

PACKET

MAY 23

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 M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, May 23, 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.

- 7:00 pm 1.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 2.) Public Comment
- 7:10 pm 3.) Interview for Appointment to the Zoning Board of Appeals
- Jason Drori
 - Jonathan Sachs
- 7:40 pm 4.) Discuss Annual Committee Appointment Process and Schedule
- 7:55 pm 5.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel at the Town Center Project; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Action regarding Bernstein, et al v. Planning Board;

And Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to the Following Subjects, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to consider strategy with respect to Twenty Wayland, LLC, v. Town of Wayland and the Wayland Wastewater Management District Commission, and pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland et al; and to discuss collective bargaining strategy in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association:

APPROVE AND RELEASE: August 26, 2013

APPROVE AND RELEASE WITH REDACTIONS: February 24, 2014,
February 3, 2015, May 16, 2016

BOARD OF SELECTMEN
Monday, May 23, 2016
Wayland Town Building
Selectmen's Meeting Room
Proposed Agenda Page Two

- | | | |
|----------|------|--|
| 8:25 pm | 6.) | Vote to Approve and Release the Executive Session Minutes of August 26, 2013, and Vote to Approve and Release with Redactions the Executive Session Minutes of February 24, 2014, and February 3, 2015 |
| 8:30 pm | 7.) | Review and Vote to Approve the Minutes of April 19, 2016, May 2, 2016, and May 16, 2016 |
| 8:50 pm | 8.) | Discuss and Provide General Direction to Staff on Review of Town Legal Services |
| 9:10 pm | 9.) | Discussion and Vote to Set Date for 2017 Annual Town Meeting |
| 9:20 pm | 10.) | Review and Approve Consent Calendar (See Separate Sheet) |
| 9:25 pm | 11.) | Review Correspondence (See Separate Index Sheet) |
| 9:35 pm | 12.) | Report of the Town Administrator |
| 9:45 pm | 13.) | Selectmen's Reports and Concerns |
| 9:55 pm | 14.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 10:00 pm | 15.) | Adjourn |

DATE: MAY 19, 2016

TO: BOARD OF SELECTMEN

RE: APPOINTMENT TO VACANT POSITION ON ZONING BOARD OF APPEALS

REQUESTED ACTION:

1. INTERVIEW AND CONSIDER JASON L. DRORI AND JONATHAN M. SACHS TO FILL ONE VACANT POSITION ON THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE JUNE 30, 2018
2. VOTE TO APPOINT EITHER JASON L. DRORI OR JONATHAN M. SACHS TO THE ZONING BOARD OF APPEALS, EFFECTIVE IMMEDIATELY WITH A TERM TO EXPIRE ON JUNE 30, 2018

**Attached: Résumé of Jason L. Drori
Letter of Interest from Jonathan M. Sachs**

Jason L. Drori

25 Covered Bridge Lane | Wayland, MA 01778 | 617.943.2760 | jason.drori@gmail.com

EXPERIENCE

FOLEY & LARDNER LLP, Boston, MA

Senior Counsel, Life Sciences Industry Team, August 2015-present

Lead litigation team and concentrate practice on the legal needs, business challenges, and regulatory pressures of the life sciences sector, particularly pharmaceuticals. Represent pharmaceutical companies and other drug industry stakeholders in commercial disputes as well as investigations and enforcement actions by the Department of Justice, federal regulatory agencies, and State Attorneys General. Possess substantial, first-hand experience handling every stage of litigation, from pre-suit negotiations and preliminary case assessment to discovery, motions practice, alternative dispute resolution, trial planning and presentation, and appeal.

Representative Matters:

- National counsel for a \$13 billion pharmaceutical company in well-publicized lawsuits alleging fraud in the marketing of opioids (prescription painkillers) to prescribers and patients.
- National counsel for multiple drug manufacturers in years-long, multi-state litigation involving claims of industry-wide fraud in the pricing of prescription drugs.
- Represent generic drug company in multiple federal investigations involving pharmaceutical price reporting practices.
- National counsel for multiple drug manufacturers in years-long, multi-state litigation involving claims of industry-wide fraud in the pricing of prescription drugs.
- Defend brand and generic drug manufacturers in Medicaid fraud lawsuit alleging misrepresentation of federal approval status for drug and nondrug products.
- Defend a distributor of prescription and OTC drugs in “pill mill” litigation filed in response to alleged statewide prescription drug epidemic.
- Defend drug manufacturer in action alleging fraudulent marketing of testosterone replacement therapy drug in violation of RICO Act and New Jersey consumer protection and insurance fraud statutes.

K&L GATES LLP, Boston, MA

Partner, Commercial Disputes Group, February-August 2015

Litigated complex, high-profile cases involving claims of health care fraud, regulatory noncompliance, off-label drug promotion, drug misbranding and unbranded marketing, False Claims Act violations, and unfair competition.

Litigation Associate, Commercial Disputes Group, July 2011-February 2015

Representative Matters:

- Represented billion-dollar drug manufacturer in arbitration involving alleged breach of contract for the manufacture and sale of popular acid reflux medication.
- Advised generic drug maker in connection with the settlement of claims of breach of multimillion dollar contract manufacturing agreement for ophthalmic suspension medication.

SHERIN AND LODGEN LLP, Boston, MA

Associate, March 2008-July 2011

Represented healthcare and life sciences clients in commercial disputes and government investigations and enforcement actions.

SUFFOLK UNIVERSITY LAW SCHOOL, Boston, MA

Adjunct Faculty Member (Trial Advocacy), 2005-May 2011

Instructed law students on rules of evidence and oral advocacy, including pretrial motions, trial planning, and courtroom presentation.

BOYLE, MORRISSEY & CAMPO, P.C., Boston, MA

Associate, September 2006-March 2008

Advised insurance carriers in coverage disputes as well as product liability and professional malpractice lawsuits.

HON. CHRISTINE E. KELLER, CONNECTICUT SUPERIOR COURT, Hartford, CT

Judicial Law Clerk, Fall 2005-Summer 2006

EDUCATION

SUFFOLK UNIVERSITY LAW SCHOOL, Boston, MA

J.D., *with honors*, Macaronis Civil Litigation Concentration, May 2005

UNIVERSITY OF PUGET SOUND, Tacoma, WA

B.A., *with departmental honors*, Politics & Government/English, June 2002

BAR ADMISSIONS

- Admitted to practice in Connecticut, Massachusetts, Washington, and before the United States Supreme Court, First Circuit Court of Appeals, and the Districts of Connecticut and Massachusetts.

SELECT PUBLICATIONS

- “Four Distinct Federal and State Policies Addressing Prescription Opioid Abuse,” *Health Care Law Today* (March 29, 2016)
- “CMS Proposed Rule Reduces Drug Payments & Requires Implementation of Value-Based Purchasing Tools,” *Health Care Law Today* (March 14, 2016)
- “Amarin Pharma Settles First Amendment Claims Against FDA: Potential Implications,” *Health Care Law Today* (March 9, 2016)
- “FDA Unveils Action Plan to Combat Opioid Abuse,” *Health Care Law Today* (February 10, 2016)
- “CMS Finalizes Long-Awaited Covered Outpatient Drug Rule,” *Health Care Law Today* (February 8, 2016)
- “New FDA Rule on Drug Labeling May Mean Increased Exposure and an Uncertain Path for Generic Pharmaceutical Manufacturers,” *Defense Counsel Journal* (July 2014)
- “Proposed FDA Rule on Drug Labeling May Mean Increased Exposure and an Uncertain Path,” *For the Defense* (June 2014)
- “New FDA Rule on Drug Labeling May Mean Increased Exposure and an Uncertain Path for Generic Pharmaceutical Manufacturers,” *IADC Committee Newsletter, Products Liability, Second Edition* (March 2014)
- “Jumping on the FCA Bandwagon: DOJ Sues Lance Armstrong,” *Corporate Integrity, Volume 7, Issue 1* (June 2013)
- “Answering When the Government Comes Calling,” *Massachusetts Medical Law Report* (December 2011)
- “U.S. Supreme Court Applies FCA Public Disclosure Bar to Information Obtained From Public Agencies in Response to FOIA Requests,” *DRI Today – The Court Reporter* (May 17, 2011)
- “Supreme Court to Rule Whether FOIA Response Triggers False Claims Act’s Jurisdictional Bar,” *DRI Today-The Court Reporter* (April 4, 2011)
- “Class War and The Women of Wal-Mart,” *Law360* (April 1, 2011)
- “The Powerful Lesson of the GSK/Whistleblower Case,” *BioPharm International*, vol. 24, p. 66 (February 2011)

PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS

- International Association of Defense Counsel, Drug Device and Biotechnology Committee
- American Health Lawyers Association, Life Sciences Practice Group
- Food and Drug Law Institute
- Federal Bar Association, Health Law Committee
- Red Barn Nursery School, Weston, MA, Board of Directors (2015-2016)

Jonathan M. Sachs
8 Blossom Lane
Wayland, MA 01778
617-429-3379
jsachs@apslaw.com

RECEIVED
MAR 21 2016
Board of Selectmen
Town of Wayland

March 18, 2016

Board of Selectmen
Town of Wayland
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778-2814

Re: Zoning Board of Appeals

Dear Sir/Madam:

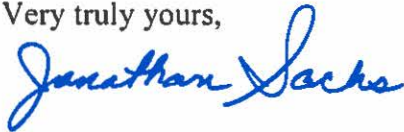
I am writing this correspondence in connection with the vacant position on the Town of Wayland Zoning Board of Appeals. I am interested in being appointed to the vacant position on the Zoning Board of Appeals.

I am an attorney licensed to practice law in the Commonwealth of Massachusetts, the State of Rhode Island and the State of Nevada. I have been practicing real estate and commercial finance law since 1993 throughout Massachusetts and the United States. I am currently a shareholder at the law firm of Adler Pollock & Sheehan with offices at 175 Federal Street, Boston, Massachusetts. Additional information regarding my practice and the firm may be obtained at www.apslaw.com.

I have been a resident of the Town of Wayland since 2002 and perceive serving on the Zoning Board of Appeals as an ideal opportunity to be of service to the community.

Should you have any questions or comments concerning my candidacy for this position, please do not hesitate to contact me at the above-referenced address.

Very truly yours,



Jonathan M. Sachs

To: Board of Selectmen
From: MaryAnn DiNapoli
Date: May 17, 2016
Re: Annual Reappointments

The following is the list of board and committee members whose appointments will expire on June 30, 2016.

Everyone on the list has been sent a letter asking them to confirm whether they intend to seek reappointment by Tuesday, May 31. All the vacancies have been posted.

At the end of this memo is a list of board and committee members, and staff, who are appointed by an authority other than the Board of Selectmen. This is for your information only.

| <u>Name</u> | <u>Appointing Authority</u> | <u>Board/Committee</u> | <u>Term</u> |
|----------------------|-----------------------------|--|-------------|
| Christopher Cullen | Selectmen | Audit Committee | three |
| Gretchen Schuler | Selectmen | Community Preservation Committee | three |
| Sherre Greenbaum | Selectmen | Conservation Commission | three |
| Betty J. Salzberg | Selectmen | Conservation Commission | three |
| William E. Pickett | Selectmen | Constable | three |
| Louis Gaglini | Selectmen | Constable | three |
| William Sterling | Selectmen | Council on Aging | three |
| Nancy Leifer | Selectmen | Council on Aging | three |
| Denise N. Yurkofsky | Selectmen | Council on Aging | three |
| Kara Brewton | Selectmen | Cultural Council | three |
| Nasser K Khadjenoori | Selectmen | Cultural Council | three |
| Matthew Ludwig | Selectmen | Cultural Council | three |
| Barbara Holtz | Selectmen | Cultural Council | three |
| Susan L. Wagner | Selectmen | Dog Control Appeals Board | three |
| Arthur Fine | Selectmen | Dog Control Appeals Board Alternate | three |
| Rebecca M. Stanizzi | Selectmen | Economic Development Committee | three |
| James Grumbach | Selectmen | Economic Development Committee | three |
| Sean Fair | Selectmen | Economic Development Committee | three |
| William Huss | Selectmen | Energy Initiatives Advisory Committee | three |
| Anne Harris | Selectmen | Energy Initiatives Advisory Committee | three |
| William Steinberg | Selectmen | Finance Committee | three |
| Gil Wolin | Selectmen | Finance Committee | three |
| Sheila Carel | Selectmen | Historical Commission | three |
| Kathie Steinberg | Selectmen | Historic District Commission | three |
| Kevin J. Crowley | Selectmen | Historic District Commission | three |
| Margery F. Baston | Selectmen | Historic District Commission | three |
| Sheryl Simon | Selectmen | Historic District Commission Alternate | three |
| Armine S. Roat | Selectmen | Housing Partnership (representing Planning Board) | three |

| Name | Appointing Authority | Board/Committee | Term |
|----------------------|----------------------|---|-------|
| Betty J. Salzberg | Selectmen | Housing Partnership (representing Conservation Commission) | three |
| Mary M. Antes | Selectmen | Metropolitan Area Planning Council | one |
| Mary M. Antes | Selectmen | Metrowest Regional Collaborative Comm | three |
| Joseph F. Nolan | Selectmen | Metrowest Regional Transit Authority Advisory Board | three |
| Sarkis Sarkisian | Selectmen | Metrowest Regional Transit Authority Advisory Board (alternate) | one |
| Jacqueline Ducharme | Selectmen | Municipal Affordable Housing Trust Fund Board | two |
| Stephen A. Greenbaum | Selectmen | Municipal Affordable Housing Trust Fund Board | two |
| Brian O’Herlihy | Selectmen | Municipal Affordable Housing Trust Fund Board | two |
| Eric Sheffels | Selectmen | Permanent Municipal Building Committee | two |
| Brian J. Chase | Selectmen | Permanent Municipal Building Committee | two |
| Jessica W. Green | Selectmen | Personnel Board | five |
| Patricia Nelson | Selectmen | Senior Tax Relief Committee | three |
| Stephen J. Colella | Selectmen | Senior Tax Relief Committee | three |
| Anne Gilbert | Selectmen | Senior Tax Relief Committee (representing Finance Committee) | three |
| Frederick K. Knight | Selectmen | Wastewater Management District Commission | three |
| Brenda S. Ross | Selectmen | Youth Advisory Committee | two |
| Thomas W. White | Selectmen | Zoning Board of Appeals | three |
| Argiro Shapiro | Selectmen | Zoning Board of Appeals (Associate) | three |

The following is the list of board/committee/staff members whose appointments will expire on June 30, 2016, and are appointed by an authority other than the Board of Selectmen.

| Name | Appointing Authority | Board/Committee | Term |
|---------------------|-----------------------|----------------------------------|-------|
| Paul L. Brennan | School Committee | Audit Committee | three |
| Elisa J. Scola | Historical Commission | Community Preservation Committee | three |
| Albert I. Montague | Planning Board | Community Preservation Committee | three |
| George Bernard | Moderator | Public Ceremonies Committee | three |
| Carl Bernardo | Moderator | Public Ceremonies Committee | three |
| Deborah Seidman | Board of Health | Youth Advisory Committee | two |
| Rev. Theodore Crass | Clergy | Youth Advisory Committee | two |
| Ruth Backman | Police Chief | Youth Advisory Committee | two |
| Darren MacCaughey | Board of Health | Sanitarian | one |
| David R. Poirier | Board of Health | Animal Control Officer | one |
| Cynthia F. Bryant | Board of Health | Burial Agent | one |
| Beth Grossman | Board of Health | Food Inspector | one |
| Julia M. Junghanns | Board of Health | Inspector of Milk | one |

APPOINTMENTS TO TOWN BOARDS AND COMMITTEES

The Board of Selectmen is responsible for making a number of appointments to town boards and committees. The following procedures generally will be used to post openings, make appointments, and fill vacancies.

