

PACKET

APR 19

2016



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
LOUIS B. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

**BOARD OF SELECTMEN
Tuesday, April 19, 2016
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda

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

- | | | |
|---------|------|---|
| 6:30 pm | 1.) | Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Exchange, Lease or Value of Real Estate in Regard to the Municipal Parcel at Town Center |
| 7:00 pm | 2.) | Call to Order by Chair <ul style="list-style-type: none">• Announcements; Review Agenda for the Public |
| 7:02 pm | 3.) | Public Comment |
| 7:10 pm | 4.) | Organization of the Board: Vote for Officers |
| 7:20 pm | 5.) | Review Final Accounting for Town Center Development Agreement and Vote to Send Letter to KGI |
| 7:40 pm | 6.) | Discuss and Vote Board Portfolio Assignments |
| 7:55 pm | 7.) | Post Town Meeting Review; Plan for Special Town Meeting |
| 8:15 pm | 8.) | Discuss Council on Aging/Community Center Advisory Committee Charge and Next Steps |
| 8:35 pm | 9.) | Review and Vote to Approve Meeting Minutes for the Meetings of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016 |
| 8:45 pm | 10.) | Discuss and Vote to Approve Plan for Timely Preparation of Minutes; Vote to Send Response to George Harris' April 8, 2016 Open Meeting Law Complaint |
| 9:00 pm | 11.) | Review and Approve Consent Calendar (See Separate Sheet) |
| 9:05 pm | 12.) | Review Correspondence (See Separate Index Sheet) |
| 9:15 pm | 13.) | Report of the Town Administrator |
| 9:25 pm | 14.) | Selectmen's Reports and Concerns |
| 9:35 pm | 15.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 9:40 pm | 16.) | Adjourn |

5) ACCOUNTING:
TOWN CENTER
AGREEMENT

DATE: APRIL 19, 2016
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: FINAL ACCOUNTING UNDER MEMORANDUM OF AGREEMENT WITH KGI

REQUESTED ACTION:

VOTE TO ACCEPT AND SEND TO KGI THE REQUIRED FINAL ACCOUNTING UNDER THE TOWN CENTER DEVELOPMENT AGREEMENT

BACKGROUND

The Development Agreement with KGI includes terms for the final accounting of certain costs and consultant's expenses. A comprehensive accounting from 2006 to the present was developed by Financial Analyst Elizabeth Doucette. The Finance Director will review and finalize the document on Tuesday before the Board meets. Town Counsel will provide a letter of submittal for the Board to accompany the reconciliation which will be provided to the Board prior to Tuesday night's meeting.

ATTACHED:

Draft Final Accounting under Development Agreement

Town Center MOA 03/28/2006
 Amend. No. 1 10/20/2009, Section J2

MOA Sections	MOA	MOA Description	MOA Amount	Initial Deposit	Deposit Chk Date	Check NO.	Total Deposit	Account Expended	Paid to 20Wavland	Paid Chk Date
		Per Section J2: no reimb to Twenty Wayland up to \$400,000								
	B4	Payment for Review of Concept Plan, initial deposit of \$10,000 replenished when bal <= \$2,500, MGL c.44, §53G	\$ 10,000	\$ 10,000	07/31/06	#264	\$ 85,113.54	\$ 49,021.99		
	B5	Payment for Review of Plans & Docs Accompanying Appl for MSP, initial deposit \$25,000, replenished when bal <= \$5,000, MGL c.44, §53G	\$ 25,000	\$ 25,000	05/16/07	#497	\$ 195,976.87	\$ 100,377.85		
	B6	Payment for Review of Plans & Docs Accompanying Appl for Site Plan Review Phase I & II, initial deposit of \$15,000, replenished when bal <= \$3,000, MGL c.44, §53G	\$ 15,000	\$ 15,000	05/21/08	#800	\$ 55,000.00	\$ 90,218.41		
	B7	Payment for Review of Plans & Docs Before & During Construction, gift of \$150,000, MGL c.44, §53A	\$ 150,000	\$ 150,000	11/02/11	#1684	\$ 150,000.00	\$ 94,693.02	(1) \$90,000.00	2/4/2015
	B8	Management and Allocation of Escrow Accounts								
		TOTAL Deposit from Twenty Wayland					\$ 486,090.41	\$ 334,311.27		
		Earned Interest					\$ 3,235.72			
		TOTAL in Account (includes interest)					\$ 489,326.13	\$ 334,311.27		

B 4 - 7 Expense Total Falls under J2: \$400,000

Payments to Town of Wayland	\$ 486,090.41
Interest earned	\$ 3,235.72
Total Payments and Interest	\$ 489,326.13
Amount due to Town	\$ 400,000.00
Amount due to Twenty Wayland	\$ 89,326.13
Previous Payment to Twenty Wayland	\$ 90,000.00
Amount owed to Town	\$ 673.87

(1) Paid pursuant to verbal agreement between Twenty Wayland and Town to reimburse Twenty Wayland for estimated excess payments under Section B (4) - (7) of MOA.

*Draft for review by
Finance Director*

Town Center MOA 03/28/2006
 Amend. No. 1 10/20/2009, Section J2

MOA Sections	MOA	MOA Description	MOA Amount	Initial Deposit	Deposit Chk Date	Check No.	Total Deposit	Account Expended
Per Section J2: no reimb to Twenty Wayland up to								
Concept Plan Escrow Account	B4	Payment for Review of Concept Plan, initial deposit of \$10,000 replenished when bal <= \$2,500, MGL c.44, §53G	\$ 10,000	\$ 10,000	07/31/06	#264	\$ 85,113.54	\$ 49,021.99

	Detail Description	Vendor Number	Vendor Name	Date	Check No.	Deposit	Expense
				07/31/06	264	10,000.00	
				08/23/06	287	36,497.49	
				11/29/06	366	18,648.05	
				03/14/07	456	19,968.00	
						\$ 85,113.54	
	TOWN CTR - PEER REV/DESIGN ADS	2762	BOSTON GLOBE	09/25/06			331.50
	LEGAL AD TRANS PLAN	2762	BOSTON GLOBE	10/30/06			167.70
	PROF SERVICES 7/31-9/3/06	4792	CECIL GROUP	10/10/06			2,400.00
	PROF SVS 9/4-10/1, 10/30-12/30	4792	CECIL GROUP	01/08/07			19,642.37
	SVS. 10/2-10/29, 12/1-12/31/06	4792	CECIL GROUP	04/09/07			13,938.33
	PROF SVS 10/1-10/31/06	5041	TEC	01/08/07			4,651.60
	SVS 11/1/06-1/15/07	5041	TEC	04/09/07			7,890.49
	TOTAL						\$ 49,021.99

Draft for Review
 By Finance Director

Town Center MOA 03/28/2006
Amend. No. 1 10/20/2009, Section J2

MOA Sections	MOA	MOA Description	MOA Amount	Initial Deposit	Deposit Chk Date	Check No.	Total Deposit	Account Expended
Per Section J2: no reimb to Twenty Wayland up to \$400,000								
Special Permit Escrow Account including Attorney fees	B5	Payment for Review of Plans & Docs Accompanying Appl for MSP, initial deposit \$25,000, replenished when bal <= \$5,000, MGL c.44, §53G	\$ 25,000	\$ 25,000	05/16/07	#497	\$ 195,976.87	\$ 100,377.85

	Detail Description	Vendor Number	Vendor Name	Date	Check No.	Deposit	Expense
				05/16/07	497	25,000.00	
				11/30/07	569/628	25,615.62	
				12/12/07	670	17,813.17	
				03/31/08	696	26,000.00	
				03/31/09	971	25,000.00	
				04/30/09	1043/44	40,475.00	
				10/26/09	1158	21,073.08	
				12/08/09	1202	15,000.00	
						\$ 195,976.87	
	TOWN CTR 4/30-5/27/07	4792	CECIL GROUP	07/09/07			2,683.08
	CONSULT. SVS. 5/28-7/1/07	4792	CECIL GROUP	08/13/07			6,686.75
	PROF. SVS. 7/1-7/29/07	4792	CECIL GROUP	11/19/07			4,091.33
	PROF. SVS. 7/30-8/26/07	4792	CECIL GROUP	11/19/07			2,645.70
	PROF. SVS. 8/27-9/30/07	4792	CECIL GROUP	11/19/07			2,952.24
	SVS. 10/1-10/28/07	4792	CECIL GROUP	01/07/08			5,870.23
	PROF. SVS 10/29-11/25/07	4792	CECIL GROUP	01/28/08			1,169.92
	PROF. SVS 11/26-12/20/07	4792	CECIL GROUP	02/19/08			1,456.98
	SVS 1/31/07- 1/27/08 MUOD REVU	4792	CECIL GROUP	03/10/08			1,575.00
	TOWN CTR LEGL ADS 6/7, 6/14/07	1018	GATEHOUSE	07/23/07			33.90
	August 2007	3805	LANZA MARK	09/20/07			1,656.00
	12/27/07	3805	LANZA MARK	12/31/07			2,652.00
	LEGAL SERVICES	3805	LANZA MARK	12/31/07			2,616.00
	LEGAL SVS DEC. 2007	3805	LANZA MARK	01/28/08			6,073.01
	LEGAL	3805	LANZA MARK	01/31/08			2,088.00
	TOWN CENTER MASTER PLAN	3805	LANZA MARK	02/11/08			6,991.28
	PROF. SVS. 7/1-7/31/07	2948	MARCHIONDA	08/20/07			5,625.00
	PROF. SVS. 8/1-8/31/07	2948	MARCHIONDA	11/19/07			4,250.00
	PROF. SVS. 9/1-9/30/07	2948	MARCHIONDA	11/19/07			1,625.00
	SVS	2948	MARCHIONDA	01/07/08			7,112.50
	SVS 1/1 -1/31/08 TOWN CENTER	2948	MARCHIONDA	03/10/08			250.00
	TOWN CENTER 5/1-5/31/07	5041	TEC	07/09/07			577.18
	TOWN CTR 6/1-6/30/07	5041	TEC	07/23/07			4,122.50
	CONSULT. SVS. 6/1-6/30/07	5041	TEC	08/13/07			4,122.50
	PROF. SVS. 7/1-7/31/07	5041	TEC	08/20/07			3,913.81
	PROF. SVS. 8/1-8/31/07	5041	TEC	11/19/07			1,637.31
	PROF. SVS. 9/1-9/30/07	5041	TEC	11/19/07			4,234.05
	SVS. 10/1-10/31/07	5041	TEC	01/07/08			4,853.17
	PROF. SVS 11/1-11/30/07	5041	TEC	01/28/08			1,125.86
	PROF. SVS 12/1-12/31/07	5041	TEC	01/28/08			1,490.94
	PROF. SVS 1/1 - 1/30/08	5041	TEC	02/19/08			676.00
	0124.02 MUOD REVIEW TOWN CTR	5041	TEC	03/24/08			3,520.61
	TOTAL						\$ 100,377.85

DRAFT for review
By Finance Director

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Per Section J2: no reimb to Twenty Wavland up to \$400,000								
Site Plan Escrow Account including Attorney fees	B6	Payment for Review of Plans & Docs Accompanying Appl for Site Plan Review Phase I & II, initial deposit of \$15,000, replenished when bal <= \$3,000, MGL c.44, §53G	\$ 15,000	\$ 15,000	05/21/08	#800	\$ 55,000.00	\$ 90,218.41

Detail Description	Vendor Number	Vendor Name	Date	Check No.	Deposit	Expense
			05/21/08	800	15,000.00	
			09/03/08	882	15,000.00	
			12/09/08	969	25,000.00	
					\$ 55,000.00	
PROJECT NO. 12.04291.00	2002	BETA	10/29/12			912.50
PROJECT 12.04291.00	2002	BETA	10/29/12			5,345.00
PROJECT: 12.04291.00	2002	BETA	10/29/12			7,510.00
GATES LEIGHTON TOWN CENTER	2002	BETA	04/08/13			3,856.25
PLANNING	2002	BETA	10/07/13			4,103.46
PLANNING 12.04291.00	2002	BETA	10/28/13			1,832.50
PLANNING	2002	BETA	03/10/14			6,023.75
PLANNING	2002	BETA	03/24/14			1,737.56
PLANNING	2002	BETA	05/27/14			2,200.00
PLANNING	2002	BETA	06/23/14			712.50
SITE PLAN 3/31-4/27/08	4792	CECIL GROUP	07/14/08			1,226.22
TOWN CTR 4/28-5/25/08	4792	CECIL GROUP	10/27/08			780.00
TOWN CTR 5/26-6/29/08	4792	CECIL GROUP	10/27/08			6,427.03
TOWN CTR 6/30-7/27/08	4792	CECIL GROUP	10/27/08			8,616.54
TOWN CENTER 7/28-8/24/08	4792	CECIL GROUP	12/22/08			6,119.30
TOWN CENTER 8/25-9/28/08	4792	CECIL GROUP	12/22/08			6,033.64
TOWN CENTER 9/29-10/26/08	4792	CECIL GROUP	12/22/08			1,015.94
PLANNING	2036	CMG ENVIRONMEN	06/23/14			2,675.00
PLANNING	2036	CMG ENVIRONMEN	06/23/14			312.50
2008-078 TOWN CENTER PROJECT	2036	CMG ENVIRONMEN	01/05/15			312.50
LEGAL ADS 5/29 & 6/5/08	1016	GATEHOUSE	10/27/08			24.22
TOWN CTR ADS 7/24	1016	GATEHOUSE	10/27/08			29.06
TOWN CTR AD 8/5/08	1016	GATEHOUSE	10/27/08			14.53
SITE PLAN 4/1-4/30/08	2948	MARCHIONDA	07/14/08			937.50
TOWN CTR 6/1-6/30/08	2948	MARCHIONDA	10/27/08			625.00
TOWN CTR 7/1-7/31/08	2948	MARCHIONDA	10/27/08			7,625.00
TOWN CENTER 8/1-8/31/08	2948	MARCHIONDA	12/22/08			4,125.00
TOWN CENTER 10/1-10/31/08	2948	MARCHIONDA	12/22/08			4,562.50
SITE PLAN 5/1-5/31/08	5041	TEC	07/14/08			1,135.25
TOWN CTR 7/1-7/31/08	5041	TEC	10/27/08			1,590.55
TOWN CENTER 9/1-9/30/08	5041	TEC	12/22/08			852.15
TC TRAFFIC	5041	TEC	04/08/13			265.35
PLANNING 0124.02	5041	TEC	10/28/13			660.73
JUNE TRANSFER			06/30/08			19.38
TOTAL						90,218.41

*Draft for review
by Finance Director*

Town Center MOA 03/28/2006
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Per Section J2: no reimb to Twenty Wayland up to \$400,000									
Construction Escrow Account including Attorney fees	B7	Payment for Review of Plans & Docs Before & During Construction, gift of \$150,000, MGL c.44, §53A	\$ 150,000	\$ 150,000	11/02/11	#1684	\$ 150,000.00	\$ 94,693.02	

	Detail Description	Vendor Number	Vendor Name	Date	Check No.	Deposit	Expense	Paid to 20Wavland
				11/02/11	1684	150,000.00		
						\$ 150,000.00		
	Reimbursement to Twenty Wayland	4102	TWENTY WAYLAND	02/04/15				\$ 90,000.00
	BOH Septic proposal	2036	CMG ENVIRONMENTA	01/12/09			3,475.00	
	TOWN CTR CONSERVATION 10/30/08 INV DT	2036	CMG ENVIRONMENTA	03/25/09			8,812.50	
	TOWN CTR CONSERVATION 12/17/08 INV DT	2036	CMG ENVIRONMENTA	03/25/09			8,718.75	
	SERV 2-22 TO 3-31-09	2036	CMG ENVIRONMENTA	05/12/09			468.75	
	SERV 1-25 TO 2-21-09	2036	CMG ENVIRONMENTA	05/12/09			11,531.25	
	Serv 10-26 to 11-15-08	2036	CMG ENVIRONMENTA	05/12/09			20,606.25	
	CONSERVATION FEB 5 09 COMPLIAN	2036	CMG ENVIRONMENTA	10/26/09			18,493.75	
	TOWN CENTER PROJ-CONSERVATION	2036	CMG ENVIRONMENTA	07/19/10			3,812.50	
	TOWN CENTER PROJ - CONSERVATIO	2036	CMG ENVIRONMENTA	07/19/10			6,125.00	
	CONSERVATION SERVICES 2008-078	2036	CMG ENVIRONMENTA	09/07/10			2,906.25	
	TOWN CTR PROJECT	2036	CMG ENVIRONMENTA	12/20/10			4,906.25	
	CONSERVATION TOWN CENTER SERVI	2266	FLETCHER	10/18/10			570.00	
	WETLANDS FLAGGING	1074	SCHOFIELD BROS	06/20/11			3,000.00	
	REVIEW SIGNS ETC HISTORIC DIST	5041	TEC	03/30/09			343.20	
	0124.02 MUOD TOWN CTR	5041	TEC	04/21/09			546.77	
	0124.03 Glezen Lane Date Colle	5041	TEC	07/13/09			376.80	
	TOTAL						94,693.02	

DRAFT for review
by Finance Director

Board of Selectmen Portfolio Assignments for April 2015 through April 2016
Effective Date November 10, 2015

Mary Antes - term expires 2018

Conservation Commission
Community Preservation Committee
Council on Aging, Senior Property Tax Relief Committee
Council on Aging/Community Center Project
Historical Commission
Historic District Commission
Housing: Housing Authority, Housing Partnership, Affordable Housing, 40B projects
WayCAM Public Access Corporation; Cable Television Advisory Committee
Wayland Real Asset Planning Committee
Youth Advisory Committee

Lea Anderson - term expires 2018

Board of Assessors; Overlay Estimate; Tax Classification/ Tax Rate Hearing
Board of Health
Emergency Preparedness
Minuteman Regional Vocational Technical School
Planning Board and Zoning Board of Appeals
Public Safety Issues (Police, Fire, Including Ambulance, ALS Committee, Paramedic Services)
Surface Water Quality Committee
Technology Planning, Electronic Communication and Improvements to Town Website
Open Meeting Law/Town Clerk

Cherry Karlson - term expires 2017

Audit Committee
Economic Development Committee
Energy Initiatives Advisory Committee
Finance Committee, Fiscal/Budget Strategy; Capital Planning
OPEB Advisory Committee
Personnel Board, Collective Bargaining, Negotiation Strategy; Health Insurance
River's Edge Project/Sudbury Agreement
Schools
Town Counsel and Legal Services

Joe Nolan - term expires 2017

Board of Public Works; DPW facility Project
Library Board of Trustees
MetroWest 495 Partnership, MetroWest Regional Collaborative
Permanent Municipal Building Committee
Recreation Commission
Town Center, Town Green, Municipal Parcel
Transportation Issues (Rail Trail, Canoe Launch, Senior/Disabled Transit, TIP Projects/Funding)
Wastewater Management District Commission

7 STM SCHEDULE
11/15/16

2016 SPECIAL TOWN MEETING SCHEDULE

(Schedule for fall STM to begin on TUESDAY, NOVEMBER 15, 2016)

August 15	Selectmen vote on August 15 th to open warrant for Special Town Meeting; Hold Petitioners' Hearing.
August 24	Warrant opens Wednesday, August 24, 2016 at 8:30 a.m. through Thursday, September 1, 2016 at 4:30 p.m. <u>Note new requirement - Articles must include board, committee and petitioner comments.</u>
September 1	Last day to submit articles for Special Town Meeting at 4:30 p.m. Petitioners' articles must be submitted to the Selectmen's office with at least 100 signatures.
September 5	<i>Labor Day</i>
September 12	Finance Committee: Special Town Meeting Article Hearing
September 19	<u>Deadline for submission of revised petitioner's and board and committee sponsors' comments on STM articles at 4:00 pm.</u>
September 26	Selectmen review, order and vote on articles
October 5	<u>Deadline for submission of Special Town Meeting article comments from Finance Committee</u>
October 10	<i>Columbus Day - Town offices closed</i>
October 14	Compilation of Warrant completed and all changes made; Final Warrant copied and delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director; <u>Warrant sent to printer.</u>
October 24	Motions for articles submitted by Town Counsel and provided to Moderator and Town Clerk. Draft motions posted for public review.
October 24	Selectmen meet to sign warrant.
November 1	Date by which warrant will be posted by Constable and mailing of warrants. (Town Code 36-2A, MGL c. 39, s. 10 - No later than 14 days before TM)
November 4 by 8:00 p.m.	Last day before Town Meeting to register to vote (No earlier than 10 days before STM).
November 7	Selectmen review proposed motions ; Selectmen conduct Special Town Meeting Warrant Hearing with Moderator, 7:15 p.m. Large Hearing Room, Town Building.
November 8	<i>Presidential Election</i>
November 15	Moderator's instructions to tellers and list of non-resident employees provided to Moderator and Town Clerk ; Warrants, final errata sheets and supplemental material prepared, printed and delivered to Town Meeting site for distribution.
November 15	SPECIAL TOWN MEETING, TUESDAY 7:00 PM WAYLAND HIGH SCHOOL
November 16	Second day of Special Town Meeting, Wednesday 7:00 pm.

Note - Dates not set by general laws and town code may change.

Date of Document: 4/11/16

	PULLED ATM 2016 Articles
1	Petition the State Legislature to Remove All Police Personnel from the Provisions of Civil Service Without Affecting the Civil Service Rights of Incumbents
2	Petition the State Legislature to Adopt Special Act for Other Employment Benefits Trust Funds and Repeal Existing OPEB Trust Fund Special Act
3	Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials
4	Preservation of Historically Significant Buildings Through Demolition Delay
5	Regulating Temporary Signs Within Town-Owned Rights of Way
6	Home Occupation
7	Assisted/Independent Living and Nursing Home
8	Landscaping in Parking Areas Zoning Bylaw
9	Building Height
10	Sidewalk Construction in Roadside, Business Districts A and B, Light Manufacturing and Limited Commercial of the Zoning Bylaw
11	Conservation Cluster Developments
12	Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm – CPA Only
13	Amend Chapter 36 of the Town Bylaws Relative to Time for Debate at Town Meetings

**COUNCIL ON AGING/COMMUNITY CENTER
ADVISORY COMMITTEE**

The Council on Aging/Community Center (CoA/CC) Advisory Committee was established by the Board of Selectmen (BoS) on May 11, 2015 for the purpose of completing the work authorized at the April 2015 Annual Town Meeting under Article 26. The Committee's work includes: conducting a review of site conditions including environmental site assessments, identifying permitting needs, confirming program requirements, and creating conceptual and schematic designs for a facility on the proposed municipal pad at Town Center.

The responsibilities of the Committee include, but are not limited to, the following:

Phase I:

1. For the proposed Municipal Pad and CoA/CC proposal, identify permitting needs, environmental constraints and required testing, and site restrictions to ascertain the probability of conforming to those requirements;
2. Undertake required due diligence to assess the environmental site conditions at the proposed Municipal Pad for the purpose of acquisition and construction;
3. Evaluate the quality of the existing building and its capacity to meet program requirements;
4. Confirm program requirements for a Council on Aging / Community Center. Determine the capacity of the proposed Municipal Parcel to satisfy the program requirements;
5. Consider alternate municipally owned locations for the proposed CoA/CC.
6. Conduct a public forum to present the project status and proposal, receive community input and discuss potential recommendations. Meet with other boards/committees as necessary.
7. Make a recommendation to the BoS on the viability and suitability of the existing building for a CoA/CC.

Phase II:

1. Prepare space programming for a CoA/CC.
2. Create conceptual and schematic designs for a CoA/CC.
3. Conduct a public forum to present the project status and proposal, receive community input and discuss potential recommendations. Meet with other boards/committees as necessary.
4. Make a recommendation to the BoS on whether to pursue the project and request funds for the next stages.
5. At the request of the BoS, prepare a draft warrant article seeking further study and detailed design funding.

Working together, the Committee and the Public Buildings Director will determine the suitability of this parcel and the viability of this project including identifying the highest and best use for the parcel. The Board of Selectmen will consider all information from Phase I to decide whether to acquire the municipal parcel.

After fulfillment of this charge, the Committee will provide a final report to the BoS which summarizes the Committee's work and outcomes, after which the Committee will be disbanded or its charge will be revised.

Expenditure of town meeting approved funds to be approved by the BoS after recommendation, review and approval by the Committee.

The Committee is comprised of seven (7) voting members appointed by and serving at the pleasure of the Board of Selectmen, one each from the Council on Aging and the Recreation Commission (member or designee), and five residents of the Town. Some of the appointments will be based on professional, volunteer or vocational expertise with preference given to citizens possessing experience in any one of the following areas: conservation requirements, environmental regulations, community centers, building/construction, project management, construction law, building design and construction. Appointments should reflect various town demographics. All terms expire upon the final recommendation and report of the Committee at Town Meeting. (Anticipated to be 2016 Annual Town Meeting)

The Town Administrator, Council on Aging Director, Recreation Director, and Public Buildings Director will serve as ex-officio non-voting members of the Committee.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes February 1, 2016

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

A1. Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors At 6:02 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 21a(3), to discuss strategy with respect to pending actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors. 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, Police Chief Robert Irving, Town Counsel Mark Lanza, TEC Traffic Consultant Kevin Dandrade, Town Planner Sarkis Sarkisian, DPW Director Stephen Kadlik, Board of Public Works member Mike Lowery, Planning Board member Ira Montague, Associate Member of the Zoning Board of Appeals Linda Segal, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately forty-five minutes.

The Board returned to open session at 6:56 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 6:56 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. She reminded residents that dog license renewals were due January 15, and can be renewed online. She said Moody's had once again given the Town of Wayland an Aaa rating. M. Antes noted the upcoming Special Town Meeting on February 11, and said that nomination papers are due on February 16 for the Annual Town Election.

A3. Public Comment There was no public comment.

A12. 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.

A4. Special Town Meeting Warrant Hearing Chair C. Karlson opened the Special Town Meeting warrant hearing at 7:00 p.m. The Board was joined by Town Moderator Dennis Berry. L. Anderson explained that the ordering of the articles was recommended by the Minuteman Regional Vocational School. D. Berry reviewed the procedure for making amendments on the town meeting floor. L. Anderson said additional information will be posted on the town website. The Special Town Meeting warrant hearing was closed at 7:12 p.m.

A5. Discuss Petitioners' Request for Information for Town Meetings The Board was joined by Assistant Town Administrator/Human Resources Director John Senchyshyn to discuss petitioners' requests to include information in town meetings. He said concerns include the use of public funds for a private initiative, inadvertent errors, and the impact on staff time. He said the map in the current warrant was requested by the Finance Committee; however, it is the opinion of Town Counsel that petitioners should not be involved in the preparation of background materials.

A6. Update on February Special Town Meeting Logistics J. Senchyshyn reported on the logistics for the Special Town Meeting at the Middle School Auditorium, and he noted that the plan is to provide 275 chairs and 200 electronic voting handsets.

A7. Discuss FY17 Budget Requests: IT and Facilities N. Balmer reviewed the FY17 IT budget request. She said the recommended budget is \$937,466, and explained that the increase is due to additional staffing, Munis off-site hosting, system upgrades, training, and security systems. She said the budget can be reduced by \$187,938 by using the low-end estimates in the plan and eliminating the contingency fund. She provided an update on the work currently being done to increase security, provide training to the staff, and complete a master IT plan. The Board discussed the role of the new IT Director in budget matters, and the advisability of using the alternative, lower budget. It was the sense of the Board to approve the budget as presented. N. Balmer provided an update on the hiring process. She said a selection committee is being prepared, and a contract has been negotiated with the consultant RSM in the interim. J. Nolan suggested that a long-term agenda item would be to allocate the costs between the school and town budgets.

The Board was joined by Ben Keefe, Facilities Director, to discuss the FY17 facilities budget. He requested \$36,000 in FY17 funding to assist in project management. C. Karlson said the Finance Committee supports the request. J. Nolan noted that he is an employee of a firm that provides Owners Project Management (OPM) services, and will recuse himself if the company is retained for a municipal project.

A8. Report from WayCAM, Interview and Appointment of Jonathan Ward to the WayCam Board of Directors as the Representative of the Board of Selectmen The Board was joined by Renee Bryant, Chair of the WayCam Board of Directors, Jim Mullane, Executive Director, and Jonathan Ward, applicant to the Board of Directors, to review the WayCam budget. J. Mullane said that WayCAM is working within its budget, and according to its projections for the next ten years, they are fully funded. He discussed the project to upgrade to HD (high-definition). He said the current Comcast contract expires in 2022, and negotiations will begin in 2019. He invited Board members to the 30th Anniversary of WayCam Celebration being planned for the spring.

J. Ward reviewed his background and interest in serving on the WayCAM Board of Directors. He discussed his work in public television, engineering, and consulting for the MIT cable television system. The Board discussed the future of cable television and the internet. J. Mullane said that WayCAM has won three international awards for children's programming. J. Nolan moved, seconded by L. Anderson, to appoint Jonathan Ward to the WayCAM Board of Directors as the representative of the Board of Selectmen, for a term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A9. Meet with Town Treasurer The Board was joined by Zoe Pierce, Treasurer/Collector, to discuss bonding and finance issues.

