

PACKET

JULY 13

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
Wednesday, July 13, 2016
Wayland Town Building
Selectmen's Meeting Room

Proposed Agenda

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

- 6:30 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Health Insurance 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 Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Executive Session Minutes of June 27, 2016, Pertaining to the Above Subjects, because a Public Discussion of Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town
- 7:00 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Interviews and Potential Vote to Appoint to Boards and Committees
1. Conservation Commission
 - Thomas Davidson
 - Sherre Greenbaum
 - Betty Salzberg
 2. Finance Committee
 - Jen Gorke
 - George Uveges
 3. Surface Water Quality Committee
 - Elizabeth (Lisa) Newton

**BOARD OF SELECTMEN
Wednesday, July 13, 2016
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda Page Two

- 7:50 pm 5.) Joint Meeting with Planning Board to Interview and Potential Vote to Appoint to Boards and Committees
1. Planning Board
 - Nicole W. Riley
- 8:05 pm 6.) Town Planner Report
- Rail Trail
 - Special Town Meeting Articles
 - Site Plans
 - Sign Bylaw
 - Branding Project
 - Town Center
- 8:25 pm 7.) Vote to Approve Letter to Mass Housing regarding Brookside Development
- 8:40 pm 8.) Review and Vote to Approve Minutes of June 27, 2016, and Vote to Release Redacted Executive Session Minutes of June 27, 2016
- 8:45 pm 9.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Action regarding Boelter et al v. Wayland Board of Selectmen; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel at the Town Center Project; because a Public Discussion of These Matters will have a Detrimental Effect on the Litigating, Bargaining or Negotiating Position of the Town
- 9:15 pm 10.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:20 pm 11.) Review Correspondence (See Separate Index Sheet)
- 9:30 pm 12.) Report of the Town Administrator
- 9:40 pm 13.) Selectmen's Reports and Concerns
- 9:50 pm 14.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 9:55 pm 15.) Adjourn

4. INTERVIEWS &
APPOINTMENTS

DATE: JULY 11, 2016

TO: BOARD OF SELECTMEN

RE: APPOINTMENTS TO POSITIONS ON CONSERVATION COMMISSION, FINANCE COMMITTEE, SURFACE WATER QUALITY COMMITTEE, AND PLANNING BOARD

REQUESTED ACTION, CONSERVATION COMMISSION:

There are two openings on the Conservation Commission due to the end of the current terms for Sherre Greenbaum and Betty Salzberg. Sherre Greenbaum and Betty Salzberg are interviewing for reappointment, and Thomas Davidson is interviewing as a new applicant.

VOTE: TO APPOINT (two candidates) TO THE CONSERVATION COMMISSION EFFECTIVE JULY 1, 2016, FOR A THREE-YEAR TERM TO EXPIRE ON JUNE 30, 2019.

REQUESTED ACTION, FINANCE COMMITTEE

There are three openings on the Finance Committee: one is due to the end of the current term for Gil Wolin, who is seeking reappointment, and two are due to the resignations of Bill Steinberg and Thomas Abdella.

On June 27, the Board interviewed incumbent Gil Wolin and new applicant Klaus Shigley. At the July 13 meeting the Board will interview two more new applicants, Jen Gorke and George Uveges.)

VOTE: TO APPOINT (one candidate) TO THE FINANCE COMMITTEE, EFFECTIVE IMMEDIATELY, TO FILL A TERM TO EXPIRE ON JUNE 30, 2017.

VOTE: TO APPOINT (two candidates) TO THE FINANCE COMMITTEE, EFFECTIVE JULY 1, 2016, FOR A THREE-YEAR TERM TO EXPIRE ON JUNE 30, 2019.

REQUESTED ACTION, Surface Water Quality Committee

Interview and potentially vote to appoint Elizabeth (Lisa) Newton to the Surface Water Quality Committee. She has served on the committee in the past.

VOTE: TO APPOINT ELIZABETH NEWTON TO THE SURFACE WATER QUALITY COMMITTEE, EFFECTIVE IMMEDIATELY, FOR A THREE-YEAR TERM TO EXPIRE ON JUNE 30, 2019.

REQUESTED ACTION, PLANNING BOARD

In a joint meeting with the Planning Board, interview and potentially vote to appoint Nicole Riley, currently the Associate Member to the Planning Board, as a full member of the Planning Board.

This will create an opening for an Associate Member to the Planning Board, which will be advertised.

VOTE: TO APPOINT NICOLE RILEY TO THE PLANNING BOARD, EFFECTIVE IMMEDIATELY, TO FILL A TERM TO EXPIRE UPON THE 2017 ANNUAL TOWN ELECTION.

GREENBAUM

12 Orchard Lane, Wayland, MA

July 3, 2016

Board of Selectmen

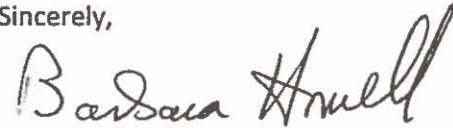
41 Cochituate Road

Wayland, MA 01778

Dear Selectman,

Sherre Greenbaum is seeking another term on the Conservation Commission. She has contributed greatly to our Board over the last three years and currently has been serving as one of the hardest working Chairmen we have ever had. She has put her heart and soul into her position. The negotiations for Mainstone Farm have been long and complicated, but Sherre has kept up with every detail and is working for the benefit of current and future citizens of Wayland. She conducts our Conservation Commission meetings fairly and efficiently. I urge you to reappoint Sherre for another three year term. We need her on the Commission.

Sincerely,



Barbara Howell

Vice Chairman, Conservation Comm.

RECEIVED

JUL -5 2016

Board of Selectmen
Town of Wayland

Thomas A. Davidson

24 Cochituate Road, Wayland, MA 01778
Home: (508) 358-0036 Cell: (617) 797-9595:
email: thomas.a.davidson@usace.army.mil

June 8, 2016

Nan Balmer, Wayland Town Administrator,
nbalmer@wayland.ma.us,

MaryAnn DiNapoli, Wayland Administrator Assistant,
mdinapoli@wayland.ma.us

RE: Wayland Conservation Commission

Dear Nan Balmer,

I'd would like to be considered for a position on the Wayland Conservation Commission. I am confident that my professional skill set would assist the Conservation Commission in many regards. My enclosed resume will give you a detailed understanding of my experience and engineering geological skill set. Please feel free to call at any time to discuss the requirements of this Conservation Commission position.

Sincerely,

Thomas A. Davidson, P.G.
(617) 797-9595
thomas.a.davidson@usace.army.mil

cc: mdinapoli@wayland.ma.us

Thomas A. Davidson, C.P.G., P.G.
24 Cochituate Road, Wayland, MA 01778
thomas.a.davidson@usace.army.mil or fortunegeologic@aol.com

Project Experience

U.S. ARMY CORPS OF ENGINEERS, RISK MANAGEMENT CENTER - IWR, DENVER, CO, JANUARY 2015 TO PRESENT, SENIOR ENGINEERING GEOLOGIST

Serves as a USACE national geology specialist for the Risk Management Center. Senior advisor for Issue Evaluation Studies (IES) and Dam Safety Modification (DSMS) studies, reviewing IES and DSMS reports, reviewing final design and construction documents, and observing critical activities during construction to ensure risk reduction. Executes special assignments directed by the Director, RMC with full responsibility for planning, programming, scheduling, directing, coordinating, advising, and reviewing the work of engineers (GS-14 and below), A/Es, and other consultants as needed to successfully complete unique tasks. Interprets and disseminates policies, regulations, and standards to field offices and subordinates. Provides guidance and support to the Geotechnical Community of Practice Lead in HQUSACE. Participates in consistency reviews for IES and DSM risk products. Support risk management activities and provide guidance to risk managers for consideration of priorities and queue management of DSAC I, II, and III dams. Facilitates the selection of ATR and External Review Panels. Identifies, develops, and performs geology related training in coordination within the RMC. Serves as the interface between risk methodology and various adhoc policy teams. Supports development of the USACE Best Practices manual for the RMC. Projects may involve research efforts to successfully advance state of the art practices and generally are the most technically complex and unique products related to dam and levee safety risk assessment.

U.S. ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, CONCORD, MA, MAY 2004 TO JANUARY 2015 REGIONAL TECHNICAL SPECIALIST-ENGINEERING GEOLOGY, NORTH ATLANTIC DIVISION, 2010 TO 2015

As the engineering geology technical specialist for the region, I responded to requests for technical advice and assistance from Districts within the North Atlantic Division. Providing authoritative advice to resolve conflicts or inconsistencies in regards to geology, engineering geology, and hydrogeology. Plan and implement difficult engineering geological studies and investigations in support of dam foundation assessment, tunnel alignment, and development of engineering geological drawings within the Regional Production Center and for the Risk Management Center (RMC). Perform design and specification review for constructability requirements as related to geological considerations involved in the tunnel design, grout curtain design, and engineering geology foundation assessment for large structures. Evaluate internal erosion potential within dam and levee foundations and performing Risk Assessments in support of on-going Dam and Levee Safety Programs (SPRA, IES, PA Assessments, etc.) within the North Atlantic Division and Nationally for the RMC as part of multiple Engineering Risk Assessment Cadre Teams.

Cave Buttes Dam, Phoenix Arizona, Los Angeles District, USACE (2014-present)

Project Delivery Team (PDT) engineering geologist providing independent technical review and support to the L.A. District (SPL) on the Cave Buttes Dam Outlet Tunnel Project. The project involves installing an outlet tunnel in the bedrock foundation underneath Dike 1 for a secondary outlet structure which would greatly reduce reservoir draw down times.

Broken Bow Diversion Tunnel Project, Tulsa District, USACE (2014-present)

Project Delivery Team (PDT) engineering geologist and tunneling specialist providing support to the Tulsa District (SPL) analyzing and providing Tunnel assessment and Alternative design review to assess and remedial the Broken Bow Diversion Tunnel. The project entails independent engineering analysis of bedrock foundation, tunnel structural assessment, gate and bulkhead assessment and remedial alternatives to repair the tunnel.

Wedge Data Cadre Member, Engineering Geologist, 2013 to 2015

Engineering Geologist assigned to prepare preliminary screening and scope and cost estimate development for data preparation on SQRA or IES Risk Assessment Projects. Projects include Ft. Lyon Dike, Ft. Lyon, CO, Tappan Dam, Stillwater Creek, OH, and Paint Creek Dam, OH, Gathright Dam, Covington VA, Hills Creek Dam Eugene OR, and Dexter Dam Eugene, OR. This program was implemented to cut costs and streamline the risk assessment process across the USACE. Each project includes a top to bottom project data review and geologic and geotechnical assessment, incorporating site data and potential failure modes of concern. This sight knowledge is then used to prepare a scope of work and cost estimate to bring these projects to risk assessment in a timely fashion.

Isabella Dam (DSAC I), Engineering Geologist ATR Team Member, Sacramento (SPK) District, USACE, 2013 to present

Agency Technical Review (ATR) engineering geologist providing independent agency technical review to support the Sacramento District for maintaining aggressive design and remedial schedules for the Dams. Engineering geology team member providing design assessment which includes: 16' dam raisings, filter installations, a new labyrinth spillway, tunnel for water conveyance, and rebuilding of the outlet works on both the dam and auxiliary dam. Total estimated costs are for the remedial design is roughly 600M and projected to be completed in 2020.

McCook Reservoir Instrumentation Project, Engineering Geologist ATR Team Member, Chicago (LRL) District, USACE, 2011 to present

The engineering geologist providing independent technical support to the Chicago District on the McCook Reservoir Project. Duties include assessment of rock mass characteristics and mechanical assessment of rock block sliding and long term stability of the reservoir excavation, tunnel mapping and tunnel assessment for the last phase of the CSO tunnel connections.

Dallas East West Sewage Interceptor Tunnel Collapse, Trinity Levee System Foundation Assessment, Fort Worth District, USACE (2012-present)

PDT geologist and tunneling specialist providing support the Fort Worth District in analyzing the tunnel collapse and assessing its affects on the levee foundation. The project entails independent engineering analysis of underground tunnel construction, installed rock support, geology, failure mode assessment, rock mass rating in regards to rock stand up time, support system analysis, field inspection, expert elicitation, and ongoing emergency remedial geological investigation design, review, and implementation. I continue to perform engineering consultation and oversight on all remedial construction site inspection bi-monthly since the tunnel collapse in 2012 and for the second tunnel which is currently in construction until 2016.

Engineering Geologist Cadre Member, NAE District Risk Cadre, USACE, (2012 to 2014)

Engineering Geologist Cadre Member for seepage and potential failure mode analyses of embankment flood control Dams within the USACE (Zoar Levee and Delaware Dam).

RISK MANAGEMENT CENTER DETAIL SEPTEMBER 2011-2012

Martis Creek Dam (DSAC I), Truckee, California, Sacramento District, USACE

PDT engineering geologist providing independent technical expertise and support to the Sacramento District for risk assessment of the dam and dam foundation. Engineering geologist vertical team member involved with independent assessment of remedial construction options for the dam. Produced/Created two engineering geology foundation sections along critical flow paths for detailed IES risk assessment.

Dworshak Dam (DSAC II) , Boise, Idaho, Walla Walla District, USACE (2011 to 2013)

PDT engineering geologist providing independent technical expertise and support for bedrock foundation assessment at the largest straight gravity dam in the western hemisphere. The PDT is currently performing a kinematic foundation block sliding evaluation on the dam foundation for a risk assessment. The assessment includes key block geologic analysis for low angle slide blocks thought to be a concern within the bedrock foundation.

Jennings Randolph Dam Hydroelectric Project, Baltimore District, USACE (2010-2014)

RTS engineering geologist providing independent technical review for tunnel excavation and in-situ geotechnical support and assessment of anticipated bedrock conditions for the hydro electric tunnel project. Providing document review on all project documents issued by the power company for the bedrock tunnel design and portal construction. Principal objective is to insure the integrity of the USACE dam structure. Design review includes all rock bolt and rock support for the tunnel, portal, and appurtenant structures for the hydro electric power plant.

Nacala Dam Rehabilitation & Expansion Program, Mozambique, Africa (2009 to 2014, Const. 2011 to 2014)

USACE Transatlantic Programs Center (CETAC) Project Delivery Team (PDT) engineering geologist providing independent technical expertise and consulting services and support for the Millennium Challenge Corporation (MCC) Nacala Dam rehabilitation and embankment raising project for water resource and supply (24M). Engineering Geology work includes potential failure mode analysis, seismic and stability assessment, feasibility study document review, seepage

analysis, foundation assessment, grout curtain design, rock slope stabilization, rock bolt and anchor design, and tender document review, contractor bid package review, regulation compliance, and independent construction oversight for the dam raising project (project currently under construction). The new bathtub spillway design includes extensive rock anchors, bolts, and slope stabilization utilizing, fully grouted rock bolts and spiles. This project also utilizes the ISO protocols and systems for project quality management and International Dam Safety Regulations (Portuguese).

Lusk Dam & Mine Lake Dam, U.S.M.A., New York (2008-2009)

Phase I Stability and Seismic Assessments of Mine Lake and Lusk Dams (two historic (1890's) masonry gravity dams) located on the United States Military Academy following USACE EM 1110-2-1806 and EM 1110-2-1150. Project Delivery Team (PDT) engineering geologist providing foundation assessment, seismic hazard analysis, remedial grout curtain design, of the masonry dam structures. An interesting technical consideration for the project included analysis of emergency outlet works for Lusk Dam which was modified/removed during recent Alumni Building construction. This only leaves the wrap around spillway for emergency discharges.

Westville Dam, Southbridge, Massachusetts (2008 to 2012)

District geologist who performed potential failure mode analysis of the soil and bedrock foundation for internal erosion for detailed IES Risk Assessment of the dam. Developed engineering geologic cross sections with the IES team to assess dam foundation geomorphologic conditions for risk assessment. PDT team member (3) for the alternative soil and bedrock remedial grout cut-off wall design, bid schedule quantity development and cost estimates for remedial construction options. Vertical construction team member for the IES phase II investigation developing data quality objectives and designing the drilling programs. Provided QA/QC field and oversight during investigative drilling.

