (LPC) member Thom White. Both will serve as voting members of the PMBC for those deliberations. Mrs. Gennis and Mrs. Knight will also attend Library-related PMBC meetings, as non-voting members.

Trustees reviewed a memorandum detailing the role of the PMBC in Town projects, noting that the committee will be involved soon in such matters as hiring an Owner's Project Manager and later in such matters as procurement, design team selection, project scheduling, budgeting, and financial controls. Mrs. Woodruff noted the challenge of establishing co-ownership of the project and developing respectful working relationships among the various players, i.e., the Board of Library Trustees, the PMBC, the LPC, and the State Board of Library Commissioners, which would have oversight of any state-funded construction project arising from the study. Mrs. Knight expressed concern that the PMBC's two dedicated Library-project members become familiar with the recently updated Library Program so they may understand some of the Library's unique offerings and space needs.

Mrs. Gennis noted that special care needs to be taken to ensure that the LPC remains fully engaged and can complete phase 2 of its own charge, which is to oversee the Library Planning and Design Study. Part of that work may involve taking the lead on updating the Library's Long-Range Plan, which should begin early next year. She also noted several open questions, including who will take minutes for the PMBC meetings involving the Library, whether these meetings need to be posted by the Library and the LPC,

and whether the LPC's charge should be updated to specify its relationship with the newly involved PMBC.

b. Request for Qualifications and Scope of Work. Mrs. Gennis presented a draft Request for Qualifications (RFQ) prepared by Mr. White for the Trustees' review. The request, which seeks candidates for Owner's Project Manager for the Library study, needs to be finalized quickly as the Town approval process and posting periods can take three or four weeks. Trustees made several recommendations to adapt the draft (which was based on similar projects in Sharon, South Hadley, and Westford) to the particular needs of the Wayland study, including addressing the historical interest of the current Library building, identifying the constraints of the current building and site, being clearer that two sites must be investigated, and making a stronger statement of the vision of the project. Mrs. Gennis and Mrs. Jahnke will finalize the draft by the end of the week, with help from Ben Keefe, the Town's Public Buildings Director, as needed, and taking into account the requirements of the Massachusetts Public Library Construction Program.

c. Site concerns and possible warrant articles. In answer to a question from Mrs. Lipcon, Mrs. Gennis stated that the second site for investigation should be identified sometime in the spring; she also noted that such a selection would likely require the transfer of a town parcel to the Board of Trustees' jurisdiction. Such a transfer would have to be authorized by a vote at Town Meeting either in the spring or fall. If spring, Trustees will need to submit a warrant article by January 15, 2016, for the Annual Town Meeting (or somewhat later if there is to be a Special Town Meeting within Annual Town Meeting). The January date appears premature for the timing of the study, which will barely be underway at that time.

Mrs. Gennis suggested that the Trustees might instead bring an article of resolution in the spring asking for the "sense of Town Meeting" regarding which two sites the voters would like to see investigated for Library expansion. Alternatively, a full article of transfer could be brought to a Special Town Meeting in the fall. Mr. Thompson recommended the Trustees bring articles in both spring and fall to be sure the Library project fulfills all legal requirements and that voters have a full say in the design process.

On another site concern, wastewater issues at the current site on Concord Road have still not been resolved. The septic system on the site is aging, and Trustees are seeking a hookup to the Town's wastewater system along with an unspecified amount of reserve capacity. Acquiring wastewater capacity would also require an article at Town Meeting, though it is unclear whether the Library or the Board of Selectmen (on behalf of the Facilities Department) would bring it.

At 9:55 the meeting moved to Mrs. Knight's office because another group needed the Raytheon Room.

d. Communication with Town boards and the public. Mrs. Gennis asked for volunteers to attend meetings of Town boards that have an interest in the Library project. Mr. Thompson suggested that Trustees remember to mention, when communicating with all Town boards and the general public, that expanding and renovating the Library could allow the Town to offer new services, such as maker spaces and STEM resources (for Science, Technology, Engineering and Mathematics learning) that are important for 21st-century towns. He suggested that if the Library moves to a new location, these new services might be offered in the current building on Concord Road, which might also house related programs and resources like WayCAM, the Wayland Arts Council, and studio spaces for the arts and

science.

Mrs. Woodruff presented information on the status of a parcel of land now serving as the upper parking lot between the Library and the Grout-Heard House, in the vicinity of the old Freight Shed and the coming Rail Trail. The 0.91-acre parcel belongs to the Town after a transfer in the 1980s from the Massachusetts Bay Transportation Authority (MBTA). Under a deed restriction, the parcel can be used only for the Shed and for parking. It is unclear whether that restriction might permit use of a portion of the parcel for a roadway, for example for a second driveway for the Library or for access to parking farther away. Mrs. Woodruff will look into this question and also check to see if there are other MBTA parcels available for Town use around the abandoned rail line.

Other Key Trustee Tasks: Succession Planning and Long-Range Plan

Mrs. Cartwright and Mrs. Lipcon reported that they have begun to investigate the process required to hire a new Library Director to replace Mrs. Knight, who will retire in October 2016.

Mrs. Gennis noted that work on a new Long-Range Plan should begin soon, and that she expects the Library Planning Committee will have a big role in it. Library Consultant Sunny Vandermark, who assisted the Board with the last Long-Range Plan, has retired, but Mrs. Knight will secure a list of other library consultants who might be available and will seek written quotes from a number of them.

Mrs. Knight urged the Trustees to beginning working on a request to the Town for a new staff position for Communications beginning in Fiscal Year 2018.

Additional Trustees' Concerns

Mr. Thompson announced with regret, and to the other Trustees' dismay, that he would not run for re-election in April due to the press of other commitments.

The Meeting Was Adjourned at 10.32 a.m.

Documents for This Meeting

1. Agenda of Meeting Wednesday, December 2, 2015
2. Memo from Kenneth "Ben" Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, "Permanent Municipal Building Committee (PMBC) Project Assignment," Nov. 24, 2015
3. "Call to Form a Library Planning Committee," [October 28, 2015]; [includes charge]
4. "[DRAFT] Request for Qualifications (RFQ) for Owner's Project Manager" for the Pre-Design study of the renovation or construction of a new Wayland Public Library By the Town of Wayland and Board of Library Trustees Wayland, Massachusetts 01778," December X, 2015 [drafted by Thom White, Library Planning Committee]
5. Various documents concerning the parcel of land transferred from the MBTA to the Town circa 1984, now called 1 Concord Road and being used as the Library's upper parking area, including "Article 32: Acquire MBTA Land" [undated but 1984 or later]; Town of Wayland 2015 property valuation record for 1 Concord Road; "Massachusetts Bay Transportation Authority Deed" for property described in Wayland Record Book item 18853, page 378; a map of the parcel; and a second page of same map titled "23-094A 0.91A Freight House."

Next Meeting(s)

- Wednesday, December 16, 2015, 7:45 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 13, 2016, 8 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 27, 2016, 8 a.m., Raytheon Room, Wayland Free Public Library

Respectfully submitted by Nan Jahnke, Friend of Wayland Free Public Library

Meeting Minutes—December 16, 2015

Wayland Town Building

Attendance: Mary Antes; Jacqueline Ducharme; Stephen Greenbaum; Brian O’Herlihy; Jennifer Steel

Absent: Kevin Murphy; Susan Weinstein

Materials Distributed:

- Drafts of the MAHTF’s November 4, 2015 and December 3, 2015 minutes
- Minutes of the December 3, 2015 combined housing group meeting
- December 16, 2015 MAHTF Agenda
- The Wayland Housing Partnership’s response to the Wayland Real Assets Planning (WRAP) Committee’s questions/ survey
- MAHTF’s audited financial statements for the period of October 8, 2014 (commencement of operations) to June 30, 2015
- Financial Statement—(unaudited) as of November 30, 2015
- Invoice for the MAHTF’s financial statement audit for 10/8/14-6/30/15
- The Village Bank’s current interest rates as of 12/15/15

Open Meeting: Mary Antes called the meeting to order at 7:30 PM

Public Comment: None

Notes:

1. The November 4, 2015 minutes were reviewed. Stephen Greenbaum moved the minutes be approved. Mary Antes seconded the motion. Motion approved 3-0-2.
2. The December 3, 2015 minutes were reviewed. Brian O’Herlihy moved that the minutes be approved as amended; and the minutes from the December 3, 2015 combined housing group meeting be attached to the MAHTF minutes. Mary Antes seconded the motion. Motion approved 3-0-2.
3. The Trustees debriefed the December 3rd combined housing group meeting.
 - A. There was a discussion of the three housing groups and their primary functions:
 - Wayland Housing Authority administers several housing programs for the Town of Wayland, including elderly and disabled housing, family scattered site housing, and Section 8 voucher rental assistance programs.
 - The Municipal Affordable Housing Trust Fund was established for the purpose of creating and preserving affordable housing in Wayland