L. Anderson moved, seconded by M. Antes, to award the bonds to Robert W. Baird at a True Interest Cost (TIC) of 2.13699%, with a premium of \$113,009.21. Bond Counsel (Locke and Lord) has prepared the formal documents. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Z. Pierce reviewed the rates for the refunding and refinancing of the debt. J. Nolan moved, seconded by M. Antes, to authorize the Treasure to refund the proposed bond issuances as listed : (a) 2003-interest savings of approximately \$25,000 over the life of the issuance, (b) 2005-interest savings of approximately \$250,000 over the life of the issuance, (c) 2006-interest savings of approximately \$27,000 over the life of the issuance, and (d) 2007-interest savings of approximately \$124,000 over the life of the issuance. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Z. Pierce provided the Board with the figures for the authorized but unissued debt; she confirmed that the debt figures have been vetted by the appropriate departments. J. Nolan moved, seconded by M. Antes, to recommend to Annual Town Meeting approval of the article, "Rescind Authorized by Unissued Debt." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Z. Pierce noted that Moody's had assigned a Aaa rating to the town. She said that she and the Finance Director, Brian Keveny, are working on an RFP for a Financial Advisor with a deadline for applications of mid-March. She advised the Board that Wayland currently has 51 tax title accounts, and said there are two options for the town: an auction and sale of the liens to a third party, or the development of an in-house process to determine the order of foreclosures. It was the consensus of the Board to have Town Counsel work with Z. Pierce to create a set of criteria to pursue foreclosures, as it provides the town more control. Z. Pierce said the cash is now reconciled through December 31, 2015, and the Board thanked her for resolving the issue.

A10. Discuss and Vote Positions on Annual Town Meeting Articles The Board reviewed and agreed upon the articles that could be identified for abbreviated motions. N. Balmer explained the need to have a town meeting vote on the article, "Adopt Massachusetts General Laws Chapter 44, Section 53 E ½, Revolving Accounts." She said it will become an annual article, and she reviewed the five funds involved. The Board discussed the issue of fees and offsets, and the use of a stabilization fund to move the excess funds. N. Balmer noted that the Recreation Commission has yet to finalize the actual dollar figure involved, citing the need to determine cash flow needs, the dispute over the exclusion of user fees from field maintenance, and the impact on the authority of the Recreation Commission. N. Balmer suggested a meeting between herself, the Recreation Commission, and the Department of Revenue to attempt to come to an agreement.

The Board was joined by Gretchen Schuler, Community Preservation Committee, to discuss the committee's articles. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Set Aside Community Preservation Funds for Later Spending." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the article, "Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund." 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 recommend for approval to Annual Town Meeting the article, "Appropriate Funds to Restore Monuments at North Cemetery." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

G. Schuler confirmed that the town owns the clock at the Community United Methodist Church tower in Cochituate, and a line item for the repair of the town clock was a standard line item in the budget until the 1980's. L. Anderson moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the article, "Appropriate Funds to Restore Cochituate Town Clock." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A11. Mainstone Farms: Vote to Approve Conservation Commission's Request for Special Counsel and Authorize Town Administrator to Take Next Steps G. Schuler said the Community Preservation Committee has agreed to fund up to \$5,000 in legal expenses to review the conservation restriction on the Mainstone Farm property, at the request of the Conservation Commission, due the complicated issue of the continued use of the land for farming. She said the legal opinion is not needed until the final wording of the restriction is confirmed by the Sudbury Valley Trustees and the Community Preservation Committee.

A10. Discuss and Vote Positions on Annual Town Meeting Articles (continued) N. Balmer reviewed the construction estimate for the Glezen Lane traffic mitigation. J. Nolan moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Fund Glezen Lane Traffic Control Measures." YEA: M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Anderson. Adopted 3-0-1.

J. Nolan moved, seconded L. Anderson, to withdraw from Annual Town Meeting the article, "Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

J. Nolan moved seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Amend Chapter 145 – Inspection, Testing, Maintenance of Private Fire Hydrants." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

J. Nolan moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the articles, "Establish 53D Recreation Revolving Fund for the Wayland Town Beach," and "Establish and Fund a Recreation Stabilization Fund." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

It was the sense of the Board to approve the Conservation Commission request for legal counsel.

A13. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence, and requested the issue of the allocation of wastewater capacity in regard to the library be placed on a future agenda.

A14. Report of the Town Administrator N. Balmer advised that the Facilities Director had provided his opinion on the future use of the Town Building to the Wayland Real Asset Planning (WRAP) Committee. C. Karlson asked that he also include financial information and how it fits into the thirty-year plan. N. Balmer said a selection committee has been appointed for the Library Owner's Project Manager. In regard to

the review of used car dealer's licenses, J. Nolan requested that the business owners be notified of the Building Commissioner's decisions.

A15. Selectmen's Reports and Concerns L. Anderson said the Town of Stow is meeting tonight on the Minuteman issue, and seven more member towns will be meeting next week. M. Antes reported on the Metropolitan Area Planning Council staffing plan, and the Board discussed the fee structure. C. Karlson said she is working with staff on the final reconciliation of escrow accounts with Twenty Wayland LLC. She reported on a meeting with State Representatives Carmine Gentile and Alice Peisch during their Wayland office hours on January 29 in regard to the Municipal Modernization bill. The Board agreed to review the bill and send comments to the Chair. C. Karlson announced that the Town now has a presence on Facebook and Twitter.

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

A17. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:23 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Included as Part of Agenda Packet for Discussion During the February 1, 2016, Board of Selectmen's Meeting

1. Memorandum of 2/1/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Petitioners' Articles
2. Memorandum of 2/1/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: February Special Town Meeting Update
3. Memorandum of 1/29/16 from Beth Doucette, Financial Analyst, to Board of Selectmen, re: Summary of IT Budget Revisions
4. Memorandum of 1/29/16 to Board of Selectmen re: Appointment of Jonathan Ward to the WayCAM Board of Directors for a Term to Expire on June 30, 2018
5. Memorandum of 1/13/16 from Zoe Pierce, Treasurer/Collector, to Board of Selectmen re: Treasurer's Presentation
6. Memorandum of 1/28/16 from Sherre Greenbaum, Chair, Conservation Commission, to Nan Balmer, Town Administrator, re: Request for Special Counsel for Acquisition of Mainstone Farm Conservation Restriction
7. Town Administrator's Report for the Week Ending January 29, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of February 1, 2016

1. Press Release, "Baker-Polito Administration Introduces Municipal Modernization Bill"
2. Press Release, 1/28/16, "Senate Committee Releases Public Records Bill"
3. Board of Selectmen Policy, Management of the Legal Affairs of the Town
4. Motions for February 11, 2016, Special Town Meeting
5. Draft Operating Budget Request, Information Technology, Fiscal Year 2017
6. PowerPoint Presentation, Information Technology FY17 Proposed Budget



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

Board of Selectmen Meeting Minutes February 9, 2016

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

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3) to Discuss Strategy with Respect To Collective Bargaining Pertaining to the Police Union At 6:48 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 21a(3), to discuss strategy with respect to collective bargaining pertaining to the police union. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer and Assistant Town Administrator/Human Resources Director John Senchyshyn. The Board will reconvene in open session in approximately fifteen minutes.

The Board returned to open session at 6:55 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 6:56 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. The Board reminded the public that the Special Town Meeting will held on Thursday, February 11, 2016, in the Middle School Auditorium. L. Anderson said that February 10 is the last day to register to vote for state presidential primary on March 1. C. Karlson thanked Stop & Shop for their donation of food during the recent snowstorm.

A4. 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 L. Anderson moved, seconded M. Antes, 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. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

A3. Public Comment There was no public comment.

A5. Swearing In of New Firefighter Paramedic This agenda item was moved to the meeting of February 22, 2016.

A6. Attend Finance Committee Budget Hearing This agenda item was moved to the meeting of February 16, 2016.

A7. Vote to Approve Recommendation of Library Owner's Project Manager Selection Committee to Appoint N. Balmer reviewed the procedure followed in regard to the Designer Selection Process,

RFQ #16-17. M. Antes moved to approve the order of finalists for hiring Owner's Project Manager Services for the Wayland Free Library Planning and Design Study and authorize negotiation with finalist in rank order. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

A8. Vote to Sign Massachusetts School Building Authority Statement of Interest for Loker Window Replacement Project L. Anderson moved, seconded by M. Antes, to authorize the School Superintendent to submit a Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA) Accelerated Repair Program (ARP) for Loker Elementary windows and exterior doors, followed by the text of resolution as shown in the attachment to the agenda, with the date of the open meeting of the Board of Selectmen revised to February 9, 2016. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

A9. Discussion and Vote Positions on Annual Town Meeting Articles The Board was joined by Cliff Lewis, member of the OPEB Advisory Committee, to discuss the OPEB article. Members discussed the difference of opinion between Town Counsel and the OPEB Advisory Committee, the overly complicated language of the proposed article, the impact of the Municipal Modernization Act, and whether any proposed changes would be within the scope of the current article. C. Lewis distributed a proposed amendment prepared by members of the OPEB Advisory Committee, noting it was not reviewed by counsel. It was the consensus of the Board to withdraw the article from the Annual Town Meeting, with a plan to submit it to a Special Town Meeting in the fall, unless Town Counsel advises that the proposed changes are in the scope of the article. The Board agreed to make a decision by February 22.

The Board was joined by Elisa Scola, Historical Commission, and Ira Montague, Planning Board, to review the article, "Preservation of Historically Significant Buildings Through Demolition Delay." E. Scola said a previous version failed due to the fifty-year time limit, so it has been changed to 100 years; in addition, the 15-day response time for the Historical Commission was extended to 21 days. She said the bylaw in its current form will affect approximately 200 homes. The Board discussed educating the residents about the proposal, contacting the owners of the affected homes, and reviewing the bylaw with the Town Counsel and the Finance Committee.

The Board was joined by Ira Montague, Planning Board, who reviewed the Planning Board articles, and Chris Brown, Chair, Board of Public Works, who reviewed the public works articles. M. Antes noted that the Board of Selectmen is working on a compatible sign policy to the proposed article from the Board of Public Works, "Regulating Temporary Signs Within Town-Owned Rights of Way," and suggested that the article be withdrawn until the article can be presented in conjunction with the Planning Board and the Board of Selectmen. C. Karlson thanked the highway department for its snow removal work over the weekend.

L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Preservation of Historically Significant Buildings Through Demolition Delay." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Transfer Custody of Small Portion of Lakeview Cemetery." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Fund Reconfiguration of the Five Paths Intersection (Cochituate Road and Old Connecticut Path)." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Fund Permanent

Reconfiguration of the Intersection of East Plain Street, School Street, and Route 30 (Commonwealth Road)." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Accept Modified Route 30 and 27 Intersection as a Town Way." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. The Board requested that the Board of Public Works withdraw the article, "Regulating Temporary Signs Within Town Rights-of-Way." M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Regulating Temporary Signs Within Town Rights-of-Way." YEA: none. NAY: L. Anderson, M. Antes, C. Karlson. ABSENT: J. Nolan. ABSTAIN: none. Motion fails, 0-3. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Recognize Citizens and Employees for Particular Service to the Town." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Compensation for Town Clerk." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. C. Karlson noted that the article regarding real estate tax exemptions has been revised and will not have to be voted at town meeting again. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Accept Law Increasing Real Estate Tax Exemption Amounts," with the revisions approved by Town Counsel. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Choose Town Officers." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Accept Gifts of Land" and "Confirmatory Taking of Newbury Conservation Land." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Sell or Trade Vehicles and Equipment." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0. L. Anderson moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Hear Reports." YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

The Board deferred the discussion regarding the order of articles to the next meeting. M. Antes reported on a letter from the Town Moderator, in which he advised that he met with petitioners in an attempt to have them withdraw the articles regarding the time for debate and remarks on articles, but they have shown no inclination to withdraw them.

A10. Discuss Municipal Modernization Act N. Balmer presented a draft letter prepared by John Senchyshyn, Assistant Town Administrator/HR Director, regarding the Municipal Modernization Act. She said all the department heads have advised her that the act will have a positive effect. L. Anderson moved, seconded M. Antes, to authorize the Town Administrator to send a letter to the state legislators expressing support for the Municipal Modernization Act. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

A11. 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. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes noted the praise from the Recreation Department regarding the tax workoff staff,

and C. Karlson expressed support for the memorandum written by N. Balmer regarding the request of the Town Clerk for an amended budget.

A13. Report of the Town Administrator N. Balmer noted a budget reduction of \$130,000 to the FY17 IT budget, updated the Board on the revolving funds, and advised that she will begin a review of the wastewater allocations of design capacity. The Board reviewed its upcoming meeting schedule.

A14. Selectmen's Reports and Concerns M. Antes said she will contact the petitioners that have submitted articles regarding the time for debate at town meeting to see if they will consider withdrawing or modifying their proposals. L. Anderson said four member towns of the Minuteman School have voted (Arlington, Stow, Acton and Concord), and she reviewed the schedule of the remaining towns. She said that she and Mary Ellen Castagno, Wayland Representative to Minuteman, will speak at Special Town Meeting. C. Karlson suggested that the Board begin to consider a date for a fall Special Town Meeting.

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

A16. Adjourn There being no further business before the Board, L. Anderson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:25 p.m. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 3-0.

Items Included as Part of Agenda Packet for Discussion During the February 9, 2016, Board of Selectmen's Meeting

1. Memorandum of 2/5/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: FY18 Budget Presentation
2. Memorandum of 2/5/16 from Ben Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, re: Owner's Project Manager Service for Wayland Free Library Planning & Design Study
3. Memorandum of 2/5/16 from Ben Keefe, Public Buildings Director, to Nan Balmer, Town Administrator, re: Statement of Interest for MSBA Accelerated Repair Program for Loker Elementary Windows and Exterior Doors
4. Draft Article List for the April 2016 Annual Town Meeting
5. Draft Letter of Support for Act Relative to Modernizing Municipal Finance and Government
6. Town Administrator's Report for the Week Ending February 5, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of February 9, 2016

1. Proposed Amendment to the OPEB Article prepared by members of the OPEB Advisory Committee



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BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes February 22, 2016

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

A1. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Health Insurance Negotiations with AFSCME, AFSCME 2, Police, Fire, Teamsters, Library, WTA, WESA, Cafeteria Workers and School Custodians; To Discuss Collective Bargaining With the Police Union At 6:16 p.m., C. Karlson moved, seconded by J. Nolan, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to health insurance negotiations with AFSCME, AFSCME 2, Police, Fire, Teamsters, Library, WTA, WESA, Cafeteria Workers and School Custodians, and to discuss collective bargaining with the Police Union. The Chair declares that a public discussion of these matters 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, Police Chief Robert Irving, Assistant Superintendent of Schools Brad Crozier, Benefits Manager Donna Lemoyne, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately forty-five minutes.

The Board returned to open session at 6:53 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 6:56 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 there will be a concert at the Wayland High School on February 26, sponsored by the Concert Series. L. Anderson reminded residents that Tuesday, March 1, is the Presidential Primary Election.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. The Board commended Harrison Brewton for his achievement of the highest award of Eagle Scout, Troop 1, Cochituate.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A3. Public Comment John Senchyshyn, Assistant Town Administrator/HR Director, introduced Sarada Kalpee, the new Veterans' Agent for Wayland from the West Suburban Veterans District. She discussed her background and her interest in outreach to the town's veterans.

A4. Swearing In of New Firefighter Paramedic Josiah David Fire Chief David Houghton commended Firefighter/Paramedic Will Tyree for his off-duty rescue of an elderly woman and her son in West Roxbury on Valentine's Day.

D. Houghton introduced new Firefighter Paramedic Josiah David, and he was sworn in by Assistant Town Clerk Diane Gorham. The Board welcomed him to Wayland.

A5. Annual Town Meeting: Discussion and Potential Vote on Positions on Articles The Board was joined by J. Senchyshyn to discuss the Civil Service article and the Personnel Bylaw article. In regard to civil service, he reviewed the impact on current staff, and said the comments provided by the Finance Committee provided a good explanation. C. Karlson asked if the article could be held until the Fall Special Town Meeting; J. Senchyshyn said yes, but he suggested that the Board take a position on it now. On the Personnel Bylaw article, he said there are two components: the recommendation to increase non-union salaries by 2 percent, and the recommended changes based on collective bargaining agreements (reduction of vacation accrual for new hires, and a cap on sick leave payout to new hires). He noted the inclusion of FTE counts.

L. Anderson addressed the Minuteman article to fund the new high school building project. She said that after this week, all sixteen member towns should have approved the new agreement, and the town should be able to pass over this article.

C. Karlson recommended that the OPEB article be withdrawn and held for the fall Special Town Meeting; she said the article is not fully prepared.

C. Karlson noted that a Recreation Commission meeting was not posted, and asked that a quorum not be present. The Board was joined by Recreation Commission members Brud Wright and Frank Krasin, Recreation Director Jessica Brodie, School Committee member Kathy Steinberg, and Chair of the Board of Library Trustees Aida Gennis, to discuss the library articles regarding the transfer of land at 202 Old Connecticut Path, and 207, 195 and 193 Main Street. A. Gennis said the articles must be considered now in order to keep the Planning and Design Study on track and make the Town eligible to apply for state library construction grant funds. She said they intend to work collaboratively with the Wayland Real Asset Planning (WRAP) Committee. Members discussed the potential use of the land for recreation, and maintaining access to the Middle School. C. Karlson asked about bus parking; K. Steinberg said it is part of the WRAP charge, and will be discussed further. A. Gennis reviewed the state timeline for library construction. J. Nolan asked if the Recreation Commission is still requesting to fund field design; B. Wright said the language has been changed to a feasibility study, and they will collaborate with the Board of Library Trustees and the School Committee to ensure the consultants are working together. J. Nolan moved, seconded by L. Anderson, to recommend to Annual Town Meeting the approval of the articles, "Transfer 193 and 195 Main Street to Library Trustees, Recreation Commission," and "Transfer 202 Old Connecticut Path to Library Trustees for Library Use." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A. Gennis discussed the need for the library property at 5 Concord Road to have a wastewater connection before it can consider expanding the current building. She said that if an architect is hired to design something with the existing building, the septic and leaching fields may need to be removed. She said it is also a requirement for the application to the Massachusetts Public Library Construction Program. N. Balmer reviewed the current municipal wastewater capacity, and said an engineering study is the next step. C. Karlson said the town needs to take a long-term view on the capacity issue, and held over the Board's decision until the next meeting.

Members reviewed the revised language for the Recreation article to fund a field design at 193-195 Main Street. B. Wright said the article would allow an expenditure from the stabilization fund for a feasibility study at the town building field and at 193/195 Main Street. He said the commission will meet with the Board of

Public Works to discuss a potential irrigation system at the town building field. Members discussed the advisability of including the possibility of an artificial turf field. The Board emphasized the need for accurate cost projections, as well as the potential need to address outstanding funds and incomplete projects.

N. Balmer discussed the need to approve revolving funds on an annual basis in the future. Members considered whether field maintenance should be considered a revolving fund expense that is supported by user fees, or whether it is an expense of the town from the general fund.

The Board was joined by Council on Aging/Community Center Advisory Committee members Bill Sterling, Steve Correia and Mark Foreman. B. Sterling reviewed the changes made to the article, including reducing the cost to \$425,000, and reducing the size of the building to 21,000 sq. ft. He reviewed the concerns of the Conservation Commission, and said that Tighe & Bond is providing a response; the alternative site analysis is still pending. J. Nolan said there are other outstanding issues, such as the ownership of the land and confirming the wastewater capacity. It was the sense of the Board to keep the article in the Annual Town Meeting.

Mike Lowery, Board of Public Works, said he will request that the Board of Public Works withdraw the sign bylaw, and the Board assured him that they will work collaboratively to submit an article to the Special Town Meeting.

The Board reviewed the standard finance articles. C. Karlson noted that there is one item in both articles, "Pay Previous Fiscal Year Unpaid Bills," and "Current Year Transfers," which relate to the Intermunicipal Agreement with Sudbury regarding the septage facility. The Board reviewed the Planning Board articles; Board members suggested that additional time would be helpful in providing more information to the voters.

The Board was joined by Elisa Scola, Historical Commission. Members asked if the Historical Commission would consider holding the demolition delay article until the fall Special Town Meeting.

L. Anderson moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the articles, "Pay Previous Fiscal Year Unpaid Bills," "Current Year Transfers," and "OPEB Funding." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. M. Antes moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the article, "Personnel Bylaws and Wage & Classification Plan." 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 take no position on the article, "Vote to Appropriate Funding for New Minuteman High School." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

J. Nolan moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, "Appropriate Funds for Design, Construction Documents and Bidding for a Proposed Council on Aging/Community Center at Wayland Town Center." 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 recommend for approval to Annual Town Meeting the article, "Petition the State Legislature to Remove All Police Personnel from the Provisions of Civil Service Without Affecting the Civil Service Rights of Incumbents." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

C. Karlson noted that the language of the OPEB article matches the state language, which the Board has recommended against. L. Anderson moved, seconded by M. Antes, to take no position on the article, "Petition the State Legislature to Adopt Special Act for Other Employment Benefits Trust Funds and Repeal Existing OPEB Trust Fund Special Act." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the article, "Adopt Massachusetts General Laws Chapter 44, Section 53 E ½, Revolving Funds." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

The Board did not take a vote on the article, "Funding to Design a Multi-Purpose, Rectangular, Artificial Turf Field at 193 & 195 Main Street, also Known as the Former DPW Site." The Board agreed to postpone its votes on the Planning Board articles, as the Planning Board may vote to withdraw the articles and hold them for the Special Town Meeting. The Board agreed to postpone the vote on the article, "Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm" until the Community Preservation Committee meets this week. C. Karlson said the petitioners will be at the meeting of February 29 to present their articles to the Board. She said petitioners will withdraw the article, "Amend Chapter 36 of the Town Bylaws Relative to Time for Debate at Town Meetings," as the Town Moderator has agreed to a modification of his rules. She said the remaining article may be changed to a resolution.

A6. Annual Town Meeting: Discussion and Potential Vote to Cosponsor Articles The Board discussed the two articles that will move Recreation funds from a revolving fund to a stabilization fund. J. Nolan moved, seconded by L. Anderson, to co-sponsor the articles, "Establish 53D Recreation Revolving Fund for the Town Beach," and "Establish and Fund a Recreation Stabilization Fund." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. The Board agreed to postpone its vote on the confirmatory taking of the Newbury conservation land until the Conservation Commission requests its cosponsorship.

A7. Annual Town Meeting, Discussion and Potential Vote to Withdraw Articles, and Vote to Order Articles The Board reviewed a draft order of articles for the 2016 Annual Town Meeting. The Board agreed to defer a decision on the withdrawal of articles until next week, as three boards are meeting this week and may withdraw their articles.

A8. Discuss Fall Special Town Meeting Dates The Board agreed to schedule a fall Special Town Meeting, and reviewed potential dates.

A11. Report of the Town Administrator N. Balmer reviewed a memorandum prepared by Katelyn O'Brien, HR Assistant, regarding the public information plan for Annual Town Meeting on Facebook, the website, and the media. She said the Garden Club and the Conservation Administrator have requested permission to mow the invasive plants along the edge of the front area of the town building.

A12. Selectmen's Reports and Concerns C. Karlson said she requested that the Finance Director provide a cover sheet to the warrant with a summary of the expenses. J. Nolan thanked the Chair and all Board members for their work in preparing for the Annual Town Meeting.

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

A14. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:47 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Included as Part of Agenda Packet for Discussion During the February 22, 2016, Board of Selectmen's Meeting

1. Town Administrator's Report for the Week Ending February 19, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of February 22 and 26, 2016

1. Letter of 2/22/2016 from Town Counsel Mark Lanza to Nan Balmer, Town Administrator, re: Recreation Department Financial Matters
2. Revised Article, Appropriate Funds for Design, Construction Documents and Bidding For a Proposed Council on Aging/Community Center at Wayland Town Center



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BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes February 29, 2016

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

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:02 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 Presidential Primary Election will be held tomorrow, March 1, and the League of Women Voters Civics Bee will be held on March 6 at the Weston Community Center. She noted that Wayland won the Civics Bee last year. L. Anderson announced "Coffee with Cops" on March 14 at Mel's Commonwealth Café, and said she will attend the Minuteman School Committee meeting tomorrow to review the next steps.

A2. Public Comment There was no public comment.

A12. 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.

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

A14. Report of the Town Administrator N. Balmer said the judge in the Glezen Lane case will hold in abeyance the requirement that the signs be re-erected until there is a written decision on motions before the court. In regard to the 150 Main Street litigation, she said the Massachusetts Appeals Court ruled that 150 Main Street LLC may amend the Land Court plan to replace "way" with "easement," and she reviewed the next steps in the process. She said the Treasurer has refinanced the town debt, and the health insurance increases came in lower than expected. She updated the Board on the Memorandum of Understanding between the School Committee, Board of Public Works, and Recreation Commission regarding town playing fields. She pointed out the notice from Minuteman regarding the approval of the new agreement and the withdrawal of six towns from the district, and she reported on her meeting with State Representative Gentile and State Senator Ross.

A3. Liquor License Hearing on Application filed by 110 Grill CW Wayland LLC, dba 110 Grill, for a New On-Premises Alcoholic Beverage License at 175 Commonwealth Road, and Discussion and Potential Vote on Common Victuallers License Application and Entertainment License Application At 7:15 p.m., the Chair opened the liquor license hearing on the application filed by 110 Grill CW Wayland LLC, dba 110 Grill, for a new on-premises alcoholic beverage license at 175 Commonwealth Road. The Board was joined by Kevin Eriksen, Attorney for 110 Grill CW LLC, and Douglas McLean, proposed manager of the Wayland restaurant. K. Eriksen said it will be the fifth location for the 110 Grill, and the company is locally owned and operated; he noted that there have been no liquor license violations in any of their restaurants. The Board reviewed and discussed the application. J. Nolan asked about the entertainment license application. K. Eriksen said that although they have requested seven nights a week, it is actually

infrequent, and he said they will be very conscious of the neighborhood and the volume. In regard to staffing, he said the principals been vetted and approved by the Alcoholic Beverages Control Commission. C. Karlson closed the hearing at 7:49 p.m.

The Board discussed the license applications; C. Karlson said she would like to see more specificity in the entertainment license. J. Nolan moved, seconded by M. Antes, that, pursuant to its meeting on February 29, 2016, the Board approve the application filed by 110 Grill CW Wayland LLC, dba 110 Grill, for a new all alcoholic beverage license to serve and sell such beverages to be drunk on the premises at 175 Commonwealth Road, Wayland, MA, with an opening time from 11:00 a.m. to 1:00 a.m., with last call being 30 minutes before closing. 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 approve the Common Victuallers License for the 110 Grill CW Wayland LLC, dba 110 Grill, for the year ending December 31, 2016. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. L. Anderson moved, seconded M. Antes, to approve the Entertainment License for the 110 Grill CW Wayland LLC, dba 110 Grill, with the amendment that it include acoustical music only, for the year ending December 31, 2016. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A4. Energy Advisory Committee Update on State Solar Programs and Potential Board of Selectmen Letter to Support Continued Program The Board was joined by John Harper of the Energy Initiatives Advisory Committee to provide an update on the state solar programs. J. Harper advised the Board that the solar project in the town building parking lot was delayed due to conservation concerns, and subsequently did not make it into the state program before the cap was reached on February 5, 2016. He urged the Board to support a letter to state legislators and the DOER (Department of Energy Resources) to provide an extension to the cap. M. Antes moved, seconded by L. Anderson, to send a letter to state legislators, the Commissioner and the Secretary of the DOER, and the Governor, to raise the net metering cap, increase the Solar Renewable Energy Credit (SRAC) incentive program, and pass an energy bill to require a balanced plan for net metering and SREC incentives. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A5. River's Edge Advisory Committee: Discussion and Vote to Approve Changes to Request for Proposal The Board was joined by Jerry Heller of the River's Edge Advisory Committee to discuss a revised RFP. J Heller said that substantial changes were made due to the concerns of the original respondents, including full due diligence before bidding and the interpretation of the requirements of the Fair Housing Law. J. Nolan asked if the revised RFP was consistent with the votes of town meeting; J. Heller said yes. It was the sense of the Board that the River's Edge Advisory Committee continue to work with Special Counsel to revise the RFP, put it in a final form in a redlined version, and bring it back to the Board of Selectmen for a final vote of approval.

A7. Annual Town Meeting Discussion: Article Z – Library Wastewater The Board was joined by Wastewater Management District Commission members Fred Knight, Sam Potter, and Rick Greene, Administrative Assistant Jane Capasso, Chair of the Board of Library Trustees Aida Gennis, and Library Director Ann Knight, to discuss wastewater capacity at the library. C. Karlson said this article was being submitted by the Board of Library Trustees in order to meet the requirements of the application under the Massachusetts Public Library Construction Program. The proposal is for the town to purchase additional capacity of 820 gallons per day; the Massachusetts Department of Environmental Protection has confirmed that they have no objection to the reallocation. The Board discussed whether the town had the flexibility to reallocate capacity amongst municipal buildings. F. Knight said there may be legal consequences to doing so,

as other users have been denied the ability to reallocate capacity. Members discussed the potential to combine and reallocate the 820 gallons with the 3,000 gallons allocated to municipal pad. F. Knight said the current use at the library is less than 200 gallons a day. S. Potter requested that the Board set a deadline for a commitment to the 820 gallons, so the commission can sell the allocation somewhere else if the town decides it doesn't need it. The Board discussed the current allocation to the town building, and the possibility that a greater allocation could be needed in the future if the use of the building changed. J. Nolan said the consolidated amount of the 3,000 gallons and the 820 gallons should go to the Board of Selectmen. C. Karlson suggested that the article include the 820 gallons per day in the text of the article, and that the Board of Selectmen be added as a co-sponsor. The Board discussed the potential impact on the Administrative Consent Order. J. Nolan moved, seconded by M. Antes, to co-sponsor the Annual Town Meeting article, "Fund Payment in Lieu of Sewer Betterment Assessment for Sewer Capacity for Town Library or Other Town Building." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. C. Karlson said she would like to have an engineering study done to determine what 3,000 gallons would support in terms of a building on the municipal pad.