Ball Mountain Dam, Jamaica, Vermont (2008 to 2014)

Design and implementation of the geotechnical boring and investigation program with the Senior Geotechnical Engineer for the Ball Mountain investigation and rehabilitation project which included potential failure mode analysis and risk reduction techniques. Prepared statements of work, plans and/or specifications, developed government cost estimates for drilling and geotechnical sampling, review submitted contractor proposals, negotiated costs and requests for equitable adjustments, and provide QA construction and dam safety oversight. Designed investigative program and produced/created engineering dam foundation drawings for detailed risk assessments for potential failure mode analysis. Currently, the PDT engineering geologist involved in IES Phase II access road installation (which will include rock blasting and rock support and slope stabilization) and design/installation of a toe collection weir (a deep cut off weir to bedrock ~ 40 feet deep).

Union Village Dam, Union Village, Vermont (2010 to 2014)

District Geologist on the PDT which performed the IES Risk Assessment of the dam. Developed engineering cross sections (5) with the IES team to assess dam foundation geomorphologic conditions for internal erosion assessment. Vertical construction team member for the design and installation of the dam toe drain. Developed data quality objectives for the drilling program and provided oversight during investigative drilling and trench mapping.

Hop Brook Dam, Waterbury, Conn (Construction 2009-2012)

Designed and implemented the geotechnical investigation and test grouting programs. I served as the project Engineering Technical Lead and one of a three person Project Delivery Team for the bedrock grout cut-off wall design. Created statements of work, plans and/or specifications for the grout cut off wall, developed government cost estimates, bid schedule quantities and tender documents for remedial construction, and QA construction dam safety oversight. Designed and implemented geotechnical sampling program and monitoring program for the grout curtain construction. Served as the Embankment Engineer during grout curtain construction between FY09 and FY11. I trained DA Interns, and Staff geologists on embankment drilling protocols that I developed for the site and specification grouting pressures established for the project. Produced/Created engineering geology foundation drawings for detailed risk probability assessment and grout curtain effectiveness analysis along potential failure paths. Engineering technical lead for the grout curtain construction and authored the completion of work report which included an analysis of the effectiveness of the emplaced grout curtain. Total construction costs ~7.25M.

Interim Evaluation Study (IES) and Screening Portfolio Risk Analysis (SPRA) District, Regional, and National Cadre Member, PA Facilitator National Cadre Team Member (RMC) (2008 – Present)

Engineering Geologist Cadre Member for seepage and potential failure mode assessment for risk analyses of embankment flood control Dams (Ball Mountain, Westville Lake, Hop Brook, and Union Village Dams) within the New England District. Assessments included utilizing expert elicitation and the USACE Internal Erosion Tool Box for estimating probabilities of failure of embankment dams due to internal erosion. USACE Screening Portfolio Risk Assessment team member for Union Village, Hopkinton-Everett, Ed MacDowell, Birch Hill, and North Hartland Dams. National and Regional Risk Assessment Cadre Member on Shelbyville Lake Dam (IES report author), and independent expert reviewer on Curwensville Lake Dam IES Risk Assessment, IES Team member for Martis Creek (SPK) Dam, Dworshak Dam, and Zoar Levee. PA Co-Facilitator Santa Fe Dam, LA.

McCook Reservoir Rock Wall Stabilization Project (2007 to Present)

Responsibilities included ATR engineering geological technical review of specifications and design for the rock wall stabilization of the quarry/reservoir at the McCook Reservoir Project. Contract requirements include stabilization the dolomite high wall around the perimeter of the reservoir/quarry utilizing rock bolts, anchors, and mesh utilizing rock mass assessment (RMR) techniques to design permanent geotechnical rock stabilization. Current design includes 10' and 20' fully encapsulated rock bolts including QA/QC interim oversight and inspection.

Ft. Detrick USAMRIID Steam Sterilization Plant, Fredrick, MD (2008-2010)

Provide engineering geology technical support for geotechnical assessment for overburden and bedrock materials, deep rock excavation and earthworks. Responsibilities included review of: contractor design package submittal, drill and blast plan design, drilled pier, excavation support, bedrock excavation, and foundation design and bedrock trench alignment including QA construction oversight during the bedrock excavation.

NAE Emergency Operations Center – Emergency Dam Safety Inspection Team Lead, 2009 Flooding

Performed emergency dam inspection at 104 high hazard dams in Massachusetts between April to June 2009. Emergency inspections included geotechnical assessment of the stability of the dam structure and recommend localized emergency remedial improvements if needed. Several dams were undergoing active seepage and piping failure and needed emergency installation of ring dikes, filters, and erosion control which was performed by local department of public works and municipalities. Lead inspection teams, project budget and resources for emergency operations, report generation for delivery to the Massachusetts Emergency Management Agency (MEMA). The project reestablished excellent working relationship between the USACE and local state dam safety and emergency management organizations.

ENGINEERING TECHNICAL LEAD, MASSACHUSETTS MILITARY RESERVATION PROJECT (MMR) (2004 TO 2009)

Technical Lead for the soil, groundwater, and geologic investigation and remediation projects at the Massachusetts Military Reservation. Designed and directed geologic investigations, and provided technical engineering geology assessment, construction support for large extraction well projects, and UXO risk assessment. Performed appropriate execution strategies for completion of work products following USACE QMS protocols while adhering to Federal and/or State regulations. Developed work, plans and/or specifications for issuance, government cost estimates, review submitted contractor proposals for extensive roto-sonic (350+ borings) and auger drilling (400+ borings), negotiated costs, and award of indefinite delivery order indefinite quantity contracts with fixed price, cost plus fixed fee, cost plus incentive fee structures, or performance base contracts for geotechnical or geological investigations. Performed monthly invoice and schedule review and update, budget tracking, and cost to complete estimates. Independently developed and estimated 46M in contract actions and project delivery orders related to geological and geotechnical investigations between FY04 to FY08. **STONE & WEBSTER, ENGINEERING CORPORATION, BOSTON, MASSACHUSETTS, SENIOR ENGINEERING GEOLOGIST, NOVEMBER 1999 TO MAY 2004 (FULL TIME)**

Fall River Combined Sewer Overflow (CSO) Abatement Tunnel Project, Fall River, Massachusetts (2002 to May 2004)

Developed all engineering geological and geotechnical mapping, geotechnical design of rock support, shot-crete, grout, and tunnel inspection for the deep rock TBM tunnel, addits, and shafts, located within plutonic granites of the Avalon Terrain and the Narragansett Basin. The Fall River CSO contract included approximately 3 miles of 20 ft diameter TBM tunnel excavated in bedrock, 4-drop shafts, 2-air recirculation shafts, 0.9 miles of drill and blast connecting tunnels and tunnel chambers. Tunnel and shaft support included rock bolts, ring steel, split sets, mesh and shotcrete. Portal support included

soil nail, rock spile, and soil tie back design. Additional responsibilities include evaluating, reviewing or defending all, design documents, geological/geotechnical claims and change orders regarding in-situ rock conditions and conditions described in the Geotechnical Baseline Report (GBR), and preparing cost estimates for underground construction and design changes during construction. Total Project Cost: \$58M.

Braintree/Weymouth Tunnel Project, Weymouth, Massachusetts (1999 to 2004)

Engineering Geologist who performed all geological mapping, geotechnical design of rock support and assessment of in-situ geologic/rock conditions for the micro-tunnel and deep rock drill and blast/TBM tunnel and shafts, located within the complex setting of the Boston Basin. The tunnel contract included approximately 2.4 miles of 13 ft diameter TBM bedrock tunnel, 0.5 miles of drill and blast bedrock tunnel excavation, and 3-shafts (2- raise bored, 1-drill and blast), and 0.5 miles of 5 ft diameter micro-tunnel. Designed geologic investigative programs to assess 8 different rock types encounter in each distinct tunnel subreach and TBM performance claims in the tunnel and shafts. Evaluated blast damage and rock assessment in regards to increased support, over excavation, and backfill costs. Responsible for evaluating geotechnical design documents, reviewing and defending 6 geological claims (over 40 different claims submitted and reviewed) and change orders regarding in-situ rock conditions and conditions described in the GBR, and prepared associated cost estimates for underground construction. Total Project Cost: \$89M.

Iroquois Gas Pipeline Phase II Geotechnical Investigation Project, Northport/Bronx, New York (2001)

Characterized substrate engineering geological conditions in support of a proposed gas pipeline alignment which involved marine and micro-tunneling alignment and route assessment. Project responsibilities included geotechnical characterization of proposed tunneling routes, developing drilling specifications and field exploration programs, health and safety plan development, field mapping, cost estimating, and report preparation. Phase II Costs: \$274K

South Boston Piers Transit way Project for the Massachusetts Bay Transportation Authority (MBTA) Boston, Massachusetts (2000)

Developed and performed the engineering geology and geotechnical investigation programs for the construction of the MBTA Silver Line Maintenance Facility. Performed investigation program design, cost estimation, specification preparation, subcontractor procurement, scheduling of field personnel and field management of three drill rigs and sampling personnel for geotechnical and environmental sample collection, data analysis, hydrological, and geotechnical assessment, report preparation, client contact coordination, and final deliverable report. Project Cost: 535K

SANFORD COHEN & ASSOCIATES, INC., LOWELL, MASSACHUSETTS, Geophysical Team Lead (October 1998 to November 1999)(Full Time)

The Field Manager/Geologist responsible for geophysical assessments supporting Defense Environmental Restoration Projects on Formerly Used Defense Sites (DERP-FUDS). The projects included over 230 acres of geophysical surveys utilizing magnetometer, electromagnetic, gradiometric, and GPS instrumentation for location and subsurface characterization of hazardous materials and unexploded ordnance (UXO) in difficult geological conditions. Project management responsibilities included contract and scope preparation, cost estimation, subcontractor procurement, incorporation of innovative Global Positioning System (GPS) and Geographic Information System (GIS) technologies for geophysical and geological field assessment. Team lead of a 3-5 person geophysical project team.

WESTON & SAMPSON ENGINEERS, INC. PEABODY, MASSACHUSETTS, Project Geologist, Technical Lead (December 1996 to October 1998) (Full Time)

Designed comprehensive engineering geology site investigations which included contract and scope preparation, cost estimating, budget tracking, scheduling, report preparation, client contact coordination, scheduling of field personnel, field management of three field teams, geophysical surveys, and technical review of all geologic and geotechnical deliverables. Specific projects included design and implementation of subsurface exploration programs for geotechnical, geological, and geophysical investigation for large structures (water tanks, portals, pipes, shafts and tunnels). Subsurface explorations include performing in-situ field density tests, pump tests, soil stabilization, pressure grouting, and geotechnical drilling for various private client Dams, and state owned dams in Massachusetts. Periodic Dam Inspection geologic team member for assessing privately owned and state owned dams within Massachusetts. Performed periodic inspection at over 20 privately owned and state owned dams in Massachusetts.

MASSACHUSETTS WATER RESOURCES AUTHORITY, BOSTON, MASSACHUSETTS (Dec. 1991 to Oct. 1996) (1991-1993, 30 hrs week, Full Time 1993-1996)

The project geologist who logged/reviewed samples for the geotechnical investigations of the Metrowest Tunnel Project. Reviewed and logged all geological cores for the MWRA (approximately 5,600 linear feet on Metrowest and 5,200 feet on Outfall Tunnel) for the GBR for the Tunnel Project. Reviewed all geological and geological technical documents submitted by the tunnel design contractor. Performed geotechnical and geologic compliance on specifications, permitting, and construction bid packages for the preliminary and final design phases of the Metrowest Tunnel Project. Designed and developed a geotechnical sample database for all historic and future MWRA projects. Managed and instructed three intern employees on the use and maintenance of the aforementioned geotechnical database.

Education

DePauw University- Bachelor of Arts – Geology, 1991, 124 Semester Hours: 68 Geology Major Semester Hours, Courses: Physical Geology, Oceanography, Chemistry I & II, Physics I & II, Environmental Geology, Petrology, Geologic Field Methods, Paleontology, Stratification & Sedimentation, Geophysics, Structural Geology, Calculus I & II, Mineralogy, and Geomorphology

Boston College-Master of Science, Geology & Geophysics, 2004, 68 Semester Hours, Courses: Groundwater Hydrology, Exploration Geophysics I & II, Petrology II, Geochemistry, Applications of GIS, Physical Chemistry, Environmental Geology, Metamorphic Petrology, Tectonics, Engineering Geology, Soil Mechanics, Seismology I & II, Structural Geology II, and Differential Equations

Continuing Education, Northeastern University, 2003, 12 Semester Hours, Courses: Advanced Intensive Statistics I & II,

Licenses, Registrations, and Certifications (all certifications are current)

Registered Professional Geologist, New Hampshire, No. 035

American Institute of Professional Geologists (A.I.P.G.) -Certified Professional Geologist No. 10614

UXO/MEC Basic Training – 40 hours February 2003

OSHA Site Supervisor Training -March 2000

OSHA 10-Hour Hazard Recognition Course in Construction Safety and Health, March 2000 & 2004

U.S. Environmental Protection Agency (U.S. EPA) Hazardous Materials Incident Response Operation Course (165.5) fulfills all OSHA 29 CFR 1910.120 requirements and Annual Refresher Training

Confined Space Entrant and Attendant

Professional Training/Development

Project Management Training Course 1997, Weston & Sampson Engineers

Technical Writing Course 1998, Weston & Sampson Engineers

EQUIS Geotechnical database Power User Training 2003

Lead Training 2004, USACE

Performance Based Contract Training 2005, USACE

Leadership for Senior Executives, 2006, Center for Management Research, Harvard University

Leadership Development Program I, 2007, USACE

Leadership Development Program II, Academic Director, 2008 & 2009, USACE

Modflow and Vistas Groundwater Modeling 2008

Potential Failure Mode Analysis Workshop, 2009

RMC - Best Practices Training, 2011

Bureau of Reclamation Earth School, 2012

gINT Fundamentals and Design (40 hr) 2012

RMC – Periodic Assessment Facilitator Training 2012

IES Risk Assessment Cadre Training October 2012

Rockworks Training (40 hr) 2012

RMC Internal Erosion Seminar February 2012

Bedrock Tunnel Design and Rock Mass Characterization Seminar 2013 (Instructor)

RMC Dam Foundation Assessment Seminar December 2013 (Lecturer)

9 Bow Road
Wayland, MA 01778

857.366.2599
jen.gorke@gmail.com

Driven and highly organized operations manager and strategy leader with ten years of experience working at the center of Massachusetts policy transformations in the health care and clean energy sectors. Recruited to launch independent clean energy center that accelerated the Massachusetts clean tech economy to national prominence. Created new independent agency tasked with using data to support the Commonwealth's health care policy reforms. Excellent instincts, judgment and people skills; ability to navigate politically sensitive situations and build relationships.

Travaglini, Eisenberg & Kiley LLC

Senior Director

Mar 2016 - present

Provides strategic guidance and advice to a wide cross-section of businesses and non-profits in developing successful public affairs strategies.

EXECUTIVE MANAGEMENT EXPERIENCE

Massachusetts Center for Health Information and Analysis (formerly DHCFP)

Oct 2011-Feb 2016

Chief Operating Officer (Nov 2012 – Present)

Ensured the organization had the human resources, relationships, policies, and procedures necessary to achieve its goals. Identified opportunities for cross-agency collaboration to improve efficiency. Advised Executive Director on strategy and executive team management and development. Managed a staff of fifteen including all human resources, communications, external affairs and operations and administrative staff. Provided general oversight for an agency of 175+ employees.