POST OPENINGS

- The Office of the Town Administrator shall post all vacancies on the Town Building foyer bulletin board for a minimum of one (1) week.
- Applicants, who must be registered voters in the Town of Wayland, shall submit a statement describing their interest, background, and qualifications relevant to the opening being sought, and a résumé, if available.
- Applicants are encouraged to attend at least one meeting of the committee to which they seek appointment and discuss the board's function and responsibilities with a current member of the Board or the appropriate staff member before being considered for appointment.

ANNUAL APPOINTMENTS

- The Board of Selectmen shall interview all applicants new to Town Government.
- Boards or committees are encouraged to submit input on the reappointment of a member and questions for use by the Selectmen in interviewing applicants for their respective boards.
- All vacancies should be filled before the expiration of the term to the extent practical.

VACANCIES

Vacancies that occur between annual appointments shall be filled as soon as is reasonable following the guidelines for annual appointments.

REAPPOINTMENTS

The Selectmen shall solicit recommendations for reappointment from the chairpersons of boards and committees with members whose terms are ending.

- All candidates for reappointment to the Conservation Commission, Finance Committee, Personnel Board, and the Zoning Board of Appeals may be interviewed by the Board of Selectmen.
- Reappointments to other boards generally will not be subject to interviews by the Board of Selectmen unless there is an objection from the chair of the board or at the request of a Selectman.

Approved March 1, 2004; revised and restated on October 13, 2010; revised October 5, 2015.

See Wayland Code §6-1. For provisions regarding specific appointments, see Wayland Code §19-1 (Finance Committee); §43-2 (Personnel Board); §198-201 (Zoning Board of Appeals); and §198-204 (Planning Board Associate Member).



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

**Board of Selectmen
Meeting Minutes
April 19, 2016**

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

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Exchange, Lease or Value of Real Estate in Regard to the Municipal Parcel at Town Center At 6:32 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss strategy in regard to the exchange, lease or value of real estate in regard to the municipal parcel at Town Center. The Chair declares that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:04 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:04 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. M. Antes said the Council on Aging and the Historical Society are sponsoring a "Toys in the Attic" event on April 21, and Habitat for Humanity is sponsoring a Women's Build at Stonebridge Road from May 11-14. J. Nolan congratulated the Chair, C. Karlson, for a successful Annual Town Meeting, and welcomed L. Jurist to the Board. C. Karlson said the Moderator's Forum scheduled for April 28 has been postponed and will be rescheduled. She said the Wayland Real Asset Planning (WRAP) Committee has two community forums planned for April 27 and May 16.

A3. Public Comment Steve Correia, 188 Glezen Lane, asked that the Board continue to move forward with plans for a Council on Aging/Community Center at the town center; he said it is still the best use of the municipal pad. C. Karlson entered into the record a letter from Mark Foreman, also of the Council on Aging/Community Advisory Committee, who agreed that the project should move forward. Gordon Cliff, 2 Highfields Road, said he would also support moving forward, but asked the Board to consider a different path, such as separating the project into phases, with the first phase being the build-out of the current building.

A4. Organization of the Board: Vote for Officers M. Antes moved, seconded by J. Nolan, to appoint C. Karlson as the Chair of the Board of Selectmen, and to appoint L. Anderson as the Vice Chair of the Board of Selectmen, for a term to expire upon the completion of the 2017 Annual Town Meeting. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Review Final Accounting for Town Center Development Agreement and Vote to Send Letter to KGI The Board was joined by Town Counsel Mark Lanza and Financial Analyst Beth Doucette to review the accounting in regard to the Town Center Development Agreement. B. Doucette reviewed the escrow

account which was created for the contracting of consultants. She said according to the agreement, the town keeps the original \$400,000 deposit even if it spent less. Twenty Wayland LLC put \$486,090.41 into the account, and with the interest, there was a total of \$489,326.13. An estimated amount of \$90,000 was returned, so the balance due to the town is \$673.87. C. Karlson said the Finance Director must review the figures and make the final approval. M. Lanza reviewed the statutes pertaining to the procedure. The Board reviewed and edited the draft letter prepared by Town Counsel to KGI Properties. M. Lanza said he would have a final version available for a vote at the meeting of May 2. C. Karlson asked for an update on the provision for a Town Green. M. Lanza said it was a requirement of the Master Special Permit that the Town Green be open to the public; he said the project owner may develop rules and regulations subject to review by the Board of Public Works, and the parties may have a license, lease or indemnification agreement. C. Karlson asked M. Lanza to contact Twenty Wayland LLC to that effect and request that they meet with the Board of Public Works.

A6. Discuss and Vote Board Portfolio Assignments The Board discussed the responsibilities and expectations involved in portfolio assignments. The Board edited the assignments for further review and vote at a later meeting.

A7. Post Town Meeting Review; Plan for Special Town Meeting The Board reviewed the 2016 Annual Town Meeting. C. Karlson said she received positive comments on the abbreviated presentation procedure. L. Jurist said there were complaints about meeting on Sunday. C. Karlson noted the concerted effort to put information on the website prior to the meeting. She said she will ask the Town Moderator to combine his forum next year with the warrant hearing. The Board reviewed a draft schedule for the November 2016 Special Town Meeting, potential articles, and the feasibility of using a consent calendar at the meeting. The Board requested that N. Balmer ask department heads if they plan to submit any articles.

A8. Discuss Council on Aging/Community Center Advisory Committee Charge and Next Steps The Board discussed the next steps in the process for the Council on Aging/Community Center, given that the article did not pass at the recent Annual Town Meeting. Members discussed extending the committee charge, providing more direction, and addressing the objections raised at town meeting. C. Karlson also suggested incorporating the information that will come from the Wayland Real Asset Planning (WRAP) Committee. Bill Sterling, Chair, Council on Aging/Community Center Advisory, said he did not feel there was a need to update the charge, but he suggested that the committee be expanded to include more members. Jean Milburn, a current committee member, said she would like additional funding for communications and public relations. Steve Correia, a current committee member, said he would like to establish a relationship with the new owners of the town center, and the Finance Committee. C. Karlson said that any suggestions for changes to the committee charge should be sent to the Town Administrator.

A10. 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 The Board reviewed a draft response to George Harris in regard to the Open Meeting Law complaint of April 8, 2016, including a draft plan calling for the assignment of a Board member to monitor the preparation of minutes, the submission of minutes within five weeks of a meeting, the review and approval of minutes on the same agenda, and the use of the Human Resources Assistant as a backup to the Executive Assistant. The Board discussed the possibility of having the minutes prepared for the following meeting, and the potential need for additional staff. L. Anderson agreed to add the monitoring of the minutes to her portfolio assignments. L. Anderson moved, seconded by M. Antes, to adopt the plan for timely preparation of the Board of Selectmen minutes, as revised to include that the expectation is to have the minutes ready by the next meeting, and a notation that this is an

interim plan while the staffing issue is reviewed. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. 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 The Board reviewed and edited the minutes. M Antes moved, seconded by J. Nolan, to approve the meeting minutes, with corrections, for the meetings of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016, as amended. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Jurist. Adopted 4-0-1.

A10. 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 J. Nolan moved, seconded by L. Anderson, to send a response to the Open Meeting Law complaint of George Harris dated April 8, 2016, to the Massachusetts Division of Open Government, having voted to adopt the plan for the approval of meeting minutes, and having voted to approve the minutes contained therein, and having approved the letter as amended. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A13. Report of the Town Administrator N. Balmer announced the hiring of Jorge Pazos as the new IT Executive Director. She said the revised Rivers' Edge RFP will be advertised on April 21, with the proposals due on June 21. She said the East Middlesex Mosquito aerial application to control mosquito larvae took place today, April 19. She said the February 28, 2016, General Fund financial closing report is available and will be sent to the Board, and she noted that a preliminary Board of Selectmen meeting schedule through December 31, 2016 was included in the packet.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board noted the winners of the Girl Scouts Gold Award, and discussed scheduling a follow-up on the Carroll School issues.

A14. Selectmen's Reports and Concerns L. Anderson reported on a Minuteman School Committee meeting in which the Superintendent asked for a district-wide vote; she said the MSBA regulations state that no vote can be taken until 16D is complete. She said there is concern that Belmont and Arlington will vote against the school building funding. M. Antes reported on a MetroWest Regional Collaborative Board meeting last week. She said a study was done of town meetings, and the Board asked for copies. C. Karlson said that she and N. Balmer will be interviewed on WayCAM tomorrow. She said that George Harris has appealed the decision of the Attorney General regarding the issue of town-wide legal matters being discussed in executive session. She said she is working with the Town Administrator on a public records request from G. Harris for the release of executive session minutes on closed litigation up to the current time. She asked for updates from the Town Administrator on the open space plan, the RFP for a Financial Advisor, and the tax title accounts.

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 9:31 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of April 19, 2016

1. None



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes May 2, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson

Absent: 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 7:01 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. C. Karlson announced the opening of the Arts Wayland Exhibit at the Trinitarian Church on May 6, and said WayCAM will hold its Open House on May 7. L. Anderson said the Open Space and Recreation Plan will be presented by Weston & Sampson in the Town Building on May 4, and the Suburban Coalition is sponsoring a panel discussion with state legislators at the Newton Marriott on May 11 to discuss state funding. M. Antes said Habitat for Humanity is sponsoring a Women's Build at Stonebridge Road from May 11-14, and the League of Women Voters Annual Meeting on May 10 will feature Wayland author Wen Stephenson.

A2. Public Comment Michael Lowery, 120 Lakeshore Drive, said he expressed interest in purchasing town-owned land on Sycamore Road in the fall for septic purposes. C. Karlson said his request was received and the Board has asked the Town Administrator to begin the process. Mitch Brody, 3 Chestnut Road, gave the Board a petition signed by 47 neighborhood residents to support the town keeping Sycamore Road parcels 46B-47 and 46B-48 for open space or other town use. Stephen Cass, 21 Woodland Road, said that during his employment in the Wayland High School Athletics department, he confronted and fixed a decade-long crisis in financial matters. He said his reward for his success and commitment to the town was to be arrested in retribution for bringing the school's financial issues to light. He reviewed his trial of March 17, said the Board should investigate the actions of its employees, read the statement of the Wayland Police Department core values, and said his rights will be restored when people are held accountable. Linda Segal, 9 Aqueduct Road, said she filed a formal request for a financial accounting of the Cass trial, and that while she received an accounting of the legal costs incurred by the school department, she did not receive the invoices as requested. She expressed concern that the town is not able to separate its legal expenses by case, and said she will pursue the matter with the state.

A3. Introduce Jorge Pazos, IT Director The Board was introduced to Jorge Pazos, the new IT Director. He reviewed his background and the Board welcomed him to the town.

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, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A8. Discuss and Vote to Approve Board Portfolio Assignments The Board reviewed the revised list of portfolio assignments. M. Antes moved, seconded by L. Anderson, to approve the Board portfolio assignments as presented. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A4. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Potential Litigation by a Former School Employee; Discuss Collective Bargaining for Health Insurance with Police, Fire, AFSCME 1 and AFSCME 2, Library, Teamsters, WTA, WESA, Custodians and Cafeteria Workers Unions; Review and Approve and Potential Vote to Release Executive Session Minutes of 11/30/2015 At 7:26 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to potential litigation by a former school employee; discuss collective bargaining for health insurance with Police, Fire, AFSCME 1 and AFSCME 2, Library, Teamsters, WTA, WESA, Custodians and Cafeteria Workers Unions; and review and approve and potential vote to release executive session minutes of 11/30/2015. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Manager Donna Lemoyne, and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 8:24 p.m.