- The Housing Partnership advocates and advises the Board of Selectmen (BOS), making recommendations for the implementation of affordable housing policy, including but not limited to Section 40B.
 - B. The Trustees also discussed the need for a work plan that identifies short, medium and long-term objectives, with specific projects. The Trustees indicated that we have obtained some plans from other communities, and have begun a policy for small grants.
 - Liz Rust, an affordable housing consultant and head of the Regional Housing Services, attended the 11/4/15 Wayland MAHTF meeting. Ms. Rust submitted a proposal for buy-down housing program.
 - C. The Trustees discussed the three town housing groups and how to develop plans and work together.
4. Colleen Sheehan, a member the WRAP Committee, discussed the committee's mission and the questionnaire provided to various town boards and committees, including the housing groups, to complete. WRAP will develop a long-range, capital funding plan for projects \$500,000 and above, determining the best use of town-owned land and buildings.
- WRAP reports to the Planning Board, and communicates with the BOS.
 - Town Meeting will be informed of WRAP's recommendations.
 - The Trustees also discussed the Housing Partnership's responses to the WRAP questionnaire and whether or not the MAHTF should provide similar responses in a separately submitted questionnaire.
- ACTION: The Trustees are to review the Housing Partnerships responses/ additions/ revisions to the questionnaire, and send to Mary by 1/1/16.
5. Treasure's Report:
- A. Brian O'Herlihy reported that the MAHTF received its first invoice (\$2500), for services provided by the outside auditing firm in connection with the MAHTF's financial statement for the period 10/8/2014-6/30/2015. Stephen Greenbaum moved to approve payment to Melanson Heath for services rendered. Jennifer Steel seconded the motion and it passed unanimously (5-0).
 - B. Brian O'Herlihy reported that we should begin considering investing a portion of our funds. Brian O'Herlihy distributed the Village Bank interest rates and CD yields.
6. Mary Antes requested that we begin considering the MAHTF goals and timelines for 2016.
7. Future meeting dates were tentatively agreed to as follows: 1/6/16; 2/3/16; 4/6/16; 5/4/16; and 6/1/16.
8. Jennifer Steel moved that the meeting be adjourned at 9:35 PM. Stephen Greenbaum seconded the motion. It passed unanimously (5-0).

Respectfully Submitted,



Town of Wayland Massachusetts

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Planning Board Meeting Minutes for Meeting of November 3, 2015

AGENDA

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are fluid given unpredictable duration of time.

- 7:30 P.M. Public Comment/Correspondence/ Matters Not Reasonably Anticipated By The Chair 48 Hours In Advance Of The Meeting**
- 7:35 P.M. ANR – Approval Not Required Plan 38 Standish Road.**
- 7:40 P.M. ANR – Approval Not Required Plan Route 27/30**
- 7:45 P.M. Zoning Bylaw review for 2016 Spring Town Meeting**
- 8:55 P.M. Approve minutes of October 6, 2105 and October 20, 2015**
- 9:00 P.M. Adjourn**

In attendance: Reck (Chair), Murphy, Montague,, Hill

The meeting was called to order at 7:40 PM in the Planning Office

I. New Business

[taken out of order to accommodate applicant]

A. ANR Plan – 15 Training Field Rd. (4 new lots)

- Planner notes that Lot 100 doesn't have sufficient frontage, and would probably not be eligible for conservation cluster b/c a 50' buffer around perimeter given narrow neck on Training Field and Concord would not be viable.

- Murphy moves to approve ANR plan, subject to changing misspelling of Concord Road and adding note "not a buildable lot" to plan for Lot 100.

- Approved, 4-0.

B. ANR Plan – 33 Shaw Drive

- Owner is proposing to create two lots, one buildable (current house) and a second not buildable lot (Parcel A). Existing house is under agreement. "Parcel A" would be donated to the Town.

- Murphy moves to approve ANR plan. Approved 4-0.

II. Public Comment

[none]

III. Town Planner Report

A. Rail Trail Update

Still waiting for written commitment from Eversource. Sarkis and Kiernan met with Eversource a few weeks ago. Eversource is working on getting license from MBTA to enter onto land to make improvements. Sarkis feels they are committed to this. Trail will be 10' wide with 2' shoulders on each side. Eversource will make this a hard-packed gravel trail.

Sales Rep. Greg from "soil stabilizer" company met with Sarkis in Wayland recently. Charles River Walk in Watertown uses this product, very close to river. Porous product, but as strong as concrete. Company will be installing sample on Town Green for free.

Resolution will be on Fall Town Meeting warrant to allow use of this product or pavement for rail trail – modifying vote from last year's town meeting which appropriated funds for a gravel trail.

B. Misc. Issues

Walking trails on Town Green will be paved with concrete this weekend.

Oct. 17th event ("pop-up park") on Town Green. LWV forum on 10/20 to discuss town center issues at 7:30 at Town Hall.

Planning Board has a tree hearing on 10/20, location TBD, at 7PM with the Board of Public Works. Two trees on the agenda. Planning Board will post a meeting for same night, at DPW building.

Sarkis asks Board if we want to take a position on other warrant articles covering following issues: rail trail resolution (explained above), open space plan update, acquisition of municipal pad at town center, and library study (prerequisite for applying for state grants).

Oct. 19th meeting planned with Planning Board and Board of Selectmen to interview and select alternate member of Planning Board.

C. WRAP

Meeting held last week – over 40 people attended. Presentations by various town officials, boards, interest groups.

D. Covered Bridge

3 affordable units under construction. Developer is seeking bond to release covenant on one or two lots, in the amount of \$30,000. Just final coat of pavement is all that is left to do. Murphy makes motion to set bond of \$30,000 for release of covenant, but lots won't be released until tri-party agreement in place. Hill requests that occupancy permits for affordable units be issued before covenants be released.

IV. Old Business

A. Zoning Amendments

The Board discussed the draft amendments for nonconforming structures (tear downs), Conservation Cluster (Section 1803), and home occupations. The Board decided not to try to address medical marijuana facilities through a zoning amendment at this time.

The Board also briefly discussed the sidewalk and landscape buffer amendments that had previously been drafted, and felt that these could be resubmitted to Town Meeting in 2016.

The Board decided that it would hold another working session to discuss these zoning amendments before convening an informal public hearing that would be advertised. The Town Meeting warrant closes on January 15, 2016, and before that time the Planning Board will need to convene a formal public hearing on any amendments it wishes to present at town meeting. The Board felt it had enough time in October and November to continue to work on these drafts, and still convene the informal and formal hearings.

B. Review Minutes from 8/18 and 9/8

Approved 4-0. Motions made by Murphy, seconded by Hill.

Motion to adjourn 10:05.

Respectfully Submitted,
Daniel C. Hill



Town of Wayland Massachusetts

Planning Board Meeting Minutes for Meeting of Nov. 16, 2015

AGENDA

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are fluid given unpredictable duration of time.

- 7:30 P.M. Open Meeting and Join Board of Selectmen for a Joint Meeting to Consider and Potential Vote to Appoint an Associate Planning Board Member. After the Appointment, the Planning Board will reconvene its regular meeting as stated in the agenda below.**
- 8:00 P.M. Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of The Meeting**
- 8:05 P.M. Lot releases for Lot 6 & 7 Covered Bridge**
- 8:10 P.M. Zoning Bylaw review for 2016 Spring Town Meeting**
- 8:55 P.M. Approve minutes of November 3, 2015**
- 9:00 P.M. Adjourn**

In attendance: Andrew Reck (Chair), Kevin Murphy, Ira Montague, Colleen Sheehan, Dan Hill (Sheehan departed at 8:30)

The meeting was called to order at 7:30 PM in the Selectmen Meeting Room

I. Joint Meeting with Selectmen

Joint meeting called to order, to consider appointment to fill vacancy in associate position.

The Boards heard from Nicole Riley, an attorney at Goodwin Procter. Handles commercial real estate transactions. Nicole has some land use experience as a result of her real estate practice. Paul Morenberg is a litigator with a solo practice in Newton, focusing on employment law. Paul has knowledge of administrative law, litigation, and risk assessment. Jennifer Steele is a lifelong resident of Wayland. Her professional background is as a conservation agent/administrator for last 20 years. She is currently working for the City of Newton and is on the MACC Board of Directors. She has also taught for three years. Jennifer has served on other Wayland boards including the high school building committee.