- Led the agency's transformation from the Division of Health Care Finance and Policy to the Center for Health Information and Analysis, a newly created independent state agency established to be the agency of record for Massachusetts health care data and information.
- Managed agency through 70% growth of full-time employees to meet expanded legislative mandate.
- Built agency's first human resources department. Developed and implemented employee policies and procedures. Oversee all recruitment, onboarding and retention efforts as well as labor relations.
- Built agency's first operations team. Oversaw the design and development of new office space to better meet agency needs and led the move of 175+ employees. Project delivered on time and under budget.
- Led the agency's first strategic planning effort and developed and implemented agency's first performance management program to ensure alignment across the organization.
- Oversaw the design and development of a new agency website - www.chiamass.gov

Massachusetts Division of Health Care Finance & Policy (DHCFP)

Chief of Staff (Oct 2011 – Nov 2012)

- Directed the agency's strategic planning efforts. Role included planning and running strategic planning sessions, working with the Commissioner and senior managers to identify priorities and set goals and drafting the agency's strategic plan.
- Oversaw priority projects and initiatives for the Commissioner and ensured all program and operational teams achieved their goals, maintained standards and quality throughout the organization and efficiently and effectively utilized agency resources.
- Led a staff team of nine including all human resources, communications and external and legislative affairs staff. Provided general oversight of agency's employees.

Massachusetts Clean Energy Center (MassCEC)

Nov 2008 – Oct 2011

Chief Brand & Marketing Officer (Apr 2011-Oct 2011)

- Oversaw all communications, marketing, social media, advertising and brand development activities.
- Developed and executed communications and public relations strategy, engaging customers, community leaders, strategic partners and government officials. Represented MassCEC at town meetings, conferences, industry events and other public settings.
- Launched Solarize Mass, a community education, outreach and group purchasing program designed to drive adoption of small-scale solar electricity within a community. Now in its fourth year, the program has led to 2,400 residents and businesses signing contracts for solar systems.

Chief Operating Officer (Jan 2010 – Apr 2011)

Chief of Staff (Nov 2008 – Jan 2010)

- Led the start up of the Massachusetts Clean Energy Center, a quasi-public state entity charged with accelerating the growth of the clean energy sector and promoting green jobs in Massachusetts. Responsible for all initial startup, strategic planning and design of programs and initiatives.
- Oversaw the transition of the Massachusetts Renewable Energy Trust Fund, a \$25 million/year agency, to MassCEC. This included transitioning over 1,000 open awards, and incorporating 25+ staff. Responsible for integrating transitioned staff and creating a cohesive culture.
- Worked directly with the CEO and Board of Directors to establish priorities, objectives and strategies to maximize the impact of \$50 million award budget. Oversaw key projects for CEO and Board.
- Responsible for convening monthly meetings of Board of Directors.
- Ensured all program and operational teams achieved their goals, and maintained standards and quality throughout the organization.
- Acted as a liaison between MassCEC and Governor Patrick's office, Board Chairmen Secretary Rick Sullivan, and Secretary Ian Bowles and the Executive Office of Energy & Environmental Affairs.
- Directly managed eight staff including all operational, human resources and communications staff.

POLICY & POLITICAL EXPERIENCE

Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA)

Legislative Director

June 2007 – Nov 2008

- Coordinated legislative affairs at EOEEA and its six agencies during a legislative session which saw the passage of five landmark energy and environmental reforms, including the Green Communities Act, the Green Jobs Act and the Oceans Act.
- Served as the principal point of contact between EOEEA and the Legislature, Governor Patrick's Government Affairs office, and the environmental advocacy community.
- Participated in policy discussions and advised Secretary Bowles and his team on issues involving the Legislature and the environmental advocacy community.

Environment Massachusetts & MASSPIRG

Environmental Advocate

Nov 2004 – June 2007

- Managed organization's environmental program, crafted and executed environmental campaigns on preservation, the environmental budget, and environmental health.
- Gained experience in direct advocacy, legislative strategy, media relations, grant seeking, community organizing, coalition building, preparing and delivering legislative testimony, researching and writing reports, and developing campaign materials.
- Directed citizen outreach campaign offices in Cambridge and Hyannis, overseeing a staff of 5-15 that raised more than \$250,000 in small donations.

VOLUNTEER EXPERIENCE

Town of Wayland, Library Planning Committee
Member

Feb 2015 - Present

Silent Spring Institute
Board of Directors, Treasurer

Nov 2012 - Present

Savvy Women's Alliance
Board Member, Incoming President 2017-2018

June 2016 - Present

Harvard College
Alumni Interviewer

Sept 2007 - Present

Harvard Women's Center, Radcliffe Mentor Program
Mentor

Sept 2006 – June 2013

EDUCATION

London School of Economics and Political Science, London, England
Masters Degree in Gender & Social Policy, with Honors, September 2004

Harvard College, Cambridge, MA
Bachelor of Arts Degree in Government, with Honors, June 2002

GEORGE UVEGES CPA
 207 Willow Brook Drive
 Wayland, MA 01778—5123

Business (508) 652-9107
 Cell (617) 285-5332

Residence (508) 652-9106
tallwoodgroup@comcast.net

SUMMARY: Executive with extensive experience in mentoring executives and developing and leading organizations to significantly increase shareholder value. Experience includes (i) serving on two Public Company Board of Directors and one non-profit, (ii) advisor to variety of angel investments, (iii) CEO of a publically held development stage Biotech, (iv) operating and financial management roles in three multinational companies owned by private equity firms, (v) CFO of two publicly traded multinational companies and (vi) 13 years of Big 4 experience.

Board of Directors experience:

- Harvard BioScience, Inc. (HBIO). HBIO is a global developer, manufacturer and marketer of a broad range of specialized products which are used to advance life science research. 2006 to present
 - Chairman of Audit Committee
 - New management team brought in to replace team who went with regenerative medicine segment spun off to shareholders (HART).
 - Spin off of regenerative business as a public company via dividend in 2013 significantly increasing shareholder value.
- Microfluidics International (MFLU.OB). Microfluidics develops, manufactures and supplies nanotechnology fluid processing systems. 2005 to 2011
 - Chairman of the Board - 2010 to 2011
 - Chairman of Nominating and Corporate Governance Committee, member of the Audit Committee
 - MFLU sold to IDEX in 2011 at 75% premium to 90 day trading average in all cash deal.
 - New management team brought in on retirement of founder.
 - Used personal contacts to retain two new board members with needed skill sets to grow the business.
- TranXenoGen, Inc. (TXN.L) A development-stage, Boston based company listed on the Alternative Investment Market of the London Stock Exchange focused on developing new therapeutic production technologies and products 2001 to 2005
 - President and Chief Executive Officer
- Operation A.B.L.E., a non-profit organization providing employment and training opportunities to mature workers - 2005 to 2010.
 - Treasurer, Finance Committee
 - Upgraded financial team to provide financial leadership needed by the organization.
 - Developed and instituted score card to compare effectiveness of various programs and demonstrate effectiveness of programs for use in fund raising.

Other related experience:

- Principal Tallwood Group - Tallwood Group provides financial and management advisory services and investment capital to developing companies. Current investment portfolio includes investments in biotechnology, medical technology and equipment, information technology, women's apparel and aerospace.
- Member, Clark University adjunct faculty - 2012
- Member, Newbury College adjunct faculty - 2006 to 2008
- Wayland Economic Development Committee – 2010 to 2013

Business Experience:

TranXenoGen, Inc.
 Board of Directors 2001 to 2005
 President and Chief Executive Officer 2001 to 2004

TranXenoGen, Inc., (TXN.L), a development-stage, Boston based company listed on the Alternative Investment Market of the London Stock Exchange focused on developing new therapeutic production technologies and products. Product pipeline included generic products, a cancer treatment and antibodies for strategic partners.

- Developed and implemented investor relations and business development programs including preparation and presentation of buy and sell side investor shows, upgrading the website and marketing materials and, in conjunction with two investment banking firms, preparation of information memorandums for strategic partnering and fundraising, development of prospect list and management of partnering program.
- Prioritized research efforts to a level consistent with available resources and funding.
- Developed and implemented licensing strategy for patent portfolio.

BioSource INTERNATIONAL, INC. 2000 to 2001

Chief Operating Officer

BioSource a NASD company (BIOI), headquartered in Camarillo, California, is a broad-based life science tools company providing leading-edge solutions in the area of functional genomics, proteomics and advanced drug discovery through the development, manufacturing, marketing and distribution of unique biologically active reagent systems.

- Developed bottom-up annual operating plan within first 90 days with buy-in from management team. Plan included specific strategies, action plans and measurements to double the company's sales growth rate and achieve a return in excess of its cost of capital.
- Managed culture change to an entrepreneurial environment with accountability including change in incentive compensation programs and addition of sales, R&D, and operating review meetings.
- Managed three U.S. and one European subsidiary focusing business on growth and profitability.

NEN LIFE SCIENCES, INC. 1997 to 2000

Senior Vice President and Chief Financial Officer

NEN, headquartered in Boston, Massachusetts, was a \$125 million leading global provider of value-added research products, proprietary technologies and services for the life science industry. Retained by private equity firm to assist in acquisition of NEN from DuPont, with the acquisition became Senior Vice President and Chief Financial Officer with responsibility for finance, treasury, legal, information technology and M&A.

- Managed dual path IPO/strategic sale process to obtain maximum value for shareholders who received 19 times original investment in 3 years via strategic sale in July 2000. IPO process included presentation to underwriters, selection of printers and transfer agent; filing of S-1 and preparing response to SEC comment letter.
- Managed re-engineering of business processes and control environment including selection and implementation of ERP systems and related hardware within 18 months of acquisition of NEN, developing reporting structure to improve understanding of key business drivers and foster high-growth environment, and restaffing finance, legal and information technology departments.
- M&A activity included managing two acquisitions encompassing contract negotiations, due diligence, tax and accounting considerations and financing and participating in contract negotiations with strategic business partners resulting in improved economic, financial and tax positions.

GELMAN SCIENCES INC. 1996 to 1997

Chief Financial Officer and Vice President of Administration

Gelman, headquartered in Ann Arbor, Michigan, was a leading producer of filtration products and medical devices used in life science research labs and in the high-technology process and healthcare industries. Gelman was a \$120 million American Stock Exchange company with worldwide operations. Hired to sell company for CEO who was a major shareholder requiring an exit strategy. Additional responsibilities included treasury, accounting, legal and information technology.

- Within first 60 days, retained investment bankers and merger counsel, developed marketing document, and began meetings with potential purchasers. Gelman was sold to Pall Corporation at a 71% premium as compared to median premium of similar transactions of 31%.
- Managed investor relations during merger period including explanation of merger-impacted performance, HSR Act filings and SEC S-4 preparation and approval.
- Upgraded financial planning and reporting to include specific measurements and benchmarks and to highlight current trends and operational areas requiring improvement.

G. I. PLASTEK 1991 to 1996**Chief Financial Officer, Treasurer and Vice President of Administration**

G. I. Plastek was a \$100 million contract manufacturer owned by a private equity firm servicing Fortune 500 companies. Responsible for the turnaround of a business that had not been profitable for the prior five years and lost \$9 million from continuing operations in 1991.

- Completed a strategic plan within first 90 days capitalizing on building on the company's strengths and developing corrective action plans to address areas requiring improvement. Benefits include developing an organizational awareness of investment pay back requirements and an improved understanding of customer requirements.
- Reduced working capital requirements by \$5 million during the first year through inventory and receivable management while growing sales 24%. Assets employed in the business were reduced 22% from 1991 to 1995 while sales grew 56%.
- Instituted new management reporting systems satisfying internal and external customers. The reporting focused on profit improvement issues, internal and external benchmarks, cost of capital and contribution margin analysis, and allowed the implementation of flex budgeting.

INVACARE CORPORATION 1985 to 1991**Corporate Controller, Treasurer, Chief Accounting Officer**

Invacare (IVC) is an international manufacturer and distributor of durable medical equipment. Responsibilities as Corporate Controller and Treasurer of *Invacare Corporation*, President of *Invalease Corporation* (a captive financial service subsidiary), and a member Executive Committee, reporting directly to the CEO, encompassed: worldwide financial planning and reporting, accounting, treasury, taxes, and credit and risk management. During this period, Invacare grew from a company with \$90 million in sales with a net loss of \$6 million to a company with \$230 million in sales and a profit of \$8 million.

- Managed *Invalease* from a \$200,000 pretax loss to a \$1 million pretax profit by identifying internal and external customer needs, developing and carrying out programs to satisfy those needs, developing the staff to effectively operate the business, and improving systems and procedures to enhance operational efficiency.
- Improved manufacturing controls and operating efficiency including instituting inventory management procedures to reduce inventory obsolescence (from \$2.8 million in 1984 to \$173,000 in 1986) and investment (\$10 million reduction in the first year).
- Negotiated the acquisition of a major competitor including developing the deal structure and related financing; establishing subsidiaries in Canada, Mexico, and France and arranging related financing to control currency risk.
- Developed a credit philosophy and process which allowed Invacare to outgrow its competitors while having one of the best bad debt loss experience and DSO rates in a high credit risk industry (resulting in savings of \$3 million).
- Restructured Invacare's risk management program including the formation of a captive insurance company (resulting in \$2 million of incremental cash flow) and the development and implementation of foreign exchange and interest rate protection programs.

ERNST & YOUNG (Cleveland and National Offices) 1972 to 1985

Progressed from Staff Accountant to Senior Manager, responsibilities comprised all phases of audit and special engagements, including effective resource management, application of technical accounting, auditing, tax, and due diligence work on M&A engagements. Experience includes: assisting client in Initial Public Offering; three-year assignment in E&Y's National Office with focus on computer software and internal control process and procedures; and servicing a variety of industries including manufacturing, real estate and financial service firms.

U. S. ARMY 1970 to 1972 Finance Specialist**EDUCATION AND CERTIFICATIONS**

MBA - Baldwin Wallace College (1978)

BBA - Cleveland State University (1970)

Certified Public Accountant (Ohio)

FINANCE:
SHIGLEY

Dear Ms. Balmer,

I would like to be considered for an appointment to the Wayland Finance Committee.

I am attaching a resume. This resume deals solely with my working career. So for this purpose I would like to add the following:

- My wife Linda and I are long term residents of Wayland. We have enjoyed living here for roughly 40 years.
- Our two children were born and raised here, they matriculated through the Wayland Public School system, and they're both highly successful adults.
- I am fully retired but I've often thought about doing volunteer work. So when this opening on the Finance Committee came up, I thought this was an opportunity that I could enjoy and where I could add some value.

I would appreciate your forwarding this application, as necessary.

Sincerely,

Klaus Shigley

KLAUS O. SHIGLEY
20 White Road, Wayland, MA 01778
(h) 508-358-4229 • kshigley@verizon.net

PROFILE

Top insurance-financial services actuarial executive with two decades of unbroken success in enterprise-level risk management, financial/regulatory reporting, product development and pricing leadership positions.

- Strong track record in financial analysis and reporting that maintained and enhanced company stature with insurance regulators, rating agencies, auditors, as well as Wall Street analysts.
- Risk and asset liability management expert at the corporate level and across a wide range of insurance and investment business lines.
- Product development and pricing pioneer of many retail and institutional insurance and investment products – often sophisticated, risk and ratings-challenged – in highly competitive markets.
- Integral role in Manulife merger, including reconciliation of financial statements, reserves, balance sheets for all Hancock business units; as well as decisions on merging functions and personnel.
- Collaborative, respected leader of high-achieving management teams through IPO and merger changes.

PROFESSIONAL EXPERIENCE

JOHN HANCOCK FINANCIAL SERVICES, Boston, MA

1970-2005

The primary United States insurance and wealth management unit of Canadian financial services leader Manulife Financial Corporation. Hancock unit has \$142 million in managed assets; revenues of \$10 billion.

Senior Vice President and Corporate Actuary (2003-2005)

Key corporate and statutory position, working closely with Chief Financial Officer. Responsible for ensuring the company's financial soundness through testing and certifying its reserves, overseeing product pricing, helping set financial reporting practices, and coordinating all divisions' actuarial work.

- Built unblemished compliance record with state regulators for accurate and transparent filings on company's annual statement, reserves and sufficiency of assets to cover liabilities
- Adroitly managed difficult contingencies in determining and certifying company's liabilities for financial reporting in the post-merger environment.
- Played major role in company's financial and products platform transition from an independent, public company to wholly owned subsidiary, and post-merger coordination with new parent Manulife.
- Skillfully managed tax and capital planning and Return on Equity, increasingly important as a public company, through offshore transfer of liabilities as manager of Hancock's Reinsurance Department.