A5. Discuss and Vote to Approve Renewal of Health Insurance Incentive Waiver Program for 7/1/16 through 6/30/19 The Board was joined by J. Senchyshyn and D. Lemoyne. J. Senchyshyn reviewed the background of the waiver program and said the current cycle expires on June 30, 2016. He recommended that the program be extended from July 1, 2016, to June 30, 2019. Board members discussed the advisability and financial impact of extending the incentive to new employees. J. Senchyshyn noted that the Board always has the discretion to end the program at any time with proper notice. M. Antes moved, seconded by L. Jurist, to renew the Health Insurance Incentive Waiver Program for qualifying employees effective July 1, 2016, through June 30, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A6. Discuss and Vote to Approve Acceptance of Employees Enhanced Insurance Plan from Boston Mutual D. Lemoyne advised the Board that Boston Mutual announced a rate increase for its basic/optional life insurance for employees. She said all employees have been invited to meet with Boston Mutual to understand the new plan, and she explained the new enhanced plan that will lock in employees' contribution rates based on their age at the time of enrollment. J. Senchyshyn said this increase only affects the optional insurance paid by the employee and has no impact on the town cost. L. Anderson moved, seconded by M. Antes, to accept the enhanced life insurance plan from Boston Mutual for employees effective July 1, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A7. Discuss and Vote to Approve Revised Letter and Accounting to KGI The Board reviewed a draft letter to Twenty Wayland LLC, KGI Properties, in regard to the reconciliation of consultant fee payments as per their agreement. M. Antes moved, seconded by L. Anderson, to approve the revised letter and accounting to Twenty Wayland LLC, KGI Properties. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any N. Balmer told the Board that State Representative Carmine Gentile had called that day to advise them that, in regard to the Special Act to Increase the Annual Expenditure Limit of the Recreation Department's

Revolving Fund, the House Committee on Bills in the Third Reading decided that the five percent cap should be reduced to a 2 ½ percent cap. Frank Krasin, Recreation Commission, said that the Town of Brookline was approved for a 2 ½ percent increase, and the legislature did not want to set a higher precedent. He said the Recreation Commission voted unanimously, 5-0, to approve the 2 ½ percent increase. Jessica Brodie, Recreation Director, said it was sufficient for the next several years. L. Anderson moved, seconded by J. Nolan, to approve the state legislature's recommendation for a 2 ½ percent increase instead of a 5% increase regarding the raising of the cap on the recreation revolving fund. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A10. Review and Vote to Approve and Release Executive Session Minutes of 11/30/2015 M. Antes moved, seconded by L. Anderson, to release the executive session minutes of November 30, 2015, with redactions. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board congratulated the five winners of the Girl Scouts Gold Award: Elodie Carel, Sophia Estrada, Megan Kistner, Amanda Mae Judah, and Alisha Ukani. The Board thanked Doug Goddard for his service on the Permanent Municipal Building Committee. N. Balmer explained the procedure for the Town Counsel billing. She said general legal matters are comingled and billed together, whereas individual matters that are in litigation are broken down per case. She also noted that many different legal issues are discussed during his Thursday office hours that are not billed on an individual basis.

A12. Report of the Town Administrator N. Balmer provided an update on the Carroll School issue. She said the project is considered an educational nonprofit, and has zoning exemptions; Town Counsel will be providing a written legal opinion. She said representatives of the Carroll School will meet informally with the land use departments, and will meet with the Board at the end of June. L. Anderson said there will be a neighborhood meeting on May 4 with representatives of the Carroll School. In regard to the town-owned land at Sycamore Road, N. Balmer reported that the Building Commissioner feels the land is not buildable, but would defer to Town Counsel. L. Jurist said the first decision for the town is whether to sell the land. It was the consensus of the Board to address the issue at its May 23 meeting, and decide whether to move forward. N. Balmer said the Open Space and Recreation Plan is in progress; if it is completed, the town can apply for land grants to offset the cost of the Mainstone conservation restriction. She said the forum to begin the public comment period will be held on May 4. She said the Wayland Real Asset Planning (WRAP) forums will be held on May 11 and May 16. She provided for the Board the portion of the Master Special Permit for the town center project that addresses the town green, and she reviewed the tax receipts from the town center. She reported that in FY16, the Town received \$882,459 in commercial, residential property and personal property tax receipts from Town Center and River Trail Place. She said the Selection Committee for a Financial Advisor has not finished its recommendation, and she updated the Board on the tax title properties.

A13. Selectmen's Reports and Concerns M. Antes asked the Board if the town would like to participate in MetroFest on June 25; it was the consensus of the Board to decline. She said there will be a WaylandCares meeting at the High School on May 9. L. Anderson reported on the prescription take back program by the police department. C. Karlson asked the Town Administrator to follow up with Town Counsel to make sure that any actions necessitated by the recent Annual Town Meeting are being addressed.

A15. Adjourn There being no further business before the Board, L. Anderson moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:21 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

Items Included as Part of Agenda Packet for Discussion During the May 2, 2016, Board of Selectmen's Meeting

1. Memorandum of 5/2/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen re: Health Insurance Incentive Waiver Program
2. Memorandum of 5/2/16 from Donna Lemoyne, Benefits Manager, to Board of Selectmen re: Basic/Optional Life Insurance for Employees
3. Revised Letter and Accounting to Anthony J. DeLuca, Manager, Twenty Wayland LLC, re: Town Center Project, Agreement Consultant Fee Payment Reconciliation
4. Board of Selectmen Portfolio Assignments for April 2016 through April 2017

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 2, 2016

1. Letter of 5/2/16 from Town Counsel Mark Lanza to Nan Balmer, Town Administrator re: Carroll School, 39 & 45 Waltham Road, Wayland
2. Attachment to email of 4/13/16, Salary List, from Dr. Paul Stein, Superintendent of Schools
3. Petition from Residents re: Support the Town Keeping Sycamore Road Parcels 46B-47 and 46B-48 for Open Space or Other Town Use
4. Email of 5/2/16 from Mike Lowery, 120 Lakeshore Drive, to Residents, Board of Selectmen, re: Town-owned Parcels on Sycamore Road



NAN 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
LOUIS M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes May 16, 2016

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

A1. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. M. Antes said there is a survey online at the Wayland website for the Open Space and Recreation Plan; C. Karlson said there is also a survey online for library planning.

A2. Public Comment Gordon Cliff, 2 Highfields Road, said that negative comments should not be made in regard to candidates for volunteer board and committee positions. Michael Lowery, 120 Lakeshore Drive, explained the reason for the valuation of the town-owned parcels at Sycamore Road property, and described the conditions he was willing to accept in exchange for allowing him to purchase the land for a septic system. Gil Wolin, 201 West Plain Street, thanked the Board of Selectmen for the response to concerns expressed about the installation of LED streetlights, noting that his son has light sensitivity issues. The Board said his thanks should be directed to William Huss of the Energy Initiatives Advisory Committee, who managed the project. Richard Turner, 7 Nob Hill Road, asked for a member of the Board to make remarks at the Memorial Day ceremony.

A9. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. Members discussed the issue of the smoking shed at the 106 Main Street Housing Authority building, and M. Antes distributed a sketch of the location. In regard to the Glezen Lane traffic counters, N. Balmer said there will be follow-up information to explain the discrepancies. L. Anderson provided background information on the memorandum from the Minuteman School regarding the next steps in the school building project.

A8. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A3. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Consider the Purchase, Exchange, Lease or Value of Real Property Relative to the Town Center Municipal Parcel, and to Discuss the Exchange, Lease or Value of Real Estate in regard to 4 and 8 Sycamore Road; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Consider Potential Litigation regarding Bernstein et al v. Wayland Planning Board et al, and to Discuss Strategy with Respect to Pending Litigation regarding 150 Main St, LLC, Plaintiff, v. Wayland Zoning Board of Appeals, and to Discuss Strategy with Respect to Healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland

Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and to Discuss Strategy with Respect to Collective Bargaining pertaining to the Police Union, known as the New England Police Benevolent Association, Inc., Local 176 and the Fire Union, known as Local 178 of the IAFF, AFL/CIO, and the School Custodians Union; and to Discuss Strategy with Respect to Collective Bargaining relating to a Step 3 Police Grievance; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Conduct Strategy Sessions in Preparation for Negotiations with Non-union Personnel or to Conduct Collective Bargaining Sessions or Contract Negotiations with the Town Administrator; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to these Subjects, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town: APPROVE AND RELEASE: November 5, 2012, May 6, 2013, August 26, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016; APPROVE AND RELEASE WITH REDACTIONS: October 2, 2013, February 24, 2014, February 3, 2015, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, January 25, 2016 and May 2, 2016; APPROVE AND HOLD: November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, and April 19, 2016 At 7:30 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant Massachusetts General Laws Chapter 30A, Section 21(a)(6), to consider the purchase, exchange, lease or value of real property relative to the town center municipal parcel, and to discuss the exchange, lease or value of real estate in regard to 4 and 8 Sycamore Road; and pursuant to Massachusetts General Laws Chapter 30 A, Section 21(a)(3), to consider potential litigation regarding Bernstein et al v. Wayland Planning Board et al, and to discuss strategy with respect to pending litigation regarding 150 Main St, LLC, Plaintiff, v. Wayland Zoning Board of Appeals, and to discuss strategy with respect to healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and to discuss strategy with respect to collective bargaining pertaining to the Police Union, known as the New England Police Benevolent Association, Inc., Local 176 and the Fire Union, known as Local 178 of the IAFF, AFL/CIO, and the School Custodians Union; and to discuss strategy with respect to collective bargaining relating to a Step 3 Police Grievance; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with the Town Administrator; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the following minutes pertaining to these subjects, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town: APPROVE AND RELEASE: November 5, 2012, May 6, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016; APPROVE AND RELEASE WITH REDACTIONS: October 2, 2013, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, and January 25, 2016; APPROVE AND HOLD: November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, April 19, 2016, and May 2, 2016. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, and Assistant Superintendent of Schools Brad Crozier. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 8:19 p.m.

A5. Vote to Approve and Release the Executive Session Minutes of November 5, 2012, May 6, 2013, August 26, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016; Vote to Approve and Release With Redactions the Executive Session Minutes of October 2, 2013, February 24, 2014, February 3, 2015, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, January 25, 2016, and May 2, 2016; Vote to Approve and Hold the Executive Session Minutes of November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, and April 19, 2016 L. Anderson moved, seconded by M. Antes, to approve and release as amended the executive session minutes of November 5, 2012, May 6, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by L. Jurist, to approve and release with redactions as amended the executive session minutes of October 2, 2013, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, January 25, 2016, and May 2, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. L. Anderson moved, seconded by M. Antes, to approve and hold as amended the executive session minutes of November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, and April 19, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson asked that the agenda for the next meeting include the executive session minutes of August 26, 2013, February 24, 2014, and February 3, 2015. She said that in compliance with Massachusetts General Laws Chapter 30A, Section 22 (g)(1), she and Executive Assistant MaryAnn DiNapoli reviewed the executive session minutes and determined that no other minutes needed to be considered for release by the Board.

A6. Review and Approve Minutes for March 21, 2016, March 23, 2016, March 28, 2016, April 4, 2016, April 7, 2016, and April 11, 2016 The Board reviewed and made edits to the open session minutes. J. Nolan moved, seconded by L. Anderson, to approve and release as amended the minutes of March 21, 2016, March 23, 2016, March 28, 2016, April 4, 2016, April 7, 2016, and April 11, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. Update and Discussion on the Process to Produce, Review and Approve Minutes L. Anderson reviewed a meeting regarding the preparation of minutes held with the Executive Assistant, the Assistant Town Administrator and the Town Administrator. L. Jurist asked that the jobs of staff be structured to meet the Board's expectation that minutes of each meeting be produced and presented by staff for approval by the Board at the following meeting, and that staff must present a reason to the Board when it cannot meet that expectation. He asked that the person taking the minutes be present at the meeting. C. Karlson said preparation of the minutes by the following meeting may not be a reasonable expectation every week. N. Balmer said that the expectations might not be achievable with existing staffing. After discussion, the Board agreed that the Board's expectation should be for staff to prepare and present minutes for approval at the next meeting. N. Balmer said she will work with J. Senchyshyn to develop a personnel solution to meet the Board's expectations on minutes for the Board meeting of June 6.

A10. Report of the Town Administrator N. Balmer said she would be working with the Finance Director and the Finance Committee to make the FY 17 budget process compliant with the town code.

A11. Selectmen's Reports and Concerns J. Nolan reported that the Secretary of Public Safety will visit Wayland on May 23. He said he will speak at the Memorial Day ceremony on May 30. L. Jurist reported on the WayCAM Open House. J. Nolan reported on the Massachusetts Department of Transportation capital improvement meeting he attended, and the Route 27/Route 30 project.

A13. Adjourn There being no further business before the Board, J. Nolan moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:04 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Included as Part of Agenda Packet for Discussion During the May 16, 2016 Board of Selectmen's Meeting

1. Board of Selectmen Minutes for March 21, 2016, March 23, 2016, March 28, 2016, April 4, 2016, April 7, 2016, and April 11, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 16, 2016

1. Email from Gordon Cliff, Highfields Road, to Cherry Karlson, Chair, Board of Selectmen, re: Ac-Cen-Tchu-Ate the Positive
2. Sketch of Location of Smoking Shed at 106 Main Street by Mary Antes, Board of Selectmen
3. Memorandum of 5/16/16 from Michael Murphy, 201 West Plain Street, Board of Selectmen, re: Energy Committee and LED Street Lights

DATE: MAY 23, 2016
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: REVIEW OF TOWN LEGAL SERVICES

BACKGROUND:

During last year's policy discussions about access to Town Counsel, the Board requested a review of town legal services because a periodic review of alternatives is good practice and in order to identify possible improvements, such as: 1) Establishment of contract terms with counsel, 2) Reduction of the number and need to manage multiple legal service providers, 3) improved quality of service through hiring of one municipal law firm with multiple specialists, 4) Improvement in billing and data collection on legal services.

Please note that it is anticipated that a decision to hire new Town Counsel will result in an increase (perhaps 30%) in hourly rate which will require greater management of legal resources and possible increased costs. In addition, hiring new counsel would result in loss in "institutional" knowledge about Wayland's legal history.

CURRENT STATE:

The Town has for many years employed solo practitioner, Attorney Mark Lanza, to provide general counsel to the Town. The firm Deutsch Williams serves as Labor Counsel. During FY 15 and 16, "special counsel" included:

1. Planning and Zoning: Kopelman and Paige
2. Rivers Edge : Anderson Krieger
3. Environmental: COA / CC: Anderson Krieger
4. School Law: Minuteman: Deutsch Williams
5. Formation of Legal Trust / OPEB: Murphy, Hess, Toomey & Lehane
6. Municipal Finance: Revolving Funds: Murphy, Hess, Toomey & Lehane
7. Conservation Restriction: Mainstone Farm: Elizabeth Wroblicka, Esq.
8. Septage Inter-Municipal Agreement: Kopelman and Paige

The FY 16 General Fund Legal Budget is \$175,000. (See attached detail) Additional legal expense for the River's Edge project in FY 15 / 16 was \$135,000.

AUTHORITY TO EMPLOY COUNSEL:

The Board of Selectmen under a by-law change adopted in 2014, "shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by vote of the Town." The Town Administrator manages counsel (except Labor Counsel which is managed by the Assistant Town Administrator) on a day to day basis under a policy established by the Selectmen, most recently amended in 2015.

PROCUREMENT / NEXT STEPS:

The Board could review alternative legal service providers through a Request for Proposal process. (Public procurement is not, however, required under MA General Law). The next step would be for staff to provide the Board with a scope of work for the legal services, preferred qualifications and a selection process and timeline.