A8. Annual Town Meeting: Discussion of all Articles and Vote on Potential Positions The Board was joined by Gretchen Schuler, Community Preservation Committee, to discuss the article on the Mainstone Conservation restriction. She said the committee voted 5-1 to amend the article by striking the funding from general borrowing and increasing the borrowing against Community Preservation funds to \$7 million, thereby providing that the entire project will be paid by Community Preservation funds. She said the wording of the conservation restriction will be available to post on the website before Annual Town Meeting. The Board reviewed the balances in the community preservation funds. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. C. Karlson noted that the address being used for the former DPW facility, 193-195 Main Street, is actually 207-195 Main Street, and will be revised for town meeting.

Petitioner Alice Boelter appeared before the Board to discuss the advantages of holding the Annual Town Meeting at the end of April every year. Petitioner Chris Riley appeared before the Board to discuss the two articles submitted in regard to limiting the time and improving the attendance of town meetings. He said the petitioners withdrew the article calling for a 30-minute limit per article in response to the agreement of the Town Moderator to test a compromise. He said the petitioners have also agreed to withdraw the article on a seven-minute time limit on remarks, and will submit a resolution instead. Petitioner Duane Galbi appeared before the Board to discuss the article to clarify petitioner access to Town Counsel; he said he will add a clause that allows the Board to address any conflict of interest. C. Karlson noted it would take away the ability of the Board to promulgate guidelines for consultation with counsel.

J. Nolan moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Fund Payment in Lieu of Sewer Betterment Assessment for Sewer Capacity of Town Library or Other Town Building." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, "Amend Chapter 36 of Current Bylaws (36-1)." YEA: none. NAY: L. Anderson, M. Antes, C. Karlson, J. Nolan. none. ABSENT: none. ABSTAIN: none. Motion failed, 0-4. L. Anderson moved, seconded by J. Nolan, to recommend for approval to Annual Town Meeting the article, "Clarify Petitioner Access to Town Counsel." YEA: none. NAY: L. Anderson, M. Antes, C. Karlson, J. Nolan. none. ABSENT: none. ABSTAIN: none. Motion failed, 0-4. J. Nolan moved, seconded by M. Antes, to recommend for approval to Annual Town Meeting the article, which will become a resolution,

Items Included as Part of Agenda Packet for Discussion During the February 29, 2016, Board of Selectmen's Meeting

1. Announcement, "Coffee with Cops," March 14 at Mel's Commonwealth Café
2. Application filed by 110 Grill CW Wayland LLC, dba 110 Grill, for a New On-Premises Alcoholic Beverage License at 175 Commonwealth Road Common, and Common Victuallers License Application and Entertainment License Application
3. Sample Letters to State Representatives and Senator re: Energy Initiatives Advisory Committee Activities
4. Conclusions on Revisions to River's Edge RFP, from River's Edge Advisory Committee, February 24, 2015
5. Annual Town Meeting Articles for Discussion
6. Town Administrator's Report for the Week Ending February 26, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of February 29, 2016

1. Memorandum of 3/2/2106 from Petitioners to Board of Selectmen re: Streamlining Town Meeting Discussion
2. Massachusetts Municipal Association Best Practices Series, January 2016, Fiscal Policy Committee, Municipal Reserves
3. Revision of Article 30, Annual Town Meeting, Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm
4. Revision to Article Z: Sewer Capacity for Library
5. Email of 2/29/16 from Wayland Real Asset Planning (WRAP) Committee to Board of Selectmen re: Annual Town Meeting 2016 Articles
6. Open Meeting Law Complaint filed February 26, 2016, from George Harris, re: Public Notice of Executive Session, February 1, 2016
7. FY17 Budget for Adoption by Finance Committee, February 29, 2016

“Amend Chapter 36 of the Town Bylaws Relative to Remarks at Town Meetings.” C. Karlson advised that she has two household members who signed the petition, and stated that she does not stand to benefit financially. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by M. Antes, to take no position on the article, “Funding to Design a Multi-Purpose, Rectangular, Artificial Turf Field 193 and 195 Main Street, Also Known as the Former DPW Site.” YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

It was the consensus of the Board to place the “Hear Reports” online. M. Antes moved, seconded by L. Anderson, to recommend for approval to Annual Town Meeting the article, “FY17 Omnibus Budget.” YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A10. Annual Town Meeting: Discussion and Potential Vote to Withdraw Articles; Review and Confirm Order of Articles The Board reviewed the proposed order of the articles. It was the sense of the Board to authorize the Chair to work with the Town Administrator to finalize the order of the articles.

A9. Discussion with Town Moderator The Board was joined by Town Moderator Dennis Berry to discuss town meeting procedures. The discussion included the use of abbreviated procedures, moving towards a consent calendar, setting a goal for each session, and the use of the motion to terminate debate. J. Nolan commended the Town Moderator for working with petitioners to consider options to limit the time of each article.

A11. Discuss Annual Town Meeting Public Information Plan The Board discussed the use of the website, Facebook, and the media to provide information on the town meeting.

A15. Selectmen’s Reports and Concerns M. Antes discussed the League of Women Voters Candidate’s Night; she said that as there are no contested seats, they are considering discussing the town meeting issues. C. Karlson said that in regard to the February Special Town Meeting petitioners’ article on Stonebridge Road, the Board should consider talking with the neighbors and pursuing an appeals process with the Massachusetts Department of Transportation. She expressed concern about the presentation of the Wayland Real Asset Planning (WRAP) Committee report, noting that it only advised on two articles. M. Antes said there was a suggestion that WRAP collect information and then hire someone to make recommendations; L. Anderson said the report was not ready for town meeting. The Board discussed the Open Meeting Law complaint filed by George Harris regarding the February 1 executive session. C. Karlson said the issue is whether the Board of Selectmen can discuss legal matters in executive session when they are not a named party. She asked to have the executive session minutes of February 1 prepared for the next meeting for Board review.

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

A17. Adjourn There being no further business before the Board, L. Anderson moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:44 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.



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

Board of Selectmen Meeting Minutes March 7, 2016

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

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:02 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 Wayland won the Civics Bee sponsored by the League of Women Voters. She said Candidate's Night will be Thursday, March 17. L. Anderson announced that all sixteen Minuteman member towns have completed certified votes from their Special Town Meetings, and by March 15, it will be a signed document; the Minuteman School Committee will then vote on bonding. She said the Wayland-Sudbury-Lincoln Domestic Violence Roundtable will hold a panel discussion in the Wayland Public Safety Building on Tuesday, March 8.

A2. Public Comment Beth Klein, Town Clerk, requested that the dates for the fall Special Town Meeting be either at the end of September, or after the Presidential Election in November.

A3. Meet with Police Chief to Discuss Letter to Massachusetts Department of Transportation on Stonebridge Road The Board was joined by Robert Irving, Chief of Police, to review a letter to the Massachusetts Department of Transportation regarding Stonebridge Road traffic. He said the letter asks for a reconsideration of the 2014 decision not to amend the speed limit for 4/10 of a mile from 35 MPH to 30 MPH. He said recent traffic counts have shown a slight reduction in speed. The Board discussed traffic calming measures such as speed bumps and a flashing speed limit sign. Chris Brown, Chair, Board of Public Works, said his Board had decided against the use of speed bumps. Duane Galbi, 190 Stonebridge Road, requested that the letter be sent immediately. The Board revised the language of the letter to emphasize safety, describe the dangerous curves in the road, and request a consistent speed limit along the entire length of the road. J. Nolan moved, seconded by L. Anderson, to send the letter to the Massachusetts Highway Department with regard to speed limits on sections of Stonebridge Road, as modified by the Chief of Police and the Town Administrator. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar, with an edit to correct a typographical error in the letters to legislators and the Baker administration regarding State Energy Programs. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A7. Discuss any Town Meeting Issues C. Karlson said the warrant for the Annual Town Meeting will go to the printer on Thursday this week.

A4. Discuss and Authorize Response to Open Meeting Law Complaint The Board was joined by Town Counsel Mark Lanza to review the Open Meeting Law complaint filed by George Harris. C. Karlson said that in conversation with G. Harris, he indicated that he approved of the Board's intent to review legal cases, but said the Board did not have standing to review cases in which they are not a named party. She said he was invited to attend the meeting tonight but declined. M. Lanza reviewed case law; he said he considers it settled law that the Board of Selectmen can review cases in executive session, even if not named in the case, because the Board provides and funds Town Counsel. He said it is his opinion that the Board did not violate the Open Meeting Law. He said the the Board can revise its policy; for example, by including a member of the Board or Committee involved in the legal issue in the executive session, but it should not be compelled by a misunderstanding of the law. J. Nolan noted that the same case is referenced in support of both the allegation and the defense; M. Lanza said it is not uncommon to have different interpretations. The Board reviewed and edited the draft response. J. Nolan moved, seconded by M. Antes, to approve the response to the Attorney General in regard to the Open Meeting Law filed by George Harris on February 26, 2016, as drafted by Town Counsel and revised by the Board of Selectmen. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. M. Antes thanked C. Karlson for her efforts to maintain strict adherence to the Open Meeting Law; C. Karlson noted the difficulty of finding clarity in the law.

A5. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors and to Review and Consider for Approval the Executive Session Minutes of February 1, 2016, Relative to the Said Subjects At 7:58 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 21a(3), to review and consider for approval the executive session minutes of February 1, 2016, relative to the following subjects: pending actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors. 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 and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately ten minutes.

The Board returned to open session at 8:10 p.m.

A6. Potential Vote to Release Executive Session Minutes of February 1, 2016 M. Antes moved, seconded by J. Nolan, to release the executive session minutes of February 1, 2016, with redactions. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A8. Review Special Town Meeting Date and Calendar of Selectmen's Meetings through June The Board reviewed the calendar of potential Selectmen's meetings through June 2016. C. Karlson reviewed the fall calendar for a potential Special Town Meeting date. The Board asked the Town Administrator request that the Town Moderator and the Town Clerk consider either October 5-6, 2016, or November 16-17, 2016 for the Special Town Meeting.

A11. Report of the Town Administrator N. Balmer said she is scheduling a meeting next week with the relevant department heads to discuss wastewater capacity. She said topics will include betterment billing and accounting, the need for a financial analyst, a review of Town Center allocations, the process for assigning design flow, the close-out of the remaining \$236,000 from the borrowing for the wastewater facility, and the future administration of the Wastewater Management District Commission. She said the application for the Massachusetts Historic Preservation grant for the Stone's Bridge Arch Project will be ready for Board review and approval at the next meeting.

A12. Selectmen's Reports and Concerns L. Anderson reported on a meeting on March 4 with Senator Ross and Representative Gentile at the Department of Revenue regarding the circuit breaker. She noted that Wayland is the only town that matches the state funding. She said a resident told her it was difficult to hear the Board conversation in the Selectmen's Meeting Room. J. Nolan reported that he will be attending the Association of Regional Transportation Authorities in Boston as the Chair of the MetroWest Regional Transportation Authority. C. Karlson asked for an update on the Mainstone project; N. Balmer said the Board should be seeing a contract soon. M. Antes said the local assessment for the Metropolitan Area Planning Council has been determined to be \$6,818.

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

A14. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 8:49 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Items Included as Part of Agenda Packet for Discussion During the March 7, 2016, Board of Selectmen's Meeting

1. Draft Letter of 3/3/16 from Board of Selectmen to Mass Highway, prepared by Police Chief Robert Irving, re: Speed Limit on Stonebridge Road
2. Open Meeting Law Complaint filed February 26, 2016, from George Harris, re: Public Notice of Executive Session, February 1, 2016
3. Board of Selectmen Legal Affairs Policy
4. Open Meeting Law Complaint Regulations
5. Article List for 2016 Annual Town Meeting
6. Proposed Meeting Schedule, Board of Selectmen
7. Town Administrator's Report for the Week Ending March 4, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of March 7, 2016

1. None

DATE: APRIL 19, 2016
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: PLAN FOR TIMELY PREPARATION OF MEETING MINUTES OF THE BOARD OF SELECTMEN

REQUESTED ACTION:

VOTE TO SEND RESPONSE TO GEORGE HARRIS' OPEN MEETING LAW COMPLAINT DATED APRIL 8, 2016 TO MA DIVISION OF OPEN GOVERNMENT AND VOTE TO ADOPT A PLAN FOR THE TIMELY APPROVAL OF MEETING MINUTES OF THE BOARD OF SELECTMEN

PLAN FOR TIMELY PREPARATION & APPROVAL OF MEETING MINUTES

Effective at the May 2, 2016 Board of Selectmen meeting:

1. The Board will assign one member responsibility for monitoring the timely approval of open session minutes by the Board and for reviewing and editing minutes as soon as draft minutes are produced by staff. The Chair will be responsible for monitoring the timely approval of executive session minutes and will conduct a periodic review for potential release of executive session minutes.
2. Meeting minutes will be submitted to the Board of Selectmen for approval within 5 weeks of the date the meeting occurred.
3. "Review and Vote to Approve Minutes" will be included on the agenda of every meeting of the Board of Selectmen.
4. The Executive Assistant is responsible for preparation of Board minutes.
5. The Human Resources Assistant will prepare minutes as needed under the supervision of the the Executive Assistant.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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JOSEPH F. NOLAN

NAN BALMER
TOWN ADMINISTRATOR
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DRAFT - REVIEWED BY TOWN COUNSEL

April 19, 2016

Juliana deHaan Rice, Deputy Chief
Division of Open Government
Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place, 20th Floor
Boston MA 02108

RE: Open Meeting Law Complaint of George H. Harris, April 8 2016

Dear Ms. deHaan Rice,

I am writing to you pursuant to 940 CMR 29.05(5) relative to the above-referenced Open Meeting Law Complaint. A copy of the Complaint and enclosures, which were filed on April 8, 2016, are enclosed.

The complaint states that the minutes of the Board of Selectmen meetings of January 11, 25, and 27, 2016 and February 1 and 8, 2016 are not yet approved by the Board. The complainant requests:

1. At its next meeting, the Board shall acknowledge its violation of the Open Meeting Law.
2. The Board shall without further delay approve and release the subject minutes.
3. The Board should be fined for engaging in intentional violations, with a view to inducing the Board's future compliance with the Open Meeting Law.

The Board responds as follows:

1. The Board acknowledges its errors above in the specific instances.
2. The Minutes of the Board meetings of January 11, 25, and 27th 2016 were approved on April 4 and 11, 2016. The minutes of the Board meetings of January 27, February 1, 9 (snow date for February 8), 22, and 29, and March 7, 2106 were approved on April 19, 2016.
3. On April 19, 2016 the Board voted to adopt the attached plan for the timely preparation of its meeting minutes.

The Board will comply with the Open Meeting Law. The Board accepts its responsibility to make its meetings transparent and open. In 2015, the Board met 41 times. All agendas and full meeting information packets are posted online in advance of every meeting. Each session was recorded by WayCam, Wayland's local access cable station. The meetings are usually broadcast live and recordings are available for viewing online at no cost shortly after each meeting. Finally, 38 of 41 sets of minutes from 2015 are completed, approved and available online.

The Board is aware of Open Meeting Law requirements for the timely preparation of meeting minutes and expects that approval of minutes will meet required standards for timely approval in the future. The Board is committed to completing the minutes from 2015 and those from 2016 in due course. On May 2, 2016, the Board will review and discuss outstanding Executive Session minutes.

Accordingly the board requests that the Attorney General's office determines that no additional remedial action is necessary or appropriate pursuant to the above-referenced complaint.

Sincerely,

Cherry Karlson, Chair
Board of Selectmen

cc: George H. Harris
Town Counsel Mark J. Lanza

enc: Open Meeting Law Complaint of George Harris Esq., April 8, 2016
Plan for Timely Preparation of Minutes, 4/19/16



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: George Last Name: Harris

Address: 8 Holiday Road

City: Wayland State: MA Zip Code: 01778

Phone Number: 5083582379 Ext. _____

Email: geoharris2@gmail.com

Organization or Media Affiliation (if any): None

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Wayland Board of Selectmen

Specific person(s), if any, you allege committed the violation: _____

Date of alleged violation: April 8, 2016

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

Please see attached statement (with 5 exhibits) for a full explanation.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Please see attached statement.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.

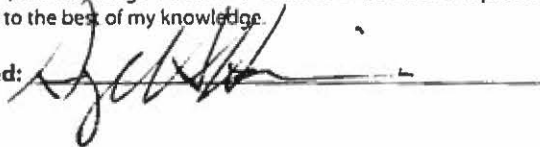
II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 04/08/2016
For Use By Public Body For Use By AGO
Date Received by Public Body: Date Received by AGO:

OPEN MEETING LAW COMPLAINT

This is a complaint that the Wayland Board of Selectmen (Board) intentionally violated the Open Meeting Law by failing to create and approve in a timely manner minutes of 5 open meetings as required under G. L. c. 30A. §§ 22(a), (c).

Background

In determination OML 2015-79, dated June 2, 2015, the Attorney General found that the Board had failed to create and approve minutes for 10 open meetings in a timely manner (that is, within two months). The Board acknowledged its violations and directed the Town Administrator "to develop and provide the Board with a plan for timely creation and approval of meeting minutes to comply with the requirements of the Open Meeting Law." The AGO advised the Board that "we recommend that minutes be approved at the next meeting whenever possible. See OML 2013-173; OML 2013-37; OML 2012-91."

On March 10, 2016, I filed with the Board another Open Meeting Law complaint alleging that it again failed to timely create and approve minutes for 3 meetings held on December 7 and 14, 2015 and January 4, 2016. In its response letter to the AGO dated March 21, 2016, the Board acknowledged its new violations and again pledged to comply with the Open Meeting Law by timely preparing meeting minutes in the future.

The Present Complaint

The Board has not timely created and approved minutes for the following 5 open meetings: January 11, 25, and 27 and February 1 and 8, 2016.¹ See Exhibits 1-5 attached hereto. The table below summarizes these violations. For example, 12 weeks have elapsed after the Jan. 11 meeting to April 8, 2016 (date of this complaint), and during that period the Board held 13 meetings at which it could have approved the minutes (but failed to do so).

¹ Most of these minutes when created will contain discussions of matters relating to the April 7, 2016 Annual Town Meeting. However, these minutes may not be released until after Town Meeting ends, when they will be essentially useless. The AGO's timeliness standard of two months for public bodies meeting weekly (that is, up to 9 meetings later) seems excessive and not very helpful to the public.

<u>Meeting Date</u>	<u>Elapsed Weeks</u>	<u>Subsequent Meetings</u>
Jan. 11	12	13
Jan. 25	10	12
Jan. 27	10	10 (minutes were approved April 4, 2016)
Feb. 1	9	10
Feb. 8	8	9

These violations were intentional because the Board knowingly failed to timely create and approve minutes.² On the basis of its admissions in OML 2015-79, there is no question that the Board was and is aware of its obligation to create and approve minutes in a timely manner. See also its March 21, 2016 letter to the AGO. There is also no question that the Board knew that minutes approved two months or more after a meeting are untimely. The Board mistakenly blames these errors on its overworked staff. The Board was well aware that it was not honoring its prior pledge to comply with the Open Meeting Law's requirement to timely approve minutes.

The Board has significant resources at its disposal with which to timely create minutes. The Board administers an annual total town office budget of about \$546,000 with a staff of five. If it needs more money to pay for additional clerical services to ensure the timely creation of minutes, it can ask the Finance Committee (which it appoints) for a Reserve Fund transfer at any time. Furthermore, nothing prevents the current four Board members themselves (there is one temporary vacancy) from timely creating minutes; many public bodies do this without staff assistance. In short, there is no justification for the Board (1) to have failed to timely create and approve minutes following its confirmed violations in OML 2015-79 and (2) to have blamed those failures on its staff. The violations were intentional.

ACTIONS REQUESTED

1. At its next meeting, the Board shall acknowledge these violations of the Open Meeting Law.
2. The Board shall without further delay approve and release the subject meeting minutes.
3. The Board should be fined for engaging in intentional violations, with a view to inducing the Board's future compliance with the Open Meeting Law.

² All four current members of the Board held office in June 2015 when OML 2015-79 was issued and are on notice thereof.



MAN BALMER
TOWN ADMINISTRATOR
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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

EXHIBIT 1

BOARD OF SELECTMEN
Monday, January 11, 2016
Wayland Town Building
Selectmen's Meeting Room

REVISED Proposed Agenda

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

- 7:00 pm 1.) Call to Order by Chair
 • Announcements; Review Agenda for the Public
- 7:02 pm 2.) Public Comment
- 7:15 pm 3.) Attend Finance Committee's Special Town Meeting Warrant Article Hearing
- 7:35 pm 4.) Potential Vote to Amend the Location of the February 11, 2016, Special Town Meeting
- 7:40 pm 5.) Special Town Meeting
 a.) Petitioners' Workshop
 b.) Vote Positions on Articles to Amend Minuteman Agreement and to Withdraw from the Minute School District
 c.) Discuss Special Town Meeting Logistics/Budget
- 8:05 pm 6.) Discuss Massachusetts Gas Leaks Legislation with Paul Dale, Sierra Club, and Vote to Adopt Resolution
- 8:15 pm 7.) Annual Town Meeting 2016: Discussion and Review List of Potential Articles and Vote to Submit Articles
 a.) Petition Legislature for New Special Legislation for OPEB and Rescind OPEB Special Act
 b.) Petition Legislature regarding Police Civil Service
 c.) Amend Private Fire Hydrant Bylaw
 d.) Fund Next Step in Council on Aging/Community Center Project
 e.) Fund Glezen Lane Construction of Permanent Turn Restrictions on Glezen Lane
 f.) Authorize 53 E 1/2 Accounts
 g.) Allow Town Counsel to Speak at Meeting Without Meeting Vote
 h.) Minuteman Borrowing for New School
 i.) Authorize Confirmatory Taking of Newbury Conservation Land

**BOARD OF SELECTMEN
Monday, January 11, 2016
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda Two

- 9:15 pm 8.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:20 pm 9.) Review Correspondence (See Separate Index Sheet)
- 9:30 pm 10.) Report of the Town Administrator
- 9:40 pm 11.) Selectmen's Reports and Concerns
- 9:50 pm 12.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 9:55 pm 13.) Adjourn



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TOWN OF WAYLAND

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BOARD OF SELECTMEN
ISA T. ANDERSON
MARY M. ANTIS
CHERYL C. KARLSON
JOSEPH F. NOLAN

EXHIBIT 2

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 21B(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
• 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 23, 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

EXHIBIT 3



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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

JEFF ANDERSON
MARY M. ANTES
CHERRY CARLSON
JOSEPH F. MOLAN

BOARD OF SELECTMEN

Wednesday, January 27, 2016
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda

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

- | | |
|----------|--|
| 12:00 pm | 1.) Call to Order by Chair <ul style="list-style-type: none">• Announcements; Review Agenda for the Public |
| 12:02 pm | 2.) Public Comment |
| 12:05 pm | 3.) Vote to Sign Warrant for February 2016 Special Town Meeting |
| 12:10 pm | 4.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 12:15 pm | 5.) Adjourn |

EXHIBIT 4



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TOWN OF WAYLAND

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

BOARD OF SELECTMEN
Monday, February 1, 2016
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda

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

- 6:00 pm 1.) Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors
- 6:45 pm 2.) Call to Order by Chair
 - Announcements; Review Agenda for the Public
- 6:47 pm 3.) Public Comment
- 7:00 pm 4.) Special Town Meeting Warrant Hearing
- 7:20 pm 5.) Discuss Petitioners' Request for Information for Town Meetings
- 7:25 pm 6.) Update on February Special Town Meeting Logistics
- 7:30 pm 7.) Discuss FY17 Budget Requests: IT and Facilities
- 7:45 pm 8.) Report from WayCAM, Interview and Appointment of Jonathan Ward to the WayCam Board of Directors as the Representative of the Board of Selectmen
- 8:15 pm 9.) Meet with Town Treasurer:
 - Vote to Award Bonds
 - Vote to Refund/Refinance Debt
 - Vote to Recommend Annual Town Meeting Article L: Rescind Debt
 - Update (RFP, Tax Liens, Cash Reconciliation)
- 8:45 pm 10.) Discuss and Vote Positions on Annual Town Meeting Articles, Including:
 - Identify Abbreviated Motion Articles
 - (P) Fund Glezen Lane Traffic Control Measures
 - (S) Adopt Massachusetts General Laws Chapter 44, Section 53 E 1/2 , Revolving Accounts

**BOARD OF SELECTMEN
Monday, February 1, 2016
Wayland Town Building
Selectmen's Meeting Room
Proposed Agenda Page Two**

- (T) Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials
 - (V) Amend Chapter 145 – Inspection, Testing, Maintenance of Private Fire Hydrants
 - (FF) Establish 53D Recreation Revolving Fund for the Wayland Town Beach
 - (GG) Establish and Fund a Recreation Stabilization Fund
 - (OO) Set Aside Community Preservation Funds for Later Spending
 - (PP) Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund
 - (QQ) Appropriate Funds to Restore Monuments at North Cemetery
 - (RR) Appropriate Funds to Restore Cochituate Town Clock
- 9:30 pm 11.) Mainstone Farms: Vote to Approve Conservation Commission's Request for Special Counsel and Authorize Town Administrator to Take Next Steps
- 9:45 pm 12.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:50 pm 13.) Review Correspondence (See Separate Index Sheet)
- 10:00 pm 14.) Report of the Town Administrator
- 10:10 pm 15.) Selectmen's Reports and Concerns
- 10:20 pm 16.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:25 pm 17.) Adjourn



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TOWN OF WAYLAND

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

BOARD OF SELECTMEN
Monday, February 8, 2016
Wayland Town Building
Selectmen's Meeting Room

**IF THIS MEETING IS CANCELLED DUE TO INCLEMENT WEATHER,
THEN IT WILL BE HELD ON TUESDAY, FEBRUARY 9, 2016**

Revised Proposed Agenda

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

- 6:45 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3) to Discuss Strategy with Respect To Collective Bargaining Pertaining to the Police Union
- 7:00 pm 2.) Call to Order by Chair
 - Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) 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
- 7:15 pm 5.) Swearing In of New Firefighter Paramedic Josiah David
- 7:30 pm 6.) Attend Finance Committee Budget Hearing
- 8:15 pm 7.) Vote to Approve Recommendation of Library Owner's Project Manager Selection Committee to Appoint
- 8:25 pm 8.) Vote to Sign Massachusetts School Building Authority Statement of Interest for Loker Window Replacement Project
- 8:35 pm 9.) Discussion and Vote Positions on Annual Town Meeting Articles, Including But Not Limited To:
 - Discuss Order of Articles
 - Standard Articles: A, F, G, I J, K, M and U
 - OPEB Article R
 - Historical Commission Article W
 - Planning Board Articles: II, JJ, KK, LL, MM
 - Board of Public Works Articles: AA, BB, CC, DD, EE
- 9:35 pm 10.) Discuss Municipal Modernization Act

**BOARD OF SELECTMEN
Monday, February 8, 2016
Wayland Town Building
Selectmen's Meeting Room**

Revised Proposed Agenda Page Two

- 9:45 pm 11.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:50 pm 12.) Review Correspondence (See Separate Index Sheet)
- 10:00 pm 13.) Report of the Town Administrator
- 10:10 pm 14.) Selectmen's Reports and Concerns
- 10:20 pm 15.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:25 pm 13.) Adjourn

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING APRIL 15, 2016**

IT DIRECTOR

On Tuesday, I will provide the Board with the resume and start date of the new IT Executive Director. Dr. Stein is aware of the timing of the announcement and will inform the School Committee at the same time. IT personnel will be informed after the announcement, as described in the transition plan, agreed to by Dr. Stein and me.

RIVERS EDGE

The revised RFP will be advertised on April 21st with proposals due June 21st. As you may remember, the revised RFP now includes a provision for managing the risk for unknown costs that are determined after contract award and prior to a firm commitment by the town and developer to proceed.

AERIAL APPLICATION TO CONTROL MOSQUITO LARVAE

East Middlesex Mosquito will conduct a helicopter application of Bti, a biological herbicide, between April 19 and April 26. No special pre-cautions are needed by residents. Potential locations for application are listed in the attached notice.

FINANCE REPORT

The General Fund 2/28/16 closing report is in your drop-box.

WAYLAND POLICE DEPARTMENT

Please see attached correspondence from Police Chief Irving to the School Committee.

BOS – PRELIMINARY SCHEDULE THROUGH 12/31/16

Attached.

AERIAL APPLICATION TO CONTROL MOSQUITO LARVAE

The East Middlesex Mosquito Control Project will be conducting a helicopter application of the biological larvicide, Bti, to control mosquito larvae over large wetlands in Wayland. Areas currently being evaluated include Pod Meadow and wetlands near Claypit Hill Rd., Deer Run, Forty Acre Dr., Glezen Lane and Plain Rd. The application will take place between April 19 and April 26. The Bti will be applied in a granular formulation by a helicopter flying low directly over the wetlands. Residents do not need to take any special precautions for this application.

The material to be applied Bti (*Bacillus thuringiensis var. israelensis*) is a natural bacterium found in soil. The EPA classifies Bti as a relatively non-toxic pesticide. Bti is considered a target selective and environmentally compatible pesticide that affects mosquito larvae and a few closely related aquatic insects in the fly family. Once applied Bti stays suspended in water for 24 to 48 hours and then biodegrades as it settles to the bottom. The Bti product name is VectoBac G (EPA Reg. #73049-10).