Vice President of Risk Management, Guaranteed and Structured Financial Products (1994-2003)

Chosen to head risk management in key division offering fixed-return, spread-lending products to qualified and non-qualified corporate buyers (including Guaranteed Investment Contracts, funding agreements, and single-premium annuities), as well as wrapped separate account products for Stable Value Funds.

- Played major role in product development, pricing, and asset liability management for state-of-the-art spread-lending portfolio, a complicated product line with tricky profitability, rating agency challenges.
- Helped drive division's assets managed from \$5 to \$25 billion; annual sales from \$2 to \$5 billion; profitable growth with good Return on Equity.
- Played central role in Hancock's pioneering development of funding agreements and direct access notes offered through broker-dealers, growing division earnings as traditional markets declined.
- Maintained Hancock's excellent reputation as liaison with rating agencies through solid implementation of risk management processes, success of a product line they generally did not favor.
- Represented division at investment analyst meetings; presented funding agreements in road show for European investors; successfully led Sarbanes-Oxley implementation for divisional departments.

JOHN HANCOCK FINANCIAL SERVICES, continued

Vice President, Retail Life Insurance Product Development (1988-1993)

Promoted into company's highest-profile division to direct product design, pricing and compliance for the company's "bread and butter" consumer life insurance business.

- Developed successful variable and universal life products in their earliest stages in the industry.
- Helped create company's first "joint and survivor policy," a highly lucrative product whose spousal estate planning advantages propelled it to a 25 percent share of Hancock's life insurance sales.
- Developed proprietary products to meet the high standards of the M Group, which won Hancock a larger share of "shelf space" through that third-party distribution channel.

Vice President (1984-1987), 2nd Vice President, Group Pension Product Development (1984-1987)

Headed development of pension and investment products for the institutional market.

- Developed successful Guaranteed Investment Contracts and Single-Premium Annuities by adeptly managing asset liability risks to offer long-term rate guarantees in volatile interest market.
- Helped build sales from \$250 million to \$1.2 billion in part through adroit pricing in a highly sophisticated and competitive market.
- Played key role in developing an interdisciplinary process to manage asset liabilities in the wake of rapidly rising interest rates, that was adopted by multiple Hancock business units.

Various actuarial roles, from Assistant to General Director (1970-1983)

Pricing, product development, cost consulting assignments in Group Life and Health, Group Pension divisions.

EDUCATION

M.A., Mathematics, University of Massachusetts, Amherst, MA (1970)

B.A., Mathematics, University of California at Berkeley (1967)

AFFILIATIONS AND HONORS

- Designations as Fellow of the Society of Actuaries (FSA), Chartered Life Underwriter (CLU), Enrolled Actuary (EA), Chartered Financial Analyst (CFA)
- Board member (Compensation Committee), Independent Investment Associates (Hancock subsidiary)
- Board member, John Hancock Reinsurance Corporation Bermuda (Hancock subsidiary)
- Member, Hancock 401K Investment Committee (selecting investments, investment managers)
- Director, Executive Committee member, Stable Value Investment Association
- Associate Editor, *North American Actuarial Journal*
- L. Ronald Hill Memorial Prize winner (1995) for "The Pension Max Election, in the Society of Actuaries' *Transactions* publication, dissecting the purported benefits of an industry employee annuity product
- Frequent speaker/moderator at semi-annual Stable Value Conferences
- Advisory Committee, Bentley College Continuing Education Division (1980-1995)
- Society of Actuaries: Chairman, Committee on Papers, *Transaction* publication; elected member, Investment Section Council; elected member, Product Development Section Council
- President, Boston Actuaries Club
- Member, Boston Securities Analysts Society

WOLIN

DiNapoli, MaryAnn

From: Gil Wolin <gtwolin@comcast.net>
Sent: Monday, June 27, 2016 11:08 AM
To: DiNapoli, MaryAnn
Cc: selectmen@wayland.ma.us; Balmer, Nan
Subject: RE: Interview for Finance Committee
Attachments: GTW_Resume_06262016.pdf

Thank you, MaryAnn.

As most of the current BoS members have assumed office since I was first appointed, I thought it appropriate to provide them with my current resume, attached as a PDF.

There are many critical issues facing the Town in the near term, and only four experienced FinCom members whose terms continue in Fiscal 2017. I look forward to bringing my 3 years' experience on the FinCom – which includes serving as liaison to Minuteman at a challenging time, as well as liaison to the Library and COA – to those issues. That experience enables me to hit the ground running going forward, in preparation for the Fall Special Town Meeting and beyond.

Thanks again, and I look forward to the opportunity to continue my service to the Town.

See you tonight,

Gil

Gil Wolin
508-655-8188

From: DiNapoli, MaryAnn [<mailto:MDiNapoli@wayland.ma.us>]
Sent: Monday, June 27, 2016 8:26 AM
To: gtwolin@comcast.net
Subject: Interview for Finance Committee

Good morning Gil. The interview with the Board of Selectmen tonight, June 27, is scheduled for 7:10 p.m. in the Selectmen's Meeting Room, first floor of the Wayland Town Building.

We look forward to seeing you then.

MaryAnn DiNapoli
Executive Assistant
Board of Selectmen
(508) 358-3621

Gilbert T. Wolin
PO Box 5207
Wayland, MA 01778
508.655.8188
gtwolin@comcast.net

SUMMARY

Proven executive with an established record of reaching revenue, marketing and profitability goals. Extensive experience in general management, branding and team-building, all phases of marketing management, public relations and communications, crisis management, strategic planning, new product introduction, and business aviation.

PROFESSIONAL EXPERIENCE

Business Aviation Advisor **www.bizavadvisor.com**
Wayland, MA
PUBLISHER

2013 to Present

Co-founder and publisher of bimonthly controlled circulation print and internet magazine serving more than 40,000 corporate (private) jet, turboprop, and fractional share owners; pilots; charterers; and their advisors. Responsible for editorial development, sales and marketing, circulation, and new product development.

Wolin Aviation Consulting **www.wolinaviation.com**
Wayland, MA
PRESIDENT

2009 to Present

Provide management, public relations & marketing communications and strategic planning consulting services to corporate aviation service providers, including FBOs, maintenance providers, charter brokers, charter management operators, and aviation data companies.

Provide expert witness services in aviation-related civil actions.

Clients include Asset Insight, Inc.; Hoyle Tanner; Jet Support Services, Inc.; Solairus Aviation; Conklin & de Decker, ARG/US; Jet Aviation; and Freestream Aircraft, Ltd.

Contributor to *World Aircraft Sales* (2004-2014), and *Professional Pilot* magazines.

Sentient Flight Group/JetDirect Aviation, Inc./Wayfarer Aviation
Weymouth, MA
SENIOR VICE PRESIDENT

2007 to 2009

After acquisition of TAG Aviation USA, developed and implemented marketing and branding programs for this national business jet management and charter operator and its successors. As Client Responsible Officer (CRO), developed and maintained owner/client crews and relationships for more than 30 business jet aircraft.

- Introduced CRO operating model to diverse Sentient/JetDirect management clients, integrating them into the TAG operating model.
- Directed rebranding of the former TAG/AirGroup/Sentient entities using the TAG model.
- Directed crisis management communications to management clients, trade press and industry influencers during the 2008 Sentient financial debacle and JetDirect cash crisis.
- Developed and implemented strong electronic/Internet communications programs for charter and management.

TAG Aviation USA**VICE PRESIDENT, CORPORATE COMMUNICATIONS****2004 to 2007**

Responsible for public relations and internal communications for the USA business jet management/charter division of TAG Aviation SA. Represented TAG to industry trade associations as well as trade and business press. Also served as Client Responsible Officer (CRO) with direct responsibility for client interface at most senior levels.

- Established strong Boston area presence, enabling the addition of ten new management clients in NE.
- Strengthened trade association and publication relationships and established excellent business press communications to ensure positive coverage, including conference co-chairing and panel presentations.
- Successfully introduced Farnborough, Australia and Madrid operations to the US jet operator market.
- Developed stronger branding strategies and content in print and electronic/Internet communications channels.

The McGraw-Hill Companies/Aviation Week Group

New York, NY

PUBLISHER, *Business & Commercial Aviation, A/C Flyer, ShowNews***1999 to 2004**

Responsible for all facets of management of two monthly controlled circulation magazines and one daily international aviation trade show publication serving corporate (private jet) and commercial aviation markets, in both print and Internet versions, including editorial, sales and marketing, financial, production, circulation, and new product development.

- Met or exceeded financial and market share goals for all publications.
- Successfully developed and implemented new branding strategies for publications.
- Won every independent readership survey by no less than 2-to-1 over nearest competitor.
- Developed and implemented first McGraw-Hill cross-publication editorial, sales and marketing links between business aviation publications and *BusinessWeek* in both print and Internet media.
- Introduced successful show publications at European Business Aviation Conference and Exposition (EBACE) and Latin American Business Aviation Conference and Exhibition (LABACE).

Mayo Aviation

Englewood, CO

PRESIDENT AND CHIEF OPERATING OFFICER**1997 to 1999**

Responsible for all facets of operation of this business turbine aircraft charter, management, maintenance and parts service organization. Joined company after serving as marketing and strategic planning consultant from 1993 through 1996.

- Grew revenue from \$8 million in 1995 to \$15 million in 1998, with commensurate profit growth.
- Implemented first annual budget and benchmarking programs.
- Opened international outside parts market.
- Oversaw establishment of four new satellite aircraft operations.
- Elevated company from strong regional to national presence in aircraft charter/management.

Wolin Associates

Lafayette, CO

PRINCIPAL**1990 TO 1996**

Provided expertise in sales and marketing program development and implementation, strategic planning, acquisitions and customer service. Clients included AMR Combs, SRI, Martin Aviation, Be-A-Pilot, Inc., the National Air Transportation Association (NATA), Mayo Aviation and BP America.

- Scripted and produced "Introduction to Charter" video for NATA.
- Designed and implemented market expansion programs for AMR Combs 1993-1996. Included Mexican FBO joint venture 1994-1995, and successful San Francisco FBO bid.
- Created and implemented new nationwide aircraft management program for Martin Aviation 1991-1992, enabling company to triple the charter fleet with minimal capital investment. Increased charter sales commensurately.
- Created and implemented marketing and customer service programs for BP Aviation fuels outlet.
- Evaluated acquisitions and conducted audits of sales and marketing functions for various clients, providing recommendations for personnel and program improvements.

AMR Services Corporation

Dallas/Fort Worth, TX

VICE PRESIDENT, MARKETING**1988 to 1990**

Responsible for all aspects of marketing and customer service for this international corporate and commercial aviation services company, including new product development and acquisition evaluation. Marketing budget responsibility in excess of \$3 million. Promoted to this position upon AMR Services' acquisition of Combs Gates.

- Developed and implemented branding programs enabling all bases to improve market share while overcoming corporate integration and transition hurdles.
- Earned #1 aviation service ranking for 11th, 12th, and 13th consecutive years in independent customer surveys.
- Developed and implemented marketing program to support aircraft sales division.
- Established marketing research department to support all product lines.

Combs Gates

Denver, CO

VICE PRESIDENT, MARKETING**1984 to 1988**

Responsible for all aspects of marketing and customer service for all aviation service product lines for this six-base division of Learjet. Other duties included acquisition evaluation and strategic planning.

- Market share at each base averaged 85%, with commensurate revenues and operating income.
- Maintained #1 aviation service ratings in independent polls, 1984-1988.
- Annual revenues reached \$75 million and operating income \$7 million in 1988.
- Negotiated and implemented 1988 U.S. Olympic team aviation sponsorship, marketing communications and incentive program that raised average customer purchase by 10%.
- Revised and expanded outside service training program sold to more than 500 service companies.

**Emery Air Charter
Rockford, IL**

VICE PRESIDENT, MARKETING

1980 to 1984

Responsible for all sales and marketing activities for this Midwest regional corporate aircraft charter and management company.

- Increased fleet size by 50%.
- Increased charter sales by 25%.
- Expanded customer base to include major travel agencies and companies outside the Midwest.

Executive Jet Aviation (now NetJets)

Columbus, OH

VICE PRESIDENT, MARKETING

1975 to 1980

Hired as Eastern Region Sales Manager, promoted to VP in 1976. Duties included complete responsibility for sales and marketing of all company services, including pilot training, charter and aircraft management, maintenance and parts.

- As Eastern Regional Manager in 1975, generated more than 35% of all company charter revenue.
- Improved revenue flying by 50% during tenure as Vice President, and total revenues to more than \$20 million.
- Improved customer retention rate from 70% to 85%.
- Successfully launched marketing program for Arab Wings, a Jordanian-based jet charter company serving Europe and the Middle East.

Gates Learjet Corporation

Wichita, KS

MARKET RESEARCH ANALYST

1972 to 1975

EDUCATION

B.A., Economics, Lafayette College, Easton PA

1972

MEMBERSHIPS and AFFILIATIONS

Town of Wayland, MA, Finance Committee	2013-Present
Embry-Riddle Aeronautical University President's Advisory Board	2014-Present
Corporate Angel Network Advisory Board	2005-2015
National Aviation Hall of Fame, Lifetime Member, Board of Nominations	1998-Present
National Business Aviation Association REACHBAC Committee	1997-1999
Centurra/Flight for Life Foundation, Board of Directors	1996-1998
National Air Transportation Association, Board of Directors	1988-1991

NEWTON

Elizabeth Newton
23 Sycamore Road
Wayland, MA 01778

7 July 2016

Wayland Board of Selectmen
41 Cochituate Road
Wayland, MA 01778

RE: Wayland Surface Water Quality Committee

Dear Board of Selectmen:

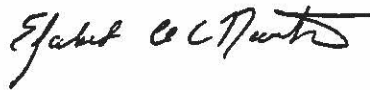
This is a letter of application to fill a vacancy on the Wayland Surface Water Quality Committee (WSWQC). Previously I served on the WSWQC from 2006 to 2009. Living on Dudley Pond, I am a member of the Dudley Pond Association and an avid swimmer. I am very concerned about the health of the pond and issues affecting all bodies of water in Wayland.

I am a statistician with a Ph.D. degree in Statistics from Cornell University and, from the Massachusetts Institute of Technology, S.M. degrees in Mathematics and Operations Research and an S.B. degree in Biology. My background in academic research will be useful in applying for grants and in the investigation and analysis of alternatives for nutrient and weed control in the ponds.

I feel that I would be highly qualified to fill this vacancy. Attached is a copy of my resume.

Thank you very much.

Regards,



Elizabeth Newton

Elizabeth A. C. Newton, Ph.D.
23 Sycamore Road
Wayland, MA 01778

Education:

Cornell University, Ithaca, NY. Doctor of Philosophy Degree in the Field of Statistics. Thesis title: *The epidemic threshold and contact number with implications for optimal vaccination strategies*. Thesis supervisor: Richard Durrett.

Massachusetts Institute of Technology, Cambridge, MA. Master of Science Degree in Mathematics and Master of Science Degree in Operations Research. Thesis title: *A clustering method for grouping viral samples based on antibody binding activity*. Thesis supervisor: M. Anthony Wong.

Medical College of Pennsylvania, Philadelphia, PA and Tufts University School of Medicine, Boston, MA. Basic and clinical medical sciences. Completed Part I of National Board Examinations.

Massachusetts Institute of Technology, Cambridge, MA. Bachelor of Science Degree in Biology.

Honors:

Sigma Xi
Phi Beta Kappa
Phi Lambda Upsilon (chemical honorary)
National Merit Scholar

Experience:

Liberating Technologies Inc., Holliston, MA. 2015-present. Consultant. Design of experiments and data analysis in development of prosthetic devices.

Statistics Without Borders, 2015. Technical Lead on Nepal Earthquake Response Project. Examining factors related to casualties and damage in the April 2015 earthquake in Nepal.