**TOWN OF WAYLAND
FY 16 - Legal Expenses**

5/19/2016

| Attorneys (Town-funded) | July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | March | April | May | June | YTD Total |
|-------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----|------|----------------|
| M. Lanza | 9,609 | 8,983 | 11,284 | 10,227 | 9,997 | 9,911 | 14,942 | 9,747 | 17,568 | 10,267 | | | 112,533 |
| M. Lanza Services | | 678 | 1,065 | 353 | 29 | 597 | | 259 | 158 | | | | 3,138 |
| Kopelman & Paige | | 1,206 | 396 | 72 | | 90 | | | | | | | 1,764 |
| Anderson Krieger | | 1,644 | | | | | | | | | | | 1,644 |
| Deutsch Williams | | 1,523 | 861 | 3,035 | 2,279 | 202 | | 2,870 | 1,101 | 1,592 | | | 13,461 |
| TOTAL FY16 | 9,609 | 14,033 | 13,606 | 13,686 | 12,304 | 10,800 | 14,942 | 12,875 | 18,827 | 11,859 | - | - | 132,541 |

| All Funding Sources | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | March | April | May | June | YTD Total |
|---------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----|------|----------------|
| Town | 9,609 | 13,841 | 13,606 | 13,686 | 12,304 | 10,800 | 14,942 | 12,875 | 18,827 | 11,859 | | | 132,349 |
| WWMDC | | | | | | | | | | | | | - |
| School | | | | | | | | | | | | | - |
| EDC | | 192 | | | | | | | | | | | 192 |
| TOTAL FY16 | 9,609 | 14,033 | 13,606 | 13,686 | 12,304 | 10,800 | 14,942 | 12,875 | 18,827 | 11,859 | - | - | 132,541 |

| Cases (Town-funded) | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | March | April | May | June | YTD Total |
|-------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----|------|----------------|
| Town Counsel General Services | 6,116 | 3,474 | 8,157 | 8,515 | 8,807 | 4,866 | 6,844 | 7,046 | 10,325 | 9,168 | | | 73,317 |
| ATB cases (all) | 2,256 | 4,384 | 560 | 128 | 144 | 144 | 144 | 176 | 160 | 875 | | | 8,971 |
| Tax Title Foreclosure (all) | | | | | | | | | | 32 | | | 32 |
| Labor | | 1,523 | 861 | 1,355 | 1,218 | 202 | | 2,870 | 1,101 | 1,592 | | | 10,721 |
| Minuteman | | | | 1,680 | 1,060 | | | | | | | | 2,740 |
| Environmental | | 1,644 | | | | | | | | | | | 1,644 |
| Bernstein v. PB | | 949 | 2,479 | 48 | 64 | 848 | 2,846 | 528 | 949 | | | | 8,711 |
| Septage Facility | | 1,206 | 324 | 72 | | 90 | | | | | | | 1,692 |
| Nelson v. Cons. Comm. | 1,013 | 112 | 80 | 160 | 160 | 3,135 | 2,396 | 176 | 2,160 | | | | 9,392 |
| Moss v. Lingleys & Town | 224 | 64 | 80 | 608 | 758 | 758 | 48 | 1,325 | 3,286 | | | | 7,151 |
| Frishman v. Lanza | | | | 768 | 64 | 48 | 48 | | | | | | 928 |
| Boelter | | | | | | 112 | 1,648 | 320 | | | | | 2,080 |
| Green v Police Chief | | | | | | | | | 496 | | | | 496 |
| 150 Main St, LLC vs ZBA | | | | | | | 967 | 176 | 192 | 128 | | | 1,463 |
| Other Services | | 678 | 1,065 | 353 | 29 | 597 | | 259 | 158 | 64 | | | 3,202 |
| TOTAL FY16 | 9,609 | 14,033 | 13,606 | 13,687 | 12,304 | 10,800 | 14,942 | 12,875 | 18,827 | 11,859 | - | - | 132,541 |

| | | |
|------------------------------|---------|--------|
| Total FY 16 Budget | 175,000 | |
| Total FY 16 YTD Expenditures | 132,541 | 75.74% |
| Available Funding | 42,459 | 24.26% |

Data is for expenditures from the Legal Budget only. Does not include legal expenses funded from other accounts such as CPA or Rivers Edge.

DATE: May 23, 2016
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: SPRING 2017 ANNUAL TOWN MEETING DATE

Current Constraints on Setting the First Day of 2017 Annual Town Meeting

- | | |
|--|--|
| 1. Monday, Tuesday April 10, 11 | 1 st and 2 nd Nights of Passover |
| 2. Friday April 14 | Good Friday |
| 3. Sunday, Monday April 16, 17 | 7 th and 8 th Night of Passover |
| 4. Sunday April 16 | Easter / Greek Orthodox Easter |
| 5. Saturday April 15 – Sunday April 23 | School Vacation Week |
| 6. Tues – Tues May 2 thru 9 | School AP Exams in HS Field House |
| 7. Sunday May 14 | Mother's Day |

These dates effectively limit Town Meeting to the first week in April and first and second weeks in May.

Possible 2017 Annual Town Election and Meeting Schedule

- | | |
|---------------|---|
| 1. Election: | Tuesday March 28 |
| Town Meeting: | Mon, Tues, Thurs April 3, 4, 6 & Wed April 12 |
| 2. Election: | Tuesday March 28 |
| Town Meeting: | Sun, Mon April 2 and 3, & Wed, Thurs April 5, 6 |
| 3. Election: | Tuesday May 9 |
| Town Meeting: | Thurs May 11, Mon, Tues May 15, 16 & Thurs May 18 |

Possible 2017 Annual Town Election and Meeting Date, if held in Middle School Gym

- | | |
|---------------|--|
| 1. Election: | Tues April 25 |
| Town Meeting: | Thurs April 27, Mon, Tues May 1, 2 & Thurs May 4 |

Notes –1) In last 10 years, there were 2 ATM held on Sunday. April 29, 2007 and April 10, 2011. 2) Assumes Town election on Tuesday. 3) Middle School gym is available as an alternative location but will require cancellation of wellness classes for one week. 3) The Finance Committee came to no consensus about a preferred date for Annual Town Meeting.

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

2017 Calendar

2017 ATM CHOICES

| January 2017 | | | | | | | |
|--------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 2 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 3 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 4 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 5 | 29 | 30 | 31 | | | | |

| February 2017 | | | | | | | |
|---------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 5 | | | | 1 | 2 | 3 | 4 |
| 6 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 7 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 8 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 9 | 26 | 27 | 28 | | | | |

| March 2017 | | | | | | | |
|------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 9 | | | | 1 | 2 | 3 | 4 |
| 10 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 12 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 13 | 26 | 27 | 28 | 29 | 30 | 31 | |

| April 2017 | | | | | | | |
|------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 13 | | | | | | | 1 |
| 14 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 15 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 17 | 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 18 | 30 | | | | | | |

| May 2017 | | | | | | | |
|----------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 18 | | 1 | 2 | 3 | 4 | 5 | 6 |
| 19 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 20 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 22 | 28 | 29 | 30 | 31 | | | |

| June 2017 | | | | | | | |
|-----------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 22 | | | | | 1 | 2 | 3 |
| 23 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 24 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 25 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 26 | 25 | 26 | 27 | 28 | 29 | 30 | |

| July 2017 | | | | | | | |
|-----------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 26 | | | | | | | 1 |
| 27 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 28 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 29 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 30 | 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 31 | 30 | 31 | | | | | |

| August 2017 | | | | | | | |
|-------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 31 | | | 1 | 2 | 3 | 4 | 5 |
| 32 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 33 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 34 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 35 | 27 | 28 | 29 | 30 | 31 | | |

| September 2017 | | | | | | | |
|----------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 35 | | | | | | 1 | 2 |
| 36 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 37 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 38 | 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 39 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| October 2017 | | | | | | | |
|--------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 40 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 41 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 42 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 43 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 44 | 29 | 30 | 31 | | | | |

| November 2017 | | | | | | | |
|---------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 44 | | | | 1 | 2 | 3 | 4 |
| 45 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 46 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 47 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 48 | 26 | 27 | 28 | 29 | 30 | | |

| December 2017 | | | | | | | |
|---------------|----|----|----|----|----|----|----|
| Nº | S | M | T | W | T | F | S |
| 48 | | | | | | 1 | 2 |
| 49 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 50 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 51 | 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 52 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 1 | 31 | | | | | | |

1) E: 3/28, TM: 4/3, 4/4, 4/6, 4/12
 2) E: 3/28, TM: 4/2, 4/3, 4/5, 4/6

3) E: 5/9, TM: 5/11, 5/15, 5/16, 5/18
 4) E: 4/25, TM: 4/27, 5/1, 5/2, 5/4

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING MAY 20, 2016**

FINANCIAL ADVISOR RFP

As a result of an RFP process, Uni-Bank was selected as the Town's Financial Advisor. (Please see attached detail)

WASTEWATER

The Assistant Town Administrator and I are reviewing two possible contractors to recommend to the WWMDC to provide operational review and recommendations.

DEPARTMENT HEAD EVALUATIONS AND GOALS

Department Head evaluations and goal setting will be conducted in the month of June. FY 17 departmental projects and goals will be made public.

RIVERS EDGE

The Rivers Edge RFP timeline / task description has been updated and, depending upon response to the RFP, the committee will have a recommendation to the Selectmen at the August 15th meeting.

COLLINS CENTER STUDY

The Collins Center Study is expected to begin in June and be will funded within the FY 16 administration budget. The Finance Department Heads agreed on the following scope of work:

The Wayland Finance Team sees the effort as an external review resulting in recommendations on the operation of the town's financial processes and procedures. We would like the review to occur in the period June through August, 2016 depending on the availability of Collins Center resources. The Finance Team sees the Collins Center review as a means to benchmark our existing day to day finance practices against accepted best practices. An excellent result from the Collins Center Study will be practical recommendations to make us better at what we do, individually and collectively. By "better at what we do", we mean more efficient, legally compliant, customer friendly and organized for planning and problem solving. We look forward to recommendations from the Collins Center on policy, organization, work flow, procedures, schedules, communication and use of technology to include our current financial systems.

MWRA – PUBLIC ACCESS FOR WESTON AQUEDUCT

The Conservation Administrator will present a status report to the Selectmen on June 13th.

MODERATOR'S FEED BACK

Rescheduled for Thursday May 26th at 7:30 pm.

DATE: MAY 19, 2016
TO: NAN BALMER
FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST
RE: FINANCIAL ADVISORY SERVICES AWARD

BOARD ACTION REQUESTED:

NONE AT THIS TIME - PURPOSE IS TO PROVIDE STATUS OF FINANCIAL ADVISORY SERVICES AWARD

BACKGROUND:

A Request for Proposals was issued for the Town's Financial Advisory Services, resulting in a three-year contract awarded to UniBank Fiscal Advisory Services, Inc.

The services provided include, but are not limited to:

- Debt planning, projections, financing alternatives and cash flows,
- Assistance with preparation of required records and documents,
- Assistance with preparation for rating agency review, presentations and related analysis,
- Liaison between Town and bond counsel in compilation and maintenance of securities legal documents,
- Advice on loan structure, market conditions, bond insurance premiums,
- Formal analysis of Town's debt position, including comparative analysis with peer towns, presented to both Board of Selectmen and Finance Committee,
- Annual review of authorized unissued debt, refunding possibilities and possible arbitrage situations.

PROJECTED COST OF SERVICE:

The total annual cost is projected to be between \$21,000 and \$30,000 depending on bond amount and number of bond issuances.

SERVICE RATES:

| | |
|----------------------------------|---------|
| Annual Continuing Disclosure Fee | \$2,000 |
| Municipal Bond Issuance Base Fee | \$5,000 |

| | |
|----------------------------------|-----|
| Municipal Bond Price per \$1,000 | |
| (up to \$5 Million) | \$2 |
| (over \$5 Million) | \$1 |



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 M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Monday, May 23, 2016
Wayland Town Building
Selectmen's Meeting Room

CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through April 30, 2016, Invoice 176, Account 5673-01M: \$668.00
3. Vote the Question of Approving the Invoice of Karen Smith, Court Reporter, 4/11/16, for Court Appearance March 7-8, 2016: \$1,404.63
4. Vote the Question of Approving the Invoice of Frederick M. Sleeper, Sr., Title Examiner, May 11, 2016, for Sycamore and Chestnut Road: \$212.00
5. Vote the Question of Approving the Amended Language to the Town School Indirect Cost Allocation Agreement
6. Vote the Question of Authorizing the Payment to TEC Traffic Engineers of \$1,400 to Collect Additional Data on Glezen Lane Traffic Counts

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

RECEIVED

MAY 19 2016

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

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

Page 1
05/17/2016
Account No. 5673-01M
Invoice No. 176

Attn: Town Administrator

Labor

| | |
|-----------------------|-----------------|
| TOTAL CURRENT INVOICE | 668.00 |
| BALANCE DUE | <u>\$668.00</u> |

KAREN SMITH
10 Westview Circle
Peabody, MA 01960
(978) 777-5802 Fax (978) 777-5803

4/11/16

MARK LANZA, ESQ.
9 Damonmill Square, Suite 4A4
Concord, Massachusetts 01742

RE: JOHN MOSS, et al. v. GARY D. LINGLEY, et al. and TOWN OF WAYLAND
Land Court Department - 13 MISC 480577

| | | |
|--|-----------|----------|
| Appearance fee for Court Reporter - day 1 - 3/7/16 - | 194 pages | \$250.00 |
| Appearance fee for Court Reporter - day 2 - 3/8/16 - | 111 pages | 250.00 |

Original transcript plus Two (2) copies
Orig to Court - Copy to Attys. Angley/Shapiro & Lanza
305 total pages @ \$6.85 per page

\$2,089.25

Postage/handling 6 transcripts

20.00

TOTAL AMOUNT DUE

\$2,609.25

Counsel have agreed to share the costs.

Original transcript filed with Judge Long

Attorney Angley/Shapiro \$1,304.63 (Plaintiff)

Attorney Lanza \$1,304.63 (Intervenor)

*MiniScript for each day + 100.00

Please note, the Court
receives a MINI as well
as the Original transcript.