For further information contact the East Middlesex Mosquito Control Project at 781-899-5730.



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Wayland School Committee
41 Cochituate Road
Wayland, MA 01778

April 7, 2016

Dear Members of the School Committee,


At the School Committee meeting on Monday, March 21, a group of residents publicly requested the dismissal of several school administrators because of their perceived role in the arrest of Steven Cass last fall.

I would like to clarify the role played by Dr. Stein, the School Department and its Administrators in this case. They provided information, but had no decision making role in the arrest and prosecution.

Last October, school officials reported to the Police Department a possible theft of School Department property. Members of the Police Department began an investigation in an effort to locate and return the property and to determine if probable cause existed that a crime had occurred.

Detectives conducted the investigation, which led to the recovery of the property and the arrest of Steven Cass. The decision to file charges was made by the Police Department and the decision to prosecute the case was made by the Middlesex District Attorney's Office.

Respectfully,


Robert Irving
Chief of Police

BOB: PRELIMINARY MEETING SCHEDULE 4/19/16 - 12/31/16

365 January 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
	3	4	5	6	7	8
	10	11	12	13	14	15
	17	18	19	20	21	22
	24	25	26	27	28	29
	31					

365 February 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
6	1	2	3	4	5	6
7	8	9	10	11	12	13
8	14	15	16	17	18	19
9	21	22	23	24	25	26
10	28	29				

365 March 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
10		1	2	3	4	5
11	6	7	8	9	10	11
12	13	14	15	16	17	18
13	20	21	22	23	24	25
14	27	28	29	30	31	

365 April 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
14					1	2
15	3	4	5	6	7	8
16	10	11	12	13	14	15
17	17	18	19	20	21	22
18	24	25	26	27	28	29

365 May 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
19	1	2	3	4	5	6
20	8	9	10	11	12	13
21	15	16	17	18	19	20
22	22	23	24	25	26	27
23	24	25	26	27	28	29

365 June 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
23			1	2	3	4
24	5	6	7	8	9	10
25	12	13	14	15	16	17
26	19	20	21	22	23	24
27	26	27	28	29	30	

365 July 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27					1	2
26	2	3	4	5	6	7
29	10	11	12	13	14	15
30	17	18	19	20	21	22
31	24	25	26	27	28	29
32	31					

365 August 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
32	1	2	3	4	5	6
33	7	8	9	10	11	12
34	14	15	16	17	18	19
35	21	22	23	24	25	26
36	28	29	30	31		

365 September 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
36				1	2	3
37	4	5	6	7	8	9
38	11	12	13	14	15	16
39	18	19	20	21	22	23
40	25	26	27	28	29	30

365 October 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
40						1
41	2	3	4	5	6	7
42	8	9	10	11	12	13
43	16	17	18	19	20	21
44	23	24	25	26	27	28
45	30	31				

365 November 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
45		1	2	3	4	5
46	6	7	8	9	10	11
47	13	14	15	16	17	18
48	20	21	22	23	24	25
49	27	28	29	30		

365 December 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
49				1	2	3
50	4	5	6	7	8	9
51	11	12	13	14	15	16
52	18	19	20	21	22	23
53	25	26	27	28	29	30

- 1 Jan New Year's Day
- 18 Jan Martin Luther King Day
- 9 Feb Mardi Gras Carnival
- 12 Feb Lincoln's Birthday
- 14 Feb Valentine's Day
- 15 Feb Presidents Day
- 13 Mar Daylight Saving (Start)

- 17 Mar St. Patrick's Day
- 25 Mar Good Friday
- 27 Mar Easter
- 28 Mar Easter Monday
- 1 Apr April Fool's Day
- 5 May Cinco de Mayo
- 8 May Mother's Day

- 15 May Pentecost
- 18 May Pentecost Monday
- 21 May Armed Forces Day
- 30 May Memorial Day
- 14 Jun Flag Day
- 19 Jun Father's Day
- 4 Jul Independence Day

- 5 Sep Labor Day
- 11 Sep September 11th
- 17 Sep Citizenship Day
- 23 Sep Native American Day
- 10 Oct Columbus Day
- 15 Oct Sweetest Day
- 17 Oct Boss's Day

- 31 Oct Halloween
- 6 Nov Daylight Saving (End)
- 11 Nov Veterans' Day
- 24 Nov Thanksgiving
- 7 Dec Pearl Harbor
- 25 Dec Christmas Day
- 31 Dec New Year's Eve



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
LOUIS B. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

**BOARD OF SELECTMEN
Tuesday, April 19, 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 Appointment of Ann Knight to the Permanent Municipal Building Committee as a Representative of the Board of Library Trustees for a Term to Last for the Duration of the Library Building Project
3. Vote the Question of Approving the Placement of Two Temporary Sandwich Board Signs for the Wayland High School Scholarship at Route 20 at the Weston Town Line and the Intersection of Old Connecticut Path and Routes 126 and 27 (Five Paths), from April 25-May 2, 2016



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

BOARD OF SELECTMEN

LEA ANDERSON
MARY M. ANTES
LOUIS B. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

DATE: April 13, 2016

TO: Nan Balmer, Town Administrator

FROM: Kenneth "Ben" Keefe, Public Buildings Director

RE: Permanent Municipal Building Committee (PMBC) Project Specific Member Assignment

REQUESTED ACTION:

Vote to appoint Ann Knight to the Permanent Municipal Building Committee as a Representative of the Board of Library Trustees for a Term to Last for the Duration of the Library Building Project

BACKGROUND:

In accordance with the Policies and Procedures of the PMBC two project specific members recommended by the sponsoring organization are appointed to the PMBC for each assigned project.

The Library Feasibility Study was assigned to the PMBC in November 2015, Thomas White and Suzanne Woodruff were appointed as the project specific members.

While proceeding with the feasibility study and working towards a grant application to the Massachusetts Board of Library Commissioners (MBLC) for submission as part of the 2017 Massachusetts Public Library Construction Program (MPLCP) it has become known that to qualify for the MBLC Grant the Library Director is required to be a member of the decision making body.

To facilitate meeting this MBLC requirement Suzanne Woodruff has resigned from the PMBC and her letter of resignation is attached.

Therefore I respectfully recommend that the Board of Selectman appoint Library Director Ann Knight to fill the recent vacancy on the PMBC Library Feasibility Study Project.

WOODRUFF
30 GARDEN PATH WAYLAND MA

April 12, 2016

Dear Wayland Board of Selectman:

Please accept my resignation from the Permanent Municipal Building Committee, PMBC, effective today April 12, 2016.

It has become apparent as Mass Library Commission guidelines and expectations for a potential Library Construction Grant are reviewed, that our Library Director is the more appropriate person to be a voting member of the PMBC.

I fully expect to continue being involved with the committee as an ad hoc member and as a Trustee of the Library and to help in executing the feasibility study for the Grant that would result in an improved library for the Town of Wayland.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Suzanne Woodruff". The signature is written in black ink and is positioned above the printed name.

Suzanne Woodruff

DiNapoli, MaryAnn

From: Andi Jenny <jennyfarm@comcast.net>
Sent: Monday, April 11, 2016 1:05 PM
To: DiNapoli, MaryAnn
Subject: Wayland High School Scholarship Signs

Hi MaryAnn,

I am writing to seek approval for placing the Wayland Scholarship temporary sandwich boards up at Old Conn Path and Coch. Road, as well as Route 20/Old Connecticut Path by Coach Grill. Ideally we would like to put them up April 25-May 2nd

Let me know if/when you get approval.

thank you,
Andi Jenny



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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JOSEPH F. NOLAN

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

LIST OF PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM APRIL 1, 2016, THROUGH AND INCLUDING APRIL 14, 2016, OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR APRIL 19, 2016

Items Distributed To the Board of Selectmen – April 1-14, 2016

1. Email of 3/27/16 from Rebecca Stanizzi, River's Edge Advisory Committee, re: Red-lined Version of the River's Edge RFP Documents
2. Interim Report of Wayland Real Asset Planning (WRAP) Committee, March 29, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of the April 4, 2016, April 7, 2016, and April 11, 2016, Board of Selectmen's Meetings

1. Revised Powerpoint Presentation, Overview of the State Retiree Benefits Trust Fund and the Pension Reserves Investment Trust, April 4, 2016
2. Certification of the Vote of April 4, 2016, regarding the Investment Agreement with the State Retiree Benefits Trust
3. Interim Report of the Wayland Real Asset Planning (WRAP) Committee, March 29, 2016
4. Email of 3/25/16 from Rebecca Stanizzi, River's Edge Advisory Committee, to Nan Balmer, Town Administrator, re: Revised RFP, Revised LDA, Revised Design Guidelines

Items Included as Part of Agenda Packet for Discussion During the April 19, 2016 Board of Selectmen's Meeting

1. Current Board of Selectmen Portfolio Assignments
2. Potential Schedule for November 2016 Special Town Meeting and Potential Articles
3. Committee Charge of the Council on Aging/Community Advisory Committee
4. Board of Selectmen Meeting Minutes of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016
5. Memorandum of 4/19/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Plan for Timely Preparation of Meeting Minutes of the Board of Selectmen
6. Town Administrator's Report for the Week Ending April 15, 2016



TOWN OF WAYLAND

41 COCHITUATE ROAD
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BOARD OF SELECTMEN
Tuesday, April 19, 2016
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Town Meeting
2. Public Comment, Carroll School
3. Public Comment, Town Employee Health Insurance Concern
4. Letter of 4/1/16 from Linda L. Segal to Town Boards and Departments re: Public Records Request, Legal Actions Taken Against Former Wayland Athletic Director Stephen Cass
5. Letter of 4/1/16 from Nan Balmer, Town Administrator to Minuteman Regional Vocational School re: Understanding of Withdrawal from the District
6. Letter received 4/4/16 from Suzanne Dromey Tiberii, Recognitions Chair of the Wayland Girl Scout Service Team, re: Five Recipients of the Gold Award from the U.S.A. Girl Scouts
7. Open Meeting Law Complaint, 4/8/16, from George Harris, re: Timely Preparation of Minutes
8. Memorandum of 4/12/16 from Beth Klein, Town Clerk, to Board of Selectmen re: Resignation of Suzanne Woodruff from the Permanent Municipal Building Committee
9. Director of Public Health Report, April 6, 2016
10. Monthly Report, Animal Control Officer, March 2016
11. Monthly Report, Police Department, March 2016

Conservation Commission

12. Chapter 194 Permit, 4/7/16, from Brian Monahan, Conservation Administrator, re: 14 Bigelow Road

Zoning Board of Appeals

13. Public Hearing, April 26, 2016, 326/328 Old Connecticut Path, 228 Glezen Lane
14. Decision No. 16-03, 120 Old Connecticut Path
15. Decision No. 16-04, 113 Concord Road

Minutes

16. Electronic Voting Implementation Subcommittee, 2/11/2016
17. Finance Committee, January 13, 2016, January 25, 2016, March 21, 2016, March 28, 2016
18. Historic District Commission, February 18, 2016
19. Planning Board, January 5, 2016, February 2, 2016, February 23, 2016
20. West Suburban Veterans District, December 17, 2015

Region

21. Letter of 4/8/16 from MetroWest Regional Collaborative re: Restructuring

State

22. Letter of 3/30/16 from Department of Transportation to Board of Selectmen re: Chapter 90 Local Transportation Aid Funding for Fiscal Year 2017
23. Letter of 4/5/16 from the Massachusetts Historical Commission to Nan Balmer, Town Administrator re: Stone's Bridge – MPPF Round 22 Application
24. Email of 4/7/16 from Paul W. Todisco, Pension Reserves Management Board, to Zoe Pierce, Treasurer/Collector, re: SRBTF Submission Approved
25. Letter of 4/11/16 from Office of the Attorney General to George Harris, Esq., re: Disposition of Open Meeting Law Complaint of March 10, 2016

142 Glezen Lane
Wayland, MA 01778
April 10, 2016

RECEIVED

APR 14 2016

Board of Selectmen
Town of Wayland

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

Dear Select Board and Moderator,

We are glad to be in Wayland in these our retirement years and we enjoy Town Meeting. We are grateful for the integrity of our town government and appreciate all the time, effort, knowledge and honest concern that all the people involved give to serve the best interests of Wayland now, and for the long run.

I would just like to share a few comments to possibly improve a few aspects of our well run Town Meeting. These are based on experiencing other town meetings in towns about the size of Wayland in MA, where we have also lived. Perhaps they have already been considered, and I certainly do not have all the facts, and any further consideration is also appreciated.

-Is it time for Wayland to go to a representative town meeting?

-There could be a battery-run mike with a roving attendant, so that if a person in the back, who for whatever reason can not get up to the front mike, can speak.

-The moderator runs the meeting, the rules of it, the tone and structure. The speakers are speaking to the voters, not the moderator. So you could have the speakers face the voters. The meeting is for the voters.

-Having the pro and con positions creates polarity. With 1 central mike, all speak from there facing the voters, and it creates more of an environment of discussion than debate.

Thank you for your consideration of these items. Have a good year.

Sincerely, Judy Orloff



DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, April 07, 2016 10:45 AM
To: DiNapoli, MaryAnn
Subject: FW: Carroll School

Correspondence

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

From: carol repose [mailto:carepose@yahoo.com]
Sent: Thursday, April 07, 2016 10:28 AM
To: Balmer, Nan
Subject: Carroll School

Hi Nan. I am a resident of Daymon Farms in Wayland and I want to clarify something that Mary Antes said at the March 28th meeting of the Board of Selectmen. The discussion related to the Carroll School proposing to acquire property on Waltham Rd. When the question was asked if there were any similar projects in town, someone (I think it was Lea), mentioned the Goddard School. Mary Antes was quick to point out that the Goddard School was not in a residential neighborhood. This is not accurate. At least two homes existed where the school currently is and the school is literally surrounded by homes. The neighbors in Daymon Farms are now dealing with the noise, traffic and evening lighting generated by the Goddard School. So yes, the Goddard School is clearly in a residential neighborhood. Thank you. Carol Repose. 14 Dean Rd.

Sent from my iPad

3

DiNapoli, MaryAnn

From: Karen Rogers <karen_rogers@wayland.k12.ma.us>
Sent: Saturday, April 09, 2016 8:17 PM
To: Selectmen
Cc: Ellen Grieco; Barbara Fletcher; Donna Bouchard; Jeanne Downs; Kathie Steinberg
Subject: Town Employee Health Insurance Concern

Dear Members of the Board of Selectman,

I have learned that as a cost cutting measure you are looking into changing health insurance providers for town employees. I certainly appreciate the need to manage expenses. I work hard every day to make ends meet for my family.

One thing I have learned over the years, though, is that cheaper is not always better. As you weigh potential options, I urge you to consider the following:

Keep net increases to a minimum. Increases in costs to employees are essentially a cut in pay and will be a great cause of stress for many families, including mine. It will not be a benefit to the town to save money, only to have staff members struggling to afford increased deductibles and copays that exceed savings (if any) in premiums. When the town changed dental plans, we had to pay much higher costs to stay with our family dental practice, which is not deemed a preferred provider by the new insurer. This meant saying no to braces for our children for the time being. I don't want have to worry about how I am going to afford necessary medical care.

Maintain current service providers. It takes a long time to find and develop a relationship with healthcare providers. My children have had the same pediatrician since they were born 16 and 12 years ago. In previewing the plans you are currently considering, our pediatrician is not in any of the networks. Moreover, there were few providers near my hometown. This is not an insignificant problem.

Fortunately, everyone in my family is healthy, but illness can strike at any time. Currently, beloved, hard-working colleagues are struggling with life-threatening illnesses. They should not be put in the position of having to find new doctors as they are fighting to get well.

People move to Wayland in great part because of the quality services town employees provide. [Boston Magazine](#) recently ranked Wayland number four in a competitive field of districts in Greater Boston, and we have already had students move into the district as a result. One of those new students joined my classroom.

The allocation of resources is a reflection of the community's values. As you consider options, I hope you will work to provide those who serve you with the same quality of care you would choose for your own families.

In closing, I respectfully ask that you keep our current health insurance provider, or offer comparable health insurance, including providers, while minimizing any cost increases for employees.

Thank you,

Kori

Karen (Kori) Rogers, M.Ed.
Fourth Grade Teacher
Happy Hollow School
karen_rogers@wayland.k12.ma.us

*I check email in the morning and after school. If you require a response during the school day, please call the school office at 508-358-2120.

DiNapoli, MaryAnn

From: Rebecca Lepow <rebecca_lepow@wayland.k12.ma.us>
Sent: Sunday, April 10, 2016 7:44 PM
To: Selectmen
Cc: Ellen Grieco; Barb Fletcher; Donna Bouchard; Jeanne Downs; Kathie Steinberg
Subject: Town Employee Health Insurance

Dear Members of the Board of Selectman,

I have learned that as a cost cutting measure you are looking into changing health insurance providers for town employees. I certainly appreciate the need to manage expenses, I work hard every day to make ends meet for myself.

One thing I have learned over the years is that cheaper is not always better. As you weigh potential options, I urge you to consider the following:

Keep net increases to a minimum. Increases in costs to employees are essentially a cut in pay and will be a great cause of stress for many families, including mine. It will not be a benefit to the town to save money, only to have staff members struggling to afford increased deductibles and copays that exceed savings (if any) in premiums. When the town changed dental plans, I had to pay higher costs to stay with my dental practice, which is not deemed a preferred provider by the new insurer. I also am now paying a copay for all visits, including my regular cleanings. I don't want to have to worry about how I am going to afford necessary medical care as well.

Maintain current service providers. It takes a long time to find and develop a relationship with healthcare providers. After going through 4 primary care providers from 2001 to now, I have finally found a doctor I am comfortable with and trust. In previewing the plans you are currently considering, my primary care physician is not in any of the networks. I am disappointed that I might have to begin the search once again for a primary care physician that I am comfortable with AND is accepting new patients (a much larger problem).

Fortunately I am healthy, but illness can strike at any time. Currently beloved, hard-working colleagues are struggling with life-threatening illnesses. They should not be put in the position of having to find new doctors as they are fighting to get well.

People move to Wayland in great part because of the quality services town employees provide. Boston Magazine recently ranked Wayland number four in a competitive field of districts in Greater Boston, and we have already had students move into the district as a result.

The allocation of resources is a reflection of the community's values. As you consider options, I hope you will work to provide employees with the same quality of care you would choose for your own families.

I respectfully ask that you keep our current health insurance provider, or offer comparable health insurance including providers, while minimizing any cost increases for employees.

Thank you,

Becky Lepow
K-2 Math Coach

DiNapoli, MaryAnn

From: Kristin Murphy <kristin_murphy@wayland.k12.ma.us>
Sent: Monday, April 11, 2016 6:54 AM
To: Selectmen
Subject: teachers' health care

Dear Board of Selectmen:

I'm writing to ask you to reconsider the health care changes which the town is considering for its school employees. I fear that a move to the GIC group in particular would mean that WTA members would lose both vital services with trusted health care providers and considerable income. Already in the past few years, health care and dental plan increases have resulted in my take-home pay being less per pay period, even with a modest increase in salary each year.

I also request that you preserve the WTA's right to bargain with the town about levels of care. I have worked for the schools for 24 years - my entire professional teaching career; one of the more important benefits for me has been the PPO option for health care. I respectfully request that you preserve the WTA's bargaining for such levels of care. It is only fair that teachers in Wayland should have access to the same level of health care that their students and their students' families often enjoy.

Whatever changes you decide to make, I request that you please support changes which preserve Wayland's history of working together with the unions to cut costs for the town without causing harm to valuable employees.

If Wayland wants to continue to attract qualified and excellent candidates who stay in Wayland and provide that institutional memory and stability which is proven to help students to learn well, Wayland should consider the benefits it offers prospective candidates, as well as considering the employees who have added value each year to the Wayland Schools.

Thank you for considering my request.
Sincerely,
Kristin Murphy
Claypit Hill School
Wayland

DiNapoli, MaryAnn

From: Janet Manning <janet_manning@wayland.k12.ma.us>
Sent: Monday, April 11, 2016 8:06 AM
To: Selectmen
Cc: Ellen Grieco; Barb Fletcher; Jeanne Downs; Kathie Steinberg; Donna Bouchard
Subject: Health Insurance

Dear Members of the Board of Selectman,

I have learned that as a cost cutting measure you are looking into changing health insurance providers for town employees.

As you weigh potential options, I urge you to consider the following:

1. Keep net increases to a minimum. Increases in costs to employees are essentially a cut in pay and as a single parent, it will be a cause financial hardship for my family.

2. Maintain current service providers. My nine year old daughter, a student at Happy Hollow, was born with a congenital heart defect and needs to see her cardiologist and surgeon on a regular basis. Nine years ago, these two doctors, as well as the highly skilled staff at Children's Hospital, saved her life. It would be devastating if she could not continue under their care. Living in the Boston area enabled me to seek the best possible care for her. After her 10 hour operation, I was told that had she been at any other hospital, she would not have made it through the surgery (her artery kept kinking and had to be reattached 3 times). I cannot imagine what it will be like if we need to see less skilled doctors, while knowing the best care is just miles away. How can I tell my 9 year old that even though Dr. Marx and Dr. DelNido are the best doctors in the world, we can't afford to see them anymore? I'm sure you would agree, that a child's life is worth more than a few cost saving dollars.

In closing, I respectfully ask that you keep our current health insurance provider, or offer comparable health insurance, including providers, while minimizing any cost increases for employees.

Thank you,

Janet Manning
Mathematics Teacher
Wayland High School

DiNapoli, MaryAnn

From: Shirley Nazzaro <shirley_nazzaro@wayland.k12.ma.us>
Sent: Monday, April 11, 2016 8:29 AM
To: Selectmen
Subject: Health Insurance concern

Dear Members of the Board of Selectman,

I have learned that as a cost cutting measure you are looking into changing health insurance providers for town employees. I certainly appreciate the need to manage expenses. I work hard every day to make ends meet for my family.

One thing I have learned over the years, though, is that cheaper is not always better. As you weigh potential options, I urge you to consider the following:

Keep net increases to a minimum. Increases in costs to employees are essentially a cut in pay and will be a great cause of stress for many families, including mine. It will not be a benefit to the town to save money, only to have staff members struggling to afford increased deductibles and copays that exceed savings (if any) in premiums. When the town changed dental plans, we had to pay much higher costs to stay with our family dental practice, which is not deemed a preferred provider by the new insurer. This meant saying no to braces for our children for the time being. I don't want have to worry about how I am going to afford necessary medical care.

Maintain current service providers. It takes a long time to find and develop a relationship with healthcare providers. I have had the same doctor for as long as I can remember. In previewing the plans you are currently considering, my doctor is not in any of the networks. Moreover, there were few providers near my hometown. This is not an insignificant problem.

Fortunately, everyone in my family is healthy, but illness can strike at any time. Currently, beloved, hard-working colleagues are struggling with life-threatening illnesses. They should not be put in the position of having to find new doctors as they are fighting to get well.

The allocation of resources is a reflection of the community's values. As you consider options, I hope you will work to provide those who serve you with the same quality of care you would choose for your own families.

In closing, I respectfully ask that you keep our current health insurance provider, or offer comparable health insurance, including providers, while minimizing any cost increases for employees.

Thank you,

Shirley Nazzaro
Administrative Assistant
Wayland Middle School
508-655-6670

4

Linda L. Segal
9 Aqueduct Rd.
Wayland, MA 01778-4605
(508) 655-0724 **lmlsegal@comcast.net**

Keeper of the Records
Wayland Human Resources/Personnel Department
Wayland Town Administrator
Wayland Board of Selectmen
Wayland School Superintendent
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778
RE: Public Records Request

April 1, 2016

Dear Mr. Senchyshyn, Ms. Balmer, Wayland Selectmen, and Dr. Stein,

Pursuant to G.L. c. 4, § 7, cl. 26 and G.L. c. 66, § 10, I respectfully request to be copied electronically on the following public records associated with the legal actions taken against former Wayland Athletic Director Stephen Cass in 2015 and 2016, as follows:

- 1) All invoices showing all legal expenses charged to the school and town sides of the FY15 and FY16 Town of Wayland budgets from May 1, 2015 through the present related to the alleged theft of a MacBook computer owned by the Wayland Public Schools.
- 2) The annual base salary and the number of contracted work days per year for each of the following Wayland employees who appeared at Framingham District Court on March 17, 2016 for trial proceedings lasting from 9 a.m. to 4 p.m.:

- Paul Stein
- Brad Crozier
- Ben Keefe
- Jaimie Berger
- Shane Bowles
- Scott Parseghian
- Keith Clevenger
- Susan Ginsberg
- Reid Lyons
- Mary Barber

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 TOWN OF WAYLAND
 TOWN CLERK
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Please add any other employee(s) who attended the trial and whose name(s) I may have inadvertently omitted from the above list.

As you know, the law requires a response to this request within ten calendar days. If the public records cannot be provided electronically, kindly advise me of where/when in Town Building they will be made available to the public.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Linda L. Segal". The signature is written in black ink and is positioned below the word "Sincerely,".

Linda L. Segal

cc: Wayland Town Clerk
Wayland School Committee



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

April 1, 2016

Mr. Jeffrey W. Stullin, Chair, Minuteman Regional School Committee
Dr. Edward A. Bouquillon, Superintendent-Director
Minuteman Regional Vocational School
758 Marrett Road
Lexington MA 02421

Dear Mr. Stullin and Dr. Bouquillon,

As you know, the Town of Wayland voted to withdraw from the Minuteman District at a Special Town meeting held February 11, 2016. At the Wayland Annual Town Meeting scheduled for April 7, 2016, the Board of Selectmen will rely on the following understanding:

Given that:

1. The Town of Wayland voted to withdraw from the District,
2. The Town of Wayland and all other member towns adopted the December 2015 revised agreement allowing the Town to withdraw as of July 1, 2017, and
3. The DESE Commissioner approved the revised agreement,
4. It is Wayland's understanding that the Minuteman District is following the first, section 16(d) method under the Agreement for incurring the MSBA project debt which requires that after a 2/3 vote to incur debt by the Committee, each town has the right to exercise a "veto" power by Town Meeting within 60 days of the March 15 Committee vote (i.e., by May 14, 2016), and
5. It is Wayland's understanding that if one member of the Minuteman District exercises its veto power, the District would then seek to incur the debt by the alternative section of the Agreement, 16(n) district-wide majority vote ballot process, and

6. It is Wayland's understanding that the revised agreement is now in effect under Section IX(E), and that no part of the MSBA debt can be apportioned to the Town since that debt will be incurred after December 10, 2015. In other words, the Town of Wayland will only be responsible for its apportioned share of current debt, incurred by December 10, 2015.

In light of the above, we believe there is no need to take any action on MSBA debt at the Wayland Annual Town Meeting. Please respond by Monday April 4th, if you believe any part of our understanding is incorrect.

Thank you.

Sincerely,



Nan Balmer
Town Administrator

cc: Board of Selectmen



Cherry C. Karlson, Chair
Board of Selectmen
Town of Wayland, MA

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APR -4 2016

Board of Selectmen
Town of Wayland

Dear Ms. Karlson:

I am writing to inform you of a very special accomplishment in the lives of five young women from Eastern MA who have earned their Gold Award from the Girl Scouts of the United States of America. The Gold Award is the highest honor in Girl Scouting, a culmination of years of preparation and service to their communities. The recipients from the Wayland Girl Scout Service Unit are:

*Elodie Carel

18 Joyce Road

Wayland, MA 01778

Project: "The focus of my project was to help families who cannot afford diapers for their children by creating a Diaper Depot at the local resource center for high risk young adults, and creating and distributing materials to educate the families about budget planning to help them learn how to manage their money to be able to afford diapers and other necessities, and about resources where they can access needed support."

*Sophia Alexandra Gloria Estrada (Sage)

27 Cedar Crest Road

Wayland, MA 01778

Project: "Blue Heron Stewardship Forest is located in the northeast area of Pennsylvania. It encompasses about 2,400 acres. My project was to preserve the knowledge of the culture, maintain the heritage of the land and inspire the community to engage in its natural environment. First I identified all of the current trails (approx. 20 miles) by using GPS coordinates. I then created a trail marking system and had trail signs put up. Next I researched the area and preserved the history by documenting historical points of interest (approximately 30), nature facts, activities and native cultures. Finally, I created multiple wellness hikes that included these historical, nature and Native American points of interest. I also created 3 additional fun hikes using geo-caching. The community has been incredibly supportive and helpful for this project. They are already benefitting since they are using the information packets (I've received much positive feedback) and are excited and comfortable going out into the woods."

*Megan Kistner

30 Stonebridge Road

Wayland, MA 01778

Project: My project addressed nutrition and health education in young, underprivileged children in Boston. To do this, I organized a one-day wellness fair, "Wellness Mathers", to promote information about nutrition, physical activity, eye health, dental health and the importance of good hand washing at the Mather Elementary School in Dorchester, MA. In addition to my Girl Scout troop, the fair involved graduate students from 4 health professional programs at MCPHS University to help educate the Mathers student about health issues. The goal of the nutrition aspect of this project was to teach children to recognize the difference between healthy and unhealthy foods and make the right decision for their own health when deciding a snack. This project was designed to create a greater awareness of the nutritional contents of various popular, yet unhealthy, foods, such as the sugar content in various sodas and fruit juices. Lastly, I created handouts with simple, low cost healthy recipes in each of the major languages of the school. These were handed out at the wellness fair.