Waypoint Building Group, San Francisco, CA. 2012-2014. Consultant/Senior Scientist. Developing statistical models for prediction of energy use and identification of energy efficiency opportunities in the commercial building sector. Clustering and classification of commercial buildings by energy use signature. Usage decomposition to identify heating, cooling, lighting and plug load. Working with large data sets on Amazon EC2.

Reinforced Care Inc., Ashland, MA. 2014. Consultant on study of factors contributing to hospital readmission penalties.

Partners Health Care, Boston MA. 2013. Consultant. Wrote statistical analysis section of grant proposal "Cerebral Small Vessel Disease in Motor and Cognitive Decline".

Andover Healthcare, Salisbury MA, 2013. Consultant. Statistical analysis for clinical study of new product for treatment of chronic leg ulcers.

Institute for Aging Research, Hebrew Senior Life, Boston, MA, 2010-2012. Statistician III. Longitudinal studies of factors contributing to the risk of falls in the elderly and studies of physical and functional decline in the elderly. Examined measures of effect size in mediation analysis and developed methods for power analysis and sample size estimation. Developed multinomial Markov models to describe trajectories of mobility disability.

The University of the West Indies, St. Augustine, Trinidad, West Indies, 2010-present. External Examiner.

Northeastern University, Boston, MA, 2011. Consultant on research projects investigating relationships among behavioral and physiological characteristics of diabetics and older adults with hypertension.

Systems Analytics, Inc. Waltham, MA, 2007 and 2009. Principal Scientist and Consultant. Statistical analysis and mathematical modeling of the transmission of ideas. Consulting on Cancer Epidemiology and Prevention Expert System.

Maquire Associates, Concord, MA, 2009. Consultant. Developed and taught a short course on survival analysis for researchers of student retention in higher education.

Imaging The World (affiliated with University of Vermont College of Medicine), Charlotte, VT, 2009. Consultant. Design of cluster-randomized trial of diagnostic imaging in villages in Uganda.

American Bankruptcy Institute, Alexandria, VA., & University of Maine School of Law, Portland, Maine, 2009. Consultant. Statistical design and analysis in study of impact of bankruptcy reform legislation on bankruptcy costs.

Silent Spring Institute, Newton, MA, 2002-2010. Consultant and Senior Scientist. Statistical analysis of data from the Cape Cod Breast Cancer and Environment Household Exposure Study, Richmond Environmental Justice Study and NHANES. Examining relationships among consumer product use, environmental concentrations and biological markers of exposure to endocrine disrupting compounds. Developing methods for parameter estimation with multiply censored data. Analysis of U.S. mortality data. Assisting post-doc with statistical data analysis and S-Plus/R.

Cornell University, Department of Policy Analysis and Management, Ithaca, NY, 2006-2008. Consultant. Research design and analysis in project evaluating Boston Medical Center Medical-Legal Partnerships for Children Program. Questionnaire design, sampling methods. Analysis of questionnaire data.

Individual client, University of Minnesota, Minneapolis MN, 2007-2008. Consultant on research project examining visual-motor coupling during a drawing task. Linear mixed models incorporating within-subject correlation and heteroscedasticity.

Individual clients, David Geffen School of Medicine at UCLA, Santa Clarita, CA, 2007. Consultant on study of the factors in different U.S. states that affect the willingness of neurologists to accept workers' compensation patients.

Evergreen Solar, Marlborough MA, 2007. Consultant. Developed and taught a short course in statistics for class of 16 engineers.

St. George's University, Dept. of Public Health and Preventive Medicine, St. George's, Grenada. 2004. Associate Professor. Taught applied statistics, advised students, curriculum development.

Massachusetts Institute of Technology, Sloan School of Management, Cambridge, MA. Spring 2003. Visiting Lecturer. Taught applied statistics course with enrollment of 70 students. Text: Tamhane & Dunlop, *Statistics and Data Analysis*, Software: S-Plus. Course published on MIT's OpenCourseWare.

New England Research Institutes, Watertown, MA. 2001-2003. Research Scientist. Statistical design and analysis in several research projects including the Study of Women's Health Across the Nation (SWAN), a longitudinal, multi-site, multi-ethnic investigation of the menopause transition, and studies of factors preventive of cognitive decline in the elderly. Supervision of data managers.

Cornell University, Department of Natural Resources, Ithaca, NY. 1996-2001. Consultant. Statistical design and analysis in research projects investigating the biological control of non-indigenous plant species.

Mote Marine Laboratory, Sarasota Florida. 2000-2001. Consultant. Statistical analysis in research project investigating manatee respiration.

Cornell University, Department of Policy Analysis and Management, Ithaca, NY. 1997-2001. Research Assistant and Consultant. Mathematical modeling and cost-benefit analyses for assessment of new technologies for prevention of sexually transmitted diseases. Assisted graduate students with statistical portion of theses.

Cornell University, Department of Biometry. 1995-1997. NSF trainee. Examination of parametric and nonparametric methods for the assessment of spatial variability in agricultural field trials.

Caribbean Epidemiology Centre (CAREC), Port of Spain, Trinidad, West Indies. 1992-1995. Temporary Advisor and Visiting Scientist. Developed mathematical models of the HIV/AIDS epidemic in the Caribbean. Back projection and examination of economic impact. Transfer of modeling technology to CAREC.

Family Health International, Research Triangle Park, NC, 1991-1992. Consultant in project based at Caribbean Epidemiology Centre, Port of Spain, Trinidad, W.I. Developed and adapted mathematical models of HIV/AIDS epidemic to describe transmission in the Eastern Caribbean. In independent project, continued development of mathematical models of dengue fever transmission.

Trinidad and Tobago, Ministry of Food Production, Fisheries Division, Port of Spain, Trinidad, West Indies. 1991. Consultant on fisheries data analysis. Taught course in statistical regression methods.

Millipore Corporation, Bedford, MA. 1989-1990. Consultant. Statistical analysis in project developing alternatives to animal experimentation in cosmetic testing. Comparison of results for in vitro and in vivo toxicology methods.

Massachusetts Institute of Technology, Statistics Center, Cambridge, MA. 1986-1990. Research Associate working with Roy Welsch on regression diagnostics, influential data detection, and assessment of collinearity. Developed software for interactive graphical examination of multivariate data, regression diagnostics and behavior of dynamical systems. Sun computer system administrator. In independent project, developed

deterministic mathematical models of dengue fever and HIV transmission. Collaborated with Paul Reiter at Centers for Disease Control in Puerto Rico.

Massachusetts Institute of Technology, Mathematics Department and Operations Research Center, Cambridge, MA. 1984-1986. Research Assistant working with Gilbert Strang on the Karmarkar algorithm for solution of linear programming problems. Developed menu-driven system for matrix manipulation to accompany undergraduate linear algebra course.

West Roxbury Veterans Administration Medical Center, Boston, MA. 1982-1990. Consultant. Data management and analysis for long-term study of antimicrobial susceptibility. Developed menu-driven systems for report generation and for communications and file transfer between microcomputer and IBM mainframe.

Children's Hospital Medical Center, Boston, MA. 1982-1985. Consultant. Programming for data management, analysis and graphical representation for Collaborative Study of Children with Special Needs. Supervised research assistants. Developed generalized full-screen on-line data entry and validation system. Taught introductory course on use of SAS and CMS.

Harvard Medical School, Channing Laboratory, Boston, MA. 1980-1984. Data Manager, Computer Programmer and Consultant. Database management, programming, data analysis for Nurses' Health Study, a prospective cohort study of risk factors for cardiovascular and malignant disease in cohort of 120,000 women.

American Repertory Theatre, Cambridge, MA. 1982-1983. Consultant. Developed multi-user system for on-line data entry and retrieval of patron records.

Publications:

Predicting Earthquake Fatalities in Nepal. Newton E, Teran J, Wolcott M, Velasquez L, Anggraeni D, Dai Y, Cocolicchio B. *Statistical Journal of IAOS* 31(2015) 545-554. DOI 10.3233/SJI-150945

Use of a Novel Two-layer Bandage in the Treatment of Chronic Venous Hypertension. Lullove E, Newton E, *Journal of the American College of Clinical Wound Specialists* 2014; 5(1). DOI: <http://dx.doi.org/10.1016/j.jccw.2014.05.001>.

Depression, Antidepressants and Falls among Community-Dwelling Elderly People: The MOBILIZE Boston Study. Quach L, Yang F, Berry S, Newton E, Jones R, Burr J, Lipsitz L. *The Journals of Gerontology Series A: Biological and Medical Sciences* 2013; doi: 10.1093/gerona/glt084

The relationship between brain volume and walking outcomes in older adults with and without peripheral neuropathy. Manor B, Newton E, Abduljalil A, Novak V. *Diabetes Care*, 2012 Sep;35(9):1907-12. PMID: 22665216.

Retinal Microvascular Signs and Disability in the Cardiovascular Health Study. Kim DH, Chavez DH, Newman AB, Klein R, Sarnak MJ, Newton E, Strotmeyer ES, Burke GL, Lipsitz LA. *Arch Ophthalmol*. 2012 Mar;130(3):350-6. PMID: 22084159.

Neurovascular Coupling is Impaired in Slow Walkers: The Mobilize Boston Study. Sorond F, Kiely D, Galica A, Moscufo N, Serrador J, Iloputaife I, Egorova S, Dell'Oglio E, Meier D, Newton E, Milberg W, Guttman C, Lipsitz L. *Annals of Neurology*. 2011 Aug 70(2):189-191. PMID: 21674588, PMCID: PMC3152682.

Retinal Microvascular Signs and Functional Loss in Older Persons: The Cardiovascular Health Study. Kim DH, Newman AB, Hajjar I, Strotmeyer ES, Klein R, Newton E, Sarnak M, Burke GL, Lipsitz, LA. *Stroke*. 2011 Jun 42(6):1589-95. Epub 2011 Apr 14. PMID: 21493913. PMCID: PMC3127407

Effect Size and Sample Size in Mediation Analysis. Newton E. JSM 2010 Proceedings, Biometrics Section. Alexandria, VA: American Statistical Association.

Physiological complexity and system adaptability: Evidence from postural control dynamics of older adults. Manor B, Costa M, Hu K, Newton E, Starobinets O, Kang H, Peng C, Novak V, and Lipsitz L. *Journal of Applied Physiology*, 2010 109(6): 1786-91. Epub 2010 Oct 14. PMID: 20947715. PMCID: PMC3006415

Correlations between urinary phthalate metabolites and phthalates, estrogenic compounds 4-Butyl phenol and o-Phenyl phenol and Some Pesticides in Home Indoor Air and House Dust. Rudel RA, Dodson RE, Newton E, Zota A, Brody JG. *Epidemiology*: 10/2008, 19(6):S332. DOI:10.1097/01.ede.0000340529.83416.d0

Estimating Correlation with Multiply Censored Data Arising from the Adjustment of Singly Censored Data. Newton E, Rudel R. *Environmental Sciences and Technology*, 2007: 41(1):221-228. PMCID: PMC2565512. NIHMSID: NIHMS63308
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2565512/>

Collinearity Diagnostics: VIF's Revisited. Newton EAC, Venetoulis A, Welsch RE. *Proceedings of the Conference CompStat 2002*, 10-11.

*The Measurement of Respiratory Volumes and Flows on Two Captive West Indian Manatees (*Trichechus manatus*).* Kirkpatrick, B., D. Colbert, E.A.C. Newton, and C. Manire. *Proceedings of the International Association of Aquatic Animal Medicine Conference*, St. Petersburg, FL, April 28-May 2, 2001.

A Model of the Transmission and Control of Genital Herpes. Newton EAC, Kuder J. *Sexually Transmitted Diseases*. 2000: 27:363-370. PMID: 10949427

Accounting for Spatial Variability: A Comparison of Methods. Newton EAC. 1997 *Proceedings of the Biometrics Section, American Statistical Association*, 1998: 129-134.

The influence of below ground herbivory and plant competition on growth and biomass allocation of purple loosestrife. Notzold R, Blossey B, Newton E. *Oecologia*, 1998: 113:82-93.

Combining standard block analyses with spatial analyses under a random effects model. Federer WT, Newton EAC, Altman NS. In: Gregoire TG, Brillinger DR, Diggle PJ, et al. editors. *Lecture Notes in Statistics 122, Modelling Longitudinal and Spatially Correlated Data*, Springer Verlag, NY, 1997.

Back-projection and sensitivity analysis of the HIV/AIDS epidemic in the Caribbean. Newton EAC, Farley J, Gayle C. *J Acq Imm Def Syn*, 1996: 11:69-76. PMID:8528735

AIDS Costs in Trinidad and Tobago. Henry R, Newton E. *Studies in Comparative International Development*, 1994: 29(4):68-89. PMID: 12346421.

Modeling the HIV/AIDS Epidemic in the English-Speaking Caribbean. Newton EAC, White FMM, Sokal DC, King TDN, Forsythe SS. *PAHO Bulletin* 1994: 28(3):239-249. PMID: 7951367.

Modelos para el estudio de la epidemia del SIDA en el Caribe de habla inglesa. Newton EAC, White FMM, Sokal DC, King TDN, Forsythe SS. Bulletin O.S.P. 1994: 117(4).

Mathematical Modelling of the HIV/AIDS Epidemic in the Caribbean. Newton EAC. Final Report. Caribbean Epidemiology Centre, November 1993.

A model of the transmission of dengue fever with an evaluation of the impact of ultra-low volume (ULV) insecticide applications on dengue epidemics. Newton EAC, Reiter P. American Journal of Tropical Medicine and Hygiene 1992: 47:709-720. PMID: 1361721.

Modelling the AIDS Epidemic in the Eastern Caribbean. Newton EAC, Sokal D, King T, White F. Final Report. Family Health International, November 1992.

Epidemiology of HIV/AIDS in the Caribbean. Hospedales J, White F, Gayle C, Newton E, Francis C, Pomeroy G. In: Lamptey P, White F, Figueroa JP, Gringle R editors. The Handbook for AIDS Prevention in the Caribbean. Family Health International, Research Triangle Park, NC, USA. 1992.

Factors associated with the correct antemortem diagnosis of major pulmonary embolism. Goldhaber SZ, Hennekens CH, Evans DA, Newton EAC, Godleski JJ. American Journal of Medicine 73:822-826, December 1982. PMID: 7148876.

Presentations, Posters and Abstracts:

Lean Mass and the Longitudinal Probability of Mobility Disability in the Framingham Study: A Multinomial Approach in Studies of Aging. McLean R, Newton E, Dufour A, Murabito J, Hannan M, Kiel D. ASBMR September 2011.

Depression and Falls among Community-Dwelling Elderly: The MOBILIZE Boston study. Quach, L. Yang F, Newton E, Jones R, Burr J, Lipsitz L. GSA November 2011.

Relationship between gait speed and the risk of falls in community-dwelling older adults: The Mobilize Boston Study. Quach, L. Jones R, Hannan M, Newton E, Manor B, Lipsitz L. GSA November 2010.

The Effect of Education on outdoor falls risk in an elderly population: attenuating effect on vasoreactivity and gait speed. Galica A. Jones R, Newton E, Sorond F, Iloputaife I, Lipsitz L. 3rd International Congress on Gait and Mental Function, February 2010.

Estimating Correlation with Multiply Censored Data. Joint Statistical Meeting, Seattle, WA, August 2006 (session 109).

A Stochastic Model of the Transmission and Control of Hepatitis B. International Biometric Society, ENAR meetings, Atlanta, Georgia, 29 March 1999 (session 16).

Accounting for spatial variability: a comparison of methods. Joint Statistical Meetings, Anaheim, CA, August 1997 (session 157).

Assessing spatial variability in agricultural field trials. Biometrics Unit Discussion Series. March 1997.

Back-Projection of the HIV/AIDS Epidemic in the Caribbean. IXth International Conference on AIDS, Berlin, June 1993 (abstract PO-C32-3332).

Modelling the AIDS Epidemic in the Caribbean. Commonwealth Caribbean Medical Research Council Meetings, Curacao, April 1992.

A model of dengue fever transmission with an evaluation of the probable impact of ultra low volume (ULV) adulticiding measures on dengue epidemics. Newton EAC, Reiter P. American Society of Tropical Medicine and Hygiene Annual Meeting, Boston, 5 December 1991.