Members of both boards expressed gratitude for three very well-qualified candidates, and noted that Jennifer would bring experience in conservation issues that the Board currently doesn't have. Kevin Murphy noted that with so much of the work of the planning board being legal in nature, it would be beneficial to have another attorney on the board. After much discussion, Jennifer withdrew her nomination and promised to get involved with another board or commission.

The Boards voted unanimously to appoint Nicole Riley by roll call vote. The planning board's vote was:

Reck (yes), Murphy (yes), Montague (yes), Sheehan (yes), Hill (yes).

The Planning Board closed its joint meeting with the selectmen, and re-convened in the planning office.

II. New Business

A. Covered Bridge

WHA director Brian Boggia will manage the lottery and qualification of potential unit owners for the affordable units.

The request before the planning board is to release the remaining two lots from the Covenant, which is the performance security for this subdivision (lots 6 and 7). Both lots are ready for certificates of occupancy. At the last planning board meeting, the Board voted to substitute a bond for the Covenant to secure the completion of the remaining infrastructure (final coat of paving) – all other infrastructure is completed. Ira moved to release lots 6 and 7 from the Covenant. Approved 4-0, Hill abstained.

B. Zoning Bylaw Review

1. *Assisted Living*

Sarkis notes that he's been getting inquiries regarding converting SF homes into assisted living facilities. These facilities are allowed by special permit under current zoning, regardless of the size of the parcel or zoning classification. Sarkis recommended limiting assisted living facilities to commercial zones. The Board decided that we should impose greater restrictions on these facilities in residential zones (but not prohibit them), perhaps by limiting the number of bedrooms or residents, and restricting facilities in residential zones to the conversion of existing dwellings (subject to minor alteration/expansion). Sarkis will work with Dan Hill to draft proposed language for the zoning article hearing, which will be Dec. 8th at 7:30 PM.

2. *Height of Buildings*

Dan Hill drafted a proposed change to the Zoning Bylaw's building height provisions, so that height is measured from natural grade (pre-construction) rather than from final grade, as it currently the standard. The Board generally agrees with this change, but members expressed a preference for Lincoln's definition of "natural grade," and the language of Weston's bylaw over

Winchester's bylaw. Dan provided sample language from these towns among others. Dan and Sarkis will work to fine-tune the language before the zoning article hearing.

3. *FAR*

The Board discussed limiting an FAR bylaw to applications for special permits of nonconforming buildings and lots, where such applications seek to increase the net floor area of the existing residential structure. Dan questioned whether a town could impose this kind of requirement on a grandfathered structure under G.L. c. 40A, §6. Sarkis will request assistance of special town counsel on this question to see whether we can do this.

C. Update on Rail Trail

Sarkis reported that Eversource is finally getting the license from MBTA to do work on rail trail. They are expected to proceed with permitting with the Conservation Commission. Sarkis will work with TEC to begin the design work for the road crossings, which the Town will be responsible for paying for.

Motion to adjourn
Move I. Montague
2 ND by K. Murphy
All in favor 9:45 P.M.

Respectfully Submitted,
Daniel C. Hill



Town of Wayland Massachusetts

Planning Board Meeting Minutes for Meeting of Dec. 8, 2015

AGENDA

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are fluid given unpredictable duration of time.

7:30 P.M. Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of The Meeting

7:35 P.M. Public Hearing Zoning By-Law Amendments

LEGAL NOTICE TOWN OF WAYLAND PLANNING BOARD

PUBLIC HEARING RE: ZONING BY-LAW AMENDMENTS

The Wayland Planning Board will hold a public hearing on Tuesday, December 8, 2015 at 7:35 p.m. in the Planning Board Office, Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts, 01778. The subject of this hearing will be proposed amendments to the Wayland Zoning Bylaw, which will be considered at the 2016 Wayland Spring Annual Town Meeting. The text of these amendments and maps can be viewed at the Planning Board Office and outside the Building Department Office at the Wayland Town Building (8:30 AM to 4:00 PM during normal work days), Reasonable accommodations and audio-visual aids and services will be available upon request. The proposed amendments and subject matter to the Wayland Zoning Bylaws are summarized as follows:

- 1. Replace sections in all commercial districts regarding the construction/location of sidewalks in the right of way.**
- 2. Insert a new section regarding landscaping in parking areas abutting residential property.**

3. **New definition regarding Home Occupation Customary (customary home occupation)**
4. **NONCONFORMING STRUCTURES AND USES** Any building, which includes residential structures, or use lawfully in existence or lawfully begun or as to which a building or special permit has been issued before the first publication of notice of public hearing on any provision of this Zoning Bylaw, or any amendment thereto, required by MGL c. 40A, § 5, may be continued or completed although such building, structure, or use does not conform to the terms of said provision or amendment, subject, conditions.
5. **Apply a Floor Area ratio to undersized residential lots.**
6. **Conservation Cluster Developments regarding, open space requirements, total number of dwelling units on the tract of land and affordable units required.**
7. **New definition regarding Building Height.**
8. **New requirements for Assisted/Independent Living, Nursing Homes in residential districts.**
9. **New requirements for Sales of used motor vehicles by owners of service stations as an accessory use.**

8:55 P.M. Approve minutes for November November3, 2015 and November 16, 2015

9:00 P.M. Adjourn

In attendance: Reck (Chair), Murphy, Montague, Hill, Riley

The meeting was called to order at 7:35 PM in the Selectmen Meeting Room

I. Public Comment

Elisa Scola Chair of Historical Commission appeared to discuss the concept of a demolition delay bylaw. In 2003, a proposal for a similar bylaw was defeated. Commission is proposing a bylaw that protects 100-year old buildings and structures or an architecturally-important building

II. New Business

A. Zoning Bylaw Amendment Hearing

1. Sidewalks

Hill suggests that we need to work on language to make clear when an existing commercial use would need to comply with the sidewalk construction requirement. Sarkis explained

Murphy suggested that we should allow for exceptions to the requirement that the sidewalk be in the ROW, as there may be circumstances where it would appropriate to have the sidewalk outside the ROW.

Gretchen Schuler noted that there may circumstances where the Board of Public Works may not want the sidewalk in the ROW as it may interfere with roadway operations or enlargements.

2. *Parking Screening*

Hill proposed some tweaking to the language. The Board was generally in favor of the concept.

3. *Home Occupation*

There was some discussion about the trip generation cap proposed restriction. The Board was generally in favor of pursuing this amendment. Murphy commented that we may need to also alter the Table of Uses.

4. *Nonconforming Structures and Uses & FAR*

Board decided that nonconformities and FAR change should be in same article.

There was discussion of the illustrative types of uses that would not trigger the special permit requirement under G.L. c. 40A, §6.

A resident Mike Lowry provided opinion that the .4 FAR proposal is too restrictive, and that it discriminates against small lot owners. He thinks it will not likely pass Town Meeting.

Murphy noted that the definition of basements that are consider a story above grade should be better defined.

5. *Conservation Cluster Bylaw*

Murphy stated that he has changed his view on bonus provision – would prefer not providing for this in the Bylaw. The Board reviewed the comments from Sherre Greenbaum, and concurred with all but the last one.

6. *Height*

The Building Commissioner was in agreement with the proposed language. The Board had no other comments.

7. *Nursing Home*

Currently these facilities are allowed by special permit in residential zones. The proposal would limit these to 4 units. Otherwise, nursing homes are allowed in business districts. Hill is okay with the concept, but Murphy and Reck don't believe these facilities should be in residential zones. Montague is okay with the concept but shares concerns with impact in residential neighborhoods and thinks we should study further. The Board supported to change the amendment, to change the designation from "SP" not "N in the residential zones (for uses 24 and 32).

8. *Used Auto Sales*

Board of Selectmen referred this issue to Planning Board over concerns of certain establishments expanding their used car sales operations. Board decided this requires further study. Hill will follow up with Sarkis and the Board of Selectmen.

Board voted to continue this hearing to Jan. 5 at 7:35. Moved by Murphy seconded by Hill. Approved 4-0.

B. Next Planning Board Meetings

December 16th at 6:30 – to consider an ANR application. Possible another meeting on January 12th.

Motion to adjourn made at 9:45 by Murphy, seconded by Montague.
All in favor

Respectfully Submitted,
Daniel C. Hill

WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

December 15, 2015

7:00 PM

MEETING MINUTES

Present: C. Brown (Chair), M. Lowery (Vice Chair), W. Baston, M. Wegerbauer, S. Kadlik (Director)

Absent: J. Mishara

Meeting opened at 7:00 PM

Brown announced that the meeting is being recorded.

Brown opened the meeting with a review of the agenda.

Brown asked for public comment – there was none.

Water Abatement Requests

92 Commonwealth Road

Ronald Poore, 92 Commonwealth Road, appeared before the Board to discuss the request for abatement.