BALANCE DUE

\$1,404.63

MiniScript/Word Indexing

Available on all transcripts over 50 pages

50 - 99 pages \$25.00

100 - 199 \$50.00

200 & up \$75.00

(Provided at no charge with original transcript)

On trial transcripts the Court receives the original + mini

Approved:  Town Counsel
Legal Expense
5/19/16



FREDERICK M. SLEEPER, SR.
TITLE EXAMINER
3 AUGUST LANE
SHIRLEY, MA 01464
(978) 758-6669

5-11-16

Lanza

Sycamore Rd
Chestnut Rd

Wayland
Cox

\$ 200
12

212. -

Approved: *[Signature]*
Town Counsel
Legal Expense 5/19/16

DATE: May 3, 2016
TO: BOARD OF SELECTMEN
FROM: Susan Bottan, School Business Administrator
RE: Town of Wayland Indirect Cost Allocation Agreement Certain Municipal Expenses

REQUESTED ACTION:

Review and Approve Amended Language to the Town/School Indirect Cost Allocation

BACKGROUND

Under CMR 10.04, school districts may report municipal indirect expenditures on the End of Year Report, however, only when there is an agreement between municipal and school officials on the expenses to be allocated and method of allocation.

In June, 2015 the Board of Selectman voted to approved a revised Town of Wayland Indirect Cost Allocation Agreement Certain Municipal Expenses . Following the FY 2015 End of Year Report audit, Melanson Heath recommended that the methodology for the Retirement Assessment cost allocation be defined and reflected in the agreement.

Please find attached the revised language on page two outlining the defined methodology used by the Town to calculate the school department's retirement assessment. This language has been reviewed and approved by Brian Keveny, Wayland Finance Director and Rebecca Gambsby of Melanson Heath and accepted by vote (4.0) by the Wayland School Committee on May 2, 2016.

**TOWN OF WAYLAND
INDIRECT COST ALLOCATION AGREEMENT
CERTAIN MUNICIPAL EXPENSES
April, 2016**

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

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

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

ADMINISTRATIVE SERVICES (EOYR OBJECT CODE SERIES 1000)

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

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

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

(a) X (b) = Administrative Services

HEALTH SERVICES (EOYR OBJECT CODE SERIES 3200)

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

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

EMPLOYEE RETIREMENT PROGRAMS (EOYR OBJECT CODE SERIES 5100)

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

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

Direct retirement costs include:

Retirement Assessments

The cost for Retirement Assessments shall be the payment of assessments by the Town to the Middlesex Retirement System on behalf of school department employees; payment of assessments by the Town to State, regional, and other municipal systems on behalf of school department employees and payments by the Town on behalf of school department employees for other retirement plans, i.e., 403B, 457, OBRA (if applicable). The methodology for the Retirement Assessment cost allocation defined below will be followed by the Town at the end of each fiscal year. This information will be provided by the Town:

- Calculate the cost for health insurance for all retirees.
- Calculate the percentage of cost related to Middlesex County for the School Department to the total cost for all retirees
- Apply this percentage against the total cost for the Retirement Assessment
- The result represents the cost for the Retirement Assessments by the Town to the Middlesex Retirement System on behalf of school department employees.

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

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

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

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

Unemployment Costs

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

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

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

Worker's Compensation

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

Non-Employee Insurance

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

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

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

OTHER FIXED COSTS (EOYR OBJECT CODE SERIES 5500)

Other recurring expenses incurred by the Town for school purposes can include, but are not limited to the actual cost of: public safety services provided to the School Department, such as school crossing guards; public health and safety inspections (building inspections, health inspections, fire inspections,

Chair, Town Board of Selectmen

(Date)

Chair, School Committee

(Date)

and other regulatory services), and other facility support services (snow plowing or removal, rubbish collection or disposal). The actual costs shall include salary and wages for professional, technical, clerical and support staff, and all expenses including, but are not limited to, professional and technical services, supplies and materials, dues and subscriptions, travel expenses and other related costs.

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

For reporting purposes, cost of debt and capital shall include the actual interest paid on revenue anticipation notes (RANS) for school purposes (EOYR 5400), interest charges on short term borrowing for bond anticipation notes (BANS) for school purposes (EOYR 5450) the annual principal and interest paid on loans used to finance the purchase or construction of schools (EOYR 8100 & 8200), the annual interest on bonds and loans used to finance the purchase of books, instructional equipment, and extraordinary maintenance (EOYR 8400), and the annual interest on bonds and loans used to finance the purchase of non-instructional equipment, and to pay for capital maintenance projects in excess of \$50,000 (EOYR 8600).

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

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

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

OTHER EXPENSES

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

For the Town of Wayland:

For the Wayland Public Schools:

Chair, Town Board of Selectmen

(Date)

Chair, School Committee

(Date)

**TOWN OF WAYLAND
INDIRECT COST ALLOCATION AGREEMENT
CERTAIN MUNICIPAL EXPENSES
April, 2016**

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

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

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

ADMINISTRATIVE SERVICES (EOYR OBJECT CODE SERIES 1000)

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

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

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

(a) X (b) = Administrative Services

HEALTH SERVICES (EOYR OBJECT CODE SERIES 3200)

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

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

EMPLOYEE RETIREMENT PROGRAMS (EOYR OBJECT CODE SERIES 5100)

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

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

Direct retirement costs include:

Retirement Assessments

The cost for Retirement Assessments shall be the payment of assessments by the Town to the Middlesex Retirement System on behalf of school department employees; payment of assessments by the Town to State, regional, and other municipal systems on behalf of school department employees and payments by the Town on behalf of school department employees for other retirement plans, i.e., 403B, 457, OBRA (if applicable). The methodology for the Retirement Assessment cost allocation defined below will be followed by the Town at the end of each fiscal year. This information will be provided by the Town:

•Calculate the cost for health insurance for all retirees.

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•Calculate the percentage of cost related to Middlesex County for the School Department to the total cost for all retirees

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•Apply this percentage against the total cost for the Retirement Assessment

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•The result represents the cost for the Retirement Assessments by the Town to the Middlesex Retirement System on behalf of school department employees.

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

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

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

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

Unemployment Costs

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

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

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

Worker's Compensation

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

Non-Employee Insurance

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

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

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

OTHER FIXED COSTS (EOYR OBJECT CODE SERIES 5500)

Other recurring expenses incurred by the Town for school purposes can include, but are not limited to the actual cost of: public safety services provided to the School Department, such as school crossing guards; public health and safety inspections (building inspections, health inspections, fire inspections,

and other regulatory services), and other facility support services (snow plowing or removal, rubbish collection or disposal). The actual costs shall include salary and wages for professional, technical, clerical and support staff, and all expenses including, but are not limited to, professional and technical services, supplies and materials, dues and subscriptions, travel expenses and other related costs.

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

For reporting purposes, cost of debt and capital shall include the actual interest paid on revenue anticipation notes (RANS) for school purposes (EOYR 5400), interest charges on short term borrowing for bond anticipation notes (BANS) for school purposes (EOYR 5450) the annual principal and interest paid on loans used to finance the purchase or construction of schools (EOYR 8100 & 8200), the annual interest on bonds and loans used to finance the purchase of books, instructional equipment, and extraordinary maintenance (EOYR 8400), and the annual interest on bonds and loans used to finance the purchase of non-instructional equipment, and to pay for capital maintenance projects in excess of \$50,000 (EOYR 8600).

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

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

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

OTHER EXPENSES

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

For the Town of Wayland:

For the Wayland Public Schools:

Chair, Town Board of Selectmen

(Date)

Chair, School Committee

(Date)



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 M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE
BOARD OF SELECTMEN FROM MAY 12, 2016,
THROUGH AND INCLUDING MAY 19, 2016,
OTHERWISE NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR MAY 23, 2016**

Items Distributed To the Board of Selectmen – May 12 -May 19, 2016

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the
Meeting of May 16, 2016**

1. Email from Gordon Cliff, Highfields Road, to Cherry Karlson, Chair, Board of Selectmen,
re: Ac-Cen-Tchu-Ate the Positive
2. Sketch of Location of Smoking Shed at 106 Main Street by Mary Antes, Board of Selectmen
3. Memorandum of 5/16/16 from Michael Murphy, 201 West Plain Street, Board of Selectmen,
re: Energy Committee and LED Street Lights

**Items Included as Part of Agenda Packet for Discussion During the May 23, 2016
Board of Selectmen's Meeting**

1. Resumes of Jason L. Drori and Jonathan M. Sachs
2. Memorandum of 5/17/16 to Board of Selectmen re: Annual Reappointments, and Board
Policy on Appointments to Town Boards and Committees
3. Board of Selectmen Minutes of April 19, 2016, May 2, 2016, and May 16, 2016
4. Memorandum of 5/23/16 from Nan Balmer, Town Administrator to Board of Selectmen,
re: Review of Legal Services
5. Memorandum of 5/23/16 from Nan Balmer, Town Administrator to Board of Selectmen
re: Spring 2017 Annual Town Meeting Date
6. Town Administrator's Report for the Week Ending May 20, 2016



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

TOWN OF WAYLAND

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

BOARD OF SELECTMEN
Monday, May 23, 2016
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Sycamore Road Parcels 46B-47 and 46B-48
2. Email of 5/16/16 from Kevin R. Dandrade, TEC, to Nan Balmer, Town Administrator, re: Glezen Lane
3. Letter of 5/18/16 from Edward Bouquillon, Superintendent-Director of Minuteman High School, to MSBA re: Failed Vote Policy
4. Press Release, Police Department, 5/17/16, re: Possible Scam
5. Monthly Report, Police Department, April 2016

Conservation Commission

6. Notice of Public Meeting, May 19, 2016, Drainage at Heard Road
7. Order of Conditions and Chapter 194 Permit, 5/17/16, from Brian Monahan, Conservation Administrator, re: 26 Damon Street

Minutes

8. Municipal Affordable Housing Trust Fund Board, April 6, 2016
9. Board of Public Works, March 30, 2016, April 26, 2016

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, May 18, 2016 7:58 AM
To: DiNapoli, MaryAnn
Subject: FW: Please retain the Sycamore Road Parcels 46B-47 & 46B-48

correspondence

From: judy bennett [mailto:jb1020@gmail.com]
Sent: Wednesday, May 18, 2016 7:23 AM
To: Doucette, Elizabeth; Balmer, Nan; Karlson, Cherry; Antes, Mary; Anderson, Lea; Jurist, Louis; Nolan, Joseph F.; Monahan, Brian; Sherre Greenbaum
Cc: Mitch Brody; Alice Boelter; juliekannel@gmail.com
Subject: Please retain the Sycamore Road Parcels 46B-47 & 46B-48

Dear Board of Selectmen,

We understand that the family interested in purchasing the Sycamore Road parcels have made statements at several recent BoS meetings. So in the interest of providing another viewpoint, and one that 47 of us in the neighborhood think is critically important, we would like to offer the following, in the hopes you'll get to read it before you go into your next Executive Session to discuss this:

1. As noted previously, the neighborhood feels the land provides
 - critical animal habitat,
 - drainage/wellhead protection/Dudley Pond water quality issues,
 - unique beechwood forest,
 - semi-rural character in a very high density bungalow neighborhood
 - opportunities for future sub surface community septic systems if needed
 - active utilities to multiple houses

2. Those hoping to purchase note their 25 year old septic systems work just fine but they'd like this as a reserve site. The 66 Hawthorne property's septic system which directly abuts, is older than that and those on both sides of it are considerably older, being 40 and 50+ years old, as are some on the opposite side of Sycamore Rd. The need is there for all of us to have options, not just one family.

3. Those hoping to purchase have actively supported community septic at the Dudley Woods site. Having the town retain the land for conservation and community septic serves all of us, and it's good to know they are supportive of that across the pond...why not here in our backyard?

4. Despite statements made on Monday May 16th at the BoS meeting, you do not need 2 parcels totaling 12,000 square feet to address septic concerns for one or two houses. In fact, a house with .06 acres [2,441 sq. ft] installed an approved septic system in this neighborhood within the last 3 years, so it's easy to see that 12,000 SF could offer many homeowners options, should this be needed.

5. Other property owners who have very similar plots on the pond have solved septic on-site. Two houses away from the petitioners home on Lakeshore Road, an approved septic system is being installed as we speak, and 3 doors down in the other direction neighbors have approved hillside septic systems in use for 20 years- an

option that their 10 Beech Road property could likely provide for them. We wonder if septic capacity is really the purpose of this request to purchase.

6. The interested party's letter to the town, dated 10/2/2015, notes that the previous town administrator in 2008 stated these 2 parcels were worth \$38,100. That the town today would entertain an offer of \$20,714 would be truly shocking. And the \$216.74 in added taxes versus the huge benefit these parcels provide this neighborhood seems to make this an easy decision.

7. A 5/2/16 email that the interested family sent to several abutters as well as the BoS notes they would like to put a small garage on the parcels in the future. They currently park 3 cars in their driveway and their tenant has one or two at times. A garage to support this would obliterate all the things we value on these parcels, noted in item 1. It would likely be a footprint larger than adjacent houses, and it would increase density in a neighborhood that doesn't need another building; it needs open space and no more paved areas. Even if it was agreed that, for now, the property could have a restriction on adding a building, that can change over time.

We all have septic needs. We all value the water quality of the pond and our drinking water. We all value open space. Let's use this request as a chance to show that we all do truly believe in the community vision statement of keeping our semi-rural character.

Sincerely yours,

Judy Bennett, Abutter
Mitch Brody, Abutter
Julie Kannel, Abutter
Alice Boelter, Neighbor
Mary d'Amonville, Neighbor

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Tuesday, May 17, 2016 12:52 PM
To: DiNapoli, MaryAnn
Subject: FW: Glezen lane

Correspondence

From: Kevin Dandrade [mailto:KDandrade@theengineeringcorp.com]
Sent: Monday, May 16, 2016 2:34 PM
To: Balmer, Nan
Subject: RE: Glezen lane

We used a series of video counters through our vendor. Our vendor has the video images as back-up in the event of a dispute. They use tracking software for directional characteristics and have used this method for hundreds of counts. We also had our own staff counting the origin-destination characteristics which matched our vendors counts. These updated counts were compared against other manual counts and roadway tube counts performed by Twenty Wayland many years ago.

The Town's daily counter uses a radar-based technology, which was showing some signs of double-counting soon after the initial installation. My recent review of the data coming from that machine also showed periods when little to no traffic was counted when we know traffic is present. It is wildly inconsistent in my opinion and should not be used as an accurate data source.