A Model of Dengue Fever Transmission Dynamics with Implications for Vector Control. American Mosquito Control Association Annual Meeting, New Orleans, 20 March 1991.

Worlds in Conflict – Humans and the Environment in the Tropics. M.I.T. Independent Activities Presentation, 30 January 1989.

Chaos in Biology. M.I.T. undergraduate ecology lecture, 31 March 1988.

Chaos and Equilibrium: Portrait in X11. M.I.T. Independent Activities Presentation, 25 January 1988.

Computer Experience:

R, S-Plus, SAS, JMP, Mathematica, Matlab, C++. Microsoft Word, Excel, PowerPoint.

International Experience:

Grenada: Associate Professor, St. George's University, 2004

Trinidad and Tobago: Consultant and Visiting Scientist, CAREC, 1990-1995.

Venezuela: field work in tropical ecology, January 1989.

Additional travel in: Austria, Bahamas, Barbados, Canada, Denmark, England, France, Germany, Greece, Guyana, India, Indonesia, Italy, Kenya, Malaysia, Morocco, Nepal, Netherlands, Netherlands Antilles, New Zealand, St. Lucia, St. Vincent, Senegal, Somalia, Switzerland, Taiwan, Yugoslavia.

Foreign Languages:

French

Memberships:

American Statistical Association

Volunteer Activities:

Present: Wellesley College Botanic Gardens, Docent, 2013 to present. Active member of 350Mass, promoting use of renewable energy and reduction in use of fossil fuels.

Volunteer for Citizens for Farm Animal Protection. Previously: Teaching English as a Second Language. Water quality sampling for the Town of Wayland. Hebrew Senior Life Environmental Action Team, founding member, 2010. Initiated recycling program.

Started Institute for Aging Research Statistics Methods Interest Group. Wayland Surface Water Quality Committee, member, 2006-2009. Dudley Pond Association, vice-president, 2002-2004. Investigated alternatives to the use of herbicides in the control of invasive aquatic weeds. Conducted community seminars on alternatives to the use of toxic chemicals in home and garden.

Interests:

Swimming, kayaking, rowing, hiking, gardening, photography. Bronze medallion in lifesaving, June 1992. PADI certified diver, June 1989. First woman to make the 4 mile open ocean Las Cuevas to Maracas swim, 4 October 1991.

Nicole W. Riley

15 Shawmut Avenue Ext, Wayland, MA 01778
617-794-8005 – nriley@goodwinprocter.com

RILEY

- EDUCATION:**
- Suffolk University Law School** Boston, MA
Juris Doctor, May 2011
Honors: 2008-2009; 2009-2010; 2010-2011 Dean's List
2008-2009 LPS Distinguished Oral Advocate Award
Activities: Section Representative (2008-2009)
Alumni Affairs Association (2008-2010); External Affairs Association (2010-2011);
VP of Events- Real Estate Law Student Organization (2009-2011)
- Boston University** Boston, MA
Bachelor of Arts, Political Science and English, May 2006
Activities: Sigma Alpha Lambda Honor Society (2005-2006)
Pre-law Society (2005-2006)
Gamma Phi Beta Sorority- Fundraising Chair (2004-2006)
Student Alumni Council (2005-2006)
Dublin Study Abroad Internship Program (Spring 2004)
- EXPERIENCE:**
- Goodwin Procter LLP** Boston, MA
Department Attorney, March '14 - Present
Member of the firm's Real Estate, REITs and Real Estate Capital Markets Group, with a focus on the Transactional and Leasing practices
Recent representative transactional work includes: representation the purchaser of a three building portfolio of fully leased office space and a parking garage in Boston's Fort Point neighborhood; representation of the seller of a 45% interest in three trophy properties in the Boston and New York markets, for a portfolio valuing over \$4 billion
Recent representative leasing work includes: representation of institutional landlords and developers in the leasing of major office building, suburban office and industrial park properties; representation of tenants ranging from tech and biotechnology companies to internet start-ups and finance firms in the Boston, New York, D.C., Boulder and San Francisco markets
- George Warshaw & Associates, P.C.** Boston, MA
Associate Attorney, November '11 – present; *Law Clerk*, January '10 – November '11
Overseeing and performing all aspects of residential and commercial purchasing, selling, refinancing and developing of real estate from offer stage to post closing; writing title policies; title research and remedies including curative matters involving discharges, certificates of compliance, drafting of licensing agreements and encroachments, negotiating affirmative coverage, etc.; Purchase & Sale drafting and negotiations
Entity formation, such as Limited Liability Companies and Corporations
Estate planning including trust, will and health care proxy drafting, client meetings and probating estates
- Department of Public Safety** Boston, MA
Legal Intern, August '09 – April '10
Assisted General Counsel on research and drafting of legislation, and drafting of regulations and Board decisions
- CRA International (f/k/a: Charles River Associates)** Boston, MA
Research Administrator- New Client Management Operations, November '06 – August '08
Performed technology, corporation, litigation, and individual research projects
Creation and dissemination of "Potential Conflict Reports" to platform heads
Implementation of new Legal Key system in first non-law firm setting
- WG Bradley Solicitors** Dublin, Ireland
Legal Intern, February '05 – May '05
Assisted on in-court tasks and trial cases
Proofread and researched case files
Conducted insurance law research for Lloyd's of London sole representative in Ireland

PROFESSIONAL MEMBERSHIPS AND LICENSES:

Boston Bar Association & REBA Member: Part of the Real Estate Sections with a focus on
Condominiums, Commercial Leasing, Real Estate Finance and Land Use
Licensed Real Estate Broker in Massachusetts 2012 – 2014 (currently in Lapsed status)
Licensed Notary in Massachusetts

VOLUNTEER EXPERIENCE/INTERESTS:

Fundraising/Philanthropy Co-Chair, Gamma Phi Beta Boston Alumnae Chapter (2007, 2008)
Triathlons, Book Club Member, Tennis and Running

Rail Trail



Sarkis Sarkisian
Wayland Town Planner

TOWN OF WAYLAND
MASSACHUSETTS
01778
PLANNING DEPARTMENT

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3615
FAX: (508) 358-4036

DATE: July 8, 2016
TO: Nan Balmer, Town Administrator
FROM: SARKIS SARKISIAN, TOWN PLANNER
RE: Rail Trail update

BOARD ACTION REQUESTED: Update

The Town of Wayland has retained TEC, Inc. (TEC) to perform engineering services under the current On-Call Services Contract. These services are associated with preparing preliminary engineering documents to support the development and reconstruction of a section of the proposed Mass Central Rail Trail within the Town of Wayland. The project involves several definitive design tasks for improvements including accessible ways from roadway intersections to the rail trail, reconstruction of the linear corridor in cooperation with Eversource, and a preliminary investigation into the suitable reuse of the existing timber trestle crossing of the Sudbury River to support the anticipated rail trail corridor loadings. Recently, TEC provided free planning services associated with the conceptual design of the trail and parking lot improvements at the Wayland Depot site. It is anticipated that Eversource will be applying for Wetland Applications/Permits to the Conservation Commissions of Wayland and Weston this summer. Eversource plans to construct 12' wide gravel packed Trail this year from the Depot through the Town of Weston.

Town updates are as follows:

- Study of the timber trestle bridge over the Sudbury River is 90% complete
- A draft of the bid documents as a "book job" for the section from the Depot Site to Route 20 and the 3 crossings (Millbrook Road trail crossing Glen Road trail crossing, Plain Road trail crossing) has been completed
- Existing conditions survey has commenced for the Depot Site and it will be completed by July 15th
- Site design of the Depot Site will then commence and be completed by August 5th
- Bid documents will then be compiled into one bid package to be available by Construction Advertisement August 17th

- Open bids and construction (3 months) September 1 – November 30 from Town Center to the Depot.

In closing, we have worked collectively to minimize and mitigate the impact of the proposed rail trail. I will be present at the Board of Selectmen's meeting on July 13, 2016 to answer any questions.



Sarkis Sarkisian
Wayland Town Planner

TOWN OF WAYLAND
MASSACHUSETTS
01778
PLANNING DEPARTMENT

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3615
FAX: (508) 358-4036

DATE: July 8, 2016
TO: Nan Balmer, Town Administrator
FROM: SARKIS SARKISIAN, TOWN PLANNER
RE: Zoning Articles for the Special Fall Town Meeting

BOARD ACTION REQUESTED: UPDATE

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the Planning Board will hold a public hearing to discuss the proposed amendments to the Town's Zoning By-Laws on August 22, 2016, even though a public hearing was already held on said articles, the Planning Board will be subject to a new public hearing because no action was taken within six (6) months. We are proposing the following five articles:

ARTICLE I: HOME OCCUPATION

Sponsored by: Planning Board

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

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

See, Section 901.1.1 and 901.1.2

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

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

ARTICLE 2: ASSISTED/INDEPENDENT LIVING AND NURSING HOME

Sponsored by: Planning Board

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

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

ARTICLE 3: LANDSCAPING IN PARKING AREAS ZONING BYLAW

Sponsored by: Planning Board

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

Replace section 506.8.1 to read as follows:

506.8. Landscaping in parking areas.

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

Existing language below

506.8. Landscaping in parking areas.

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

ARTICLE 4: BUILDING HEIGHT

Sponsored by: Planning Board

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

Under Section 104, strike the definition of "Building Height" and replace it with the

following:

The vertical distance measured from the average natural grade to the highest point of the roof. Natural grade shall mean the elevation of the land in its natural state prior to disturbance for construction, filling or excavation, and shall be measured at each exterior corner of the building. In the event of a dispute or question concerning the accuracy of the average natural grade, an applicant shall produce a certification of the elevation from registered land surveyor.

ARTICLE 5: CONSERVATION CLUSTER DEVELOPMENTS

Sponsored by: Planning Board

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

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

Article is in process of being redrafted with Conservation Commission



Sarkis Sarkisian
Wayland Town Planner

Brookside
REV

TOWN OF WAYLAND
MASSACHUSETTS
01778
PLANNING DEPARTMENT

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3615
FAX: (508) 358-4036

DATE: July 7, 2016

TO: Nan Balmer, Town Administrator

Board of Selectmen

Planning Board

FROM: SARKIS SARKISIAN, TOWN PLANNER

RE: Brookside 113, 115, 117, 119 Boston Post Road

MassHousing Comprehensive Permit Site Approval Application

Total site 6.49 acres/282,704 square feet of area, 633 frontage on Boston Post Road

With respect to the above Project, the Town of Wayland has 30 days from June 27, 2016 to provide comments and concerns to MassHousing. On Thursday July 7th a site visit/meeting was conducted by Kathrine Lacy, Monitoring and Permitting Specialist for MassHousing, the Applicant Stephen Zieff, William Doyle, Engineer for the Applicant, Suneeth John, Architect for Applicant, Police Chief Robert Irving, Assistant Fire Chief, Neil McPherson, Conservation Administrator Brian Monahan, Board of Health Director, Julia Junghanns, Building Commissioner, Geoff Larsen, Assistant Building Commissioner David Fuller, Housing Authority Director Brian Boggia, and Town Planner Sarkis Sarkisian. The Department Heads requested additional time to provide comments. All comments would be received through the Town Planner. Kathrine Lacy stated that she would like to have comments from the Board of Selectmen by August 1, 2016.

The Town's major concerns so far include the following:

Density: the Town of Wayland considers this to be a high density project at 60 units and 4 stories tall. We suggest that the project be a lower density, 10 units per acre far exceeds the current zoning allowance for the district and the surrounding single residential development patterns. The Applicant should perform a Conservation Cluster Analysis under the existing zoning.

Height: Assistant Fire Chief Neil McPherson expressed concerns about height. Four Stories would be challenging. He recommended providing access around the perimeter of the Building and that the Building will have to be fully sprinklered. Additionally the Fire Department should review the type of system during the preplanning process so that the Fire Department can work effectively with the system's intended design. The Town Planner, Sarkis Sarkisian commented that the proposed height is significantly higher than the surrounding residential properties.

Septic Design: More information regarding number of bedrooms needs to be provided to the Board of Health as well as additional soil testing/percolation testing. The current septic plans serving Mahoney's Garden Center show poor soils and high percolation rates. Based on this information the leaching area for a new housing development would be large due to the poor soils in this area. The Health Director referenced that our Town BoH Regulations for residential new construction require 165 gpd per bedroom to size the leaching area and reserve area. 40B projects often propose to utilize the State Title 5 Regulations which overlooks the Town Regulations. This will be discussed in more depth once soil testing is completed and we have more information on this project. In these poor soils a larger leaching area will be critical to ensure a septic system will not fail prematurely. The Local Regulations should be considered to ensure longevity of the new septic system. Also, NO garbage grinders should be allowed and Town BoH Regulations require a 75 foot offset to wetlands (there could be other town regulations applicable).

Site conditions: Regarding pedestrian safety there are no sidewalks in front of the site and along Route 20. Regarding Traffic Route 20 handles over 19,000 Vehicle Trips per day. We recommend a full Traffic Study be conducted and peer reviewed by the Town of Wayland's Traffic Consultant.

Drainage and Stormwater Environmental: Current rules and regulation must be met. The project will have a significant impact on the riparian area of Pine Brook. Conservation Administrator Brian Monahan stated the activity that took place on site was done under an Agricultural Use in the buffer zone and within the River Front.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

8. Minutes:
6.27.16

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

Board of Selectmen Meeting Minutes June 27, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist (arrived 7:34 p.m.), Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Health Insurance 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 Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Executive Session Minutes of June 13, 2016, Pertaining to the Above Subjects, because a Public Discussion of Collective Bargaining will have a Detrimental Effect on the Bargaining or Negotiating Position of the Town At 6:31 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to health insurance 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 pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the executive session minutes of June 13, 2016, pertaining to the above subjects. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. 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, Assistant Superintendent of Schools Brad Crozier, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:10 p.m.

A2. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:10 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.

A3. Public Comment Cliff Lewis, 33 Claypit Hill Road, and former member of the OPEB Advisory Committee, said he hoped the Board would have a detailed discussion regarding the proposed OPEB article for Special Town Meeting, and asked if he should stay for the agenda item later in the evening. C. Karlson said the discussion tonight was not expected to be substantive, but it was his decision.

A4. Interviews and Potential Vote to Appoint to Boards and Committees Jessica Green joined the Board via telephone to interview for reappointment to the Personnel Board. J. Nolan moved, seconded by L. Anderson, to reappoint Jessica Green to the Personnel Board, effective July 1, 2016, for a five-year term to expire on June 30, 2021. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

The Board was joined by Jason Drori, Adam Hirsh, and Thomas White to interview for a position on the Zoning Board of Appeals. Argiro Shapiro did not appear to interview for the position of Associate Member to the Zoning Board of Appeals. T. White said he is a commercial architect, and has worked with zoning boards in other towns. A. Hirsh said he moved to Wayland two years ago and would like to serve the community; he is in the biotech industry and works for a pharmaceutical company. J. Drori said he is an attorney that works in commercial litigation and has experience in property disputes. The Board discussed the need to make the time commitment, and the ability to help homeowners navigate the system.

L. Jurist arrived at 7:34 p.m. L. Anderson moved, seconded by M. Antes, to reappoint Thomas White to the Zoning Board of Appeals, effective July 1, 2016, for a three-year term to expire on June 30, 2019. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by L. Anderson, to appoint Jason Drori as an associate member of the Zoning Board of Appeals, effective July 1, 2016, for a three-year term to expire on June 30, 2019. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson said she would contact A. Hirsh to discuss his interest in serving on other boards or committees.

The Board was joined by Gil Wolin and Klaus Shigley to interview for appointment to the Finance Committee. G. Wolin discussed his current term on the Finance Committee, noting that he missed six months due to illness. He said he tries to find a balance between the big picture and the details, and he is sensitive to the need to examine expenditures. K. Shigley reviewed his background in finance, and said it is important to balance quality with cost. He said his skills include the ability to run a productive meeting, ask the right questions, and work with other people.