Poor noted that no leaks to the system were found, and he assumes that the meter is defective.

Brown noted that the meter is relatively new and that it is the Board’s assumption that the water was used.

Lowery noted that, as the abatement was filed after 1/1/15, it is only subject to an abatement of 20% of the value of the claimed lost water.

Brown made a motion that the meter at 92C Commonwealth Road be tested and report back on its accuracy, delaying any fees and interest that may accrue.

Baston 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 10-15-2015 Letter requesting abatement
- 09-25-2015 Water Bill
- 92 Commonwealth Water Account Financial History

Items Distributed for Information and Use by the Board of Public Works

- 92 Commonwealth Water Usage History

170 Glezen Lane

Sotiris Diamandis, 170 Glezen Lane, appeared before the Board to discuss his request for abatement.

Diamandis noted that he has had his system checked several times and has found no leaks.

Diamandis questioned whether the meter system used in Town is faulty.

Lowery noted that the usage history demonstrates a seasonal pattern of usage.

Diamandis noted that his usage increased dramatically between 2010 and 2011.

Brown noted that the meter was changed at the time of the last abatement granted in 2011, and that the usage pattern has remained the same with the new meter.

Brown asked what basis Diamandis was requesting for abatement.

Diamandis' attorney noted that Diamandis asserts that the usage is incorrect, as his household has not changed its usage patterns and has checked for leaks but has not found any.

Lowery noted that the winter usage of water is very conservative, but the water used during summer indicates that an irrigation system is in use.

Diamandis noted that Lynch Landscaping has inspected his irrigation system and confirmed that there are no leaks present, and asked the Board if a letter from Lynch attesting this would prove the water readings were incorrect.

Lowery noted that unless Lynch Landscaping can provide a letter stating that they believe the water readings are incorrect, the assumption is that the reading is correct and the water was used.

Lowery noted that the meter could be removed and tested at the homeowner's expense if he believes the meter is incorrect, adding that the DPW would pay for the expense of testing the meter if it was found to be defective.

Diamandis responded that he did not wish to pay to have his meter tested.

Brown made a motion to deny the abatement of 170 Glezen Lane.

Wegerbauer 2nd, all in favor

Items Included as Part of Agenda Packet for Discussion

- 01-07-2015 Water Bill
- 09-16-2015 Water Bill
- 170 Glezen Water Usage History
- 170 Glezen Water Account Financial History

5 Hearthstone Circle

The Board reviewed the information pertaining to the request for abatement for 5 Hearthstone Circle.

Lowery requested that in the future residents filing for abatement be advised that abatements for irrigation are limited to 20% of value of the claimed lost water due to malfunctioning irrigation systems.

Brown made a motion to abate the 9/25/2015 water bill of 5 Hearthstone Circle from 12,600 units to 11,600 units, in accordance with the policy established by the Board of Public Works on July 1, 2014.

Wegerbauer 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 09-25-2015 Water Bill
- 10-15-2015 Letter from Suburban Sprinkler
- 10-09-2015 Invoice from Suburban Sprinkler
- 08-04-2015 Invoice from Suburban Sprinkler

Items Distributed for Information and Use by the Board of Public Works

- 5 Hearthstone Water Usage History

26 Jeffrey Road (54 Rice Road)

The Board discussed the request for abatement for 54 Rice Road.

Brown made a motion to abate the 9/29/2014 water bill to 5200 units, waiving all interest and fees.

Lowery 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 11-07-2014 Water Bill
- 54 Rice Water Usage History
- 08-15-2015 Receipt from Lowe's
- 03-30-2015 Email requesting abatement
- 09-02-2015 Email regarding status of abatement
- 08-06-2015 Letter from DPW regarding status of water abatement
- 54 Rice Water Account Financial History

Discussion of Future DPW Major Capital Planning with WRAP Committee Liaison Anette Lewis

Anette Lewis, member of the WRAP Committee, appeared before the Board to discuss the WRAP committee and its role with the DPW.

Lewis discussed the status of Town-owned land and the creation of a more accurate database of parcels.

Lewis reviewed the 'Points for Discussion with Boards, Commission & Departments' that was distributed as part of the meeting packet.

Lewis clarified that the thresholds for projects is \$500,000 or greater and occurring within the next 20 years.

Brown discussed the potential loss of the DPW material storage area.

Lewis noted that the WRAP committee would like to know how much land the DPW needs to replace the storage area.

Lewis noted that the WRAP Committee would like to begin receiving information from Boards within the next 45 days.

*Items Included as Part of Agenda Packet for Discussion
- 10-28-2015 – Points for Discussion with Boards, Commissions, & Departments*

Discussion of Transfer Station Target for Retained Earnings

The Board discussed the status of transfer to the General Fund from the Transfer Station Revolving Fund to cover fringe benefits.

The Board discussed how the funds to be transferred are calculated.

Wegerbauer asked what portion of the funds transferred represents the Transfer Station and what part represent the Landfill.

Brown discussed the history of the OPEB calculation and department transfers.

Lowery requested that the first two line items be separated in the budget summary, as they represent expenses incurred by the Landfill, and the fringe benefit costs be added.

Wegerbauer noted that the Transfer Station budget shows that expenses are running roughly on pace with income, although the cushion is relatively high.

Lowery discussed upcoming expenses to be incurred by the transfer station related to the access road and removal of the salt shed, as outlined in the Conservation Orders of Condition.

Wegerbauer noted that in his opinion, the access road expense should not be placed on the Transfer Station users.

Lowery responded that the only users of the access road are patrons of the Transfer Station.

Wegerbauer noted that, in his opinion, a fund balance of \$100,000 would be a target.

Kadlik noted that the containers at the Transfer Station need to be replaced soon.

Kadlik noted that any budget shortfall in the Transfer Station revolving account would result in a deficit being carried into the following fiscal year.

Brown noted that, in his opinion, any repairs done to the building at the Transfer Station should be taken from Transfer Station funds.

Lowery expressed his support to adjust the sticker price to the needed level to attain the desired fund balance, but with limited annual pricing fluctuations.

Brown requested that the discussion and potential setting of the desired Transfer Station revolving fund balance be placed on the next agenda.

Items Included as Part of Agenda Packet for Discussion

- Budget Line-Item Comparison
- Transfers to General Fund
- Breakdown of FY16 Indirect-Administration & Fringe Benefit Costs
- Breakdown of FY17 Indirect-Administration & Fringe Benefit Costs
- Transfer to Trust Fund (OPEB)

REAC Update

Wegerbauer discussed the status of the Rivers Edge Property with the Board.

Wegerbauer noted that although there were no proposals received, there was a lot of interest in the property.

Lowery noted that the Town Meeting vote to transfer the land stipulated that it included the availability of affordable housing.

Lowery noted that in the event developers for the River's Edge project cannot be found, he suggests that the construction of a crematory be considered for the site.

Lowery added that the crematory operated by the Town of Duxbury could be referenced.

DPW Director's Financial Report

Kadlik noted that overall expenditures within the DPW budget are on target.

Lowery requested that the cost of fringe benefits be calculated into the Transfer Station budget.

Items Included as Part of Agenda Packet for Discussion

- 12-10-2015 Budget Summary

Board Members' Reports, Concerns, and Updates

Baston provided the three bullet points to be submitted to the WayCam Weekly Buzz

Baston discussed the potential bullet points to be submitted to the WayCam Weekly Buzz.

Lowery noted that he recently attended an executive session with the Board of Selectmen regarding the Glezen Lane traffic settlement, and an executive session will likely be needed at the next Board of Public Works Meeting.

Lowery requested that the status of the Library Drainage Project be placed on an upcoming agenda, and would like the consultants to be present at the meeting.

Lowery asked Kadlik if he has consulted with Town Planner Alf Barry about the status of the portion of Lakeview Cemetery that is currently technically under the purview of the Recreation Commission.

Kadlik responded that he has spoken with Barry, who will provide a plan of the area in question.

Baston discussed proposed changes to the parking lot of The Depot, clarifying that there are no plans to pave it.

Lowery noted that the Historical Commission expressed their concern about stones that have fallen from the stone wall at North Cemetery.

Lowery distributed materials regarding the pricing structure of the cemetery, and suggested that cemetery fees be examined in a future meeting.

Brown asked Kadlik about the status of the plowing of Highfields Road.

Kadlik noted that he has confirmed that it is not an accepted road and will not be plowed or maintained by the DPW.

Brown noted that the Energy Committee would like to meet at the next meeting regarding the installation and maintenance of new energy-efficient street lighting.

Brown asked Kadlik about the status of a repair invoice that was submitted to the Town by a resident on Hazelbrook Lane who claims the road damaged her vehicle.