-Kev

Kevin R. Dandrade, PE, PTOE
Principal/ Senior Project Manager



"THEENGINEERINGCORP.COM"

978-794-1792 Office
603-361-2312 Mobile



May 18, 2016

Ms. Maureen G. Valente
Chief Executive Officer
Mr. John K. McCarthy
Executive Director
Massachusetts School Building Authority (MSBA)
40 Broad Street – Suite 500
Boston, MA 02109

Sent via email

Dear Ms. Valente and Mr. McCarthy:

This letter is submitted to you pursuant to MSBA's Failed Vote Policy.

Overview:

- Project funding was approved by the Minuteman District School Committee on March 15, 2016.
- The District secured affirmative action (or non-disapproval) by 15 of the District's 16 member Town Meetings (in one case subject to a Proposition 2½ debt exclusion vote on June 14).
- The bond funding was disapproved by the Belmont Town Meeting on May 4, 2016.

Absent further action, by operation of M.G.L. Chapter 71, Section 16(d), this circumstance constitutes a failed vote.

The Minuteman project was unanimously endorsed by the MSBA Board of Directors on August 6, 2015. Our Final Schematics were approved unanimously by the MSBA Board on January 27, 2016. With the 120-day deadline for local approval approaching on May 27, 2016, the District is required to inform the MSBA of the failed vote, provide reasons for it, and outline its plans for securing approval under its Regional Agreement and statute.

Based upon the extraordinary support for the project shown by 15 member towns, and their recognition of the adverse consequences of a failed vote, community leaders throughout the district are willing to assist us in efforts to further engage the Town of Belmont and reverse the decision in that town. Failing that desired outcome, the district would move forward with a district wide referendum under M.G.L. Chapter 71, Section 16(n).

If MSBA grants us more time to do this work, I am confident that we will achieve the same success in Belmont as we have had throughout the District.

1. District Voting Results

Attached is a chart showing the results of 16 member towns meetings. As you can see, the Minuteman project has received broad support in the District communities, with several endorsing the project by unanimous votes at Town Meeting. The vote at Belmont Town Meeting on May 4, 2016 was the single exception. By a vote of 81 in favor and 141 against, Town Meeting failed to endorse the District School Committee's decision to bond for the project. Assuming an affirmative vote on a debt exclusion to be held in the Town of Arlington on June 14, 2016, we would have gained full local approval, except for Belmont.

2. Reasons for the Failed Vote in Belmont

During the Belmont Town Meeting debate, speakers repeatedly expressed concerns regarding the school size, cost differences between building a new school vs. renovating the existing one, the credibility and longevity of the new state-approved capital fee, and competition with other key capital projects in the town, particularly plans for a new Belmont High School.

a. School Size

Some Belmont officials still question the target enrollment of 628 students. We have prepared lengthy documentation to support the enrollment: [Why We Will Fill the New School](#).

The 628 enrollment number is based on facts which were discussed at multiple public meetings. We came to the number, over time, based on our comprehensive review of enrollment trends, labor market data on occupational demand, the specific needs of the Chapter 74 career and vocational technical programs offered, and input from our member towns. The district school committee agrees with MSBA that 628 is the smallest sized school that allows us to retain the quality of education our communities expect.

b. Project Costs: Costs of Renovations v. Building New

Some Belmont town officials have stated publicly that the new school is too expensive. Despite extensive communication efforts, including the publication of all analyses and options required in Module 3 and Module 4, Belmont town officials stated that we have not fully vetted the alternatives, including renovations.

We have prepared numerous documents to address the cost of not pursuing the MSBA project and instead undertaking years of renovations. These documents are posted on our website at www.minuteman.org. We have pointed our member towns to [The "Go It Alone" Option](#) and to [Cost Breakdown for Go It Alone Option](#).

All of the member towns, except Belmont, were satisfied with the recommendations of the district School Building Committee and the explanatory documents provided.

c. Out-of-District Students and the Capital Fee

Some Belmont officials doubt that the Massachusetts Department of Elementary and Secondary Education (DESE) will implement its new regulations resulting in a capital fee to be paid by non-member communities.

On February 23, 2015, the Board of Elementary and Secondary Education approved Chapter 74 regulations allowing a capital fee be added to the base tuition rate set by DESE. Unfortunately, despite assurances from DESE, some Belmont officials continue to question whether the fee will actually be implemented at all and, if it is implemented, how long it will stay in effect.

d. Belmont High School and Other Competing Capital Projects

The Minuteman project appears to have been the victim of some very unfortunate timing: (1) our need to secure local approval (Module 5) for this project and (2) Belmont's recent entry into the MSBA pipeline and its need to fund a Feasibility Study and perhaps a new Belmont High School (Module 1).

Belmont Town Meeting overwhelmingly voted to approve funds for a Feasibility Study. When Town Meeting reached the Article discussing Minuteman, some of the Town Meeting members explicitly or implicitly pitted the two MSBA projects against one another. The issue was compounded by the fact that there are several other capital needs in the Town of Belmont that also need to be addressed, including a library, public works building, a police station, and module classrooms for overcrowded middle schools. We were disappointed that Belmont Town Meeting decided to reject the Minuteman project partly because of the potential MSBA/Belmont High School project.

e. Limitations on Our Ability to Present the Facts

At most Town Meetings in the District, as Superintendent, I have been invited to make presentations and answer questions in advocacy of the Minuteman project. Unfortunately, this privilege was not granted to me at the Belmont Town Meeting. I was only allowed to respond, factually, to two questions posed to me by members of Town Meeting. I did not have an opportunity to address specific assertions that arose during debate.

Several members of the District School Committee have urged me to provide you with a link to the Belmont Media Center's taped Cable TV coverage of the meeting so that you can draw your own conclusions. The discussion about Minuteman (Article 1) is filed as "Town Meeting 5-4-16 - Part 2" under "Videos." Here is the link:

<http://vp.telvue.com/preview?id=T02787&video=275385>

Based on our experience on the evening of May 4, 2016, we now know that we will need to make a more extensive communication and outreach effort to Belmont Town Meeting members and town officials.

3. The District's Plan to Remedy the Failed Vote

The Minuteman School Committee and Administration will address and resolve Belmont's concerns. We are actively engaging local officials, Town Meeting members, and the community at large on the value and need for the project, the consequences of not moving forward, and the specific factual issues involved.

We believe this effort can succeed. Elsewhere in the District, even in towns with multiple pending capital projects – one example is Arlington which endorsed the project 84%-16% at Town Meeting – the arguments in favor have won majority support after full discussion and review.

There is substantial support for the work of Minuteman within Belmont. The need for a major capital project at Minuteman is undisputed. We are confident that, once the facts are clear, Belmont's Town Meeting will support this project.

Members of the District School Committee, including its representative from Belmont, stand united in seeking this extension from the MSBA. Along with my Administration, School Committee members are committed to re-engaging the Town of Belmont in an attempt to get this project to "yes." Collectively, we are persuaded to do so because only one town has voted "no".

As the votes demonstrate, we have achieved the necessary support for this project in 9 of the 10 non-departing member towns in the Minuteman District, including "non-disapproval" from the 6 departing communities. In addition, wide margins in Town Meeting votes and associated debt exclusion ballot question votes were achieved.

Given overall support across the District, and our confidence in being able to work with Belmont's leadership and citizenry to improve understanding of the merits of the project, the District is proposing the following plan to secure local approval within the framework of Chapter 71 and our revised Regional Agreement:


1. The District proposes to reauthorize bonding and seek local approval. As of this writing, the District School Committee is keeping its options open to proceed under Chapter 71, Section 16(d) again, conduct a District-wide referendum under Chapter 71, Section 16(n), or possibly do both. The matter was discussed at a School Committee meeting on May 17, 2016. No vote was taken but the consensus was to keep all options open.
2. In order for this plan to be fully executed within a reasonable timeframe, the District is seeking a 180-day extension of its Feasibility Study Agreement with the MSBA. (I hope that I will be able to talk with you further about the precise length of time that may be needed and the type of time extension that MSBA would consider reasonable.) The District fully

understands that the Project Scope and Budget Agreement will not be adjusted in any manner as a result of this extension.

Over the next few months, I look forward to working with District stakeholders, including the Town of Belmont and its residents to provide further information, answer questions, and build support for this much-needed project. We will be enlisting the support of MSBA, DESE, NEASC and others to help focus and reinforce our messaging.

I thank you for your ongoing support for Minuteman High School. I look forward to hearing from you soon.

Very truly,



Edward A. Bouquillon, PhD
Superintendent-Director
Minuteman High School

cc: District School Committee
Boards of Selectmen in Member Towns
Town Managers and Town Administrators
State Treasurer Deborah Goldberg, MSBA Chair
State Senators and State Representatives
Deputy Commissioner Jeffrey Wulfson, DESE

TOWN MEETING ACTION ON BONDING FOR A NEW MINUTEMAN HIGH SCHOOL - 2016

| | Bonding Under M.G.L. Chapter 71, Section 16(d) | Debt Exclusion Vote |
|------------|---|---------------------------------------|
| Acton | Approved by nearly unanimous vote on 4/4/16 | |
| Arlington | Approved by 165-31 vote (84%-16%) on 5/9/16 | To be held on 6/14/2016 |
| Belmont | Not approved by 81-141 vote on 5/4/2016 | |
| Bolton | Approved by estimated 181-9 vote (95%-5%) on 5/2/16 | Approved 237-146 (62%-38%) on 5/9/16 |
| Boxborough | Non-disapproval | |
| Carlisle | Non-disapproval | |
| Concord | Approved by nearly unanimous vote on 4/5/16 | Approved 745-259 (74%-26%) on 4/14/16 |
| Dover | Approved by estimated 900-15 vote on 5/2/16 | |
| Lancaster | Approved by unanimous vote on 5/2/16 | Approved 251-153 (62%-38%) on 5/9/16 |
| Lexington | Approved by vote of 152-0 on 4/25/16 | |
| Lincoln | Non-disapproval | Approved 174-112 (61%-39%) on 3/28/16 |
| Needham | Approved by unanimous vote on 5/9/16 | |
| Stow | Approved by estimated vote of 177-12 (94%-6%) on 5/2/16 | Approved 284-160 (64%-36%) on 5/10/16 |
| Sudbury | Non-disapproval | |
| Wayland | Non-disapproval | |
| Weston | Non-disapproval | |

Town votes within 60 days of School Committee's 3/15/16 bonding authorization vote.
Absence of a vote / "non-disapproval" is deemed a "yes" vote.

**Planned Activities during the Requested 180-Day Extension
(July 30, 2016 – December 30, 2016)**

| Projected Dates, Milestones & Actions | Comments |
|---|---|
| May 4, 2016 – Belmont Town Meeting votes to disapprove the project by a vote of 141-81. | Given the discussion on May 4 th and subsequent statements from Belmont officials, it appears that Belmont believes the school is too large, that non-member communities will not contribute to capital costs, and that Belmont’s own high school should take priority over the Minuteman project. |
| May 4, 2016 and Ongoing – The District meets with District stakeholders to confirm Belmont’s reasons for disapproval and work to re-engage Belmont in the process. | Officials from the remaining district communities have been speaking with Belmont stakeholders to encourage reconsideration. |
| May 17, 2016 – The District School Committee meets to discuss the Belmont vote and agrees to continue to pursue local approval by seeking an extension of MSBA’s Feasibility Study | No votes were taken, but there appeared to be unanimous consensus to submit a request to MSBA for an extension of the deadline to secure local approval. |
| May 18, 2016 – District officially requests an extension from MSBA | The District seeks the extension to secure local approval by (1) engaging the Belmont stakeholders and (2) simultaneously preparing for School Committee votes under either Chapter 71, Sections 16(d) or 16(n). |
| May-June 30, 2016 – The District continues meeting with Belmont officials and Town Meeting members to clarify and overcome objections, laying the groundwork for another effort to secure approval from the Town of Belmont via Chap 71 16(d) | This work is critical. Time is needed to help improve chances for success. |
| By July 15, 2016 – School Committee votes to reauthorize debt under Chapter 71, Section 16(d) | Member towns have 60 days in which to hold a Town Meeting to disapprove. |
| September 1, 2016 – The District holds meetings with Town Clerks in the District’s member towns to prepare for a possible district-wide referendum. | Only two similar elections have ever been held before, one at Bay Path Regional Vocational Technical High School in Charlton, the other at Franklin County Technical School in Turners Falls. From what we have been told, the planning process will take 45-60 days. |

| | |
|---|--|
| <p>By September 15, 2016 – If no town disapproves the debt or makes it contingent on a subsequent Proposition 2½ debt exclusion vote, the project is <u>approved</u>.</p> | <p>If a Town Meeting vote is contingent on a related Prop 2½ vote, we might not know the final outcome for a few days (or possibly weeks) later. This fact adds a further bit of uncertainty to this calendar. That is why we have believe 180 days allows the district to respond as noted below.</p> |
| <p>By October 15, 2016 (<i>or earlier if Belmont remains in opposition</i>) – The District School Committee votes to call for a district-wide referendum to approve debt under Chapter 71, Section 16(n) and sets the date for the district-wide referendum</p> | <p>If Belmont reaffirms its opposition to the project, the District School Committee will call for a District-wide election under 16(n). While the district is reluctant to subject the towns that supported the project to a district-wide referendum, it may occur earlier and be the only option available should outreach efforts to Belmont fail.</p> |
| <p>By December 30, 2016 – District-wide referendum held on one day in all member communities</p> | <p>The aggregate vote total will determine whether the debt is approved or rejected. Given the overall support for the project as confirmed in votes to date, the district believes the majority of voters will support this project.</p> |

Wayland Police Department

Press Release

5/17/2016

On Friday, May 6th, Wayland officers received a report from a Wayland man of a possible scam. Upon arrival, officers met a man that had sent \$850.00 via Western Union to Mexico after receiving a fraudulent telephone call. The caller claimed that he was a friend of the man's grandson and he needed money for an emergency. After receiving the original \$850.00, the man called back requesting more money. At this point, the victim began to get suspicious and he checked with his grandson and learned he was not in Mexico.

Wayland and other police departments have received numerous reports of this and other telephone or internet scams. In an effort to educate the public to the most frequent scams a card titled "Are You Wiring Money? STOP!" has been distributed to area banks and locations the have the ability to do wireless transfers. The goal of the department is to prevent these losses from occurring because once the money is sent by a wireless transfer it is rarely recovered.

Are you Wiring Money?

STOP!

You could be falling for a common scam

- Arrested Relative -You receive a call that a relative needs bail money.
- Sweepstakes - You receive a call notifying you that you won a contest and must send money to collect any winnings.
- IRS Imposters - You receive a call demanding immediate payment for back taxes.
- Tech Support -You receive a call that your computer needs repair and to send money for service.