Additionally, I created grade-specific teaching packets that were provided to every single classroom in the school. These packets included age specific lesson plans about nutrition as well as nutrition-based games for the teachers to include into their lesson plans. One of my goals was to make a difference in the way the children think about healthy and unhealthy foods. Feedback from the teachers, via a survey I created, is that they really liked the lesson plans and the games and they plan to continue using them with the students. I hope that the children will use what they learned from the health fair and the teaching packets and that they will continue to use those new skills throughout their lives. The students and the community of Mather Elementary School benefitted from this project because they learned different ways to eat healthier and more about nutrition.

* Amanda Mae Judah

6 Country Corners Road

Wayland, MA 01778

Project: "My project addressed the issue that students learn about only a small group of historical women in school. Although students are exposed to women who have certainly made a difference, there are many others who also made significant contributions that are not recognized. Additionally, while students are taught Massachusetts history in third grade, they aren't taught very much about their local history. I created my primary source toolkits to profile historical women from the local area, women that students would not have otherwise learned about. To date, this project has benefitted the third grade students from public schools in Wayland and Waltham Massachusetts, as well as a homeschooling group based out of Wayland. In addition, one of my toolkits is in the public library in Waltham featuring a historical woman from that community."



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: George Last Name: Harris

Address: 8 Holiday Road

City: Wayland State: MA Zip Code: 01778

Phone Number: 5083582379 Ext. _____

Email: geoharris2@gmail.com

Organization or Media Affiliation (if any): None

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Wayland Board of Selectmen

Specific person(s), if any, you allege committed the violation: _____

Date of alleged violation: April 8, 2016

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief

Note: This text field has a maximum of 3000 characters.

Please see attached statement (with 5 exhibits) for a full explanation.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Please see attached statement.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.

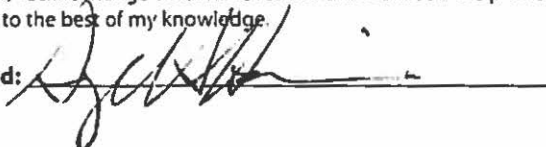
II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 04/08/2016
For Use By Public Body For Use By AGO
Date Received by Public Body: Date Received by AGO:

OPEN MEETING LAW COMPLAINT

This is a complaint that the Wayland Board of Selectmen (Board) intentionally violated the Open Meeting Law by failing to create and approve in a timely manner minutes of 5 open meetings as required under G. L. c. 30A, §§ 22(a), (c).

Background

In determination OML 2015-79, dated June 2, 2015, the Attorney General found that the Board had failed to create and approve minutes for 10 open meetings in a timely manner (that is, within two months). The Board acknowledged its violations and directed the Town Administrator "to develop and provide the Board with a plan for timely creation and approval of meeting minutes to comply with the requirements of the Open Meeting Law." The AGO advised the Board that "we recommend that minutes be approved at the next meeting whenever possible. See OML 2013-173; OML 2013-37; OML 2012-91."

On March 10, 2016, I filed with the Board another Open Meeting Law complaint alleging that it again failed to timely create and approve minutes for 3 meetings held on December 7 and 14, 2015 and January 4, 2016. In its response letter to the AGO dated March 21, 2016, the Board acknowledged its new violations and again pledged to comply with the Open Meeting Law by timely preparing meeting minutes in the future.

The Present Complaint

The Board has not timely created and approved minutes for the following 5 open meetings: January 11, 25, and 27 and February 1 and 8, 2016.¹ See Exhibits 1-5 attached hereto. The table below summarizes these violations. For example, 12 weeks have elapsed after the Jan. 11 meeting to April 9, 2016 (date of this complaint), and during that period the Board held 13 meetings at which it could have approved the minutes (but failed to do so).

¹ Most of these minutes when created will contain discussions of matters relating to the April 7, 2016 Annual Town Meeting. However, these minutes will very likely not be released until after Town Meeting ends, when they will be essentially useless. The AGO's timeliness standard of two months for public bodies meeting weekly (that is, up to 9 meetings later) seems excessive and not helpful to the public.

<u>Meeting Date</u>	<u>Elapsed Weeks</u>	<u>Subsequent Meetings</u>
Jan. 11	12	13
Jan. 25	10	12
Jan. 27	10	10 (minutes were approved April 4, 2016)
Feb. 1	9	10
Feb. 8	8	9

These violations were intentional because the Board knowingly failed to timely create and approve minutes.² On the basis of its admissions in OML 2015-79, there is no question that the Board was and is aware of its obligation to create and approve minutes in a timely manner. See also its March 21, 2016 letter to the AGO. There is also no question that the Board knew that minutes approved two months or more after a meeting are untimely. The Board mistakenly blames these errors on its overworked staff. The Board was well aware that it was not honoring its prior pledge to comply with the Open Meeting Law's requirement to timely approve minutes.

The Board has significant resources at its disposal with which to timely create minutes. The Board administers an annual total town office budget of about \$546,000 with a staff of five. If it needs more money to pay for additional clerical services to ensure the timely creation of minutes, it can ask the Finance Committee (which it appoints) for a Reserve Fund transfer at any time. Furthermore, nothing prevents the current four Board members themselves (there is one temporary vacancy) from timely creating minutes; many public bodies do this without staff assistance. In short, there is no justification for the Board (1) to have failed to timely create and approve minutes following its confirmed violations in OML 2015-79 and (2) to have blamed those failures on its staff. The violations were intentional.

ACTIONS REQUESTED

1. At its next meeting, the Board shall acknowledge these violations of the Open Meeting Law.
2. The Board shall without further delay approve and release the subject meeting minutes.
3. The Board should be fined for engaging in intentional violations, with a view to inducing the Board's future compliance with the Open Meeting Law.

² All four current members of the Board held office in June 2015 when OML 2015-79 was issued and are on notice thereof.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

EXHIBIT 1

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

BOARD OF SELECTMEN
Monday, January 11, 2016
Wayland Town Building
Selectmen's Meeting Room

REVISED Proposed Agenda

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

- 7:00 pm 1.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 2.) Public Comment
- 7:15 pm 3.) Attend Finance Committee's Special Town Meeting Warrant Article Hearing
- 7:35 pm 4.) Potential Vote to Amend the Location of the February 11, 2016, Special Town Meeting
- 7:40 pm 5.) Special Town Meeting
a.) Petitioners' Workshop
b.) Vote Positions on Articles to Amend Minuteman Agreement and to Withdraw from the Minute School District
c.) Discuss Special Town Meeting Logistics/Budget
- 8:05 pm 6.) Discuss Massachusetts Gas Leaks Legislation with Paul Dale, Sierra Club, and Vote to Adopt Resolution
- 8:15 pm 7.) Annual Town Meeting 2016: Discussion and Review List of Potential Articles and Vote to Submit Articles
a.) Petition Legislature for New Special Legislation for OPEB and Rescind OPEB Special Act
b.) Petition Legislature regarding Police Civil Service
c.) Amend Private Fire Hydrant Bylaw
d.) Fund Next Step in Council on Aging/Community Center Project
e.) Fund Glezen Lane Construction of Permanent Turn Restrictions on Glezen Lane
f.) Authorize 53 E ½ Accounts
g.) Allow Town Counsel to Speak at Meeting Without Meeting Vote
h.) Minuteman Borrowing for New School
l.) Authorize Confirmatory Taking of Newbury Conservation Land

**BOARD OF SELECTMEN
Monday, January 11, 2016
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda Two

- | | | |
|---------|------|---|
| 9:15 pm | 8.) | Review and Approve Consent Calendar (See Separate Sheet) |
| 9:20 pm | 9.) | Review Correspondence (See Separate Index Sheet) |
| 9:30 pm | 10.) | Report of the Town Administrator |
| 9:40 pm | 11.) | Selectmen's Reports and Concerns |
| 9:50 pm | 12.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 9:55 pm | 13.) | Adjourn |



IAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7753
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY H. ARTES
CHERRY C. KARLSON
JOSEPH F. NOLAN

EXHIBIT 2

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
 - 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

EXHIBIT 3



NAJ BALMER
TOWN ADMINISTRATOR
TEL: (508) 359-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARRY M. ANTES
CHERRY C. CARLSON
JOSEPH F. MOLAN

BOARD OF SELECTMEN

Wednesday, January 27, 2016
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda

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

- | | |
|----------|--|
| 12:00 pm | 1.) Call to Order by Chair <ul style="list-style-type: none">• Announcements; Review Agenda for the Public |
| 12:02 pm | 2.) Public Comment |
| 12:05 pm | 3.) Vote to Sign Warrant for February 2016 Special Town Meeting |
| 12:10 pm | 4.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 12:15 pm | 5.) Adjourn |



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, February 1, 2016
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda

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

- 6:00 pm 1.) Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Frishman V. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors
- 6:45 pm 2.) Call to Order by Chair
• Announcements; Review Agenda for the Public
- 6:47 pm 3.) Public Comment
- 7:00 pm 4.) Special Town Meeting Warrant Hearing
- 7:20 pm 5.) Discuss Petitioners' Request for Information for Town Meetings
- 7:25 pm 6.) Update on February Special Town Meeting Logistics
- 7:30 pm 7.) Discuss FY17 Budget Requests: IT and Facilities
- 7:45 pm 8.) Report from WayCAM, Interview and Appointment of Jonathan Ward to the WayCam Board of Directors as the Representative of the Board of Selectmen
- 8:15 pm 9.) Meet with Town Treasurer:
• Vote to Award Bonds
• Vote to Refund/Refinance Debt
• Vote to Recommend Annual Town Meeting Article L: Rescind Debt
• Update (RFP, Tax Liens, Cash Reconciliation)
- 8:45 pm 10.) Discuss and Vote Positions on Annual Town Meeting Articles, Including:
• Identify Abbreviated Motion Articles
• (P) Fund Glezen Lane Traffic Control Measures
• (S) Adopt Massachusetts General Laws Chapter 44, Section 53 E 1/2, Revolving Accounts

BOARD OF SELECTMEN
Monday, February 1, 2016
Wayland Town Building
Selectmen's Meeting Room
Proposed Agenda Page Two

- (T) Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials
 - (V) Amend Chapter 145 – Inspection, Testing, Maintenance of Private Fire Hydrants
 - (FF) Establish 53D Recreation Revolving Fund for the Wayland Town Beach
 - (GG) Establish and Fund a Recreation Stabilization Fund
 - (OO) Set Aside Community Preservation Funds for Later Spending
 - (PP) Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund
 - (QQ) Appropriate Funds to Restore Monuments at North Cemetery
 - (RR) Appropriate Funds to Restore Cochituate Town Clock
- 9:30 pm 11.) Mainstone Farms: Vote to Approve Conservation Commission's Request for Special Counsel and Authorize Town Administrator to Take Next Steps
- 9:45 pm 12.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:50 pm 13.) Review Correspondence (See Separate Index Sheet)
- 10:00 pm 14.) Report of the Town Administrator
- 10:10 pm 15.) Selectmen's Reports and Concerns
- 10:20 pm 16.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:25 pm 17.) Adjourn



NAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
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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, February 8, 2016
Wayland Town Building
Selectmen's Meeting Room

**IF THIS MEETING IS CANCELLED DUE TO INCLEMENT WEATHER,
THEN IT WILL BE HELD ON TUESDAY, FEBRUARY 9, 2016**

Revised Proposed Agenda

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

- 6:45 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21A(3) to Discuss Strategy with Respect To Collective Bargaining Pertaining to the Police Union
- 7:00 pm 2.) Call to Order by Chair
 - Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) 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
- 7:15 pm 5.) Swearing In of New Firefighter Paramedic Josiah David
- 7:30 pm 6.) Attend Finance Committee Budget Hearing
- 8:15 pm 7.) Vote to Approve Recommendation of Library Owner's Project Manager Selection Committee to Appoint
- 8:25 pm 8.) Vote to Sign Massachusetts School Building Authority Statement of Interest for Loker Window Replacement Project
- 8:35 pm 9.) Discussion and Vote Positions on Annual Town Meeting Articles, Including But Not Limited To:
 - Discuss Order of Articles
 - Standard Articles: A, F, G, I, J, K, M and U
 - OPEB Article R
 - Historical Commission Article W
 - Planning Board Articles: II, JJ, KK, LL, MM
 - Board of Public Works Articles: AA, BB, CC, DD, EE
- 9:35 pm 10.) Discuss Municipal Modernization Act

**BOARD OF SELECTMEN
Monday, February 8, 2016
Wayland Town Building
Selectmen's Meeting Room**

Revised Proposed Agenda Page Two

- 9:45 pm 11.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:50 pm 12.) Review Correspondence (See Separate Index Sheet)
- 10:00 pm 13.) Report of the Town Administrator
- 10:10 pm 14.) Selectmen's Reports and Concerns
- 10:20 pm 15.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:25 pm 13.) Adjourn

BOS

8



TOWN OF WAYLAND

MASSACHUSETTS

01778

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

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

TOWN BUILDING
41 COCHITUATE ROAD

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

RECEIVED

APR 12 2016

Board of Selectmen
Town of Wayland

Date: April 12, 2016
To: Board of Selectmen
From: Beth R. Klein, Town Clerk
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office on April 12, 2016 effective April 12, 2016:

Suzanne Woodruff
Term Expires: Permanent Municipal Building Committee
duration of Library Building project

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

cc: Nan Balmer, Town Administrator
James Riley, Chair PMBC Committee
Suzanne Woodruff

WOODRUFF
30 GARDEN PATH WAYLAND MA

April 12, 2016

Dear Wayland Board of Selectman:

Please accept my resignation from the Permanent Municipal Building Committee, PMBC, effective today April 12, 2016.

It has become apparent as Mass Library Commission guidelines and expectations for a potential Library Construction Grant are reviewed, that our Library Director is the more appropriate person to be a voting member of the PMBC.

I fully expect to continue being involved with the committee as an ad hoc member and as a Trustee of the Library and to help in executing the feasibility study for the Grant that would result in an improved library for the Town of Wayland.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Suzanne Woodruff". The signature is written in black ink and is positioned above the printed name.

Suzanne Woodruff

BOS 9



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

Wayland Board of Health Director's Report April 6, 2016

Septic work and building approvals- construction work is starting to pick up for spring season. We have several installations going on this week. The job at 373 Comm. Road for the large apartment complex will be starting up again to do the leaching field installation. Soil testing appointments have continued. We also have had numerous meetings with residents to provide guidance for potential home renovations/septic projects.

Conservation cluster-office staff met with the town planner and other town officials to review a preliminary plan on Rice Road (near Woodridge). We are awaiting plans to be submitted to the department.

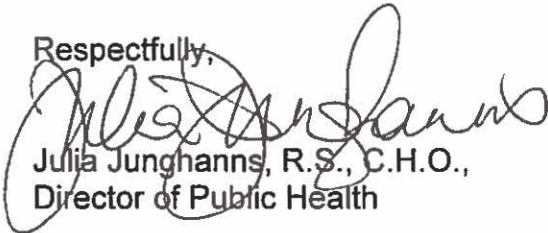
Oak Hill Road and Eversource-office staff is assisting a resident who needs to design a repair septic system and has complications with their property as well as a large area being located within the easement area. Eversource has denied their request to locate a septic system in or partially in the easement area.

I will be on vacation out of the country from April 15 to 25th. Sanitarian/Health Agent Darren Mccaughey will be covering the office during my absence.

Department staff attended GIS training for an updated GIS system that is being implemented for the town. Staff also attended Dep training/updates and Community Sanitation updates/training (camps/pools/nuisances, etc.).

Department meetings-we are continuing to hold regular department meetings to plan for our Department Assistant being out for medical leave in early May as well as other projects/initiatives that need follow-up. We have been cross training to ensure we have notes and processes documented.

Respectfully,


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

RECEIVED

APR - 8 2016

Board of Selectmen
Town of Wayland

TOWN OF WAYLAND
ACO SUMMARY REPORT
MARCH, 2016

10

TOTAL NUMBER CALLS HANDLED

52

# Complaint Calls	5
# Lost Dog Calls	10
# Lost Cat Calls	1
# Other Cat related calls	
# Animal / Wildlife Calls	3
# Miscellaneous Calls	30

TOTAL # ANIMALS PICKED UP

Total # dogs not licensed
Total # dogs not claimed
still in dog officer custody
#surrendered to Humane Shelter

TOTAL # HUMAN BITE CALLS

1

TOTAL # ANIMAL -> ANIMAL BITE

10 Day Quarantine Order -Human Bite	Issued 1 / Released 1
10 Day Quarantine Order -Animal Bite	Issued 0 / Released 0
45 Day/6 Month Quarantine Orders	Issued 0 / Released 0

TOTAL # CITATIONS ISSUED

NONE

No license citations
Leash Law/Dog not under owner control
Other Offense
Court summons processed

**# ANIMALS SUBMITTED TO STATE LAB FOR
RABIES TESTING**

NONE

Submitted by:
Jennifer A. Condon
Animal Inspector/Officer



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

March 2016

On Monday, March 28th, Wayland officers received a report from a Wayland woman of a possible scam. Upon arrival, officers met a woman that had just sent nearly \$2,000 in two money orders to a man who had claimed to be with the Internal Revenue Service.

The woman told police that she had received a voicemail from an individual claiming to be an I.R.S. agent on her home telephone. When she called the number back, the man identified himself as I.R.S. Agent David Gray and said that the woman owed the I.R.S. approximately \$5,000 from the 2013 tax year. The victim stated the man was hostile and spoke with an Indian accent.

The woman drove to a retail store in Framingham where she sent the funds through two money orders.

Wayland and other police departments have received numerous reports of this particular scam. The public should be aware that the Internal Revenue Service would never require payment in such a manner. Once the money is sent, it is impossible to retrieve.

On March 16th, a patrol officer made a routine motor vehicle stop and discovered that the operator of the vehicle had five outstanding arrest warrants from the Chelsea, Quincy and Malden District Courts. The man was placed under arrest and held until his arraignment the following day.

Officer Bryan Healy resigned from the Wayland Police Department on March 19th and accepted a position on the Weymouth Police Department. Officer Healy served three and a half years in Wayland. The department has begun the process to find a replacement through the Civil Service System.


Robert Irving
Chief of Police

RECEIVED

APR 12 2016

Board of Selectmen
Town of Wayland

Wayland Police Department
Monthly Training Report

Officers of the Wayland Police Department attended the following training programs during the month of March 2016:

In-Service

MPTC
Boylston Academy

Christopher Cohen	March 7-10, 2016
Tyler Castagno	March 14-17, 2016
Jarrold Kullich	March 28-31, 2016
Lynnet Sloan	March 28-31, 2016
Mark Wilkins	March 28-31, 2016

Responding to and Investigating Internet Based Threats

FBI-Boston Office

Shane Bowles	March 9, 2016
Sean Gibbons	March 9, 2016
Patrick Swanick	March 9, 2016
Jamie Berger	March 23, 2016
Tyler Castagno	March 23, 2016

COPLINK

Framingham

Tyler Castagno	March 21, 2016
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Emergency Vehicle Operations Training

MIIA (Massachusetts Interlocal Insurance Association)
Wayland PD

Christopher Cohen	March 28, 2016
Patrick Swanick	March 28, 2016
Robert Irving	March 28, 2016
Ed Walsh	March 28, 2016
Sean Gibbons	March 28, 2016
Shane Bowles	March 28, 2016
Tim Henderson	March 28, 2016
Mark Hebert	March 28, 2016
Tyler Castagno	March 28, 2016
Christopher Custodie	March 28, 2016

Detective School

N.E.M.L.E.C (North Eastern Massachusetts Law Enforcement Council)
Chelmsford, MA

Tyler Castagno

March 28-April 1, 2016

11TH Annual New England School Safety Conference

Massachusetts Juvenile Police Officer's Association

Shane Bowles

March 29-30, 2016

Imposing Discipline

Attorney Patrick Rogers

Jamie Berger

March 28, 2016

Breath Test Operator Re-certification

MPTC

Western Mass Academy

Jamie Berger

March 31, 2016

Wayland Police Department Detective Division Report for March 2016

INVESTIGATIONS

Missing Property – Hillside Drive
Found Property – Middlesex Savings Bank
Suspicious Activity – Overlook Road
Residential Burglaries – Various
Larceny over \$250 – Boston Post Road

MEETINGS/TRAININGS

Regional Detective Meeting – Weston PD
In-Service Training – Boylston MPTC
In-Service Training – Reading MPTC
Responding to and Investigating Internet Based Threats – Regis College
Coplink Training – Framingham PD
Imposing Discipline – Woburn PD
Breath Test Operator Training – Western Mass Police Academy
NEMLEC Detective Training – Chelmsford PD

MISCELLANEOUS

School Security Safety Audit
Framingham District Court – MV/Criminal Hearings
Coffee with Cops – Mel's Restaurant

Irving, Robert

From: Sue Rushfirth [REDACTED]
Sent: Thursday, March 10, 2016 3:55 PM
To: Irving, Robert
Subject: Thank you

Dear Bob:

On behalf of the Roundtable and, I am sure, everyone in the audience I should like to thank you for taking the time to join your colleagues in leading such an interesting and informative discussion.

You mentioned that you miss Ruth Backman who was and remains so committed to reducing (and eradicating) DV, supporting those affected and shining a light on the whole subject. Having heard you speak however, I feel sure she reflected the attitudes and practices of the whole department.

The Sudbury-Wayland-Lincoln DVR is lucky to cover three towns with such an enlightened and open minded police force.

Again, with many thanks,

Sincerely,

Sue

Sue Rushfirth

[REDACTED]

Town of Wayland
Police Department

Dear members of the Police Department,

We are writing to you to express our heartfelt thanks. When we found ourselves tasked with burying our beloved friend Rebecca Furie, we wanted to be sure to act according to her wishes. Home funerals are still unusual, so we had to learn a lot, and we knew we would need the support of many.

On the day of her burial, your support and kindness surpassed anything we had hoped to experience. Several officers and town employees went out of their way to make everything happen smoothly, and we appreciated everyone's help so very much.

In gratitude for your service to our community, in general and in this particular situation,

Krist Vondra Straube

Rebecca Furie

AKC

Molly Faulkner

Andrea Case

Tony Lee

Jessie Johnson

Margie Lee

Chris Caffery

12



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

April 7, 2016

Christopher Barnowski
14 Bigelow Road
Wayland, MA 01778

Re: Chapter 194 Permit – 14 Bigelow Road, Wayland (File D-869)

Dear Mr. Barnowski:

Enclosed please find the original Wetlands and Water Resources Protection Bylaw Permit (Chapter 194) issued by the Wayland Conservation Commission regarding the approved tree removal project at 14 Bigelow Road in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit. No other work is permitted by this decision.

If you have any questions, please contact me at (508) 358-3669. Thank you.

Sincerely,

Brian J. Monahan
Conservation Administrator

Enclosure

cc: Building Department w/enc.
Town Clerk w/enc.
Board of Selectmen
Board of Health
Planning Board
Abutters
File



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

13

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

A public hearing will be held on APRIL 26, 2016 at the TOWN BUILDING, 41 COCHITUATE ROAD, WAYLAND on the following applications at the time indicated:

- 7:15 p.m. Application of ROBERT LAVIN for any necessary approvals, findings, special permits, variances or modifications as may be required to amend previous Zoning Board of Appeals Decisions including but not limited to, Z.B.A. Decision #86-36, #03-61, #05-07 and #05-28 to change the "business use" under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201 and 203. The property is located at 326 / 328 Old Connecticut Path which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (16-07)
- 7:30 p.m. Application of WAYLAND SWIMMING & TENNIS CLUB, INC. for any necessary approvals, modifications, special permits, variances and/or amendments as may be required to modify previous Z.B.A. Decisions including but not limited to Decision Nos. 94-5, 97-21, 01-51, 03-09, 04-16, 05-21, 06-32, 10-16, 11-34, 12-09 and 15-06 (extend term of condition #9e "limited adult morning lap swimming use" and make it concurrent with the term of WSTC's special permit) under the Town of Wayland Zoning By-laws Chapter 198 Sections 201, 203 and 802 – Table of Permitted Uses by District (Use #21). The property is located at 228 GLEZEN LANE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (16-08)

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

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APR - 8 2016

Board of Selectmen
Town of Wayland



14

TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

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

DECISION NO. 16-03

NAME OF APPLICANTS:

MICHAEL OLSEN

APPLICATION FOR:

Any necessary approvals, special permits, and/or variances as may be required to allow a business use, specifically "stables with horses for hire", under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, Article 6 – SPA, 803.1 and 804-Table of Permitted Uses by Districts (Use #14). The property is located at 120 OLD CONNECTICUT PATH which is in a SINGLE RESIDENCE DISTRICT.

DATE OF HEARING:

March 22, 2016

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Eric Goldberg, Thomas White, Aida Gennis, Linda Segal, and Argie Shapiro.

DECISION:

Special Permit granted with the conditions set forth herein.

The Board previously granted site plan approval consistent with the Planning Board's Advisory Recommendations for Site Plan Review and Approval, dated March 17, 2010 based on the plan submitted by the previous owner under Decision No. 10-08. The Applicant is not making any changes to the site apart from the relocation of the manure container with approval by the Board of Health.

VOTE OF BOARD:

5-0 in favor of authorizing a stable with horses for hire pursuant to Sections 803.1 and 804-Table of Permitted Uses (Use #14).

CONDITIONS:

1. Due to the sensitive nature of the property, which is situated in a residential area, the Special Permit shall be granted for a period one-year from the date of this Decision. Upon application for renewal, the renewal period may be for such longer time as the Board shall then determine provided the Board finds that the Applicant has fully complied with the terms and conditions hereof.

2. There shall be no unreasonable glare from lighting, whether direct or reflected, onto the night sky or onto adjacent properties in residential zoning districts. The Planning Board and/or Building Commissioner shall have the right to require the site lighting system to be modified to correct deficiencies in its operation.
3. Any change in use or breach of the covenants, requirements and constraints of this Decision shall require a new application for Site Plan Approval.
4. This Special Permit, including the Board's recognition of its prior site plan approval, shall be personal to the Applicant. Any change in use or ownership of the property shall be cause for termination of this Special Permit and reconsideration of Site Plan Approval.
5. The Applicant shall be limited to the keeping of no more than six horses.
6. The hours of operation of the facility for riding lessons shall be limited as follows: Wednesday through Sunday, between the hours of 9:00am and 8:00pm.

FINDINGS:

The Applicant purchased the property located at 120 Old Connecticut Path on or about September 25, 2015, and seeks to utilize the site's existing barn, stable and riding ring to operate a stable with horses for hire. The prior owner had been operating the barn and keeping six horses since approximately 2005. There had previously been no complaints from neighbors or citations from the Town. An Animal Keeping Permit has been issued to the Applicant for keeping up to six (6) horses. The Applicant seeks approval to charge horse owners a monthly boarding fee to defray the cost of feeding, maintenance and caring of the animals. The Applicant further intends to offer riding lessons by a professional instructor. A barn and the keeping of horses are permissible accessory uses in the Single Residence District. Relief from this Board is required to operate the stable for hire.

After considering all of the information and materials that it has received, including the prior decisions and the Planning Board's prior Advisory Recommendations for Site Plan Review and Approval, incorporated herein by reference, and comments made at the Public Hearing, the Board makes the following findings relative to the Applicant's proposal:

1. To cover the cost of feeding, maintenance and caring for the horses, the Applicant will charge other horse owners a monthly fee. Except for the imposition of this fee, which is not imposed so as to produce a profit to the Applicant, but solely to cover the costs associated with the care and feeding of the horses, and charging for riding lessons, there would be no need for the Applicant to seek the Zoning Board's approval.
2. The Board finds that the Applicant's proposal to utilize the site as previously developed without any changes to the site plan apart from the Board of Health's approved relocation of the manure container complies with the requirements of the Zoning Bylaws, § 198-606.2.1, and that it will not be detrimental or injurious to the neighborhood in which it is to take place. (established in Decision #10-08)
3. The existing site is well landscaped and maintained. The existing site shall, to the extent feasible:

- a. Minimize the use of wetlands, steep slopes, floodplains and hilltops.
 - b. Preserve natural or historic features.
 - c. Maximize retention of open space.
 - d. Preserve scenic views from publicly accessible locations.
 - e. Minimize tree, vegetation and soil removal, blasting and grade changes.
 - f. Screen objectionable features from adjacent properties and roadways.
4. The existing barn and fencing, structures and landscaping as constructed is in harmony with the prevailing character and scale of the buildings, structures and landscaping of the zoning district of the site and of adjacent properties. There is sufficient parking located on the driveway and adjacent to the barn and house.
5. Exposed storage areas for horse manure and soiled bedding materials from the barn stalls, dumpsters, horse loading areas, parking, and similar unsightly, structures, uses and activities are adequately set back and/or screened to the extent feasible to protect adjacent properties from objectionable features.

DATE OF FILING OF DECISION:

April 4, 2016

BY ORDER OF THE BOARD

Eric B. Goldberg, Chair
Eric B. Goldberg, Chair

CERTIFICATION:

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

BOARD OF APPEALS

Eric B. Goldberg, Chair
Eric B. Goldberg, Chair



(15)

TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

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

DECISION NO. 16-04

NAME OF APPLICANTS:

FRANK BRIBER III and FRANCIS POLLITT

APPLICATION FOR:

Any necessary approvals, special permits, and/or variances as may be required to allow earth movement in excess of 1,500 Cubic Yards under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 504 (earth removal in excess of 1500 CUYD) and article 16 .The property is located at 113 CONCORD ROAD, which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT.