Brown signed the letter addressed from BOPW to Chief Irving regarding the request for more effective enforcement of speed limits on Stonebridge Road for distribution to Chief Irving, Town Administrator Nan Balmer, Kadlik, and Stonebridge resident Duane Galbi.

Kadlik responded that the issue was forwarded on to the Town Administrators Office, and Assistant Town Administrator John Senchyshyn has responded to the resident.

The Board discussed the preparation of documents requested by the WRAP committee.

Brown suggested that each Board member present take a DPW division, and bring to the next meeting for review.

After Board discussion, it was determined that Lowery would address the Water and Cemetery concerns, Wegerbauer address the Transfer Station, Brown would address Highway, Baston would address Park, and Mishara would address Administrative concerns.

The Board determined that the next meetings scheduled will be January 12, 2016 and January 26, 2016.

Items Distributed for Information and Use by the Board of Public Works

- 12-15-2015 Letter from BOPW to Chief Irving re: Request for more effective enforcement of speed limits on Stonebridge Road

Items Distributed for Information and Use by the Board of Public Works

- 12-15-2015 Wayland Weekly Buzz Proposed Submission

- Cemetery Fee Comparison

- 10-31-2015 Wicked Local.com article, "Inside look at Colonial gravestones in Wayland" by Judith Canty Graves

Review & Approve the Minutes of the 12/1/15 Meeting

Lowery noted an addition to be made on page 8 noting that the leaf removal at Heard House was in preparation for the Wayland Historical Society Open House.

Baston noted a typographical correction to be made on page 5.

Brown made a motion to approve the minutes of the 12/1/2015 meeting as amended.

Lowery 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works

- 12-01-2015 Board of Public Works Meeting Minutes Draft

Baston made motion to adjourn.

Wegerbauer 2nd, all in favor.

Meeting adjourned at 9:46PM



Town of Wayland Massachusetts

15

Members: Christine DeBona
Michael Ellenbogen
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 December 2, 2015

In attendance: Heller, Hill, Morrison, Stanizzi, Steinberg, DiBona, Wegerbauer, Ellenbogen. Special Counsel Stephen Anderson and Town Administrator Nan Balmer also in attendance.

The meeting was called to order at 7:30 PM in the Board of Selectmen's conference room of the Wayland Town Building.

I. Public Comment

Linda Segal questioned whether the agenda for this meeting was adequate. After some discussion, and with the advice of counsel, the Committee determined that it was and that it complied with the Open Meeting Law.

II. Review of 11/17/15 Meeting Minutes

No edits from the draft. Approved by unanimous vote.

III. New Business

No bids were received by yesterday's deadline.

Special Counsel Stephen Anderson says we can issue a "request for information" to prospective bidders, asking them to explain what the negative issues were that discouraged them from bidding, to enable the Town to possibly restructure the RFP. Steve advised that we cannot simply call up individual prospective bidders and ask them these questions. We can issue an RFI to ask potential bidders to offer suggestions on how we can make the RFP more attractive. Responses can be in writing, a public meeting, or both.

Steve sees three potential issues with our RFP:

1. our requirement that a percentage of the project would need to be age-restricted.
Potential solutions – (1) amend the zoning to remove the requirement of incorporating an age-restriction component; (2) be receptive to an application for a variance; (3) split the land into two parcels, and reserve the smaller parcel for a future town-sponsored low income elderly project.

2. the water line extension – permitting issues? Construction task? Added cost? Potential solution – town takes on job of permitting and/or construction of extension.

3. Old septic facility demolition – did bidders see concerns with this? Potential solution – town takes over responsibility. Town is currently responsible anyway.

4. Did we ask too much of bidders in terms of paperwork? Design and concept plans, financial projections? Steve poses the potential of doing a two-tiered bidder selection process. The first round would require less work from bidders than what we originally required, and would narrow the class of bidders to a smaller number. The second round would require more detailed submittals.

Regardless of the approach we take, because the bid deadline has now passed, we would have re-advertise the RFP and any addendum that we decide to issue.

The Committee decided to send a simple request for information tomorrow, by email, making a solicitation for feedback. Nan Balmer will draft and disseminate the letter by email (in compliance with the Uniform Procurement Act), and request responses by Dec. 18th. An open forum will be held on January 7th at 10:00 to discuss the RFP with prospective bidders and the Committee. Motion made by Wegerbauer to adopt this plan, seconded by Stanizzi. Passed by unanimous vote.

Meeting adjourned 8:45 PM.

Respectfully Submitted,
Daniel C. Hill

Wayland Real Asset Planning Committee

November 12, 2015 – 7:00 PM

Present: Colleen Sheehan, chair (until 7:50); Tom Abdella, Anette Lewis, Gretchen Schuler and Bill Steinberg.

Public Comment. None.

Minutes The minutes of 10/28/15 were accepted (3-0-1) as amended.

Department-Level Outreach. Bill Steinberg met with the COA/CCAC to explain the purpose of WRAP and hand out the Points of Discussion document that committee members have agreed to discuss/ask of each board, commission or committee. Julie Secor will send written answers to those questions in the near future. Mr. Steinberg also has met briefly with Ben Keefe, Facilities Director who also has the list of questions but is currently deeply involved in a couple of pressing projects. In addition he is working on a 30-year plan. Mr. Steinberg will meet with the Recreation Commission on 11/30.

Colleen Sheehan was meeting with the Housing Authority at 8:00 this evening and would be leaving the WRAP meeting to attend the HA meeting. She explained that she is waiting to hear when the Conservation Commission will add her to their agenda. Ms. Sheehan said that she had received a call from Nan Balmer asking what the next steps will be for WRAP and how we could inform the staff members of the Committee particularly about next steps on their parts. We discussed when to meet with staff and determined that we would plan on 7:30 AM on Friday December 11th.

Gretchen Schuler reported on her meetings with Board of Selectmen followed by Library Trustees. She explained that the BOS list of land and buildings includes the Town Building, Depot and Freight House along with other buildings managed by one the Library and two the Police and Fire. Nearly all other parcels of land are tiny – well under an acre and scattered throughout town. The importance of the map depicting ownership of town-owned parcels will be important in understanding these parcels.

Ms. Schuler’s meeting with Library Trustees focused on the questions most of which have been answered in their search for an appropriate addition or new construction. They will answer those questions but will hold off on some as they will be part of the study if Article 3 passes at STM on November 9th. Ms. Schuler asked the Library to explain how they selected three potential sites out of 13 parcels. Mr. Steinberg who served on the study committee explained that Alf Berry, Town Surveyor identified all parcels that were large enough for a library; Mr. Sarkisian told what he knew about each parcel. Some were dropped due to location, others for wetlands or other limited physical conditions. They considered the High School but believed it would be unsuitable at this time as the new high school was recently designed and should not be altered now. The former DPW site rose in importance due to its ease, cost of site preparation and construction of new versus rehab or old, and adjacency to the Middle School. Ms. Schuler has asked Tom Fay who chaired the Library Study committee if there was a list of scoring criteria for the library discussion of parcels. He will get back to her.

Develop Criteria: Assessing Capital Facilities' Needs; and Determining Priorities Among Projects

There was a general discussion about making "needs" criteria as objective as possible. Also it was noted that weighting should account for such qualities as meeting two needs or perhaps those of two different organizations. In addition there should be consideration of the short term use of certain land and the long term use. These may vary and may dovetail in the future.

It was noted that there will be two lists of criteria. One will be a data base with the criteria/information that we seek about each building and parcel of land owned by the town, (FOR LAND: Map ID, Parcel ID, Street Address, Name / Resource Type, Land Area, Uses, Prior Uses, Potential Future Uses, Overlay Districts, Aquifer Protection District, Environmental Factors, Utilities, Condition, Plan/Book/Page / Sale Date.... FOR BUILDINGS: Date of Construction, Building Square Footage, Usable Space, Storage, Meeting Rooms...). The other will be project evaluation criteria scoring matrix (Planning, Regulatory, Demographics and Standards, Related to Other Projects, Fiscal Impact....)

Tom Abdella will send each WRAP member the 2004 Salt Shed Report and the 2011 Feasibility Study for the new DPW buildings. The Salt Shed Report has site selection criteria on the last pages. The 2011 study has a scoring matrix for various sites.

It is time to compare these various lists of criteria and information and develop the full list needed to develop the capital planning program with which this committee is charged. For each project one of the first questions is what size parcel is needed and how many parcels are available to fit the bill.

Additional discussion about the types of projects under consideration led to the question of infrastructure – roads and intersections that are major capital expenses. Previously Tom Greenaway, former chair of the Finance Committee had asked what the life of roads is and how many miles of roads need to be upgraded each year.