C. Karlson said the Finance Committee has been asked to create a calendar of their meetings to assess the time commitment. She noted that there will be two more interviews for the Finance Committee at the Board meeting on July 13, 2016, and a decision will be made at that time.

A5. Review Special Town Meeting Articles The Board was joined by Town Counsel Mark Lanza to review potential articles for the November 2016 Special Town Meeting. The Board discussed the article, "Petition the State Legislature to Adopt Special Act for Other Employment Benefits Trust Funds and Repeal Existing OPEB Trust Fund Special Act." Members discussed whether to go forward with a Special Act and have a locally controlled OPEB fund, or whether to remain in the state Pension Reserves Investment Trust (PRIT). M. Lanza said the GASB guidelines require that the OPEB funds be in a trust, for security reasons, but that either PRIT or a Special Act will address that concern. He noted that the Special Act could be flexible and still allow for the funds to go to PRIT. L. Jurist asked if the pending Municipal Modernization Act would address this issue; M. Lanza said he could not predict that. The Board discussed whether there was any time pressure to bring this article to Special Town Meeting, while also considering the need to complete the work of the OPEB Committee. M. Lanza discussed the impact and options in having residents serve on a Trust Board. The Board agreed to keep the article on a potential list for Special Town Meeting until a full list of articles can be considered.

M. Lanza addressed the proposed article, "Town Meeting Consent Calendar." He said the article would create a bylaw that would determine the protocol for a consent calendar. L. Jurist said the abbreviated procedures used at the recent Annual Town Meeting were very efficient. C. Karlson agreed, and said a consent calendar would become another tool to shorten town meeting. M. Antes noted that the last attempt to use a consent calendar failed, and M. Lanza said it was a Moderator's rule at the time and not a bylaw. M. Lanza said he has a revised version of the bylaw with more detail, based on the bylaw implemented by the Town of Sudbury.

In regard to the proposed article, "Petition the State Legislature to Remove All Police Personnel from the Provisions of Civil Service Without Affecting the Civil Service Rights of Incumbents," C. Karlson said that State Representative Alice Peisch is confirming the available options to depart civil service, and the method that other towns have used.

N. Balmer said the proposed article, "Preservation of Historically Significant Buildings Through Demolition Delay," has been withdrawn.

A6. Update on Mainstone From Chairs of Community Preservation Committee and Conservation Commission; Vote Intent to Approve Conservation Restriction for Mainstone; Discuss Special Town Meeting Article to Authorize Application for Land Grant and Authorize Chief Executive Officer to Execute all Required Application Documents The Board was joined by Gretchen Schuler, Chair of the Community Preservation Committee, Sherre Greenbaum, Chair of the Conservation Commission, and Town Counsel Mark Lanza. G. Schuler explained that when applying for a land grant to purchase a Conservation Restriction (CR), it is a requirement that permission be received from town meeting. She said town meeting must also vote the full purchase amount, which includes the \$3 million from the Sudbury Valley Trustees. Therefore, the town must take these votes at the November 2016 Special Town Meeting in order to meet the grant deadline. C. Karlson said that, in addition, the Open Space and Recreation Plan must be ready by July 13. S. Greenbaum said a draft plan will be approved at the July 7 Conservation Commission meeting, which is sufficient to meet the requirement.

J. Nolan moved, seconded by M. Antes, that it is the intent of the Board to approve the Conservation Restriction for Mainstone, and to authorize the Chief Executive Officer to execute all documents required to submit an application to the Massachusetts Executive Office of Energy and Environmental Affairs for a land grant. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

G. Schuler said the draft CR is ready to be sent to the state, and she reviewed the timeline for the funding. She said there is a second CR pending on approximately ten acres, which is necessary to provide access and protect the town's investment on the larger property. S. Greenbaum said the Conservation Commission must conduct a site visit and get the dimensions of building envelope from the family; she expressed confidence it will be approved in a timely manner. Board members discussed parking areas, bicycling, defined trails, and the process for potentially lifting the conservation restriction in the future. It was the sense of the Board to move forward as presented.

A7. Review and Approve Minutes of June 13, 2016; Potential Vote to Release Executive Session Minutes of June 13, 2016 L. Anderson moved, seconded by M. Antes, to approve the minutes as amended of June 13, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by L. Anderson, to approve and release

with redactions the executive session minutes of June 13, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board thanked Colleen Sheehan for her service on the Planning Board and the Wayland Real Asset Planning (WRAP) Committee. N. Balmer said the letter from a resident to the State Supervisor of Public Records was referred to Town Counsel for a response.

A11. Report of the Town Administrator N. Balmer reported on her meeting with the website provider ClearGov, and asked the Board for guidance in moving forward. Members discussed the responsibility for providing the information, the ability of the public to respond, and the reliability of the provider. C. Karlson noted that she would be filing a disclosure of interest, because a member of the Finance Committee is considering becoming an investor in the company. The Board agreed to discuss it further at the next meeting.

A8. Meet with Town Moderator; Annual Town Meeting Follow-up The Board was joined by Town Moderator Dennis Berry and Electronic Voting Implementation Subcommittee Chair David Bernstein to review the recent Annual Town Meeting. C. Karlson said the abbreviated procedure worked well, and the majority of articles were well prepared. D. Berry agreed; however, he noted that one article was argued between Boards for fifty minutes, and a copier should have been available. He also said that the lengthy errata handout costs time. D. Bernstein said he was happy to see there was no proxy voting, and the projection of the motions on screen was very helpful. L. Jurist said he felt the procedural rules were applied inconsistently, and the Moderator has the power to make the meeting more efficient. C. Karlson requested that if changes are going to be made by the Moderator after the preliminary walk-through, the Board should be notified. J. Nolan said it is problematic when comments are allowed that are not relevant to the articles at hand. It was noted that the cost to provide chairs with cushions would be an additional \$1,100. Participants discussed the possibility of a consent calendar bylaw. L. Anderson asked if the Moderator's Forum could be combined with the Selectmen's Warrant Hearing. D. Berry said he was willing to consider it, but they serve different purposes, and his hope is that more people will attend the Moderator's Forum as it becomes more widely known. Members discussed having more information on the website, earlier start times, and the ability to provide childcare.

A11. Report of the Town Administrator N. Balmer reported on a regional meeting regarding upcoming changes to municipal water permits. She said there is a need to consider growth issues in regard to providing water and wastewater for town development, and the Town Planner will address it. She said she attended a meeting earlier in the day with U. S. Representative Katherine Clark to discuss local issues such as the MS4 stormwater requirements and gun safety. She said the draft Housing Production Plan will be placed in the Board's Dropbox as soon as it is available. She reported that the town was fined approximately \$12,000 by the IRS because payroll taxes were deposited one day late during the transition to a new Treasurer. The Treasurer is looking into the issue and will recommend procedural changes. She said the Collins Center study of financial procedures will begin the week of July 4, and she reviewed a summary prepared by the DPW of maintenance costs on each athletic field. Board members discussed the responsibility for the turf field and the tennis courts; N. Balmer said the staff is meeting to straighten out these issues. She asked the Board if it would commit to the purchase of the Library site for purposes of the Massachusetts Public Library

Construction Program; the Board agreed that the town would purchase the site as advised by town meeting. Finally, she advised the Board that due to an error in the posting for the 150 Main Street LLC Planning Board hearing, the hearing must be held again.

A12. Selectmen's Reports and Concerns L. Anderson advised that the Minuteman Regional School would be calling for a district-wide vote tonight because Belmont did not approve their portion of the funding of the debt. L. Jurist reported on the Open Space and Recreation Plan Community Forum; he said it was clear that the high school track and tennis courts are the highest priority. J. Nolan asked about a possible multi-use facility; L. Jurist said the plan will only address outside facilities. M. Antes asked to check on her status as rep to the Metropolitan Area Planning Council.

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

A14. Adjourn There being no further business before the Board, L. Anderson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 10:20 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 June 27, 2016 Board of Selectmen's Meeting

1. Memorandum of 6/23/16 to Board of Selectmen re: Appointments to Positions on Personnel Board, Zoning Board of Appeals, and Finance Committee
2. Memorandum of 6/27/16 from Nan Balmer, Town Administrator, to Board of Selectmen re: Potential Special Town Meeting Articles
3. Memorandum of 6/27/16 from Nan Balmer, Town Administrator, to Board of Selectmen re: Mainstone, with Draft Conservation Restriction and Correspondence from Attorney Elizabeth L. Wroblecka, Etheredge & Steuer
4. Draft Minutes of June 13, 2016
5. Report of the Town Administrator for the Week Ending June 24, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 27, 2016

1. Email of 6/27/16 from Gil Wolin to Board of Selectmen re: Résumé for Interview for Finance Committee Position

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING JULY 8, 2016**

AFFORDABLE HOUSINGAffordable Housing Production Plan (HPP)

The draft Housing Production Plan will be presented for public comment and adoption at a Planning Board meeting. The HPP will then be recommended to the Board of Selectmen which will adopt and submit it for approval by DHCD. The draft HPP will be posted on the town website for public review and will be sent to you when posted for your comments to the Planning Board. The town is required to adopt an HPP every five years as one requirement to achieve regulatory relief under MA General Law 40B. The plan was last updated in 2005.

Conveyance Notice: 202 Trout Brook Road

The town and housing authority, acting as affordable housing monitoring agent, received the attached "Conveyance Notice" to sell 202 Trout Brook Road (Oxbow - Nike). The house will first be marketed by the Housing Authority, acting as the monitoring agent to locate an eligible purchaser. If the house does not sell in 90 days, the town may purchase the house or allow the house to be purchased by an ineligible purchaser at the maximum resale price, maintaining the deed restriction.

Affordable Housing: Consultant to Review Organization

Attached is a consultant's proposal for \$2,000 to review and make recommendations on how affordable housing is planned, developed and monitored. There are at least seven boards and committees involved in affordable housing. The Board of Selectmen is legally responsible for certain approvals and activities. The purpose of the study is to be sure the Board is equipped with the resources to fulfill its legal responsibilities. I requested the Affordable Housing Trust provide input on the consultant's scope of work and learned from the Chair of the Trust there was no consensus the review was necessary.

ATHLETIC FIELD: DPW COSTS OF MAINTENANCE

Attached please find an updated field maintenance spreadsheet including, as requested, the costs to DPW to maintain the artificial turf field. The estimated costs for DPW to maintain school and town athletic fields is \$224,438 and does not include field improvements and "field assets" such as irrigation systems, nets, etc. The costs to maintain and improve the tennis courts, stadium features such as bleachers, and other recreational facilities are not fully planned for and will be discussed as part of the recreational MOU process.

FY 18 BUDGET PROCESS

Attached is a draft FY 18 Budget Schedule and Process. There are changes from prior years to align the budget process with the requirements of the Town Code and the responsibilities of the Board of Selectmen, Personnel Board, Town Administrator and Finance Director. . The process includes 4 sections: 1) Financial Planning, 2) Capital Budget, 3) Personnel Changes and 4) Operating Budget. In future years, my goal would be to work with the Finance Committee to follow financial planning with one integrated budget process.

*Karen Sunnarborg Consulting
3 Parkside Drive
Jamaica Plain, MA 02130*

June 27, 2016

Mr. Sarkis Sarkisian, Director of Planning
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Dear Mr. Sarkisian:

I understand that you are very close to finalizing the draft Housing Production Plan (HPP), which will be so helpful in moving the Town of Wayland forward in its efforts to promote affordable housing. I am further in support of your interest in insuring that the HPP clearly articulates a framework for its implementation, not only identifying the entities that are responsible for overseeing various tasks but also the administrative capacity for coordinating the actual work. I would be happy to work with you and other housing stakeholders in determining how best to move forward in building this administrative capacity based on the following process:

- ***Task 1: Attend an Initial Meeting***
After reviewing the latest version of the HPP, I will meet with you as well as others that should be involved in an initial meeting to discuss the current structure for administering various housing activities and the range of future housing tasks that will arise during the implementation of the HPP. This meeting will also help us identify those whose perspectives on the issue should be included in our analysis.
- ***Task 2: Conduct Interviews***
I will then conduct interviews, some in person and some over the phone, with those identified under Task 1.
- ***Task 3: Prepare Report***
Given input from the initial meeting and interviews, as well as my knowledge of how other communities have staffed housing activities, I will prepare a report that will include:
 - Summary of existing structure.
 - Summary of organizational structures in other comparable communities.
 - Discussion of options, including the pro's and con's of various approaches.
 - Recommendation of the most effective and efficient approach.

Based on a fee of \$100 per hour, I expect that I will be able to conduct this work for a total fee of \$2,000 and a timeframe for completion by the end of July 2016. Let me know if this brief proposal is acceptable and when we can begin work.

Sincerely,

Karen Sunnarborg

DATE: JULY 6, 2016
TO: AFFORDABLE HOUSING TRUST
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: AFFORDABLE HOUSING: PLANNING, FUNDING, DEVELOPMENT / REGULATORY COMPLIANCE, PROGRAM ADMINISTRATION, MONITORING, REPORTING

On Wednesday July 13, I will discuss with the Selectmen contracting for a consultant review of the administration of affordable housing in Wayland.

Decision-making about affordable housing is complex. There are several public bodies involved in decision making about the Wayland affordable housing program. Town Meeting, the Board of Selectmen and the Affordable Housing Trust have legal responsibility for public decision-making about affordable housing. The Planning Board, Housing Partnership, Housing Authority, Rivers Edge Advisory Committee and other ad hoc groups are also involved. To make effective decisions about affordable housing, these public bodies need to know the decisions for which they are accountable and must be equipped with professional resources to make decisions.

Administration of affordable housing is also complex, and requires professional expertise to assist elected and appointed officials with decisions and administrative duties regarding planning, funding, development / regulatory compliance, program administration, monitoring, and reporting. Without knowledgeable consultant or staff resources, the Board of Selectmen can expect to inherit time consuming and costly public issues.

In my opinion, the town made a great decision to create an Affordable Housing Trust to share legal responsibility for affordable housing. My expectation is that this brief study will define the roles of the Board of Selectmen, the Affordable Housing Trust and make recommendations on the structuring of professional resources for effective, accountable decision-making and administration.

I would appreciate the advice of the Trust on questions that should be addressed in this study.

Thank you!

CC: Board of Selectmen

bboggia bboggia

From: Melissa Stein <melissabstein@gmail.com>
Sent: Thursday, June 23, 2016 6:31 PM
To: bboggia bboggia
Cc: Katherine Provost; Matt Stein
Subject: 202 Trout Brook Rd.

WAYLAND
HOUSING AUTHORITY
WAYLAND, MA.
2016 JUN 24 AM 9: 04

To Whom It May Concern,

Please consider this our intent to sell our home at 202 Trout Brook Rd. in Wayland, MA at the Residences at 89 Oxbow Condominiums.

We are ready to purchase a new home and would like to move at the end of August if possible.

Sincerely,

Melissa and Matt Stein

P.S. We got your message about having an assessor come, but from our understanding the selling price is set by the state and there is a certain protocol for figure out the selling price. It seems that having an independent assessor come would be a waste of time and money if he's assessment is not taken into consideration. Please advise, thank you!

Affordable Homeownership Opportunity

Condominium Homeownership

202 Trout Brook Road, Wayland, MA 01778



202 Trout Brook Road is the resale of an affordable housing unit constructed in 2009. The development consists of 16 affordable units on 13 acres, including 10 acres of open space in North Wayland on the Lincoln Line. Each unit has a deed restriction to ensure affordability. This is a 2 bedroom townhouse condominium unit consisting of approximately 1,060 square feet, with 1.5 bathrooms. Amenities include granite counter tops, hardwood floors, solar panels and energy saving construction, ceramic tile floors, washer/dryer hook-ups and storage.

The purchase price is \$179,989. The unit will be sold as first-come-first-served to an eligible first-time homebuyer (exemptions apply).

The maximum income restriction is 80% of Area Median Income: 1 Person \$51,150; 2 Persons: \$58,450; 3 Persons: \$64,750; 4 Persons: \$73,050. Other restrictions apply.