DATE OF HEARING:

March 22, 2015

BOARD CONDUCTING HEARING AND RENDERING DECISION:

Thomas White, Eric Goldberg, Aida Gennis, Linda Segal and Shaunt Sarian

DECISION:

Special Permit granted, with conditions

VOTE OF BOARD:

5-0

CONDITIONS:

1. The applicant shall adhere to the conditions established by the Conservation Commission Chapter 194 Permit dated January 4, 2016

FACTS AND REASONS:

The property in question is located at 113 Concord Road. The applicant seeks zoning relief to undertake earth removal in excess of the amounts permitted as of right in the Zoning By-Law. The property and the house on the property are conforming. The lot area is 102,078 square feet and the lot has 273 ft of frontage on Concord Road.

Because the applicant seeks to perform earth removal in excess of 1,500 Cubic Yards, M.G.L. c. 40A § 6 and section 504 of the Zoning Bylaw require the applicant to obtain a Special Permit.

The applicant is currently constructing an approved single-family house on the lot. The Conservation Commission has been involved in the project and has issued 3 orders of conditions approving work on the property. The house has been designed as an “aging in place” home with the majority of the living space on one floor. Integral to the design is the provision of complete accessibility from interior to exterior living spaces. The house features virtually flat grading at all points of access and egress and offers the owners as they age, full access to the house and the yard surrounding the structure with no steps or grade changes.

Due to the relatively high depth of seasonal high groundwater, the first floor elevation is set approximately 6 feet above the existing natural grade. In order to provide proper drainage, contours and access, the applicant needs to undertake cut and fill earthwork in multiple areas of the site. The manipulation of the grade has been carefully designed and fully reviewed by the Conservation Commission as part of the approval process and is covered in the multiple order of conditions issued. The Wayland Zoning Bylaw permits earth movement as of right provided the amount of earth moved does not exceed 1,500 cubic Yards on a lot that is a minimum of 40,000 sf. The applicant’s engineer submitted calculations indicating a net additional 3,965 cubic yards of earth will need to be moved to fully implement the sitework for the project. The Conservation Commission has approved the project sitework.

Following a discussion of the project by the Board, it was determined the amount of additional earth movement requested was integral to the project and did not present any negative impacts to the lot or the surrounding properties.

In order to be granted a special permit in accordance with § 203 of the Zoning Bylaw, the applicant must demonstrate to the satisfaction of the Board that “the use of the premises for which the application is made shall not be against the public interest, shall not derogate from the character of the neighborhood in which such use is to occur and shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety.”

No members of the public spoke in opposition to the proposed earth movement.

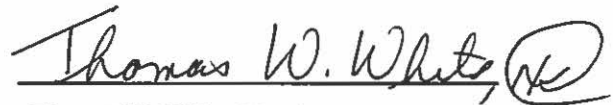
By a vote of 5-0, the board finds pursuant to G.L c. 40A § 6 that the proposed earth movement is not against the public interest, will not derogate from the character of the neighborhood and will not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety.

The board further finds that nothing contained in section 198-504 shall prevent the continued use of any land for the purpose of which it is used at the time 198-504 takes effect, which is May 14, 1998, or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to, or usual in connection with, any of said purposes and also that, the applicant has shown to the satisfaction of the ZBA that the movement will not impair the usability of the lot and adjacent lots for the purposes permitted in the Zoning Bylaw, that the grades to be established within the lot will, permit vehicular access to the lot and the continuation of streets from the abutting lots, and that the lot may ultimately be developed compatibly with the neighboring land and thus meets the requirements set forth in § 203 of the zoning bylaw and votes to approve the Special Permit subject to the conditions set forth herein.

DATE OF FILING OF DECISION:

April 4, 2016

BY ORDER OF THE BOARD

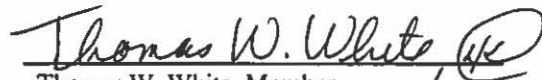


Thomas W. White, Member

CERTIFICATION:

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

BOARD OF APPEALS



Thomas W. White, Member

Minutes of the Electronic Voting Implementation Subcommittee Meeting of 2016-02-11

1. The meeting was called to order by Dave Bernstein at 6:42 pm with Lynne Dunbrack, Larry Krakauer, and Jon Sieber in attendance. Alan Reiss arrived at 6:45 pm.
2. Dave Bernstein was appointed Secretary pro tem
3. There was no initial public comment
4. Minutes from our 2015-11-09 meeting were approved by a vote of 3 in favor and 1 abstention.
5. ELVIS responsibilities during the Special Town Meeting were reviewed
 - o Scanning for handset failures during votes, and issuing replacement handsets if necessary
 - o Scanning for physical possession of multiple handsets, and bringing this to the Moderator's attention by raising a point of personal privilege
6. There was no final public comment
7. The meeting was adjourned at 6:49 PM



Town of Wayland Massachusetts

Finance Committee

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

Finance Committee Meeting Minutes

Wednesday, January 13, 2016, 7:00 pm
Town Building

In Attendance: N. Funkhouser (Chair); G. Cliff; C. Martin; W. Steinberg; D. Watkins; T. Abdella (Late 7:22); and Finance Director B. Keveny. Not In Attendance: G. Wolin.

WayCam was taping the meeting

7:00 Call to Order
Nancy Funkhouser called the meeting to order at 7:00p.

7:01 Public Comment
Ms. Molly Upton discussed her reservations regarding the River's Edge project. She indicated that the committee might amend their RFP to include Water, Sewer and utilities at the possible cost to the Town.

Ms. Alice Coulter of Lakeshore Drive indicated that she was also concerned that the River's Edge Committee indicated that the Town was taking on the responsibility of paying for any soil contamination on the site.

7:02 Committee's response to Public Comment
Mr. Steinberg indicated that he was unaware of any discussion by the River's Edge Committee reflecting the validity of the Public Comment.

7:04 Review CIPs & Vote on 2017 Capital Budget
Mr. Keveny reviewed the proposed 2017 Capital Budget Project Schedule. He indicated that the committee should use the schedule to assess the effect of funding all the projects being requested on the overall debt service for the town. He indicated that if all projects were approved, FY 2018 debt levels would be approximately 11.8%. He suggested that the Committee should not be blinded by the 10% level. The committee asked Mr. Keveny to clarify certain components of the model. He said for every million dollars, the debt service was about \$100,000 in operating costs. Ms. Funkhouser indicated that she wanted to take a vote on the budget even though there were outstanding items because it was due by February 8, 2016. Further she indicated that March 2, 2016 was the final deadline. Members opined the need to understand the schedule and decided that the committee take action on the schedule at a subsequent meeting. Mr. Watkins requested that each committee liaison review their CIPs for quality. It was decided that people would provide their draft CIPs by January 25, 2016. Mr. Steinberg distributed a study he did of Peer Towns and their debt policies. Mr. Cliff discussed that according to the bylaws that the Town Administrator was responsible for providing their opinion for the capital and personnel costs associated with the capital budget after reviewing it with FinCom.

Mr. Abdella discussed his opinions of the DPW expenditures and responded to various committee member inquiries. He indicated that they would not be able to deliver on the additional funding

allocated to road work. It was agreed we would continue discussion. He subsequently discussed cemetery expansion. Mr. Keveny indicated he would track down further details including the run rate for administering the cemetery. He discussed information gathered about additional requests including the sweeper, trucks, small equipment replacements and the turf tractor replacement. Mr. Abdella indicated that light truck various/turf tractor were to be postponed. Lastly he discussed Water including Tank replacement work, the Happy Hollow Generator and the deletion of the billing software and the water meters. Committee members made various inquiries regarding the DPW and Water requests for funding. Mr. Abdella indicated that he would assist in understanding whether the Happy Hollow water main could be separated from the road work. He indicated he would also make inquiries regarding the automated meter reading. Ms. Funkhouser concluded that we would remove the water project for 200,000, lower Happy Hollow Wells and omitting the road project and the water main to obtain more information.

The committee discussed the demolition of the DPW building. Mr. Steinberg committed to identifying whether the estimate was to be updated. Mr. Watkins indicated that more information was needed from a previously funded analysis project.

Mr. Keveny responded to questions about the Ambulance fund. Ms. Funkhouser requested clarification of the effect of borrowing. Mr. Keveny indicated he would take \$360k from the general fund and \$490k from the rescue truck (balance of \$1mm) and there is not another \$1mm available to fund it. Mr. Keveny was concerned we might not have the balance required at Town Meeting. Mr. Keveny will make a schedule of fund flow.

Ms. Martin discussed Recreation, including the turf field and Oxbow Road. Oxbow Road was going to rely on the CPA funds, and because the location has not been determined for the Turf fields, is no longer a relevant project. She continued to talk about school projects including the security system, the windows, furniture and floor requests at Happy Hollow, Claypit, middle school (defer), stadium repairs (out), vehicles (out), food service and custodian equipment. Mr. Watkins discussed the challenges regarding further enhancements to the Avaya phone system. He indicated that the Town should not continue to invest in an antiquated phone system without analyzing alternatives. Mr. Steinberg requested the committee provide feedback on the proposed alternatives. The committee deliberated regarding safety versus design alternatives and decided to approve the funding of the phones. Ms. Martin confirmed that tile replacement and furniture at Loker were ongoing projects. Ms. Martin commented that the Tile and Furniture at the middle school could be deferred. Mr. Steinberg recapped the Town's anticipated borrowing and a brief discussion ensued.

- 8:36 FY 2017 Operating Budget Request –
- Finance, B. Keveny
 - Information Technology
 - Board of Health

The Board of health, represented by Tom Klem and Julia Junghanns. Ms. Junghanns discussed salary cost drivers including the retroactive cost of living adjustments. She also indicated that the Union Contract reflected increases in nurse's and management salaries. She commented on the school redistricting changes affected salaries as well. Mr. Steinberg inquired about the contract services request for additional costs. Ms. Junghanns provided a handout to explain the changes. She discussed the reorganization of her office files and vacation time staff augmentation support. Mr. Steinberg discussed the long term needs of refrigeration and generator support. She indicated that with the acquisition of space and the changes to the office configuration have helped the department. She commented that a system was set up to manually manage the process today. Ms. Junghanns indicated they are looking at a more automated solution in the future. Mr. Watkins inquired about HIPAA compliance. Ms. Junghanns indicated it was being evaluated. Mr. Abdella commented on the Council of Aging's need as well. Ms. Martin requested clarification on potential turn backs anticipated and vacation coverage. Ms. Martin further discussed whether the department can leverage the tax work off group. Ms. Junghanns indicated that they were. She indicated that compared to the Building

Department, there are two administrative personnel. Mr. Klem indicated that the Board of Health approved the request for the contracted position.

Leisha Simon and Beth Doucette presented the IT operating budget. Ms. Doucette reviewed various IT line items. She indicated that she separated out the costs of the shared infrastructure. Ms. Doucette indicated that the salaries did not include the two new position requests and were in the salary reserve budget. Mr. Cliff commented that the increase in budget was stunning and he communicated his concern was that he struggled to understand how he would come up to speed on the costs inside of 15 minutes. Mr. Abdella communicated that the IT consultant was driving the costs. Mr. Steinberg requested that they discuss where they have been and where they are heading. Ms. Doucette communicated that the increase was in line with other organizations with similar revenue. Ms. Simon indicated that with the historical lack of investment caused the Town to be in it's position. She indicated that the RSM report provides the detailed insight. Ms. Funkhouser asked whether the Town decided to purchase. Ms. Simon indicated that there are still many decisions to be made. She indicated that the issues will become more clear. Ms. Martin provided further clarification that the SAN and the Patch management were capital expenditures. She also asked for clarification about one-time vs ongoing fees. Ms. Doucette indicated that subsequent years will incur similar costs and that the costs of labor will be affected by future leadership decisions. Mr. Cliff indicated that he would not feel comfortable with the expenditures without the reality of reviewing our peer town's similar expenditures. Ms. Funkhouser provided further insight that once we hire a professional leader that follows the process that the consultant recommended, the process will result in the proper expenditures and decisions. Mr. Abdella asked if the BOS were included in the decision. Mr. Steinberg asked what they liked about the budget and whether the school was paying their fair share. Ms. Doucette clarified that she indicated that the work was a draft product and that further clarification would occur. She also indicates that the budget would help the department run. Ms. Simon indicated that the budget had key items that were important and that the data center would be made smaller over time. She commented on the challenges the town could have in the future with aging hardware in the schools. Mr. Watkins asked if they had any knowledge of peers and recurring software fee clarification. Mr. Cliff indicated that he wanted to halve the expenditure and communicated that the one incident had caused the issues. Mr. Watkins indicated that further homework was needed. Ms. Martin commented on the contract services vs the full time position. Ms. Doucette indicated that she was following the RSM report. Mr. Watkins commented that strategies will change and costs will be affected. Ms. Simon indicated that there will be a very thoughtful assessment as to whether we need to outsource the service or not. Mr. Abdella asked whether a business justification was available for staff requirements in the future. Ms. Doucette indicated that there were both increases and decreases in staff costs. Ms. Nan Balmer indicated that she approves all purchase orders and verifies all expenditures.

Mr. Keveny discussed his budget for payroll and non-payroll. He indicated that the budget increased by \$25,000. He clarified how the town will produce a more significant financial statement for \$5,000. He also discussed a \$20,000 expenditure for payroll. Mr. Cliff asked for clarification about the employees. Mr. Watkins asked about whether the new software would result in more operational costs. Mr. Keveny indicated that he did not have further information.

8:15 STM Proposed Article review, discussion and vote
Minuteman - MMRD Amendment
Minuteman - Withdrawal
Petitioners Article

The committee reviewed the articles, deliberated content and shared comments with Ms. Funkhouser. Mr. Cliff provided additional arguments that were incorporated in the process. Mr. Watkins communicated that the process would become more onerous for students to participate if the Town were to withdraw. Mr. Steinberg made a motion that the write up as amended was agreeable to members of the Committee. Ms. Martin Seconded the motion; the vote 6-0-0. Mr. Steinberg made a motion that the members of the Finance Committee recommend approval of the article to amend the

agreement. Mr. Cliff indicated that he wanted further clarification about how to vote. Ms. Funkhouser Seconded the motion; vote 6-0-0.

Ms. Funkhouser reviewed Article 2 withdrawal from Minuteman. The committee made suggestions regarding changes to the article copy. Mr. Steinberg requested to broaden terms in the arguments opposed and Ms. Martin made further discussion. Mr. Steinberg made a motion to recommend the article to withdraw from Minuteman as amended; vote 5-0-0.

Mr. Steinberg made a motion that the Town recommend withdrawal from Minuteman School district. Ms. Funkhouser seconded; Vote 5-0-0.

Mr. Cliff indicated he met with Ms. Balmer and Chief Irving to discuss the various article line items. Mr. Cliff indicated that the petitioner would be doing more work on clarification of what thickly settled means. Mr. Abdella provided background information about the definition of thickly settled. The committee made comments about various wording changes.

Mr. Cliff made a motion to accept the petitioners report on the article; vote 5-0-0. Mr. Steinberg made a motion that the committee made a motion to recommend the article to facilitate and improve safety on Town roads. Ms. Funkhouser seconded it; vote 0-5-0.

10:30 Operating Budget Timeline Discussion

Ms. Funkhouser discussed the meeting schedule. The committee provided feedback.

10:35 Modified Article write-up template - Committee Discussion

Mr. Abdella presented his screening tool. He indicated that the draft memo would ask the petitioner for help when the FinCom prepared their article. The committee discussed how to distribute the directive. FinCom agreed that Ms. Funkhouser would provide the information to the selectman for distribution.

10:45 Liaison & Members' Reports, Concerns, and Topics

Mr. Cliff asked to deliberate whether we should give maps to petitioners. He asked whether we should follow Town policy where the petitioner cannot ask for the map and if a FinCom member requests a map it should be allowed.

10:50 Chair's Update & Items the chair did not reasonably anticipate would be discussed at the meeting

Ms. Funkhouser indicated we need to determine if there was a debt exclusion ballot question. Mr. Steinberg indicated that he did not believe something would be required. Ms. Funkhouser would talk to Ms. Karlson and Ms. Balmer.

STM Timeline – Ms. Funkhouser requested that Committee members get information to Ms. Dinapoli.

Future Meeting Schedule: 1/19/16, 1/25/16 (7:30 pm FinCom ATM Warrant Article Hearing), 1/28/16, 2/1/16 (Moderator's STM warrant hearing), 2/11/16, 2/22, 2/29

11:00 Adjourn

Ms. Funkhouser made a motion to adjourn, Ms. Martin seconded the motion; Vote 5-0-0.

Attachments:

Pro/Con Arguments
12-14-15 Meeting Notes
151227 FACT SHEET Not Need C 193 Application
160111 DRAFT PERMIT C 193

Facilitate improving safety of town roads FCF H1 and 2 v6
Detailed Summary - Request for New Line Items
IT Operational Budget
IT Budget FY 17
January 13, 2016 Agenda
STM Feb 2016 MM Amendment final-1 clean
STM Feb 2016 MM Withdrawal final clean
Three-Year IT Master Plan Capital Recommendations and Roadmap



Town of Wayland Massachusetts

Finance Committee

Thomas Abdella
Gordon Cliff
Nancy Funkhouser (Chair)
Carol Martin

Bill Steinberg
Dave Watkins (Vice-Chair)
Gil Wolin
Brian Keveny (Finance Director)

Finance Committee Meeting Minutes January 25, 2016

In Attendance: N. Funkhouser (Chair) @ 7:29; G. Cliff; C. Martin; W. Steinberg; D. Watkins (Vice-Chair); T. Abdella; and Finance Director B. Keveny. Not In Attendance: G. Wolin.

Call to Order at 7:00 PM. WayCam was taping the meeting and it was also reported to be shown live.

I. Public Comment –

Donna Bouchard, 72 Concord Road, speaking as a resident and not as a Member of the School Committee. She voted against the budget recommended to the Finance Committee by the School Committee. The major reason she gave is an expanding budget despite declining student enrollment. She is not in favor of the part-time Assistant Principal position proposed for the Claypit Hill School. She would like the School budget to increase no more than 2.5% over the School budget for Fiscal Year 2016. Ms. Bouchard provided a handout.

II. School Committee Presentation –

Ellen Grieco, Chair of the School Committee, provided two handouts for her presentation of the recommended School Committee presentation. She highlighted the process that the School Committee and administration went through in order to create this budget, and spent time on areas of savings and areas where the budget was meeting unmet needs. The recommended budget requests funding that is 2.73% greater than the School Budget for 2016. She then opened the floor to questions.

Mr. Steinberg asked how much of the increase was due to mandated costs for Special Education (SPED) and English Language Learners (ELL). School Committee Member Barbara Fletcher answered the question. There are no increases for FY'17 that are related to ELL. Net increases for SPED are approximately \$105,000. Mr. Steinberg then stated that some in Town had been questioning custodial costs and whether the Schools should out-source that service. Ms. Fletcher responded that a study was done and it concluded that out-sourcing would be more expensive than running that service internally, and it concluded that the custodial program is under-staffed.

Mr. Watkins commented that the recommended budget replaces 77% of technology in the hands of students and teachers. Ms. Fletcher noted that the schools have not yet

met the IT needs of the elementary schools. Leisha Simon, the Schools Director of Technology, noted that the schools still need to replace 100 computers that are used by teachers. She provided a handout: Wayland Technology – Computer Sustainability.

Ms. Martin praised the School Committee budget process, having worked with them as the Finance Committee liaison. She requested follow-up data, from John Senchyshyn, of the number and cost of potential new benefit packages within the recommended FY'17 budget.

Ms. Funkhouser arrived at about this time.

Mr. Cliff requested that the School Committee elaborate on the request for a part-time Assistant Principal at Claypit Hill School. School Superintendent (Dr.) Stein responded. He said that this position has been studied over the past 14 months and was recommended across the District by members of the school community. He said that given the larger student enrollment at Claypit Hill School that it is evident that there is a need for an additional administrator in the form of this Assistant Principal position (a half-time position). Ms. Grieco added that the role of a school principal has expanded due to mandated requirements on the position, which make it more time consuming and more complex to be a school principal.

Mr. Cliff requested a comment on class sizes at Wayland High School. Dr. Stein responded that the size of classrooms and the number of teachers are often dependent upon the size of schools. If Wayland wants to provide certain courses, such as 3rd and 4th year Latin, there are few students who take those courses, such that the average class size of the overall school becomes smaller. If Wayland were a larger school, then it is likely that more students would take those types of courses, which would increase the overall average class size.

Mr. Watkins asked how the schools forecast school enrollment. Ms. Bottan, the School's Business Manager, discussed some of the methodology that goes into forecasting future school enrollment.

Mr. Watkins, who had been chairing the meeting until Ms. Funkhouser's arrival, opened questions to the public.

Molly Upton stated that the school budget exceeding an increase of 2.5%, which was suggested by the Finance Committee in its guideline letter in October, made it more difficult for residents to afford their property taxes. Mr. Cliff responded that the reference to a 2.5% increase in the Finance Committee's budget letter to departments was more of a goal than it was a specific limit on proposed budgets.

Mr. Watkins read an email from Linda Segal requesting that the school budget for FY'17 not increase by more than 2.5% over the previous year's budget.

Mr. Watkins read an email from David Mann that had a similar message to the one from Ms. Segal and also stated that increasing budgets made it more difficult for people from diverse economic positions to live in Wayland.

George Harris stated that he thinks that there will be 1.5% fewer students in Wayland in FY'17 than there were in FY'11, and yet the number of full-time employees (FTE's) in the school system will have increased by 15.3%, and he does not think that this is reasonable. He also stated that he thought that the technology that has come to Wayland students and teachers would increase the ratio of students to teachers.

Ellen Grieco responded to the public comments noted above (primarily from Mr. Harris), speaking as a resident and not as a Member of the School Committee, that in the FY'11 budget year there were 17.5 FTE's removed from the school system. 8.5 of those positions have been added back into the system due to mandated program requirements for SPED and ELL. There were 13 FTE's who were added back two years ago when the elementary school reconfiguration occurred, which was the re-opening of Loker School that was approved by Town Meeting.

III. Annual Town Meeting Warrant Hearing (A Public Hearing) -

The Article Hearing commenced at 7:54 PM. The draft warrant was handed out and specific information regarding each article is set forth in that handout. The FinCom liaison for each article is set forth in parenthesis for each article (below).

Article S: Adopt MA General Laws Chapter 44, Section 53 E ½ , Revolving Accounts, presented by Town Administrator Nan Balmer, on behalf of the Board of Selectmen (BoS). She explained that there would be five Wayland revolving funds under Section 53 ½ of the Massachusetts General Laws as set forth in this Article. Four are continuing funds and one is a new revolving fund being added by the Schools. This will need to be an annual article at Wayland Annual Town Meeting (ATM). The spending limits of these funds are established by the BoS. The revolving funds have spending limits that restrict annual spending to a cap of 1% of the Omnibus Budget for the Town. (Martin)

Articles A: Recognize Citizens and Employees for Particular Service to the Town; B: Pay Previous Fiscal Year Unpaid Bill; and C: Current Year Transfers- all presented by BoS Chair Cherry Karlson. (Funkhouser).

Article D: presented by Mr. Cliff. OPEB Funding. (Cliff)

Article E: FY 2017 Omnibus Budget, (Funkhouser - Operating Budget/Watkins- Capital Budget)

Article F: Compensation for Town Clerk, presented by Ms. Karlson. (Funkhouser)

Article G: Accept Law Increasing Real Estae Tax Exemption Amounts, presented by Ms. Karlson; Lea Anderson of the BoS will be their liaison for this Article. (Funkhouser)

Article H: Personnel Bylaws and Wage & Classification Plan, presented by John Senchyshyn, Assistant Town Administrator, regarding cost of living adjustments for non-union employees of the Town, which have been set at 2.5%. Public comment by Anette Lewis that she does not believe that the cost of living adjustment is 2.5%, as the Social Security Administration is currently not adjusting upwards its annual payments.

Article J: (Accept Gifts of Land) presented by Ms. Karlson. (Funkhouser)

Article K: Sell or Trade Vehicles and Equipment, presented by Ms. Karlson. Joe Nolan will be the BoS liaison. The article is presented in conjunction with the DPW. (Funkhouser)

Article L: Rescind Authorized but Unissued Debt. Ms. Karlson reported that there is a list of such debt in the draft Article. (Funkhouser)

Article M: Hear Reports, presented by Ms. Karlson (Funkhouser)

Article N: Vote to Appropriate Funding for New Minuteman High School. Presented by Ms. Karlson. Ms. Anderson will be the BoS liaison. This is only pertinent to municipalities that chose to remain in the Minuteman School District after the Special Town Meeting votes. (Martin)

Article O: Appropriate Funds for Design, Construction Documents and Bidding for a Proposed Council on Aging/Community Center at Wayland Town Center, presented by Bill Sterling. He stated that the goal is to be able to receive bids for construction before Annual Town Meeting in 2017. The request for funds is \$560,000. The program is for a single story building that is added on to the existing building at that site. (Steinberg)

Article P: Fund Glezen Lane Traffic Control Measures, presented by Ms. Karlson, who will be the BoS liaison. This is similar to an Article brought before ATM in 2015 that was defeated. If passed, it would provide for the permanent redesign of traffic along Glezen Lane, approximately from Rte 27 to Rte 126. It complies with the Town's legal obligation to provide these improvements from a legal action filed by residents. (Abdella)

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, presented by Mr. Senchyshyn. This article would remove police personnel from the civil service administration. The police union does not support this article. It is supported by Chief Irving. Civil service puts certain rules and restrictions on hiring and promoting within the police force, and the Chief does not believe this to be in the best interest of the Wayland Police Force. Approximately half of MA cities and towns comply with Civil Service.