Data Base Information. Ms. Schuler noted that she has set up a system with Brendan Decker, GIS specialist for town for making corrections in data base. Mr. Decker will be making corrections as discovered and will continue to update the town owned property data base with new information. He explained that the map will not be altered until the very end of his work of altering data base because the Map ID numbers do not change automatically and must be hand altered. So this will occur only once at end. Mr. Abdella noted that he plans to communicate with Mr. Decker to ask if another field can be added to the "find" tab in the GIS data base. He would like to be able to select from a menu such as show all properties that have buildings exceeding x square feet.

Necessary Components of a Comprehensive, Long Range Facilities Plan In response to this important task and product we again considered the draft outline of potential topics for inclusion in a WRAP final report. This document continues to be a work in progress but gives us an opportunity to focus on the various aspects of the WRAP's job.

Next Meetings

Note time changes to accommodate other meetings of WRAP members.

November 18th (Wed.) 8:00 PM

December 3rd (Thurs.) Time TBD

December 11th (Fri.) 7:30 AM (with staff)

The meeting adjourned at 9:03 PM following a 4-0-0 vote on a motion by Mr. Steinberg that was seconded by Ms. Schuler.

Respectfully submitted,
Gretchen G. Schuler

Materials Received at Meeting

- 1) List of Criteria about existing buildings and land and list of project evaluation criteria (11-12-15, Schuler)
- 2) Criteria List for WRAP Committee Analysis (11-12-15, Steinberg)
- 3) Project Criteria List and Scoring Matrix (11-12-15, Schuler)

Wayland Real Asset Planning Committee

December 3, 2015 – 7:30 PM

Present: Colleen Sheehan, chair; Tom Abdella (until 8:10), Anette Lewis, and Gretchen Schuler.

Public Comment. None.

Minutes. The minutes for November 18, 2015 were approved as amended at the end of the meeting.

Topics Not Known 48 hours in Advance. Colleen Sheehan reported that she had just received an e-mail from Bill Steinberg stating that he is unable to continue to serve on WRAP due to time constraints and has resigned effective immediately. Since Mr. Steinberg was a Finance Committee appointee that Committee will be asked to recommend another appointee to WRAP.

Report to Town Meeting. Ms. Sheehan said that there is a sense of urgency to provide Town Meeting with guidance on capital improvement projects that may come before the town such as the library location and a community center. The Board of Selectmen requested that a WRAP member attend its meeting on December 14th to update the Board on WRAP's progress. Ms. Sheehan will not be able to attend. Ms. Lewis will report for WRAP and depending upon timing Mr. Abdella may be able to leave the Finance Committee's meeting that evening to also appear before the BOS with Ms. Lewis.

Department-Level Outreach. There were no other updates. Ms. Sheehan met with the Housing Authority and noted that it is a federal agency. It does not seek new locations but must maintain existing locations. New housing locations are likely to come under the Housing Partnership or the Municipal Affordable Housing Trust Board. Ms. Sheehan plans to meet with the MAHTB on December 9th or 16th. If the 9th Ms. Schuler will attend in Ms. Sheehan's place.

Develop Criteria: Assessing Capital Facilities' Needs; and Determining Priorities Among Projects. Ms. Lewis handed out a draft Capital Improvements "Decision Criteria Matrix." She explained that we first have to decide whether or not we need a particular project – whether it should go ahead and then determine where it will be located and where in the planning process it will fit into the budget. Only projects of \$500,000 or more will be considered by WRAP. The Criteria Matrix will be used in conjunction with a site selection matrix. There was some discussion about how to weight criteria and factors in Decision Criteria Matrix.

The alternatives to the project that the Committee will consider are things such as site alternatives, project alternatives, programming alternatives, whether the need is available elsewhere.

As an aside there was a brief discussion about road projects such as a new intersection that would cost well over the \$500,000 benchmark. Would these be included in WRAP charge?

Members tried to apply the matrix to two projects that are already built – the new DPW building and the High School. Consideration of a fictitious project also was considered. Ms. Lewis, Ms. Sheehan and Ms Schuler realized that without a weighted matrix there would be no conclusion since each project had about the same amount of "yes" and "no" responses.

There was also discussion of "shared services" – whether a project that met multiple needs should get extra credit – thus more weight.

Site selection will take into account factors of the location – parking – central location – commercial center – at a hub or distributed throughout community?

Data Base Information. Gretchen Schuler reported that Brendan Decker has had to respond to other requests and will be working on the update of Town-Owned Property data base as time allows.

Next Meetings

December 11th (Fri.) 9:00 AM (with staff) (Ms. Sheehan will respond to Nan telling her of meeting.)
Ms. Lewis will prepare agenda for the next meeting to include:

- Update
- Confirmation of goals for ATM
- WRAP – Staff interchange – what we need and what they need from us.
- Review of Scoring
- Report with Recommendations

The meeting adjourned at 10:05 PM following a 3-0-0 vote.

Respectfully submitted,
Gretchen G. Schuler

Materials Received at Meeting

- 1) Draft Capital Improvements – Decision Criteria Matrix (12-03-15, Lewis)

Wayland Real Asset Planning Committee

January 6, 2016 – 7:00 PM

APPROVED 1/14/16

Present: Colleen Sheehan (presiding); Tom Abdella, Anette Lewis and Gretchen Schuler.

Also Present: **COA:** Mary Antes, Becky Patterson, Ellen Scult, Denise Yurkofsky; **COACC:** Steve Correia, Carol Glick, Mark Foreman, Jean Milburn, Bill Sterling; **Library:** Christine Cipriani, Lynne Cavanaugh, Aida Gennis, Nan Jahnke, Ann Knight, Lynne Lipcon, Thom White; **Recreation:** Asa Foster, Frank Krasin, Heidi Seaburgm, Brud Wright. **Other:** Nan Balmer, Cherry Karlson, Sarkis Sarkisian

Call to Order and Introduction: 7:10 PM Colleen Sheehan welcomed and thanked all participants and explained the format and purpose of this meeting. She said that WRAP committee hoped to better understand the program and potential building project of each invited group and to see the commonalities as well as unique factors of each. The four groups (Council on Aging, Council on Aging Community Center, Library, Recreation) had been sent a list of questions to help prepare for the charrette/meeting.

Charrette. Each WRAP member was assigned to one group to discuss the set of questions: Tom Abdella met with Council on Aging; Anette Lewis met with Library Trustees; Gretchen Schuler met with Recreation Commission, and Colleen Sheehan met with COA/Community Center Advisory Committee.

Group Leaders Report on Charrettes. Mr. Abdella, Ms. Lewis, Ms. Schuler and Ms. Sheehan reported on groups' responses as shown in the attached charts.

Discussion & Feedback Observations of commonalities include: art space, music room, kitchen, large function room/flexible space, small private spaces, parking, storage. So the big question is does each group need its own spaces? Steve Correia answered that the COACC has already asked Recreation and COA for their needs and incorporated them into its planning. Aida Gennis, chair of the Library Trustees noted that its meeting space and social spaces must be the library's responsibility in order for a State grant to apply to those spaces – meaning that the State grant can only cover those spaces that are for Library's use; however the library can lend its spaces to other organizations as it does now with the Raytheon Room when available (which is infrequently). The Library does not envision a full-service kitchen – only a galley kitchen and there is an overlap between Library programs and those of other entities.

The need for a town-wide schedule was expressed by several participants. Both Jean Milburn and Frank Krasin talked about the COACC's vision of all under one roof. Brud Wright, Recreation Commission Chair, wondered about duplication of efforts and space.

The COACC has looked at other parcels: Greenways – municipal part, 195 Main Street, Alpine Fields, Loker Recreation Area (old Dow site), Finnerty's, St. Anne's, and renovation and expansion at the Town Building.

Ms. Lewis asked how the community center concept would be developed in terms of use and space planning. Ms. Milburn responded that the COACC is having a program study done to analyze the various needs and wants of town programs that could be using a community center. She also noted that a member of the COACC, Bill Sterling, an architect is intimately familiar with community centers and has a good sense of spaces as he has designed several community centers in the past.

Anette Lewis talked about the importance of building for the future and knowing that a building or site can accommodate even more in the future. Ms. Milburn responded that consideration of the COACC has been to build a structure that can accommodate a second floor in the future or to possibly build the shell of a second floor to be outfitted in the future. Mr. Correia reiterated the hope for shared spaces emphasizing that community centers are to be multi-generational with offerings for all levels and ages.

Lynne Cavanaugh asked how WRAP will inform the town in view of funding timing – particularly for the library that must move quickly in order to be eligible for State grant funding. How do we level the playing field?