Not Sure? Call the Wayland Police at 508-358-4721





WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

April 2016

On April 30th, the Wayland Police Department participated in the "Prescription Drug Take Back Day" sponsored by the U.S. Drug Enforcement Agency. From 10:00 A.M. until 2:00 P.M an officer stood by as residents dropped off old and unneeded prescription medications for proper disposal. The Wayland Police Department also maintains a prescription drug drop-off box at the Wayland Public Safety Building where residents can drop off unwanted prescription medications at any time. Three hundred and sixty pounds of prescription medications were turned in for disposal.

On April 20th, the Wayland Police Department conducted tobacco compliance checks of local businesses that sell tobacco products. An individual, under the age of twenty-one, was sent into the establishments to attempt to purchase tobacco without showing identification. All fourteen establishments passed the compliance check.

On April 27th a Southborough man was arrested on the charge of Larceny Over \$250 by Embezzlement. An investigation that led to the arrest had been launched on April 14th, after a local business reported that an ex-employee may have stolen more than \$100,000 in company funds.

Two people were arrested for Operating Under the Influence of Alcohol during the month. In one case an officer came upon a vehicle that was stopped on the side of the road with the engine running and discovered that the operator was intoxicated. In the other case, a motorist reported erratic operation to the police and the vehicle was located by officers being operated by a person who was determined to be intoxicated.

The department conducted interviews with four candidates for the position of police officer during the month. The department is currently in the process of replacing Officer Bryan Healy, who resigned in March.


Robert Irving
Chief of Police

RECEIVED

MAY 16 2016

Board of Selectmen
Town of Wayland

Wayland Police Department Detective Division Report for April 2016

INVESTIGATIONS

Larceny over \$250 – Boston Post Road – Charges pending
Larceny over \$250 – Commonwealth Road – Arrest made
Larceny over \$250 – Hillside Drive
Larceny over \$250 – Three Ponds Road
Larceny under \$250, Receiving Stolen Property – Smokey Hill Road
Commercial Burglary – Crest Road
Drug Investigation
Coach Grill – Fire Investigation

MEETINGS/TRAININGS

NEMLEC Detective Training
Death Investigation
MPTC Firearms Range Instructor
Acton Detective Meeting

MISCELLANEOUS

Framingham District Court – MV/Criminal Hearings
District Attorney Evidence Inventory Project
National Drug Take Back Day

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

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

In- Service

MPTC Boylston Academy

Shane Bowles

April 19-22

Sudden Death Investigations

MPTC Plymouth Academy

Tyler Castagno
Christopher Cohen

April 13

Injured-on-duty Workshop

Cabot Risk Strategies LLC
Woburn, MA

Patrick Swanick
Robert Irving

April 13

Firearms Instructor Certification

MPTC- Lexington PD Range

Tyler Castagno

April 25-28

Eyewitness Identification (Chief In-service)

MPTC-Boylston Academy

Robert Irving



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT

151 Campanelli Drive, Suite A ~ Middleborough, MA 02346
Tel: 508-828-2911 ~ TTY: 508-828-4572 ~ Fax: 508-828-2585
www.mass.gov/e911



CHARLES D. BAKER
Governor

DANIEL BENNETT
Secretary of Public Safety
and Security

FRANK POZNIAK
Executive Director

April 15, 2016

Chief Robert Irving
Wayland Police Department
38 Cochituate Road
Wayland, MA 01778

Dear Chief Irving,

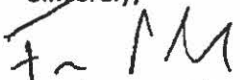
The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the FY 2016 State 911 Department Training Grant and EMD / Regulatory Compliance Grant program.

For your files, attached please find a copy of the executed contract and the final approved Appendix A: Listing of Certified Telecommunicators for your grant. Please note your contract start date is April 15, 2016 and will run through June 30, 2016. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services MUST be received on or before June 30, 2016.

Reimbursement requests should be submitted to the Department within thirty (30) days of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than three (3) months after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to 911DeptGrants@state.ma.us. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before April 30, 2016.

Sincerely,


Frank P. Pozniak
Executive Director

cc: FY 2016 Training Grant and EMD / Regulatory Compliance Grant File



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

RECEIVED

MAY 16 2016

Board of Selectmen
Town of Wayland

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

May 12, 2016

Community Newspaper Company
Town Crier & TAB Publications
P.O. Box 9149
Framingham, MA 01701

Dear Legal Ad. Department:

Please publish the enclosed legal advertisement in the **Wayland Town Crier** on Thursday, May 19, 2016. Please notify me at 508-358-3669 if there is any problem with this request. Please send the advertising bill to: Wayland Conservation Commission, Attn: B. Monahan, 41 Cochituate Road, Wayland, MA, Tel: 508-358-3669.

Thank you.

Sincerely,

Brian J. Monahan
Conservation Administrator

cc: Wayland DPW
N. Balmer, Town Administrator
Conservation Commission
File

**WAYLAND CONSERVATION COMMISSION
NOTICE OF PUBLIC MEETING**

On Thursday, May 26, 2016 at 7:25 p.m. in the Wayland Town Building, 41 Cochituate Road, Wayland, Massachusetts, the Wayland Conservation Commission will hold a public meeting to consider a Request for Determination of Applicability filed pursuant to the Wetlands Protection Act and a Chapter 194 application filed pursuant to Wayland's Wetlands and Water Resources Protection Bylaw by the Wayland Conservation Commission seeking to improve the drainage at the end of Heard Road near the Heard Road Conservation Area. The work is within the buffer zone of wetlands. The property is generally shown on generally shown on Assessor's Map 32, Parcel 002.



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

7

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

May 17, 2016

James Morin
North East Classic Engineering
675 Concord Avenue
Belmont, MA 02478

RE: Order of Conditions and Chapter 194 Permit for 26 Damon Street, Wayland (DEP File 322-864)

Dear Mr. Morin:

Enclosed please find the original Chapter 194 Permit and Order of Conditions, including Attachment A, for the septic project at 26 Damon Street, Wayland. You are responsible for meeting all the conditions of both the Order of Conditions and the Chapter 194 Permit. **This original Order and Permit must both be filed at the Middlesex South Registry of Deeds by you as the Applicant.** Thereafter, evidence of the recording must be submitted to the Commission prior to commencing work.

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

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

Sincerely,

Brian J. Monahan
Conservation Administrator

Enc. (2 Original Decisions)

cc: Town Clerk w/enc.
DEP NERO w/enc.
Building Commissioner w/enc.
Lipnesh Yuyri w/enc.
Board of Selectmen
Board of Health
Planning Board
Town Assessor
Abutters
File

RECEIVED

MAY 17 2016

Board of Selectmen
Town of Wayland

Municipal Affordable Housing Trust Fund (MAHTF)

Meeting Minutes—April 6, 2016

Wayland Town Building

Attendance: Mary Antes; Jacqueline Ducharme; Stephen Greenbaum; Kevin Murphy; Brian O’Herlihy; Jennifer Steel; Susan Weinstein

Materials Distributed:

- Draft March 2, 2016 minutes
- Agenda for April 6, 2016 meeting
- Financial Statement as of March 31, 2016
- Letter of engagement to Brian Keveny from Melanson Heath, offering auditing services for the MAHTF
- Draft Guidelines for Purchasing Existing Homes

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

Public Comment: None

Notes:

1. Brian O’Herlihy provided the Treasurer’s report which included:
 - i. A review of the MAHTF financial statement (unaudited) as of March 31, 2016
 - ii. A discussion by the Trustees regarding Melanson Heath’s letter of engagement offering auditing services to the MAHTF. Susan Weinstein moved to authorize Brian O’Herlihy to approve auditing services. Jennifer Steel seconded the motion. The motion was approved unanimously (7-0)
2. The March 2, 2016 minutes were reviewed. Brian O’Herlihy moved the minutes be approved as amended. Stephen Greenbaum seconded the motion. Motion approved unanimously (6-0).
3. The Trustees reviewed the draft goals/ objectives from the March 2, 2016 meeting and made some revisions
 - i. Kevin Murphy agreed to take the lead to introduce/ amend By-laws to support Affordable Housing (i.e. accessory apartment).
 - ii. The Trustees decided to separate a previously combined goal and add an objective into three distinct areas:

- a. Exploring potential for additional units at Town Center: Kevin Murphy will take the lead, Jennifer Steel and Mary Antes will assist.
 - b. Explore ways to assist the River's Edge Project: Mary Antes will take the lead in this objective; Jennifer Steel and Kevin Murphy will assist.
 - c. Explore potential units at 151 Main Street: Kevin Murphy will take the lead; Brian O'Herlihy will assist
4. Jennifer Steel reviewed Wayland's 2015 draft Housing Production Plan, to help develop a housing needs assessment, for this committee. This Housing Production Plan is to be completed by Sarkis Sarkisian, Town Planner.
- i. Jennifer Steel found The Wayland Housing Production Plan required significant work before it was completed and ready to submit to the state.
 - a. These plans need to be certified and approved by the state
 - ii. Jennifer Steel asked if MAHTF would be willing to contribute toward the completion of this plan.
 - a. Jennifer Steel had spoken to Karen Sunnarborg, who has a great deal of experience in completing housing productions plans
 - It is possible she would be willing to work with Sarkis Sarkisian on completing the Housing Production Plan.
 - iii. The Board of Selectmen (BOS) have oversight over the Town Planner; given this, the Town should provide needed funds to ensure this plan is completed.

ACTION: Mary Antes will discuss with Nan Balmer, Town Administrator, to ensure this plan be completed.

ACTION: Jennifer Steel to explore with Karen Sunnarborg the possibility of working on this plan.

ACTION: Jennifer Steel will review materials, consider housing demands, demographics and work on providing a brief summary of needs and recommendations for this committee.

5. Stephen Greenbaum and Jacqueline Ducharme presented their "Guidelines for Purchasing Existing Homes."
- i. The Trustees did not want to establish an Executive Committee that would be authorized to make an offer on a property.
 - a. The Trustees would convene a meeting to authorize the purchase of a property.

ACTION: Mary Antes to invite Liz Rust to further discuss purchasing homes

6. Jennifer Steel moved that the meeting be adjourned at 9:21. Brian O'Herlihy seconded the motion. Motion passed (7-0)

Respectfully Submitted,

Jacqueline Ducharme



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

**BALANCE SHEET
(Unaudited)
As of March 31, 2016**

| | Current Month | Prior Month | Variance |
|---|-----------------------------|-----------------------------|----------------------------|
| ASSETS | | | |
| Cash and cash equivalents | \$ 478,598.75 | \$ 440,145.99 | \$ 38,452.76 |
| Investments ¹ | 401,324.06 | \$ 400,816.84 | 507.22 |
| Due from Town of Wayland | - | 12,791.43 | (12,791.43) |
| Inclusionary housing payments receivable | 12,791.43 | 12,791.43 | - |
| Total assets | <u>\$ 892,714.24</u> | <u>\$ 866,545.69</u> | <u>\$ 26,168.55</u> |
| LIABILITIES AND FUND BALANCES | | | |
| Liabilities | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Due to Town of Wayland | 12,791.43 | 0.00 | 12,791.43 |
| Total liabilities | <u>12,791.43</u> | <u>0.00</u> | <u>12,791.43</u> |
| FUND BALANCE | | | |
| Nonspendable | 0.00 | 0.00 | - |
| Restricted | 879,922.81 | 866,545.69 | 13,377.12 |
| Committed | 0.00 | 0.00 | - |
| Assigned | 0.00 | 0.00 | - |
| Unassigned | 0.00 | 0.00 | - |
| Total fund balance | <u>879,922.81</u> | <u>866,545.69</u> | <u>13,377.12</u> |
| Total liabilities and fund balance | <u>\$ 892,714.24</u> | <u>\$ 866,545.69</u> | <u>\$ 26,168.55</u> |

¹ Represents \$400,000 deposited in 18-month certificates of deposit at The Village Bank - maturity date of July 11, 2017; interest rate of 1.49% (subject to prepayment penalty on any portion withdrawn prior to maturity date). The amount shown above includes accrued unpaid interest - for fund accounting purposes, these investment funds may need to be recorded at cost.

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

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
(Unaudited)
For the Period July 1, 2015 to March 31, 2016**

| | <u>Committed</u> | <u>Restricted</u> | <u>Current Month Total</u> | <u>Prior Month Total</u> | <u>Variance</u> |
|--|------------------|----------------------|--------------------------------|------------------------------|---------------------|
| REVENUES | | | | | |
| Investment income | \$ 0.00 | 2,316.76 | \$ 2,316.76 | \$ 1,731.07 | \$ 585.69 |
| Inclusionary housing payments | 0.00 | 217,454.31 | 217,454.31 | 204,662.88 | 12,791.43 |
| Total revenues | 0.00 | 219,771.07 | 219,771.07 | 206,393.95 | 13,377.12 |
| EXPENDITURES | | | | | |
| Professional fees | (0.00) | (2,500.00) | (2,500.00) | (2,500.00) | - |
| Bank fees | (0.00) | (20.00) | (20.00) | (20.00) | - |
| Total expenditures | (0.00) | (2,520.00) | (2,520.00) | (2,520.00) | - |
| NET CHANGE IN FUND BALANCE | 0.00 | 217,251.07 | 217,251.07 | 203,873.95 | 13,377.12 |
| FUND BALANCE, AT JULY 1, 2015 | 0.00 | 662,671.74 | 662,671.74 | 662,671.74 | - |
| FUND BALANCE, AT MARCH 31, 2016 | \$ 0.00 | \$ 879,922.81 | \$ 879,922.81 | \$ 866,545.69 | \$ 13,377.12 |

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

**STATEMENT OF CASH FLOWS
(Unaudited)
For the Period July 1, 2015 to March 31, 2016**

| | |
|---|----------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES: | |
| Change in fund balances | \$ 217,251.07 |
| Adjustments to reconcile change in net assets to net cash provided by operating activities: | |
| Unrealized investment income - certificate of deposits | (1,324.06) |
| Change in: | |
| Inclusionary housing payments receivable | 38,374.29 |
| Due to Town of Wayland | 12,791.43 |
| Net cash provided by operating activities | <u>267,092.73</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES: | |
| Investments - certificates of deposit | <u>(400,000.00)</u> |
| Net cash used in investing activities | <u>(400,000.00)</u> |
| NET CHANGE IN CASH AND CASH EQUIVALENTS | (132,907.27) |
| CASH AND CASH EQUIVALENTS, AT JULY 1, 2015 | <u>611,506.02</u> |
| CASH AND CASH EQUIVALENTS, AT MARCH 31, 2016 | <u>\$ 478,598.75</u> |

WAYLAND BOARD OF PUBLIC WORKS

Wayland Town Building

March 30, 2016

7:00 PM

MEETING MINUTES

Present: C. Brown, (Chair), M. Lowery (Vice Chair), W. Baston, J. Mishara, M. Wegerbauer

Meeting opened at 7:00 PM

Brown noted that the meeting is not being recorded.