Article R: Petition the State Legislature to Adopt Special Act for Other Employment Benefits Trust Funds and Repeal Existing OPEB Trust Fund Special Act, presented by Ms. Karlson. (Cliff)

Article T: Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials, presented by Ms. Karlson. This would add Town Counsel to the list of Town Officials who are non-residents, but who could speak at Town Meeting. (Martin)

Article U: Confirmatory Taking of Newbury Conservation Land, presented by Ms. Karlson. Mary Antes is BoS liaison. Resident Betty Salzbury noted that the land is adjacent to Heard Farm. (Watkins)

Article V: Amend Chapter 145-Inspection, Testing, Maintenance of Private Fire Hydrants, presented by Fire Chief Howland. The Board of Public Works supports this article. (Abdella)

Article W: Preservation of Historically Significant Buildings Through Demolition Delay, presented by Elisa Scola of the Historical Society. She reported that the Historic District Commission has voted to co-sponsor this article. Ms. Antes is the BoS liaison. (Watkins)

Article X: Transfer 193 and 195 Main Street to Library Trustees, Recreation Commission, presented by Aida Gennis, Member of the Library Board of Trustees. She reported that the Library Trustees, the Recreation Commission and the Schools are interested in this article. She stated that if the Library does not need to use this land, its control would revert back to the Board of Public Works and the Schools, or to whoever currently has control over such land parcels. Resident (and BoPW Member) Mike Lowery asked if the proposed article is legal. Ms. Gennis reported that it is in the opinion of Town Counsel. Ann Knight, a Member of the Library Board of Trustees, clarified that the article does not transfer the land, but it authorizes the controlling boards to transfer the land in the future. Chris Brown, Member of the Board of Public Works, noted that the article provides that the land could be transferred to any of the three Town entities noted above. It was also noted that the title of the article does not reflect the description that this article provides for the "right to transfer" and not the actual transfer of land, and that the title of the article should also reflect that the schools are one of the parties with a potential interest in these parcels. Mr. Nolan is the BoS liaison. (Cliff)

Article Y: Transfer 202 Old Connecticut Path to Library Trustees for Library Use, presented by Ms. Gennis. Similar to Article X, it would allow for the transfer of land from the BoS to the Library Trustees. Like article X, it was noted that the title of the article should reflect that this deals with a "right to transfer" and not an actual transfer of land. Mr. Lowery suggested that a map be provided with the article and he further stated that the article might provide for the right to transfer only a portion of the land, given that its size is significantly larger (at 26 acres) than the needs of the Library Trustees. Mr. Nolan is the BoS liaison. (Cliff)

Article Z: Fund Payment in Lieu of Sewer Betterment Assessment for Sewer Capacity for Town Library or Other Town Building, presented by Ms. Gennis. This would assist in the potential enlargement of 5 Concord Road (current library site), by allowing it to tie into the nearby septage facility at the Wayland Town Center. Cost estimate is \$56,000. Resident Anette Lewis stated that it is not clear that there is capacity in the septage facility to allow for that to occur. Ms. Karlson noted that the article authors need to be careful in the language presented that it does not provide for the Town to pay a betterment, which would not be legal. Mr. Lowery asked if the WRAP Committee has opined on this. Ms. Lewis, a Member of that committee, said they are working on it. Mr. Nolan is the BoS liaison. (Cliff)

Article AA: Transfer Custody of a Small Portion of Lakeview Cemetery, presented by Chris Brown, Chair of the Board of Public Works. He said that this is the clean-up of a prior error in a land transfer and that there is no cost to the Town. (Cliff)

Article BB: Fund Reconfiguration of the Five Paths Intersection (Cochituate Rd and Old Connecticut Path), presented by Mr. Brown on behalf of the Board of Public Works. Requesting funding of \$300,000. The Conservation Commission is in favor of this due to the improvement of pedestrian crosswalks. Resident Tom Sciacca asked if the changes are predominantly to the traffic lights and cross walks and not to the road configuration. Mr. Lowery said that is correct. Mr. Steinberg asked why this was not included in the CIP process. Mr. Brown said that the BoPW feels that residents should have the opportunity to vote on traffic changes, rather than having them buried in a long list of capital. (Abdella)

Article CC: Fund Permanent Reconfiguration of the Intersection of East Plain Street, School Street and Route 30 (Commonwealth Road), presented by Mr. Brown. The cost will be \$300,000. Mr. Brown noted that the temporary changes at this location have been successful. Mr. Nolan is the BoS liaison. (Abdella)

Article DD: Accept Modified Route 30 and 27 Intersection as a Town Way, presented by Mr. Brown. There is no cost to this. Mr. Nolan is the BoS liaison. (Abdella)

Article EE: Regulating Temporary Signs Within Town-Owned Rights of Way, presented by Mr. Brown. This would eliminate temporary signs. Election signs would be exempt from this. There were questions regarding the ability to enforce and the legality of this article. Planning Board Chair Sarkis Sarkisian discussed which types of signs would be legal under this bylaw. He said that sandwich boards currently used by the Town could be legal if overlay districts for them were created. Ms. Antes is the BoS liaison. (Abdella)

Article FF: Establish 53D Recreation Revolving Fund for The Wayland Town Beach, presented by Recreation Director Jessica Brodie. This would provide the Recreation Department with relief from the spending limits of the 53 E ½ Revolving Fund within

which the Recreation Department currently resides. Funds for the 53D Revolving Fund would come from the 53 E ½ fund and would therefore not be a cost to taxpayers. The BoS liaison is Mr. Nolan. (Martin)

Article GG: Establish and Fund Recreation Stabilization Fund, presented by Ms. Brodie. This would authorize Recreation to move funds for expenditure subject to approval by a 2/3 vote at Town Meeting. Ms. Karlson clarified that the authorization to move the monies into this fund did not authorized expenditures without a Town Meeting vote. Mr. Nolan is the BoS liaison. (Martin)

Article HH: Funding to Design a Multi-Purpose, Rectangular, Artificial Turf Field 193 & 195 Main Street, also known as the Former DPW Site, presented by Ms. Brodie. This would allow the Recreation Department to expend \$300,000 to renovate fields and to design a turf field at this site. Mr. Steinberg noted that this Article appears to be in conflict with another article (Article X) which provides for the right to transfer land and not the actual transfer of land. It also potentially conflicts with other Town uses from the Library Trustees and the Schools who also could have such land transferred to their jurisdiction. Resident Tom Sciacca noted that there are environmental issues at this location. Town Administrator, Nan Balmer, questioned why Recreation is seeking to create the Stabilization Fund requested in Article GG, when they would fund and then use all of the funds for the field uses. She asked why Recreation is not simply asking for funding from Town Meeting pursuant to this Article. Chair of the Recreation Commission, Mr. Wright, noted that Recreation would request more than \$300,000 of funding for the fund in Article GG. Ms. Karlson suggested that Recreation check on the legality of the proposed article and Mr. Wright indicated that they had checked with Town Counsel and that it is legal. Mr. Nolan is the BoS liaison. (Martin)

Article II: Home Occupation, presented by Mr. Sarkisian on behalf of the Planning Board. Changes the definitions for this use. The Planning Board had public hearings on this on 12/8/15 and on 1/16/16. Ms. Anderson is the BoS liaison. (Steinberg)

Article JJ: Assisted/Independent Living and Nursing Home, presented by Mr. Sarkisian on behalf of the Planning Board. This would restrict such uses in residential neighborhoods. Ms. Anderson is the BoS liaison. (Steinberg)

Article KK: Landscaping in Parking Areas Zoning Bylaw, presented by Mr. Sarkisian on behalf of the Planning Board. Similar to an Article that the Planning Board brought to ATM a few years ago, but pulled prior to a vote. Ms. Anderson is the BoS liaison. (Steinberg)

Article LL: Building Height, presented by Mr. Sarkisian on behalf of the Planning Board. This article would change the methodology of measuring building height. Ms. Anderson is the BoS liaison. (Steinberg)

Article MM: Sidewalk Construction in Roadside, Business Districts A and B, Light Manufacturing and Limited Commercial of the Zoning Bylaw, presented by Mr. Sarkisian on behalf of the Planning Board. This was presented by the Planning Board two years ago and it was rejected by Town Meeting. There were questions whether the Planning Board had jurisdiction for this. They have now worked with the Board of Public Works on this proposed article. Ms. Lewis questioned what would happen to an applicant if the Board of Public Works did not give approval to an applicant over this issue. She does not think a private applicant can be required to construct a sidewalk on public land. Ms. Anderson is the BoS liaison. (Steinberg)

Article NN: Conservation Cluster Developments, presented by Mr. Sarkisian on behalf of the Planning Board. This clarifies open land questions for conservation clusters. Mr. Watkins asked if will have an impact on affordable housing applications and Mr. Sarkisian responded that he did not think that would be an issue. Ms. Anderson is the BoS liaison. (Steinberg)

Article OO: Set Aside Community Preservation Funds for Later Spending, presented by Woody Baston for the Conservation Preservation Commission (CPC). This is a standard article. Ms. Antes is the BoS liaison. (Watkins)

Article PP: Transfer Community Housing Funds To Wayland Municipal Housing Trust Fund, presented by Mr. Baston on behalf of the CPC. This would transfer \$95,000 to the Housing Trust. It is a standard article. Ms. Antes is the BoS liaison. (Watkins)

Article QQ: Appropriate Funds to Restore Monuments at North Cemetery, presented by Ms. Scola on behalf of the Historic Commission. The cost of this would be \$72,000. Richard Turner, the Veterans Grave Officer, questioned why they are not repairing monuments in the South Cemetery. Ms. Scola said that work had been done ten years ago.

Article RR: Appropriate Funds to Restore Cochituate Town Clock, presented by Ms. Scola. The cost would be \$29,000. Ms. Antes is the BoS liaison. (Watkins)

Article SS: Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm – CPA Only, presented by Mr. Baston on behalf of the CPC. These funds would be used to purchase a conservation restriction on 208 acres of land. This would require the use of \$12mm of CPA funds, including approximately \$4.9mm of current funds and borrowing of approximately \$7mm, with the debt to be serviced by future CPA funds from Wayland residents. CPC is considering asking residents to increase their funding of the CPA funds from 1.5% to either 2.0% or 3%, which would require a Town vote at the polls. Residents Betty Salzburg and Gretchen Schuler (chair of CPC) also spoke on behalf of this Article. Ms. Schuler stated that the Conservation Restriction agreement would need to be complete and ready to be printed in the Warrant in order for them to proceed with this article. They would need to have the purchase contract with the current land owner signed prior to ATM. Mr. Lowery asked if it is legal to borrow against future CPA

contributions. Ms. Schuler said that the Town can borrow against resident contributions to the CPA, but not against the State matching funds to the CPA. Ms. Antes is the BoS liaison. (Watkins)

Article TT: Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm – CPA and General Borrowing, presented by Mr. Baston on behalf of the CPC. Similar to Article SS; however \$2mm of the borrowed funds would be from General Fund borrowing and not all from CPA funds. Ms. Antes is the BoS liaison. (Watkins)

Article UU: Improving the Efficiency of Town Meeting Debate, a petitioners article presented by resident Chris Riley. This would reduce the time for debating articles at Town Meeting from 60 minutes to 30 minutes, with the exception of the budget article, but it would allow TM participants to extend debate. Petitioners argue that the time it takes Wayland to complete TM drives people away from participating. This proposal was recommended by a TM committee in 2005, but was not incorporated. Ms. Antes is the BoS liaison. (Cliff)

Article VV: Streamlining Town Meeting Discussion, presented on behalf of petitioners by Mr. Riley. This would limit debate on articles to two minutes from 3 minutes and would limit the presentation of articles from 10 minutes to 7 minutes. Arguments are similar to those for Article UU. Ms. Antes is the BoS liaison. (Cliff)

Article WW: Clarify Petitioner Access to Town Counsel, a petitioner's article. The petitioner was not present, and Mr. Cliff explained the purpose. Ms. Karlson noted that there is a BoS policy on this. Mr. Nolan is the BoS liaison. (Cliff)

Article XX: Amend Chapter 36 of Current Bylaws. This article proposes that ATM be held later in April or in May of each year and is similar (or possibly the same) as articles that were defeated at ATM and STM over the past 12 months. The petitioner was not present. Ms. Anderson is the BoS liaison. (Cliff)

The Warrant Hearing ended at 9:58PM.

IV. Additional Public Comment

Anette Lewis said that she wants to know the cost of benefits per Town employee. She thinks Town residents should be able to assess the cost for each employee. Ms. Lewis said that Mr. Steinberg was a petitioner for Articles UU and VV and therefore should not be writing the Finance Committee Article Write-ups. Mr. Steinberg said he would gladly pass those along to another FinCom Member and Mr. Cliff offered to take those on. Mr. Steinberg then noted that FinCom Members have never been restricted from signing petitioner's articles.

Resident Mike Lowery said that it was difficult to find the Warrant on the Town web site.

Resident Alice Bolter said that she is not pleased that the school budget is coming in with an increase that is greater than 2.5% from the previous fiscal year.

V. Response to Public Comment

Ms. Martin said that she thinks the schools have done a good job on their budget for FY'17.

Mr. Cliff stated that many Town Departments have increases in excess of 2.5%. He also stated that the 2.5% number set forth by the Finance Committee was a goal and not a guideline.

Mr. Watkins stated that if the budget takes into account fringe costs than those costs should be shown in departmental budgets, including the schools.

Mr. Abdella commented, with regard to the civil service article, that his brother is a civil service employee in another town.

VI. Operating Budget

The Town Administrator, Ms. Balmer, and Beth Doucette, would like to meet with the Finance Committee on February 4th to discuss the IT budget.

There was a request from the Members that the Finance Director provide Members with with a schedule for the operating budget showing changes in the operating budget from FY'16 to the proposed budget for FY'17.

With regard to a capital budget item, Mr. Abdella noted that the Happy Hollow wells project requires both the installation of new water mains and the construction of the road. The project requires either the full \$936,000 or it cannot be done. Installation of the new water mains will significantly improve the water quality and water service in the area.

Ms. Martin had a few questions regarding the operating budget, including the inclusion of \$1,000 in Veterans supplies and the increase in Youth Services of 8%. She will send Mr. Keveny a letter with her questions.

Mr. Cliff would like the IT personnel costs to be included in the overall IT budget.

VII. Liaisons and Members Reports and Concerns

Mr. Cliff suggested that when the workload of the Finance Committee shrinks, he would like for the FinCom to discuss its objectives for the remainder of the year. He also suggested that there be a discussion with the schools regarding a budget planning process that covers a two to three year period and not a year over year period. Ms. Martin noted that the schools are working on a 5-year budgeting plan. Mr. Cliff suggested that the Schools finance sub-committee should have a Finance Committee Member as part of it.

Mr. Watkins asked whether the Finance Committee should opine on the costs of the METCO program and the costs of the children of staff who do not pay to attend Wayland Schools.

Mr. Abdella said that the report on SPED is a positive report in terms of the school budget.

Ms. Martin stated that the School's have instituted some of the items in the assessment of the food service.

VIII. Meeting Schedule

Future Finance Committee Meeting Dates: 1/28/16; 2/1/16; 2/4/16; 2/8/16; 2/11/16; 2/22/16; 2/25/16; 2/29/16.

There was a brief discussion of articles that the Finance Committee might be able to pass over in lieu of providing write-ups, but there was no decision.

At 10:53PM, Ms Martin made a motion to adjourn. Mr. Steinberg seconded it and the committee voted to adjourn by a vote of 6-0.



Town of Wayland Massachusetts

Finance Committee

Nancy E. Funkhouser (Chair)
Gordon Cliff
Carol Martin
Bill Steinberg
David Watkins
Gil Wolin

Finance Committee

Minutes

March 21, 2016

Attendance: N. Funkhouser, B. Steinberg, G. Cliff, C. Martin and B. Keveny (Finance Director). D. Watkins (participated remotely).

Call to Order: The meeting was called to order by Chair Funkhouser in the Senior Center at the Town Building at 7:02pm when a quorum was present. Ms. Funkhouser indicated the meeting was being recorded by WayCam and may be recorded by others and that Mr. Watkins would be participating remotely due to geographic restrictions.

Public Comment: None

Committee's Response to Public Comment: N/A

Finance Director's Update: Finance Director Mr. Keveny stated the Board of Selectmen anticipate there will be a Fall Special Town Meeting in November and distributed the proposed STM calendar created by Town Administrator Nan Balmer. Turning to FY17 budget, Mr. Keveny indicated the Town has received a late assessment from Minuteman. The Town's FY17 Minuteman expense is increasing by approximately \$20K from \$68K to \$88K. Mr. Keveny explained the options to pay this bill included re-opening the Fy17 budget, using FinCom reserve funds or via current year transfer, adding his recommendation was current year transfer. The Committee concurred.

Mr. Keveny informed the Committee Recreation has filled their open position and between starting salary, the 6 and 12 month step increases, the difference in the FY16 and Fy17 personnel budgets is under \$5K, stating his recommendation was to not re-open the budget. The Committee concurred.

Mr. Keveny then advised the Committee the town is in the midst of selecting financial advisors who work closely with the Treasurer primarily to advise the town on long-term borrowing. Mr. Keveny felt it

prudent to have a Committee member be part of that process and suggested Mr. Watkins assist in this process. After a short discussion, the Committee concurred.

Review, Discuss and potentially vote FY 2017 Modified Operating and/or Capital Budgets (if necessary): Chair Funkhouser indicated that based on the Committee's decision to address the additional Minuteman FY17 expense via current year transfers at the upcoming STM, no review, discussion or vote was necessary.

Liaison & Members' Reports, Concerns and Topics: Ms. Martin asked for clarification of the spreadsheet recently created by the WRAP committee. She expressed concern with the title: "Anticipated" Capital Projects, particularly since none of these requests have been vetted via the CIP process. The Committee discussed and agreed perhaps the title should read "Proposed" or "Potential". The Committee discussed the role of the WRAP Committee. After a short discussion, it was decided Chair Funkhouser would reach out to WRAP chair for an update. The Committee also discussed it's representation on the WRAP Committee. After a brief discussion, the Committee decided to ask former FinCom member Tom Abdella if he would be willing to continue as a FinCom Liaison to the WRAP Committee.

Ms. Martin distributed a list of "Potential FinCom Topics" that she and Mr. Cliff had assembled stating their goal was to assemble the projects individual fincom members have indicated at one point or another that warranted further review/study by the Committee. For ease of future discussion and prioritizing, the list has been divided into five sub-headings: Infrastructure, Analysis, Guidelines/Policies, Budget and Misc. Both Mr. Cliff and Ms. Martin stated they were looking for input from the Committee and suggested this topic be an agenda item at the next meeting.

Review and Discuss potential Finance Committee newspaper article submission: Due to the pending Crier deadline, after the draft of the newspaper article was distributed, the Committee members took five minutes to read through it. Ms. Martin thought it was well done. Mr. Cliff wanted greater understanding of the purpose of the article. Mr. Watkins replied the newspaper provides a forum/opportunity to reach and inform residents. Mr. Steinberg added an article is not necessary but a good opportunity to encourage more residents to participate at ATM. A discussion ensued, during which Ms. Funkhouser stated she felt the article should have more content, particularly the FY17 budget drivers. The Committee agreed. A revised draft will be reviewed at the next meeting.

Chair's Update on Matters pertaining to Annual Town Meeting: Chair Funkhouser advised the Committee she would attend both the Moderator's Motion review meeting and the Moderator's Warrant hearing on behalf of the Committee. Ms. Funkhouser further stated that the Moderator had asked the Finance Committee to restrict its discussion of the budget article to 14 minutes: 7 for the Fincom and 7 for the School Committee. The Committee was a bit surprised at this request, particularly since there is no time limit established for the budget article, but felt that if the Chair was able to deliver her message in 7 minutes that would be appropriate as well.

Ms. Martin indicated that Article 28: Funding for a new Minuteman High School would be passed over -

because the Department of Elementary and Secondary Education (DESE) has approved the revised Minuteman agreement. With that approval, Wayland will be allowed to withdraw from Minuteman and thus does not need to take a position on article 28. Mr. Cliff expressed surprise that the Current Year Transfers article was being handled by the BoS and not the FinCom.

Items the Chair did not reasonably anticipate would be discussed at this meeting: Chair Funkhouser advised the Committee the BoS have expressed interest in purchasing Clear Gov which would download Wayland's data from the DOR website and populate a website with Wayland's budget data and would like some FinCom input. After a brief discussion, the Committee asked Mr. Watkins to participate. Ms. Funkhouser told the Committee she received an email from Beth Doucette stating the town is considering disposing of Parcels 47 and 48 on Sycamore Road and was seeking input. Mr. Steinberg suggested the Committee inquire what is the current use of this land, sale price and why it is being considered for disposal. Chair Funkhouser indicated she would follow up and advise.

Ms. Funkhouser distributed a response to the Attorney General's office regarding an Open Meeting Law complaint the FinCom has received. Mr. Cliff felt this discussion should be a separate agenda item. Ms. Funkhouser indicated that she only had 14 days to reply and the Committee's response was due in three days. Thus, waiting until a future meeting, would make our response late. After discussing several options, Mr. Steinberg moved and Ms. Martin seconded that Ms. Funkhouser contact the AG's office, and explain that due to our meeting schedule, the FinCom hadn't had an opportunity to discuss the complaint and/or response and request an extension so discussion could take place at the March 28th meeting. Approved: 5-0-0 by Roll Call Vote: Steinberg: Yes, Funkhouser: Yes, Watkins: Yes. Martin: Yes; Cliff: Yes.

Future Meeting Schedule: Ms. Funkhouser stated the Committee would meet on 3/28th in the Town Building and she would post a meeting for each night of Town Meeting which starts on April 7th. A discussion ensued concerning agenda items for the 28th and Spring FinCom meeting schedule which will include May 2nd and June 20th.

Meeting Minutes Review, Discussion and Approval: After a brief discussion, Ms. Martin moved the committee accept the Minutes of February 11th as written. Mr. Steinberg seconded. Approved 5-0 Vote by Roll Call vote: Steinberg: Yes, Funkhouser: Yes, Watkins: Yes. Martin: Yes; Cliff: Yes. Mr. Steinberg distributed copies of the draft minutes for February 22nd for review at a future meeting.

The Committee reviewed the Minutes of February 25th. Mr. Steinberg moved and Ms. Funkhouser seconded that the Minutes of February 25th be approved as written. Approved 5-0-0 by Roll Call vote: Steinberg: Yes, Funkhouser: Yes, Watkins: Yes; Cliff: Yes. Martin: Yes. Mr. Watkins questioned whether the Minutes he took on January 13th had been reviewed and suggested that review take place on the 28th.

Adjourn: Ms. Martin made a motion to adjourn. Mr Steinberg seconded. Approved 5-0 Vote by Roll Call vote: Steinberg: Yes, Funkhouser: Yes, Watkins: Yes. Martin: Yes; Cliff: Yes. Meeting adjourned at 8:42pm.

Respectfully Submitted,

Carol Martin

Documents:

Draft Special Town Meeting Schedule (source: N. Balmer)

Draft: Potential Finance Committee Topics of Discussion (Source: Cliff/Martin)

Draft: Finance Committee Budget Letter for Crier (source: Steinberg/Watkins)

Draft: Finance Committee Response to 3/10th OML complaint (source: Funkhouser)

Draft: Minutes: February 22, 2016 (source: Steinberg)



Town of Wayland Massachusetts

Finance Committee

- Carol Martin
- G.Wolin
- Nancy Funkhouser (Chair)
- David Watkins (Vice Chair)
- Gordon Cliff
- Bill Steinberg

Meeting Minutes March 28, 2016 Final

Attendance: Committee members - B. Steinberg, C. Martin, D. Watkins, G. Cliff, and N. Funkhouser. B. Keveny (Finance Director) also attended.

7:00 Call to Order

The meeting in the Selectmen's Meeting Room at Town Building was called to order by N. Funkhouser. FinCom then adjourned to join the Warrant Hearing in the Large Meeting Room.

FinCom reassembled and N. Funkhouser called the meeting to order at 7:57. G. Cliff volunteered to prepare draft meeting minutes.

7:58 Public Comment & Members' Response to Public Comment

Anette Lewis, Claypit Hill Road, made comments on the Finance Committee Annual Report in the ATM warrant. She mentioned the need to submit a recommended 5 year Capital Improvement Plan. She thought some important items were left out of the 5 year plan in years such as 2018. She suggested that our Annual Report should also be included in the Town of Wayland Annual Reports document. She asked for an explanation of some of the amounts on page 6. She asked that on FinCom's webpage there be an explanation of which departments and expenditure items are included in "roll-up" subtotals (e.g., general government, public safety). On page 9 she asked how the debt service forecast was calculated and whether we can be confident it will be below the 10% goal. She wondered if the debt service forecast was potentially misleading because it only assumes \$5 million of new borrowing each year and therefore doesn't provide for some of the large projects listed in the CIP in future years. C. Martin explained that the CoA/CC had not been included in the schedule in the warrant due to an oversight/miscommunication. Anette thinks the statements on page 11 that cash capital and non-exempt items don't affect the tax rate are incorrect.

N. Funkhouser moved that FinCom approve the response to the OML complaint as amended based on the discussion. C. Martin seconded. Motion passed Yes (5), No (0).

FinCom discussed the list of potential topics that was distributed by C. Martin as a pre-read at the 3/21 meeting (see attachments). We started by discussion if any important items were missing. FinCom members agreed the list was reasonably complete. N. Funkhouser clarified that a number of items she had made note of were covered. D. Watkins suggested we add headcount management and bond/debt management. FinCom members then shared thoughts and views on priorities. B. Steinberg summarized that the four topics most frequently mentioned were full year calendar, website, debt management policy/planning/etc., and 5 year capital plan. D. Watkins suggested we add FY18 goals. B. Keveny suggested we add possible process improvements. FinCom members discussed and agreed that we should have two people do some pre-work on each of the topics. Full year calendar – Watkins and Funkhouser. Website – Cliff and Keveny. Debt management – Cliff and Steinberg. 5 Year Capital Plan – Steinberg and Martin. FY18 Goals – Watkins and Martin. Process improvements – Keveny and Funkhouser.

N. Funkhouser distributed a first draft of the Chair’s operating budget principal proponent presentation (see attachments). FinCom members liked it, thought it might be a bit short, and suggested a number of minor modifications and possible additions.

FinCom members did a quick walk through of the warrant and discussed which items they might be speaking on. B. Steinberg will likely be the principal opponent speaker on the petitioners’ article to restrict the first allowable start date of ATM to later in April. N. Funkhouser and D. Watkins will be principal proponents on the operating and capital budget motions. G. Cliff might be the principal opponent on Clarify Access to Town Counsel. Various FinCom members indicated they might speak as residents on several of the articles as a pro or con.

10:00 Minutes

FinCom members reviewed and discussed draft minutes from 2/22. C. Martin moved that we approve the minutes of 2/22 as written. B. Steinberg seconded. Motion passed yes (5), no (0). FinCom members reviewed and discussed draft minutes from 3/21. C. Martin moved that we approve the minutes of 3/21 as written. B. Steinberg seconded. Motion passed yes (5), no (0).

10:10 Adjourn

C. Martin made a motion to adjourn the meeting. B. Steinberg seconded. Motion passed yes (5), no (0).

Attachments

Newspaper article draft

Draft capital budget principal proponent remarks

OML Complaint
Draft OML Complaint Response
Suggest additional language (G. Cliff)
Potential FinCom topics
Draft operating budget principal proponent presentation

Respectfully Submitted,
Gordon Cliff

WHDC Meeting
February 18, 2016

Members present: Gretchen Schuler (presiding), Margery Baston, Alice Boelter, Marji Ford, Kathie Steinberg

Others: Woody Baston, Mike Lowery, Susan and Bill Wagner, Dana and Matt Cooper, Edmund Price, Mark Neuman

Public Comment: There was none.

31 Cochituate Road - George Smith House -- Follow up on displays.

Gretchen spoke to a couple of people she knows professionally about displays within an Historic District (HD). The people to whom she spoke said that the backdrop might be considered a structure; however, they still would not review or consider it. A lawyer and preservationist also said that he would not make an issue of the mannequin displays.

Gretchen suggested that maybe we could find balance with this issue of the displays. If there were breaks -- when the displays were not up -- Gretchen could photograph the building. She made the point that the HDC is supposed to be preserving buildings in the HD and the view from the public way. Part of the HDC function is to protect the public view. Gretchen appealed to everyone involved to be sensitive to all of the issues.

Gretchen asked for input from the Commission. We were asked if this was in our jurisdiction. (Gretchen made the point later that signs are very much in the HDC's jurisdiction; but mannequins are not.) Marji pointed out that the Commission is here for a reason and for the public enjoyment of the historic buildings in the District. Alice said that the buildings in the Old Town Center represented buildings from roughly the 1830s -- this grouping represented a rural village. She pointed out that it is unlike anything around the Boston area with the exception of perhaps the Lexington green. She asked if Dr. Cooper might have an interest in Wayland's early history. Alice thought it would be great if he could somehow help with the recognition and valuing of the Wayland Center Historic District's architectural past.

The discussion was opened up to those present. Sue Wagner said that she spoke with full respect for the HDC's legal (jurisdictional) concerns. However, she then referred to the HDC pages on the town website where it states that the HDC's purpose is to "preserve and protect" the architectural history of the HD. She said she failed to see how the Red Sox or Star Wars related to this purpose. She couldn't see how the displays were appropriate. She also mentioned that the backdrop had fallen down; and she pointed out that when such things happen they pose safety issues that need to be taken into consideration.

Mark Newman said that his children loved to see the displays in the Town Center. This gave him the opportunity to talk a little about local history and the town center to his kids.

Matt Cooper referred to the first article by Mike Lowery on the subject of the displays. Matt felt he was being attacked.

Mark Lowery asked if Matt had seen his follow-up article, which was something of an apology. Mike admitted that he felt humbled after last month's HDC meeting. He hadn't listened to everyone prior to his first article. He also felt that everyone had the right to their own idea of art. Mike said he would try to approach these things differently in the future.

Ted Price asked if the HDC was going to regulate the displays.

Marji made the point that signage is much regulated, and particularly in the HD.

Bill Wagner submitted a paper in which he quoted MGL (Mass General Law) 93-29. "*Cities and towns may regulate and restrict billboards, signs, and other devices within their respective limits by ordinance or by law...Travelers freedom from annoyance was permissive grounds for regulation.*" Bill then spoke about the need to preserve the history of the Old Town Center. He felt the displays were offensive and inappropriate. He felt this was a case of government not working well.

Ted Price countered that this is government at its best.

Gretchen asked if there was a need for a "sense of the meeting". Kathie thought going forward the HDC would be happy to guide Dr. Cooper in what it considered appropriate for the HD. She likened seeing the displays in the HD to turning on the car radio to discover it was tuned into a different station than expected – one that she at first found somewhat jarring. Margery made the point that everyone had had the opportunity to comment on the issue of displays in the HD; and the HDC could not regulate the mannequins– so we should leave it there. Gretchen admitted that if the backdrop were still up, she felt that the HDC could not regulate, just as the HDC does not regulate holiday decorations.

Design Review Guidelines -- gutters and downspouts and lighting. The Commission had time only for refining the wording on gutters, downspouts and lighting. Gretchen is hoping that the HDC can hold a hearing on the completed Guidelines sometime before summer. There could be a glossary at the end of the Guidelines and also some "fun facts."

Minutes of January 21 were approved as amended (5-0-0). The minutes of November 19, 2015 were approved (4-1-0) with Kathie abstaining. The minutes of October 15, 2015 were approved. (5-0-0)

The meeting adjourned at 9:20 pm
Respectfully submitted,
Margery Baston



Town of Wayland Massachusetts

Planning Board Meeting Minutes for Meeting of January 5, 2016

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.

- 7:15 P.M. Open Meeting Comment/Correspondence/ Matters Not Reasonably Anticipated By the Chair 48 Hours In Advance Of the Meeting**
- 7:30 P.M. 150 Main Street – Site Plan Approval Application public hearing.**
- 8:15 P.M. Continuation of the public hearing from December 8, 2015 of the zoning articles for the 2016 Spring Annual Town Meeting.**
- 9:30 P.M. Adjourn**

In attendance: A. Reck (Chair), I. Montague, D. Hill, N. Riley, K. Murphy

Town Planner Sarkis Sarkisian
Town Counsel Mark Lanza

A.Reck read through the agenda and asked for public comment while we wait for one member of the Planning Board.

A.Reck announced that the meeting is being recorded on Waycam.

7:45 P.M Opened the Public meeting on 150 Main St I. Montague read the notice.

S. Sarkisian read through the application and stated that the date we received a complete application is December 10, 2015. S. Sarkisian recommended that the board render a decision this month and that Town Counsel is here to answer any questions.

S. Sarkisian read through his memo to the board. Two major issues were as follows:

1. The plans has not been revised based on the Land Court decision and still show Hammond Road as a hyphen line indicating an easement and not a separate lot on the plans.
2. The plans show parking in the right of way. The Zoning Bylaw define " right of way" as

RIGHT-OF-WAY — The full strip of land, whether public or private, designated for vehicular and sometimes pedestrian traffic, consisting of the pavement or traveled way and any planting strips and sidewalks. A right-of-way so designated shall be available only for such uses as are customary for rights-of-way in the Town of Wayland and shall not be available for any private construction, such as buildings, fuel tanks, septic systems, fences, walls or paved parking areas.