Continued discussion of next steps. After the charrette participants left WRAP members continued to discuss how to synthesize the information presented this evening and what the next steps should be. From this discussion the agenda for the next meeting was organized to include debriefing on this evening's responses, updating from groups' liaisons, and work on the scoring matrix. By the end of January it will be important for WRAP to indicate how much of a recommendation will be available in time for ATM.

Next Meetings

January 14, 20, 27 at 7:30 PM

February 10 & 24 at 7:30 PM

The meeting adjourned at 10:45 PM following a 4-0-0 vote.

Respectfully submitted,
Gretchen G. Schuler

1/6/16 WRAP MEETING with COA, COA/CC, LIBRARY, RECREATION

COA CHARRETTE RESPONSES

Mission	Provide broad spectrum of activities – both passive and active for residents 60+ and also a fuel oil assistance program for which residents of any age are eligible
Programs & Times	<p>Older adults, both active and passive activities.</p> <p>Some fee based programs with the philosophy that a fee creates a “buy-in” and provides some revenue. In addition there are grants and funds from the Friends of the Council on Aging.</p> <p>Times of programming from 7:00 AM until early evening. Demand is based on availability of staff</p>
Space Needs	<ol style="list-style-type: none"> 1) Private spaces – small offices or rooms for social services, legal matters, medical issues 2) Large Multi-Function Room with sound proofing: 3) Smaller spaces for exercise and music programs 4) Kitchen large enough for socializing area 5) Storage: for equipment. Presently use PSB basement
Location	Location preference is centrally located in one facility that accommodates other groups for interaction with other age groups and is more efficient for staff. Specifically noted Town Center.
Parking	120-125 spaces
Personnel	<p>3.3 FTEs and volunteers</p> <p>Programming done by volunteers or outside contractors.</p> <p>Custodian to help move furniture, etc.</p>
Funding	<p>ATM 2016 – \$560,000 for schematic planning and programming</p> <p>ATM 2017 - \$7 million for high-end build-out of 21,000 sq. ft. to be on line by 2018</p>

COA/CC CHARRETTE RESPONSES

Mission	Create space to “level the playing field” A town living room for multi-generational use; fill space needs that do not exist today
Programs & Times	<p>All ages, both active and passive activities. Multi-generational and varied groups such as Vets, Historic, Welcome, Arts Wayland Third-party programs: Wayland Dads, Vets, Scouts, Rec. Competing interest,</p> <p>Days, evenings, weekends</p>
Space Needs	<ol style="list-style-type: none"> 1) Large flexible space for 100+ that may be available to seniors (8 to 2) and others later including rental to outside groups. 2) Private spaces – about 4 small rooms available 8 to 4. 3) Storage 4) Offices for veterans, COA, arts council, others 5) Artists spaces – clean and messy – acoustics /music used by senior - day & others later 6) Kitchen 7) Welcome space – atrium, lobby, town living room 8) Acoustics space – wired with sound control <p>Potential conflicts of how are programs funded and who controls which spaces – how to set priorities. Are there dedicated spaces? Need administrative layer that cooperatively supports all groups</p>
Location	Most drive so central location is preference - not remote. Indoor-outdoor, Looked at three sites (build on to existing town building and DPW site) Preference is: Municipal pad – multi-generational – inside/outside.
Parking	Not articulated
Personnel	<p>1 FTE and fluid number of staff and volunteers depending upon program and use</p> <p>Need central management in charge of facility (security, administration, 24 x 7, tech</p>
Funding	<p>ATM 2016 – \$560,000 for schematic design</p> <p>ATM 2017 - \$7 million for high-end build-out of 21,000 sq. ft.</p> <p>2018 – to be on line.</p>

LIBRARY CHARRETTE RESPONSES

Mission	Education, literacy (cultural & technology), life-long learning, cultural enrichment, information resource
Programs & Times	<p>485 programs a year; 8,000 attendees</p> <p>All programs are free of charge and paid for through Friends of Library (not included in Town budget)</p> <p>Children:</p> <ol style="list-style-type: none"> 1) Story telling & music/craft/whole body movement (pre-school during day) 2) Book groups/discussion (early elementary after school & school vacation) 3) Writing workshop [including poetry] (all elementary after school & school vacation) 4) STEM (all elementary after school & school vacation) 5) Topical programming with educational component (all elementary after school & school vacation) 6) Middle School & High School in collaboration with school librarians (after school & school vacation) <p><u>Note:</u> A few times a year, programs are offered on weekends.</p> <p>Adult (offered all times of day):</p> <ol style="list-style-type: none"> 1) Needle work 2) Art History 3) Classical Studies 4) Book discussion groups 5) Lectures (including author talks) 6) Technology workshops <p>Would like to increase hours of operation.</p>
Space Needs	<p>2 story maximum but preference for 1 story</p> <p>In addition to traditional shelving for books & administrative offices:</p> <ol style="list-style-type: none"> 1) On-site storage 2) 1 large "lecture" room with kitchenette 3) Story/craft space with sink & easy to clean floors (use c. 4 hrs./week) 4) Seminar size rooms with technology (use 50% over course of day) 5) Small study space/quiet space (use all day)

Parking	100 spaces
Personnel	<p>Currently 13.8 FTEs</p> <p>If new space, may need more custodial hours & maybe a librarian for teens</p> <p><u>Note:</u> Increased hours would require more staff.</p>
Funding	<p>ATM 2016 – Wastewater Capacity for existing Library building = c. \$60,000</p> <p>ATM 2018 – New/renovated Library Project = c. \$16 million but, if receive state building construction grant, then only c. \$9.7 million in Town funds</p> <p>[\$14M building x 55% = \$7.7M + \$2M furnishings, landscaping, parking lot = \$9.7M]</p>

RECREATION CHARRETTE RESPONSES

<p>Mission</p>	<p>Programs, facilities, and services designed to enhance individual and community values of physical, social, creative, cultural and intellectual growth and development. Contributions measured by community participation.</p>
<p>Programs & Times</p>	<p>All residents of all ages with hours of operation varying from season to season. Offers the most number of programs to childhood, youth, and teens.</p> <p><u>Current programs:</u></p> <ul style="list-style-type: none"> • 3 separate seasonally staffed Summer Camps – grades K-8 • 200+ “Vendor” programs – various age groups youth-adults, seasonally 6-10 week sessions • Special Events – Halloween Walk, Grandparents Day at Beach, Fishing Derby, Family Science Night • Ski Program – Grades 3-8 <p><u>Anticipated in future:</u></p> <ul style="list-style-type: none"> • Growth in summer camps – ability to accept more kids to each program • Additional “Vendor” programs of all ages • New Special Events year round – dances, beach events, field events, pet events, etc. <p>Most programs are fee-based, open community events usually free. User fees set for each program factoring direct and indirect costs. Vendor programs set with the vendor and additional Rec fee of 20% + \$2 “Surplus fees” pay for administrative needs such as computer software, membership dues, conferences, office supplies, Town Indirect Costs, etc.</p> <ul style="list-style-type: none"> • Large Groups (60+) = monthly or seasonally • Small groups (~20) = weekly • Sm-Med. Sized Programs (20-30 participants) = daily • Special Functions (50-100 people) = monthly / seasonally <p>Late June-mid August = Peak season for the Town Beach, Summer Camps, and field use.</p>

<p>Space Needs</p>	<ul style="list-style-type: none"> • A variety of Multi-purpose classroom spaces for science/tech classes, trainings, meetings, and other similar type programs • Art Center, “messy” and “neat art” – painting, sculpting, drawing, etc. • Dance/fitness studio • Gymnasium for sport programs year round, in town youth groups, parent groups (winter and rain alternatives) • Function Room with Kitchen for special events and functions – “Daddy Daughter Dances, birthday parties, banquets, craft fairs, camps, etc. • Storage for equipment needed in each space as well as additional storage options for special event materials (Touch A Truck, etc) • Office space with storage large enough to fit 5 desks, • Small conference room for staff meetings and interviews. • Fields, Playgrounds, School amenities & access, and Town Beach <p>Overall 12,700 sf for indoor space needs, not including gym. Can rent space to user groups</p>
<p>Parking</p>	<p>100 spaces for indoor spaces</p>
<p>Personnel</p>	<p>Currently 2 FTEs and 1 PTE; requesting 1 more FTE in FY’16 budget. 50 seasonal employees</p> <p>Want to hire additional life guards and camp counsellors in order to expand programs</p>
<p>Funding</p>	<p>ATM 2016 – \$100,000 with schools to rebuild playground at Happy Hollow</p> <p>Future projects to fund:</p> <ul style="list-style-type: none"> - Artificial Turf Field: Design and Construction - Grass Field –Design and Construction - Baseball Field - Design and Construction - Small scale fields - Design and Construction and improvement/maintenance projects - Indoor active Recreation Facility - Design and Construction - Splash Pad/Playground - Design and construction - Community Center funding and support