Brown opened the meeting with a review of the agenda.

Brown asked for public comment – there was none.

Discussion and Possible Vote to Transfer / Re-Affirm Transfer of 207 Main St. to School Committee

Brown clarified that 195 Main Street is the area known as the former DPW facility, 193 Main Street is a small sliver of land located directly south of 195 Main Street, and 207 Main Street is the parcel of land located on the opposite side of the Middle School driveway.

Brown noted that a vote at 1968 Town meeting authorized the transfer of 207 Main Street to the School Committee from the Board of Road Commissioners.

Brown added that the records are unclear if the Board of Road Commissioners ever formally transferred the land.

Lowery noted that, in his opinion, there is no compelling reason that the transfer of land must occur prior to Town Meeting.

Mishara added that, in his opinion, the vote to transfer the land is only a housekeeping measure.

Lowery noted that a drainage swale was placed on the land in 2006, and an order of conditions from the Conservation Commission exists that limits the potential uses of the land.

Lowery urged that the School Committee be made aware of the existence of the order of conditions.

Mishara made a motion that the Board of Public Works:

- (1) Confirm and reaffirm the Board of Road Commissioner’s determination, if any, and determine, pursuant to Massachusetts General Laws Chapter 40, Section 15A, that the parcel of Town-owned land on Main Street, Wayland, Massachusetts now known and numbered as 207 Main Street, Wayland, Massachusetts, containing 2.0 acres, more or less, and shown as Lot B on

the plan recorded with the Middlesex South Registry of Deeds as Plan No. 1449 of 1954, is no longer needed for refuse disposal site or dump purposes; and

(2) in accordance with and pursuant to the vote of the 1968 Annual Town Meeting under Article 39 of the Warrant therefor, confirm the transfer and transfer the care, custody, management and control of said Lot B to the School Committee for school purposes.

(3) Note that this land is subject to Wayland Conservation Commission Order of Conditions and Wayland Chapter 194 Permit, DEP File 322-640, dated March 2, 2006.

Baston 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works

- 04/02/2004 - GeoSyntec Consultants Dudley Pond Proposed Stormwater BMP Locations

- 03/30/2016 – Motion re: 207 Main Street (with amendments)

Discussion and Possible Vote on Mast Arms for Five Paths Intersection – ATM Article 16

Brown noted that the estimate of \$335,000 is for regular black mast arms, and the installation of ornamental mast arms would add approximately \$50,000 to the cost of the project.

Brown asked if the Board should seek the additional \$50,000 for ornamental arms on Town Meeting floor.

Baston noted that the standard black mast arms do not look noticeably different from the ornamental arms.

Brown noted that, in his opinion, the article should be presented at Town Meeting as originally planned without any changes.

Baston noted that the addition of ornamental mast arms could be presented as an amendment at Town Meeting.

Baston departed at 7:28 PM.

Mishara cautioned that proposing an amendment may split Town meeting vote and jeopardize the whole article.

Brown noted that the sense of the Board was to present the article unchanged, and as such no Board vote is necessary.

Board Members' Reports, Concerns, and Updates

Mishara made a motion to adjourn.

Lowery 2nd, all in favor.

Meeting adjourned at 7:30 PM

WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

April 26, 2016

7:00 PM

MEETING MINUTES

Present: C. Brown, (Chair), M. Lowery (Vice Chair), W. Baston, J. Mishara, M. Wegerbauer, S. Kadlik (Director)

Meeting opened at 7:00 PM

Brown noted that the meeting is being recorded.

Brown opened the meeting with a review of the agenda.

Brown asked for public comment – there was none.

Election of Chair and Vice Chair

Brown nominated Lowery for Vice Chair.

Mishara 2nd.

Baston, Brown, and Mishara in favor. Lowery abstain.

Lowery nominated Brown for Chair.

Baston 2nd.

Baston, Lowery, and Mishara in favor. Brown abstain.

Physical Alteration Permit – 150 Main Street

Phil Henry of Civil Design Group and Matthew Levy of 150 Main Street, LLC appeared before the board to discuss their Physical Alteration Permit application.

Brown noted that the permit has not changed since the last permit was issued.

Lowery asked if the plans submitted with the Physical Alteration permit are modified, would a new permit need to be filed.

Henry and Levy confirmed a new permit would need to be filed.

Mishara made a motion to approve the Physical Alteration Permit for 150 Main Street.

Wegerbauer 2nd, all in favor.

*Items Included as Part of Agenda Packet for Discussion
- 8/19/2015 Physical Alteration Permit and associated plans*

Discussion of Water Meter Testing Results Regarding the Request for Water Abatement of 92 Commonwealth Road

Lowery asked how much it cost the Water Division to test the meter.

Water Superintendent Don Millette noted that it cost the Water Division about \$135, but the Town is legally allowed to charge no more than \$3 for the test.

Millette suggested that in the future the cost of testing a meter be paid directly by the homeowner.

Lowery made a motion that a letter be sent to 92 Commonwealth Road, confirm the amount they had paid and granting them a credit for any interest charges.

Wegerbauer 2nd, all in favor.

Items Distributed for Information and Use by the Board of Public Works

- Documents from 12/15/2015 Abatement Request

- 1/15/2016 Water Meter Testing Results from Regan Supply & Testing Service

- 4/10/2016 Letter and copy of check from Sandra Masters of 92 Commonwealth Road re: payment of water bill.

Irrigation Permit Review – 79 Glezen Lane

John Renterghem of 70 Glezen Lane appeared before the Board to discuss his application for the installation of an irrigation system.

Brown asked Kadlik if he has reviewed the application and if all requirements are met.

Kadlik confirmed that he has and the proposed system is in compliance.

Lowery advised Renterghem that seasonal watering bans may limit times the system may be used, and described the abatement process for water lost due to malfunctioning irrigation systems.

Wegerbauer advised Renterghem about the potential benefits of a Town-wide radio-read meter system, and encouraged his support.

Mishara made a motion to approve the irrigation application for 79 Glezen as submitted.

Wegerbauer 2nd.

Baston, Brown, Mishara, and Wegerbauer in favor. Lowery opposed.

Items Included as Part of Agenda Packet for Discussion
- 79 Glezen Lane Irrigation Application and plan

Request for Water Abatement – 20 Pine Needle Road

Linus and Karen Vachon of 20 Pine Needle Road appeared before the Board to discuss their request for abatement.

Brown described the abatement policy for leaks relating to irrigation systems, noting that abatements are generally granted for only 20% of the value of the lost water.

Wegerbauer made a motion to abate the 9/25/15 water bill for 20 Pine Needle Road for a total of 26,000 units, waiving all interest and fees.

Mishara 2nd, all in favor.

Lowery suggested that in the future an irrigation-related abatement could be larger if the homeowner agrees to install a separate irrigation meter.

Items Included as Part of Agenda Packet for Discussion
- 11/2/2015 email from Karen Vachon re: Request to File an Abatement
- 3/14/2016 follow-up email from Karen Vachon re: Request to File an Abatement
- 11/10/2015 Invoice from Michael Zeolla for repairs to irrigation system
- Copy of 9/25/2015 water bill and associated usage and payment history.

Items Distributed for Information and Use by the Board of Public Works
- Copy of 20 Pine Needle Road Irrigation Application

Meeting with Members of the Now-Disbanded Beautification Committee

Laurel Gill of 242 Stonebridge Road appeared before the Board to discuss the role previously handled by the Beautification Committee.

Kadlik noted that the flower boxes at Oak and Rice have been struck by cars several times, and he feels it is extremely unsafe to continue placing flower boxes on the islands at the intersection.

Kadlik discussed with the Board information provided by Regina Kennedy concerning the specific planting sites previously handled by the Beautification Committee.

Lowery asked if it should be a function of the DPW to maintain aesthetic and decorative sites in Town.

Kadlik suggested a planting container be moved to the island on Woodridge Road.

Lowery suggested several potential locations for planting containers, including Mansion Beach and Mill Pond.

Kadlik expressed his concern that using DPW crews to water the plantings would create an undue disruption to the existing workflow.

Lowery made a motion that the DPW assist with the watering of the applicable plantings formerly maintained by the Beautification Committee for a one-year trial period, subject to re-evaluation prior to setting FY18 budgets.

Mishara 2nd, all in favor.

Lowery suggested that a posting be placed on the DPW Facebook page seeking volunteers to assist in maintaining the plantings.

Discussion of Road Improvement Plan

The Board discussed the 2016/2017 Road Resurfacing Program plan.

Lowery noted that there are several factors dictating road resurfacing projects that make accurate long-term planning very difficult.

Kadlik noted that traditionally, road construction has been conducted by scheduling one project on the north side, one on the south side, and one main connector road.

The Board discussed the potential drafting of a long-term resurfacing schedule, but cautioned that it should only be viewed as a guide.

Lowery made a motion that the Board approves the Wayland DPW Road Resurfacing Program 2016/2017, including the roads highlighted in yellow but removing the note that they will be rescheduled to 2018.

Mishara 2nd, all in favor.

Brown noted he will invite Finance Committee member Carol Martin to the next meeting to discuss potentially providing a long-term road resurfacing schedule.

*Items Included as Part of Agenda Packet for Discussion
- Wayland DPW Highway – Road Resurfacing Program 2016/2017*

Discussion and Possible Board Vote on Draft MOU Between the DPW, Recreation, and School Dept.

Kadlik described the development of the draft MOU to the Board.

Mishara noted that, in his opinion, the Boards and Commissions should not be parties to the agreement to the MOU.

Lowery asked how actual costs would be tracked relating to the maintenance of specific facilities covered by the agreement.

Lowery noted that the Town's parks are not represented by the MOU.

Baston expressed his concern that the language of the MOU may potentially result in the Board of Public Works relinquishing some of their budgetary approval authority to the Finance Committee.

Lowery suggested that the MOU should be annually reviewed.

Brown suggested that the Finance Director also be included on the committee.

Items Included as Part of Agenda Packet for Discussion

- Draft Memorandum of Understanding Between the Wayland School Committee, Wayland Recreation Commission, and Wayland Board of Public Works.

Update on Library Drainage Project

Kadlik reviewed the update provided by Janet Moonan of Tighe & Bond.

Lowery suggested that Kadlik write a letter to Conservation Administrator Brian Monahan requesting he respond to Moonan's request indicated in her 4/20/16 project update.

Items Included as Part of Agenda Packet for Discussion

- 4/20/2016 email from Janet Moonan re: Library Drainage Project Update

- 3/1/2016 MEMA Mitigation Program Quarterly Report

DPW Director's Operational Report

Millette discussed the concerns of a homeowner at 75 Old Sudbury Road about the potential for elevated levels of lead in their water, noting that the water testing results came back negative for lead.

Millette requested the Board's permission to excavate the road in front of 75 Old Sudbury Road to determine if there is a lead gooseneck on the home's water service.

Lowery asked how many potential lead goosenecks may still be in service.

Millette noted that they have determined that approximately 48 may remain in service, but due to the Water Division's corrosion control program, the potential for lead to get into the water is very remote.

Wegerbauer noted that, in his opinion, the digging should be delayed until more information is gathered, as the water has been eliminated as a potential source of the lead.

Board Members' Reports, Concerns, and Updates

Wegerbauer asked if an analysis has ever been conducted comparing the costs of using Town water versus MWRA water.

Lowery recalled that an analysis had been done in the past, and the connection costs were considered to be so substantial that it was unfeasible.

Mishara asked if the intersection work approved at Town Meeting is on schedule.

Kadlik noted the projects are on schedule and will be going out to bid shortly.

Lowery noted that the Town Meeting Article 31: Fund Glezen Lane Traffic Control Measures was withdrawn without the prior knowledge of the Board of Public Works, and requested that Brown consult with the Board of Selectmen to determine the cause of the withdrawal.

Brown noted that he had further information on the subject, and noted it should be discussed in executive session during a future meeting.

Lowery noted that trees have not yet been adequately planted along River Road as had been agreed to replace trees that had been removed in error during the construction process of the DPW Facility.

Brown discussed the status of a reported drainage issue on Stonebridge Road.

Kadlik described the history of the maintenance to catch basins in the Stonebridge area.

The Board determined that the next meeting will occur on May 17 and May 24.

Review and Approve Minutes (Delivered in Advance of the Meeting)

Lowery noted that during the discussion of ATM articles, the Warrant Hearing, not Town Meeting should be referred to.

Lowery noted that the discussion on Stone's Bridge was not a joint meeting with the Historical Commission.

Baston noted a correction in the wording of the motion concerning the discussion of Stone's Bridge.

Mishara noted a typographical error at the top of page 2.

Lowey asked Millette when the information Lead & Copper Statement would be published.

Millette replied that the Lead & Copper Statement would be finalized and published shortly.

Brown made a motion to approve the minutes of the 3/22/2016 meeting as amended.

Lowery 2nd, all in favor.

Executive Session to Discuss the Purchase and Value of Real Estate at 107 Old Sudbury Road, Wayland, Massachusetts and to Review and Approve the Executive Session Minutes of the 3/8/2016 and 3/22/2016 Meetings

Brown made a motion that the Board of Public Works enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss the purchase and value of real estate at 107 Old Sudbury Road, Wayland, Massachusetts and to review and approve the executive session minutes of the 3/8/2016 and 3/22/2016 meetings.

Wegerbauer 2nd.

Roll call vote: Baston – aye, Brown – aye, Lowery – aye, Mishara – aye, Wegerbauer – aye.

Brown invited the attendance by DPW employees Stephen Kadlik, Dan Cabral, Don Millette, Michael Lindeman, and Joseph Doucette.

Brown noted the Board would reconvene in open session in approximately fifteen minutes for the purpose of adjourning.

The Board entered into executive session at 9:28PM.

The Board reconvened in open session at 9:54PM.

Mishara made a motion to adjourn.

Baston 2nd, all in favor.

Meeting adjourned at 9:56PM.