Thus relief would be required from the Zoning Board of Appeals through a Special Permit/Variance and Site Plan Approval process. The Planning Board would not be required to hold a public hearing; instead, the Zoning Board of Appeals will hold a public hearing, and issue all necessary special permits, variance approvals if the Zoning Board of Appeals deems it appropriate.

K. Murphy questioned the time line and referenced that the way is not properly shown whether the Application can be deemed complete?

M. Lanza confirmed that neither one relate to holding a public hearing.

Charles LeRay Attorney for the Applicant gave his presentation.

D. Hill questioned the December 10, 2015 date? Clock starts ticking on that date. Is the Applicant agreeing that 60 days from the date of December 10, 2015.

Charles LeRay agreed to 60 days from that date.

Charles LeRay gave his presentation and stated that no changes are proposed to the site plan that was approved in 2013. We are asking to remove condition 30. By merging the lots. We are in the process of doing lot consolidation, but the Martino's have been resisting it. I was in front of the Appeals court today and the Appeals court should render a decision in around 130 days. The ZBA ruled that this is not a street and not a public way open to the public. Therefore your concern is now clear. This condition serves no purpose and should be removed.

K. Murphy questioned whether the right of way has any right of way use and what can be in the right of way are not applicable..

Charles LeRay stated that this is not open to the public by statute short dead end not open to the public.

Charles LeRay states that this has never been used as a right of way.

D. Hill we to preserve access to the Martino property land court acknowledge that these lots cannot be consolidated. Conflicts with the definition of a right of way in the Wayland Zoning Bylaw. D. Hill condition is still required.

Charles LeRay the previous board made the right decision and as long as we leave them rights including parking and buildings.

K. Murphy that was the issue back then. The easy way to get that cleaned- up was to consolidate the lots and we are not there yet.

Charles LeRay - set -backs only apply to streets.

Mark Lanza set-backs only apply to street right-of -ways. This is not a street. A Private way open to the public needs to meet set back requirements.

S.Sarkisian questioned the definition of set back in the Zoning Bylaws.

Charles LeRay stated that this definition references section 198-702. Of the Bylaw.

Lenard Davidson representing the Martino's stated that Judge Sans spoke about Hammond Road as a Private Way through a number of means. The first the Town Bylaws define right of ways, it is clear from this definition that the Town considers right of way a private way cannot have a full strip of land for paved parking areas or private construction. Obstruct the access that is not what the decision would permit. There is no easement here. Issues about frontage. Disagree frontage talks about the linear lot line on a right of way. Condition 30 was imposed to relieve this issue by merging the fee into the lot. Judge Sands was concerned about access and that the Martino's should not be deprived of access. The Site Plan in 2013 violates the Zoning Bylaws. In closing the Planning Board or other parties cannot interfere with private easements rights of people. I see no reason to remove condition 30.

A.Reck asked Mark Lanza to give a recap and recommendation.

Mark Lanza – Confirmed that the Martino's do have a right of way, but Hammond Road does not provide frontage for the Martino's. The Martino's home may predate the Zoning Bylaws. M.Lanza further stated that condition 30 was required so that 150 Main Street would provide and maintain access to the Martino's. Judge Sands stated that first you must provide access to the Martino's before you can merge the lots.

A.Reck explained that the Land Court wanted to know the boundaries of the new easement first.

Mark Lanza stated we have two issues the front set back and the access to Martino's. Recommends that condition 30 not be removed.

Charles LeRay stated again that the Planning Board had already approved a site plan in 2013.

Paul Benotis of 22 Center Street commented out of order that he did not like the

conversation that was taking place and that this meeting had gone on too long.

Lenard Davidson stated that the consolidation of the lots does not make the right of way just disappear and the way must be preserved. It is a way not an easement and one could say you are over burdening the use and that would be a fight.

A.Reck asked for comments by the public.

Gretchen Dressens raised an issue for Counsel whether the Board could hear this application since we are in litigation with 150 Main Street.

Mark Lanza responded that we are in litigation and the matter is with the Zoning Board of Appeals. They do overlap, but they are separate issues and no present no risk.

Nicole Riley stated we still have to take action on an application.

Mathew Levey from 150 Main Street and resident of the Town of Wayland described the process and how the project began with a two building plan. He further stated he was frustrated by the process.

D. Hill raised the point to 150 Main Street that the Building could comply if it were smaller and that the current proposal is a lost opportunity to develop something nice with a Village feel.

M Upton Bayfield Road stated that it would be difficult to reinforce no parking at this site because of the ball fields across the street.

Paul Benotos did not agree with the statement that this is a by-right plan and the neighborhood does not want a big box store.

Kevin Murphy stated that it is in everyone's interest to sit down and figure out what you want before the Courts in Boston make a decision for the Town of Wayland. We need a development that makes sense for Wayland. K. Murphy is not in favor of removing condition 30.

A.Reck stated that he agreed with K. Murphy's comments and that the boards have worked tirelessly to make something work at this site that the entire Town can be proud of. Not comfortable of removing condition 30.

D. Hill stated that he does not recommend that we remove condition 30 and that this is the least desirable for this property and does not meet any Planning objectives for Wayland. He further stated that we cannot overlook our definition of Right of Way and that the project does not comply with the bylaw.

N. Riley recommended not removing condition 30.

I. Montague recommended not removing condition 30.

Motion by I Montague to close the Public hearing

2nd K.Murphy

Vote- 4-0

Motion by I.Montague not to remove condition 30

2nd K.Murphy

Vote 4-0

CONTINUATION OF PUBLIC HEARING RE: ZONING BY-LAW AMENDMENTS

That was held on Tuesday, December 8, 2015 at 7:35 p.m.

Insert a new section regarding landscaping in parking areas abutting residential property.

D. Hill suggested language that states comma after the word within and a comma after to or on a lot.

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.

Motion by I. Montague to approve.

2nd K. Murphy.

Vote 5-0.

Apply a Floor Area ratio to undersized residential lots.

A.Reck FAR Bylaw may not be ready for Town Meeting we've made a lot of progress and pull this article for the next Town Meeting.

S.Sarkisian distributed a Memo from Mike Lowery regarding his disapproval of introducing this article.

D. Hill recommends pulling the nonconforming structures and uses bylaw and the FAR Bylaw..

K. Murphy stated that these articles take time.

Motion by I. Montague to remove the FAR Bylaw and the Nonconforming bylaw.

2nd K. Murphy 2nd

Vote 5-0

D. Hill reminded the public that we have been discussing these issues over the past 6 months.

Mike Lowery stated that he hopes that the FAR Bylaw never makes it to the Zoning Bylaw.

S. Sarkisian introduced the Sidewalks in commercial areas and definition of Building height,

Motion to submit the Articles for Sidewalks in commercial areas and the new definition of Building Height. by I.Montague
2nd K.Murphy

Vote 5-0

Assisted/Independent Living and Nursing Homes

A.Reck recommended that we put forward this article to not allow Assisted/Independent Living and Nursing homes in residential districts until we put in place provisions that relate to density and design. He further stated that it would provide the Town of Wayland with some protection.

Motion to not allow use 24 and 30 in residential districts by I. Montague

2nd K.Murphy

Vote 5-0

Home Occupation Bylaw

Motion by I.Montague to sponsor the Home Occupation Bylaw
2nd K.Murphy

Vote 5-0

Conservation Cluster Bylaw

S. Sarkisian provided the Board with a Memo from Sherre Greenbaum dated January 5, 2016 on comments regarding the Conservation Cluster Development Bylaw which are part of the record.

The Board reviewed the Memo and amended several sections.

S.Sarkisian recommended that some of the proposed changes be included in our regulations.

Motion to sponsor Article as amended I. Montague

2ndK.Murphy

Vote 5-0

Auto Sales

S. Sarkisian introduced the article which was based on the Board of Selectmen issuing Class II licenses every year to Business which use is not allowed in the table of the Zoning Bylaw. The use does not also require Site Plan Approval.

S.Sarkisian provided the Board with a letter from Geoffrey Larsen, Building Commissioner Town of Wayland as it relates to the current status of zoning for one of these Used Car Dealer's which operates a full service station located on 322 Commonwealth Road. He further explained that the Board of Selectmen have been issuing ClassII used Car Dealer Licenses for years and that a determination was necessary to understand if it was an allowed use. The Building Commissioner determined based on parcel history that the sales of Auto's was a pre-existing non-conforming use. Based on this determination S.Sarkisian recommended removing the article from the Warrant.

D.Hill disagrees with not having stricter compliance and recommends that a Bylaw prohibit such use. He does not recommend that we should allow Auto Sales in in Business A District.

K.Murphy raised a question as to what the threshold should be?

N.Riley stated that it also depends on the size of the parcel and the number of cars on a lot.

S.Sarkisian stated that it would be hard to enforce especially if one is running a full service station.

Motion not to submit Article I.Montague

2nd K.Murphy

Vote 5-0

Motion to close the public hearing I.Montague

2nd K.Murphy

Vote 5-0

10:40 P.M. Adjourn

Motion to adjourn made at 10:40 by Murphy, seconded by Montague.
All in favor

Respectfully Submitted,
Daniel C. Hill



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

SARKIS SARKISIAN
WAYLAND TOWN PLANNER
TEL: (508) 358-3615
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MEETING MINUTES

February 2, 2016

The Wayland Planning board met on February 2, 2016 at 7:30 p.m. in Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

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. Covered Bridge- sign Conveyance of open land as stated in the Zoning Bylaw section 1803.1.8 and condition of Special Permit dated July 25, 2012. Vote covenant release.**
- 7:55 P.M. Prepare and review report on the zoning articles for the 2016 Spring Annual Town Meeting.**
- 8:15 P.M. WRAP – Wayland Real Assets Planning committee update.**
- 8:45 P.M. Rail Trail update**
- 9:00 P.M. Approve minutes for January 5, 2016**
- 9:10 P.M. Adjourn**

Attendance:

Mr. Andrew Reck, Chair -
Mr. Kevin Murphy, Absent
Mr. Dan Hill, Member Absent

Colleen Sheehan, member
Mr. Ira Montague, Member
Nicole Riley, Associate Member

Sarkis Sarkisian, Town Planner, was also present.

7:30PM Open and Public Comment

A. Reck opened the meeting, reviewed the agenda and informed those in attendance that the meeting is being recorded (not televised).

Public Comment:

None

7:35 P.M. Covered Bridge- sign Conveyance of open land as stated in the Zoning Bylaw section 1803.1.8 and condition of Special Permit dated July 25, 2012. Vote covenant release.

S. Sarkisian brought forward the Certificate of vote for “229 Rice Road Conservation Cluster Development to a minor modification of the Original Special Permit recorded with the Southern Middlesex District Registry of Deeds in Book 59935, Page 22, as follows:

1. Article III Findings, Section B.9: DELETE Section 9 in its entirety and SUBSTITUTE the following: “The Open Space parcel may be owned by the Homeowner’s Association with a Conservation Restriction held by the Town of Wayland and its Conservation Commission pursuant to local Zoning Bylaws and by statute; or may be conveyed to the Sudbury Valley Trustees (“SVT”) or a similar nonprofit organization to be held as Open Space. Ownership by SVT or another nonprofit organization does not require the recording of a Conservation Restriction.”

Motion to accept the Certificate of vote as drafted entitled “229 Rice Road Conservation Cluster Development” and to release Lot E and Lot 2A.

Move: I. Montague

Second: C. Sheehan

Vote 3-0

Prepare and review report on the zoning articles for the 2016 Spring Annual Town Meeting. (see Planning Board draft memo dated January 25, 2016)

S.Sarkisian distributed the Planning Board Draft report for the Spring Town Meeting. S.Sarkisian stated that for the first time all the Zoning proceedings are on time including the report.

Sherre Greenbaum Chair of the Conservation Commission stated that she would like to make amendments to the Conservation Cluster Bylaw. After further discussions with the Conservation Administrator Brian Monahan she felt that we needed to further protect wetlands.

The Board discussed this Article and a motion was made to remove the Conservation Cluster Bylaw from the Warrant based on the comments.

Move: I. Montague
Second: C. Sheehan
3-0

WRAP Update.

C. Sheehan gave the board an update and progress with the WRAP committee.

C. Sheehan stated that WRAP will produce a strategic long-range plan preceded by the following tasks :

1. developing an accurate GIS inventory of all Town-owned parcels identifying custodial entity, size, deed and/or land restrictions, current uses and other critical information;
2. cataloging identified and foreseeable capital facilities needs, including a needs assessment supported by empirical data and created with the Public Buildings Director and primary capital project proponent;
3. compiling the research and analyses of the planning processes of all Town boards, commissions and committees seeking a future major land or building capital expenditure (defined as \$500,000 and above); and
4. recommending evaluation criteria to establish projects' priorities and sequencing.

C. Sheehan further stated that the Committee has been working to build a plan that meets Wayland's needs for the future.

Rail Trail update.

S. Sarkisian has been working with Larry Kiernan and Eversource regarding the permitting process for the Rail Trail. S.Sarkisian stated that Eversource is committed to the project and hopes to start construction this June. All funding by Eversource is secured for this budget season.

Approve Minutes for January 5, 2016.

No Action_– Members were not present.**9:40PM Adjourn**

Move: I. Montague
Second: C. Sheehan
Vote: 4-0

Respectfully submitted,

Dan Hill , Clerk

Date



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

SARKIS SARKISIAN
WAYLAND TOWN PLANNER
TEL: (508) 358-3615
FAX: (508) 358-4036

MEETING MINUTES

February 23, 2016

The Wayland Planning board met on February 23, 2016 at 7:30 p.m. in Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

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. Prepare, discuss and review report on the zoning articles for the 2016 Spring Town Meeting.**
- 8:15 P.M. Solar proposal for Town of Wayland. High School, Middle School Town Building and DPW River Road.**
- 8:20 P.M. Solar café proposal for Town Center -Panera- Boston Post Road**
- 8:30 P.M. WRAP – Wayland Real Assets Planning committee update.**
- 8:45 P.M. Approve minutes for January 5, 2016, February 2, 2016**
- 9:00 P.M. Adjourn**

Attendance:

Mr. Andrew Reck, Chair -
Mr. Kevin Murphy, Vice Chair
Mr. Dan Hill, Member absent

Colleen Sheehan, member
Mr. Ira Montague, Member
Nicole Riley, Associate Member

Sarkis Sarkisian, Town Planner, was also present.

7:30PM Open and Public Comment

A. Reck opened the meeting, reviewed the agenda and informed those in attendance that the meeting is being recorded (not televised).

No Public Comment

Prepare, discuss and review report on the zoning articles for the 2016 Spring Town Meeting.

S.Sarkisian explained to the Board that a request was made by the Town Moderator, Town Administrator and Board of Selectmen to remove Articles from the spring 2016 Warrant. S. Sarkisian further stated that we could have six nights of Town Meeting and that a Fall Town meeting would take place.

I.Montague asked when the Fall Town meeting would take place and if the zoning articles could be heard first.

Motion to withdraw the zoning articles from the Spring Town Meeting Warrant.

Move: C. Sheehan
Second: I. Montague
Vote 4-0

Solar proposal for Town of Wayland. High School, Middle School Town Building and DPW River Road.

S.Sarkisian explained to the Board that Ameresco has executed a Power Purchase Agreement with the Town of Wayland to construct and operate solar photovoltaic (PVP systems at the Wayland High School, 264 Old Connecticut Path, Wayland Middle School, 201 Main Street, Wayland DPW Facility 66 River Road and Town Building. S. Sarkisian reminded the Board that Section 601 Site Plan Approval does not apply to any of the above projects.

Solar Café Proposal

S. Sarkisian introduced the proposal by Little Foot Inc. to install a Solar Café which is freestanding and pre-engineered, similar in many ways to a children's swing set, storage POD, or pergola that can be purchased in the patio furniture section at BJ's, Costco, Loews, Home Depot, etcThe Solar Cafe can be delivered and removed, whether seasonally or for other reasons and does not fasten to the building or land and is easily removable. S. Sarkisian stated that if we allowed this type of canopy it would take away from the Village feel of Town Center.

A. Reck was also concerned about the aesthetic appearance of the Solar Canopy.

Kevin Poulsen from Little Foot Inc. gave an informal description of the project.

K Poulsen stated that it's his understanding that a Solar Cafe™ is an example of trade property, removable personal property that a tenant attaches to leased land/building for business purposes, such as a display counter. An important distinction is that it is for the purposes of the tenant's trade or business service. Similar to a trade fixture accept it is not attached to existing building, and therefore it does not damage the building and is moveable.

WRAP

C. Sheehan gave a brief overview of the work of WRAP Committee.

8:50PM Adjourn

Move K. Murphy
Second: C. Sheehan
Vote: 5-0

Respectfully submitted,

Dan Hill, Clerk

Date

West Suburban Veterans District – December 17, 2015

Location: Wellesley Town Hall, Great Hall

Present: Kate Fitzpatrick, Hans Larsen, John Senchyshyn, Donna VanderClock (Ms. VanderClock arrived after Agenda Item #2)

Also present: John MacGillivray, Acting Director

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

Business:

1. **Citizen Speak**

None.

2. **Minutes**

Upon a motion made by Ms. Fitzpatrick and seconded by Mr. Senchyshyn, the Board voted (3-0) to approve the minutes of the September 22, 2015 meeting.

3. **FY16 Budget Update**

Mr. Larsen reviewed the status of the District budget. Given the ongoing absence of Stanley Spear, and the recent departure of Matt Ching, costs are well under budget. In addition, sufficient funds are on-hand to cover the near-term benefit costs for each community.

Ms. VanderClock requested that Weston be invoiced for \$15,000 for future veterans' benefit costs.

4. **Director's Update**

Mr. MacGillivray reported that he has not processed any new Chapter 115 cases recently. He has received a number of claims for Aid and Attendance benefits.

5. **Staffing Update**

Mr. MacGillivray left the meeting and Scott Szczebak, Wellesley Human Resources Director, joined the Board. Mr. Larsen reported that Stanley Spear has expressed interest in returning to work, following a medical-related absence of approximately six months. He has been asked to meet with Wellesley's occupational health specialist (Cadre) to confirm his fitness for returning to work. Mr. Larsen has advised Mr. Spear that the District is proceeding with interviews for the new Director, and it is Mr. Larsen's preference that Mr. Spear return to work as the Deputy Director (i.e., in Matt Ching's former position).

Mr. Larsen provided an update on the recent interviews of candidates for the replacement Director. He and Mr. Szczebak see merit to conducting a 2nd interview with 4 of the candidates. The other members of the Board wish to participate in those interviews. The Board tentatively agreed to schedule those interviews for Tuesday, January 5, 2016, from 9-12 AM. The Board

also agreed to defer scheduling of the Board's next regular meeting until a new Director is on board.

At 5:50 the meeting was adjourned.



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APR 11 2016

Board of Selectmen
Town of Wayland

April 8, 2016

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

Dear Selectmen:

We are pleased to announce that the Board of the MetroWest Regional Collaborative (MWRC), of which Wayland is a member, has decided to undergo a restructuring that will strengthen the organization and reduce costs for member municipalities by more than half.

MWRC is a locally-controlled body that includes representatives from the municipalities of Ashland, Framingham, Marlborough, Natick, Southborough, Wayland, Wellesley, and Weston, plus the Metropolitan Area Planning Council (MAPC). In addition to performing a variety of planning services for the MetroWest area, MWRC serves as MAPC's Subregional Council for MetroWest.

As the council for an MAPC Subregion, MWRC not only provides for two-way communication between MetroWest and MAPC, but also fulfills a variety of responsibilities in regard to programming of federal transportation funds. MWRC also advocates on behalf of MetroWest, helps communities to evaluate development projects and to propose mitigation, conducts planning studies on behalf of individual or multiple member communities, and encourages collaboration among member communities. The Collaborative's discussions, topical events, community roundtables, and legislative breakfasts provide considerable value to the Subregion.

According to by-laws which have been in effect for several decades, each member community can appoint two people to the MWRC Board - one person appointed by the Selectmen and one person appointed by the Planning Board. MAPC also has one voting member. Municipalities in MWRC are assessed an annual fee (including a base fee and a per capita fee), which helps to cover the costs of the Collaborative. This assessment is in addition to the MAPC assessment, which is set by statute. Although MAPC did not pay an assessment to belong to MWRC, it paid roughly \$20,000 per year to help cover the costs of MWRC staff.

For many years, MWRC hired its own small staff and rented office space. Over time, it has become more difficult to hire and retain qualified staff working essentially on their own in a very small and somewhat isolated office. Municipal members also have expressed concern about the considerable assessment.

Jay Marsden
*Chairman
Holliston
Selectman*

Preston Crow
*Vice-Chairman
Ashland
Planning Board*

Ellen Gibbs
*Wellesley
Selectman*

Yolanda Greaves
*Ashland
Selectman*

Lewis Colten
*Framingham
Planning Board*

Marc Draisen
*MAPC
Executive Director*

When our most recent Executive Director, Paul Dell'Aquila, resigned to take a job in Worcester, the MWRC Board gave serious consideration as to the best staffing model going forward. After serious discussion, the Board voted not to hire its own staff, but rather to become "an enhanced Subregion" similar to the MAGIC Subregion to the north.

Under this new arrangement, MAPC will assign a Subregional Coordinator to staff MWRC. MAPC will cover the costs of this Coordinator, who will spend about .25 FTE working for the Collaborative - the same arrangement provided to all of the other Subregional Councils in the MAPC region. Like MAGIC, the member communities will pay an additional assessment, which they can use - at the Board's discretion - to conduct special planning, research, or municipal services projects for the communities of the MetroWest Subregion. (For example, MAGIC is currently using its additional assessment to fund a climate adaptation strategy for their Subregion.)

This assessment will include a base payment of \$1,500, plus seven cents (\$.07) per capita. On average, this assessment will be 53% of the MWRC assessment the communities have been paying to date. The change also frees the Collaborative from rent, personnel, and administrative expenses. The structure of the Board and Executive Committee, along with the independent decision-making authority of the Collaborative, will remain unchanged.


In FY 2017, Wayland's MWRC assessment will be \$2,844.40, down from \$6,480.80 in FY 2016.

The new MWRC Coordinator is Natick resident Karen Adelman, MAPC's Communications Strategist. At MAPC, Ms. Adelman develops communications strategies and materials that explain and promote MAPC's priorities, ideas, best practices, research, services, and events. In Natick, Ms. Adelman is a long-time Town Meeting member. She has served on the School Committee, the Charter and Bylaw Review Committee, and, for shorter stints, on the Finance Committee and Strategic Plan Review Committee.

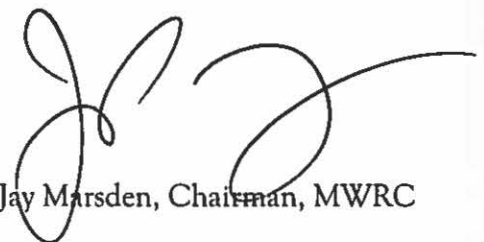
In addition to bringing her own skills to MWRC, Ms. Adelman will also be reaching out to other MAPC staff members for their expertise.

MAPC and MWRC look forward to what we can achieve for MetroWest under this new and more efficient structure.

Yours truly,



Marc Draisen, Executive Director, MAPC



Jay Marsden, Chairman, MWRC



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

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APR - 4 2016

Board of Selectmen
Town of Wayland

March 30, 2016

Chairperson Cherry C. Karlson
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Dear Chairperson Karlson:

We are pleased to inform you that the Chapter 90 local transportation aid funding for Fiscal Year 2017 will total \$200 million statewide.

This letter certifies that, pending final passage of the bond authorization, the Fiscal Year 2017 Chapter 90 apportionment for Town of Wayland is **\$479,631**. This apportionment will automatically be incorporated into your existing 10-Year Chapter 90 contract, which will be available on the MassDOT website <http://www.massdot.state.ma.us/chapter90>.

We recognize that the Chapter 90 program is an integral part of maintaining and enhancing your community's infrastructure and is an essential component of our joint partnership. We look forward to working with you in the coming years to continue the success of this program.

Please feel free to contact MassDOT Capital Budget Director Matthew Bamonte at (857) 368-9151 with any questions you may have regarding the Chapter 90 program.

Sincerely,

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor



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APR - 8 2016

Board of Selectmen
Town of Wayland

23

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

April 5, 2016

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

RE: Stone's Bridge, Wayland - MPPF Round 22 Application

Dear Ms. Balmer:

Thank you for your submission for the current Round 22 of the Massachusetts Preservation Project Fund (MPPF).

Attached is a copy of the letter addressed to Gretchen Schuler and dated February 18, 2016, confirming receipt of the Stone's Bridge National Register nomination. A preliminary review of the nomination indicated that staff has questions about the documentation submitted in support of the nomination. As the result, the MHC will be unable to consider your current application for MPPF Round 22 funding.

It is anticipated that the Stone's Bridge nomination will be finalized in time for the upcoming MPPF Round 23 which is anticipated for 2017. Please consider reapplying at that time.

If you would like to further inquire about the status of the submitted National Register nomination, please contact Betsy Friedberg, National Register Director, here at the MHC. She can be reached at betsy.friedberg@sec.state.ma.us.

Sincerely,

A handwritten signature in blue ink that reads "Paul Holtz".

Paul Holtz
Historical Architect
Co-Director Grants Division
Massachusetts Historical Commission

cc: Stephen Kadlik, DPW
Wayland Historical Commission



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

February 18, 2016

Gretchen G. Schuler
Preservation Consultant
126 Old Connecticut Path
Wayland, MA 01778

RE: Stone's Bridge, Wayland and Framingham

Dear Gretchen:

Thank you for the National Register nomination for the Stone's Bridge, spanning the Sudbury River, which you submitted on behalf of both the town of Wayland and the town of Framingham. We received the nomination on February 10, 2016. We look forward to reviewing this nomination, and will begin doing so shortly. As you know, several staff members will be reviewing the nomination materials, and you will receive a letter and memorandum after that review describing any further documentation that may be necessary to make the nomination complete. At the same time, we will be able to give you a tentative schedule for the next steps in the nomination process. You mentioned that letters of support from both towns will be forthcoming. It is important to have these letters in the file before we move forward.

Once the file is complete, we will be able to finalize scheduling the nomination for presentation to the State Review Board of the Massachusetts Historical Commission, which will be followed by submission to the National Park Service/National Register program. The process of listing a completed nomination generally takes eighteen months to two years.

If you have any questions about the National Register program or the listing process, please do not hesitate to contact Philip Bergen, Karen Davis, or me here at the MHC. We look forward to working with you, and with the Wayland and Framingham Historical Commissions, in listing this important historic resource in the National Register of Historic Places.

Sincerely,

A handwritten signature in cursive script that reads "Betsy Friedberg".

Betsy Friedberg
National Register Director
Massachusetts Historical Commission

Cc: Elisa Scola, Chair, Wayland Historical Commission
Fred Wallace, Chair, Framingham Historical Commission

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DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, April 07, 2016 12:24 PM
To: DiNapoli, MaryAnn
Subject: FW: Wayland SRBTF Submission Approved

Importance: High

correspondence

From: Todisco, Paul [mailto:ptodisco@MAPENSION.com]
Sent: Thursday, April 07, 2016 12:23 PM
To: Pierce, Zoe
Cc: Balmer, Nan
Subject: Wayland SRBTF Submission Approved
Importance: High

Hi Zoe,

Good news! The SRBT Fund Board approved the Town of Wayland's submission to invest in the SRBT Fund at its Board meeting this morning. Jennifer Cole, PRIM's Manager of Client Reporting and Cash Management, will be e-mailing the documents you will need to complete to set up your account. We should also discuss a possible asset transfer date, but the timing of that is solely up to you. We accept contributions on the first business day of each month in order to ensure full investment in the PRIT Fund's General Allocation Account (GAA), which consists of all of PRIT's investments. Funds transferred to PRIT other than first business day earn a cash return until the first business day of the following month when they are swept into the GAA.

Thank you again for electing to invest in the SRBTF, and please contact me should you have any questions.

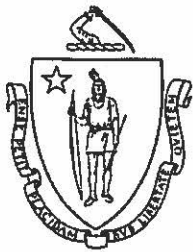
Best regards,
Paul

Paul W. Todisco
Senior Client Services Officer



**PENSION RESERVES
INVESTMENT
MANAGEMENT BOARD**

84 State Street, Second Floor
Boston, MA 02109
Office 617-946-8423
E-mail: ptodisco@mapension.com



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

25

MAURA HEALEY
ATTORNEY GENERAL

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

April 11, 2016

George H. Harris, Esq.
8 Holiday Road
Wayland, MA 01778

Dear Attorney Harris:

We understand that on March 10, 2016, you filed a complaint with the Wayland Board of Selectmen (the "Board"), alleging a violation of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Board is required to notify our office of the complaint and any remedial action taken to address the complaint. G.L. c. 30A, § 23(b); 940 CMR 29.05(5). Our office received notification and a response from the Board on March 24, 2016.

Under the Open Meeting Law, a complaint is ripe for review by our office when the complainant files a copy of the initial complaint with the Division of Open Government, provided that at least 30 days have passed since that complaint was filed with the public body. G.L. c. 30A, § 23(b); 940 CMR 29.05(6). Our office currently has no record of a complaint filed by you in this matter. Accordingly, we will presume that the action taken by the Board was sufficient and will close this file unless we receive a request for further review by this office and a copy of the initial complaint by **Tuesday, June 7, 2016**.

Please feel free to contact us if you have any questions about the Open Meeting Law complaint process.

Sincerely,

Bongani T. Jeranyama
Paralegal
Division of Open Government

cc: Cherry Karlson, Chair, Wayland Board of Selectmen
Wayland Board of Selectmen

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APR 13 2016

Board of Selectmen
Town of Wayland