The MBTA Advisory Board

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January 6, 2016

Dear MBTA Advisory Board Members:

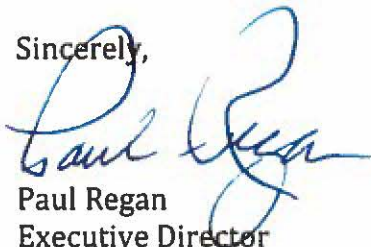
Happy New Year. I hope you can attend the first meeting in 2016 of the MBTA Advisory Board. There are a great many changes taking place in public transit and more to come. We want to make sure that the concerns of the Cities and Towns served by the MBTA are heard as the Secretary of Transportation, the Board of Directors and the new Fiscal and Management Control Board (FMCB) begin their work in the new year. Our meeting will be:

MBTA Advisory Board Meeting
Monday, January 11, 2016 at 9:30 am
State Transportation Building, 2nd Floor
Conference Room 1
10 Park Plaza
Boston, MA 02116

A great deal is happening. The Fiscal Management and Control Board (FMCB) was created by the Legislature and tasked with getting the MBTA on a sound fiscal and operational footing. They began their meetings in July and meet weekly. They have tackled issues very familiar to MBTA Advisory Board members, issues like service reliability, communication with the public, capital spending and fares. Because they are a new entity, many of the schedules for annual events have been extended. For instance, the 5 year Capital Plan (CIP) is usually out to public comment in November and to the Advisory Board for our review in December. But to date, the CIP has not been formally release for comment. The draft MBTA Assessments are usually available in Mid-December, but we are still awaiting their release. Finally, the many changes at the MBTA, including the retirement of lone-time Chief Financial Officer Jonathan Davis have left the Advisory Board wondering how this year's budget process will proceed.

The Advisory Board staff covers every meeting we can and keeps up with every important development. This meeting is a chance to bring you up to speed and answer what questions you have. Links to the pertinent MBTA documents were included in the Agenda emailed to you and will be available in hardcopy at the meeting. This is an opportunity to outline the next six months of public transit and for you to provide your staff with direction regarding issues important to your community. I hope to see you at this important meeting.

Sincerely,



Paul Regan
Executive Director

177 TREMONT STREET, 4TH FLOOR BOSTON MASSACHUSETTS 02111

PH 617 426 6054 FAX 617 451 2054

www.MBTAADVISORYBOARD.org pregan@mbtaadvisoryboard.org

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JAN - 8 2016

Board of Selectmen
Town of Wayland



The MBTA Advisory Board

**MBTA Advisory Board Meeting
Monday, January 11, 2016 at 9:30 am
State Transportation Building, 2nd Floor
Conference Room 1
10 Park Plaza
Boston, MA 02116**

AGENDA

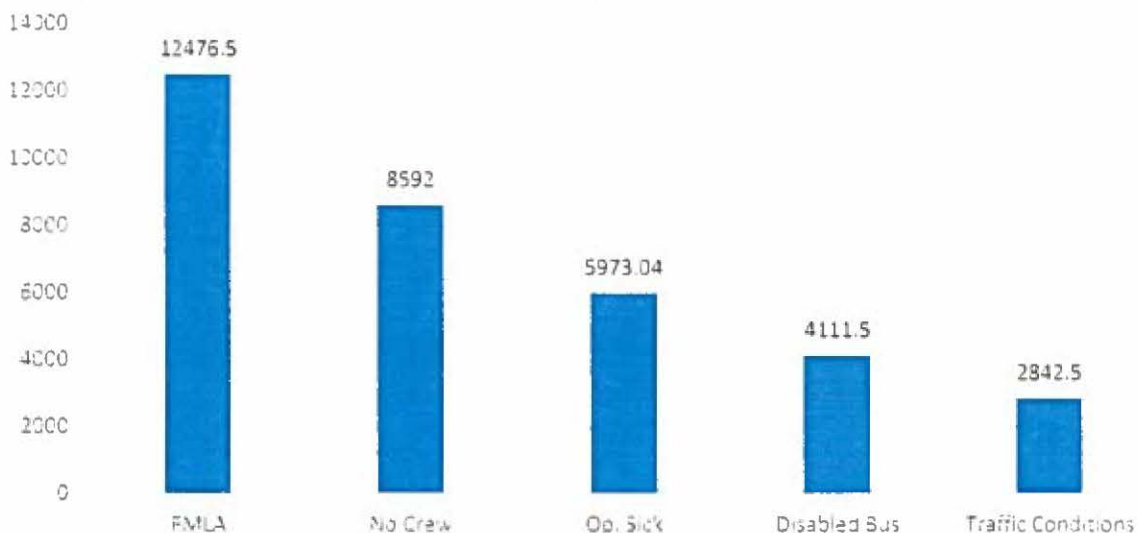
1. Call to Order
2. Executive Director's Report
3. Guest Speaker
4. Fiscal and Management Control Board's 1st Annual Report
5. Proposal to Increase Fares
6. Winter Readiness Plan
7. 2015 Dropped Trips Year-end Report
8. Other Business
9. Adjourn



The MBTA Advisory Board

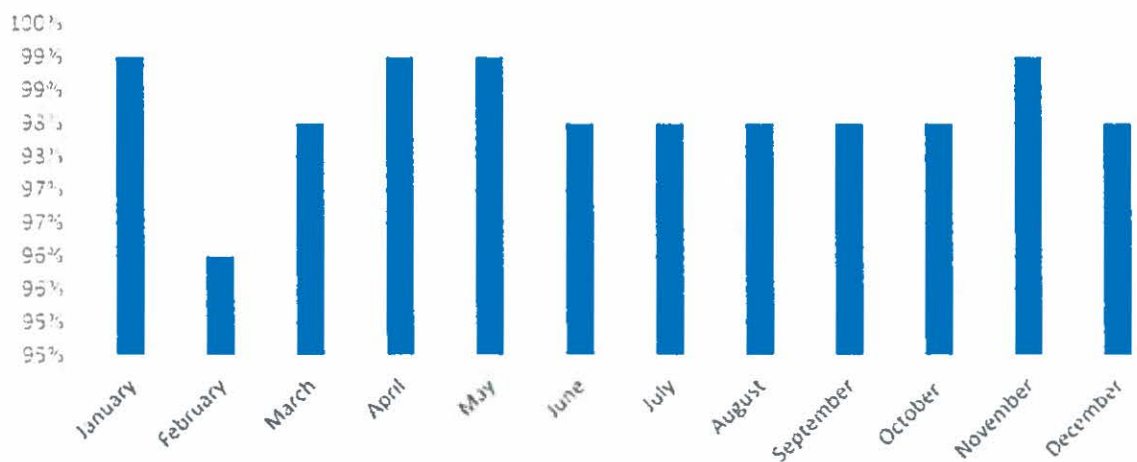
Service reliability was a major topic of discussion during 2015. This year experienced 41,801 total lost trips on bus, subway and trolley. Of these dropped trips, 12,476.5 (30%) are attributed to FMLA (Family Medical Leave Act). 21% are attributed to "No Crew", and 14% are attributed to "Operator Sick". Combined, 65% of lost trips recorded in 2015 are attributed to operator availability. Another 28% were dropped due to vehicle and/or infrastructure issues, and roughly 7% lost due to traffic conditions.

2015 dropped trips leading causes



In 2015, a total 2,699,940.5 bus and rapid transit (blue, green, orange, red, and silver line) trips were scheduled. Of these, 2,640,436 (98%) were ran. Green line lost trips were not recorded in November or December service reports. Monthly, 2015 saw between 96% and 99% of scheduled service operated.

% trips run by month





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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

January 7, 2016

Chief David G. Houghton
Wayland Fire Department
38 Cochituate Road
Wayland, MA 01778

Dear Chief Houghton:

Congratulations! We are pleased to inform you that the Wayland Fire Department has been awarded \$4,237.00 for Student Awareness of Fire Education (S.A.F.E.) and \$2,716.00 for Senior SAFE grants. We look forward to working with you and your community on this public fire and life safety initiative.

Additional correspondence, including all the necessary documents needed to execute this award will be provided by the Executive Office of Public Safety and Security, Department of Fire Services within the next two weeks.

Feel free to contact Cynthia Ouellette at cynthia.ouellette@state.ma.us if you have any questions.

Sincerely,

Handwritten signatures of Governor Charles D. Baker and Lieutenant Governor Karyn E. Polito.

Governor Charles D. Baker

Lt. Governor Karyn E. Polito