A Public Information Meeting will be held July 20, 2016 at 7:00 pm at the Wayland Public Library Raytheon Room, 5 Concord Road, Wayland, MA. Attendance is not mandatory.

Visit our web site www.wayland.ma.us for more information and an application.

Applications are also available at the Wayland Housing Authority Office, 106 Main Street, Wayland, MA. If you have questions, please contact Katherine Provost at Wayland Housing Authority, 508-655-6310, ext. 14, or kprovost@waylandhousing.com. **Applications must be submitted to the WHA office by August 1, 2016 or postmarked by August 1, 2016.**

Non-Discrimination: ~~The WHA does not discriminate in the selection of applicants on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance recipience, religion, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law, and such a statement must also be included in the application materials.~~

Reasonable Accommodation: Persons with disabilities are entitled to request a reasonable accommodation in rules, policies, practices, or services, or to request a reasonable modification in the housing, when such accommodations or modifications may be necessary to afford persons with disabilities an equal opportunity to use and enjoy the housing.

Estimated Costs for DPW to Maintain Athletic Fields

Based on 1 Year @ 34 Mowings etc

Rate of Pay average \$22.07

Plus fringe \$30.90

High School Varsity BB	Drag, Prep	30min x 150	75	\$2,317.50	
	Line/Chaulk	30min x 150	75	\$2,317.50	
	Installation	40hr	40	\$1,236.00	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5hr	5	\$154.50	
	Materials		1600	\$1,600.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		1000	\$1,000.00	
				\$11,576.70	\$11,576.70

High School J.V. BB	Drag, Prep	30min x 150	75	\$2,317.50	
	Line/Chaulk	30min x 150	75	\$2,317.50	
	Installation	40hr	40	\$1,236.00	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5hr	5	\$154.50	
	Materials		1600	\$1,600.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		1000	\$1,000.00	
				\$11,576.70	\$11,576.70

High School Softball	Drag, Prep	30min x 150	75	\$2,317.50	
	Line/Chaulk	30min x 150	75	\$2,317.50	
	Installation	30hr	30	\$927.00	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5hr	5	\$154.50	
	Materials		1600	\$1,600.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$10,767.70	\$10,767.70

High School Behind Tennis	Line	75hr	75	\$2,317.50	
Soccer/Field Hockey/Lacross	Installation	9hr	9	\$278.10	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5 x 3	15	\$463.50	
	Materials		2300	\$2,300.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$8,810.30	\$8,810.30

High School Bennett	Line	75hr	75	\$2,317.50	
Soccer/Field Hockey/Lacross	Installation	12hr	12	\$370.80	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5 x 3	15	\$463.50	
	Materials		2300	\$2,300.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		1000	\$1,000.00	
				\$9,403.00	\$9,403.00

High School Practice Football area	Line	50hr	50	\$1,545.00	
	Installation	9hr	9	\$278.10	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5 x 3	15	\$463.50	
	Materials		2300	\$2,300.00	
	Misc.		500	\$500.00	
				\$7,187.80	\$7,187.80

High School Artificial field	Surface sweep, Recondtion	24hr	24	\$741.60	
	Materials		500	\$500.00	
	Misc.		500	\$500.00	
				\$1,741.60	\$1,741.60

\$61,064.40 Total High School

Middle School Baseball	Drag, Prep	30min x 150	75	\$2,317.50	
	Line/Chaulk	30min x 150	75	\$2,317.50	
	Installation	40hr	40	\$1,236.00	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5hr	5	\$154.50	
	Materials		1600	\$1,600.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		1000	\$1,000.00	
				\$11,576.70	\$11,576.70

Middle School Softball	Drag, Prep	30min x 150	75	\$2,317.50	
	Line/Chaulk	30min x 150	75	\$2,317.50	
	Installation	30hr	30	\$927.00	
	Mowing	1hr x 68	68	\$2,101.20	
	Seed, Fert, Airate Etc	5hr	5	\$154.50	
	Materials		1600	\$1,600.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.			\$500.00	
				\$10,767.70	\$10,767.70

Middle School Soccer	Line	120hr	120	\$3,708.00	
11v11 8v8 Micros	Installation	32hr	32	\$998.80	
Field Hockey/Lacross	Mowing	2hr x 68	136	\$4,202.40	
	Seed, Fert, Airate Etc	20hr	20	\$618.00	
	Materials		2900	\$2,900.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.			\$1,000.00	
				\$14,277.20	\$14,277.20

\$36,621.60 Total Middle School

Claypit Hill School	Line	120hr	1200	\$37,080.00	
(7) Small Soccer fields	Installation	44hr	44	\$1,359.60	
(2) Baseball fields	Mowing	160hr	160	\$4,944.00	
	Seed, Fert, Airate Etc	36hr	36	\$1,112.40	
	Materials	7000	7000	\$7,000.00	
	Rubbish p/u	34 x 50	1700	\$1,700.00	
	Misc.		1000	\$1,000.00	
				\$54,196.00	\$54,196.00

Loker School	Line	25hr	25	\$772.50	
T ball and Soccer Box	Installation	48hr	48	\$1,483.20	
	Mowing	42hr	42	\$1,297.80	
	Seed, Fert, Airate Etc	8hr	8	\$247.20	
	Materials	1200	1200	\$1,200.00	
	Misc.		500	\$500.00	
				\$5,500.70	\$5,500.70

Cochituate Fields	Line	660hr	660	\$20,394.00	
(2) Softball fields	Installation	56hr	56	\$1,730.40	
practic football	Mowing	104hr	104	\$3,213.60	
	Seed, Fert, Airate Etc	15hr	15	\$463.50	
	Materials	3600	3600	\$3,600.00	
	Rubbish p/u	34 x 50	1700	\$1,700.00	
	Misc.		1000	\$1,000.00	
				\$32,101.50	\$32,101.50

Alpine Field	Line	75hr	75	\$2,317.50	
11 v 11 8 v 8 Soccer	Installation	16hr	16	\$353.12	
	Mowing	80hr	80	\$1,765.60	
	Seed, Fert, Airate Etc	12hr	12	\$264.84	
	Materials	2800	2800	\$2,800.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$8,851.06	\$8,188.81

Town Hall Field	Line	75hr	75	\$2,317.50	
11 v 11 8 v 8 Soccer	Installation	16hr	16	\$494.40	
	Mowing	100hr	100	\$3,090.00	
	Seed, Fert, Airate Etc	12hr	12	\$264.84	
	Materials	2800	2800	\$2,800.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$10,316.74	\$10,316.74

Art King Field	Line	60hr	60	\$1,854.00	
Baseball field	Installation	48hr	48	\$1,483.20	
	Mowing	120hr	120	\$3,708.00	
	Seed, Fert, Airate Etc	8hr	8	\$247.20	
	Materials		1200	\$1,200.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$9,842.40	\$9,842.40

Riverview	Line	60hr	60	\$1,854.00	
Baseball field	Installation	48hr	48	\$1,483.20	
	Mowing	80hr	80	\$2,472.00	
	Seed, Fert, Airate Etc	8hr	8	\$247.20	
	Materials		1200	\$1,200.00	
	Rubbish p/u	34 x 25	850	\$850.00	
	Misc.		500	\$500.00	
				\$8,606.40	\$8,606.40

\$128,752.55 Elementary & Other

\$128,752.55 Elementary & Other

\$61,064.40 Total High School

\$36,621.60 Total Middle School

\$226,438.55 ESTIMATED DPW FIELD MAINTENANCE COSTS

- Line Represents time accounted for Lining of Paint and or Chalk on Given fields
- Installation Represents time accounted for Initial installation of given fields
- Mowing Time accounted mowing based on 34 weeks, some mowed twice a week
- Seed, Fertilize, Airate Time accounted for 2 Seeding's, 3 Fertilizing's, 3 Airatings
- Materials Seed, Fertilizer, Paint, Chalk
- Rubbish Based on Labor and Material of DPW Picking up rubbish and recycling once a week for 34 weeks
- Misc. Price based on unforeseen maintenance, or repairs ie: turf repairs, irrigation repairs etc

DRAFT FY 18 BUDGET SCHEDULE AND PROCESS

7/11/16

I ESTABLISH FINANCIAL PLAN, PROCESS AND SCHEDULE					
	RESPONSIBLE PARTY	RESPONSIBILITY	SUBMIT TO	MILESTONE / MEETING DATE	NOTES
1	FINANCE DIRECTOR	PREPARE AND SUBMIT BUDGET SCHEDULE TO DEPARTMENTS AND CHAIRS	BOARD OF SELECTMEN / FINANCE COMMITTEE AND THEN TO ALL DEPARTMENTS	JULY 25	Finance Director is required to create schedule annually by job description. Meetings with Department Heads will occur in early August.
2.	FINANCE COMMITTEE	MAKE RECOMMENDATIONS ON THE CONTENT OF FINANCIAL PLANNING DATA, BUDGET PROCESS AND FORMS	FINANCE DIRECTOR	JULY 18	FY 18 new revenue projection, budget expectations of schools, debt forecasting /policy, free cash policy, enterprise funds, revolving funds, OPEB, cost containment, level of operating budget detail, benchmarking, display of fully loaded budgets / distribution of unclassified expenses to departments, display of personnel data, management of Finance Department, FC collective bargaining role
3.	FINANCE DIRECTOR	PREPARE AND PRESENT FINANCIAL PROJECTIONS (FIVE YEAR PLAN) AND RECOMMEND DRAFT BUDGET GUIDELINES	BOARD OF SELECTMEN / FINANCE COMMITTEE	AUGUST 15 (BOS)	Finance Director works with Town Administrator, Assistant Town Administrator, Treasurer and Assessor to create basis for FY 18 budget guidelines and long term financial strategy based on Finance Committee direction.
4.	FINANCE COMMITTEE	ADOPT FINAL BUDGET GUIDELINES	ALL DEPARTMENTS AND GOVERNING BODY CHAIRS	TBD (FC MEETING)	
6.	FINANCE DIRECTOR	PROVIDE ORIENTATION ON DUTIES TO NEW FINANCE COMMITTEE MEMBERS	FINANCE COMMITTEE	LATE AUGUST / EARLY SEPTEMBER	
II ADOPT CAPITAL PLAN					
1	FINANCE DIRECTOR	PROVIDE BUDGET SCHEDULE AND PROCESS TO DEPARTMENT HEADS	DEPARTMENTS	8/3/16	Include member of Finance Committee at meeting
2	DEPARTMENT HEADS	PREPARE AND SUBMIT 5-YEAR CAPITAL PLANS	FINANCE DIRECTOR	Friday 9/16/16, Noon	Vote of governing body required
3	TOWN ADMINISTRATOR	REVIEW 5 YEAR CAPITAL PLANS	DEPARTMENT HEADS	Weeks of 9/19 and 9/26	Review for consistency with adopted guidelines. Finance committee liaison will attend if possible.
5	TOWN ADMINISTRATOR	MAKE RECOMMENDATIONS ON <u>ALL</u> CAPITAL PLANS	BOARD OF SELECTMEN	9/26/16 10/5/16	Town Administrator is required to make recommendations to Board of Selectmen on all capital and operating budgets.
6	BOARD OF SELECTMEN	VOTE ON CAPITAL PROJECTS UNDER SELECTMEN	FINANCE COMMITTEE	10/5/16	Selectmen jurisdiction is limited
7	FINANCE COMMITTEE	MAKE RECOMMENDATIONS ON ALL CAPITAL PLANS	BOARD OF SELECTMEN GOVERNING BODIES	10/3, 10/17, 11/7, 11/21	Tentative Review Schedule: 10/3: DPW/Water, 10/17: Schools, 10/17: Facilities, 11/7: IT; 11/21: Fire, 11/21: Police / Dispatch

DRAFT FY 18 BUDGET SCHEDULE AND PROCESS
7/11/16

8.	FINANCE COMMITTEE	ADOPT FIVE YEAR CAPITAL PLAN	TOWN MEETING		Required by Town Code
III NEW PERSONNEL REQUESTS					
1.	DEPARTMENT HEADS TOWN ADMINISTRATOR	SUBMIT DEPARTMENT REQUESTS FOR NEW OR CHANGED PERSONNEL	TOWN ADMINISTRATOR & DEPT. GOVERNING BODY	9/7	Assistant Town Administrator provides written submission requirements to Department Heads. Town Administrator is required to make recommendations to Selectmen on all expenses
2.	BOARD OF SELECTMEN OR GOVERNING BOARD	VOTE RECOMMENDATION FOR NEW OR CHANGED PERSONNEL TO PERSONNEL BOARD	PERSONNEL BOARD	By 9/16	Selectmen vote only on requests for departments under their jurisdiction
3.	ASST. TOWN ADMINISTRATOR	REVIEW OF PERSONNEL REQUESTS	PERSONNEL BOARD	Week of 9/19	Meeting schedule will be prepared late August.
5.	PERSONNEL BOARD	MAKE WRITTEN RECOMMENDATION ON JUSTIFICATION FOR NEW AND CHANGED PERSONNEL REQUESTS	FINANCE COMMITTEE	By 10/14	Recommendation of Personnel Board is Advisory to Finance Committee
6.	PERSONNEL BOARD	CLASSIFY AND PAY SET RATES FOR ALL NEW AND CHANGED TOWN PERSONNEL APPROVED IN OMNIBUS BUDGET BY FINANCE COMMITTEE	FINANCE COMMITTEE	PRIOR TO OPERATING BUDGET ADOPTION	Chief responsibility of Personnel Board under Town Code is to classify positions and recommend rates of pay to Finance Committee
IV. DRAFT OPERATING BUDGET					
1.	GOVERNING BOARDS	APPROVE AND SUBMIT DRAFT DEPARTMENTAL OPERATING BUDGETS	FINANCE DIRECTOR	By 10/15	Departmental budgets must be voted by governing bodies.
3.	TOWN ADMINISTRATOR	REVIEW DRAFT DEPARTMENT OPERATING BUDGETS	BOARD OF SELECTMEN	MID TO END OF OCTOBER	Finance Committee liaison will attend if possible.
4.	TOWN ADMINISTRATOR	MAKE RECOMMENDATION ON <u>ALL</u> NON – SCHOOL DRAFT OPERATING BUDGETS	BOARD OF SELECTMEN	11/7	Code requires one month prior to December 15
5.	BOARD OF SELECTMEN	VOTE OPERATING BUDGETS UNDER BOARD OF SELECTMEN JURISDICTION	FINANCE COMMITTEE	BY 12/15	
6.	SCHOOL SUPERINTENDENT	SUBMIT SUPERINTENDENT'S SCHOOL BUDGET	SCHOOL COMMITTEE / FINANCE COMMITTEE	BY 12/15	
7.	FINANCE DIRECTOR	SUBMIT DRAFT OPERATING BUDGET TO FINANCE COMMITTEE	FINANCE COMMITTEE	12/20	
8.	FINANCE DIRECTOR	ADOPT PRELIMINARY OMNIBUS BUDGET	FINANCE COMMITTEE	By 1/31/17	Includes final town and school budget adjustments
9.	FINANCE COMMITTEE	ADOPT DRAFT FY 18 OMNIBUS OPERATING AND CAPITAL BUDGET	TOWN MEETING	LATE FEBRUARY - TBD	Includes adjustments for health insurance and debt.



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
Wednesday, July 13, 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 Town Counsel Mark J. Lanza for Services through June 30, 2016: \$12,627.56
3. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through June 27, 2016, Invoice 178, Account 5673-01M: \$1,614.30
4. Vote the Question of Approving the Application to Sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post Road, for Coastal Vineyards, David Neilson, Manager, on Saturdays, July 13, 2016, August 24, 2016, September 7, 2016, October 5, 2016, and October 12, 2016, from 12:00 p.m. to 5:00 p.m.
5. Vote the Question of Advising the Minuteman Regional School Committee that the September 20, 2016 Special Election will be Located in Wayland at 41 Cochituate Road Pursuant to Massachusetts General Laws Chapter 71:16
6. Vote the Question of Approving the Warrant for the September 8, 2016 Primary State Election
7. Vote the Question of Approving the Appointment of Election Officers Recommended by the Board of Registrars from September 1, 2016, to August 31, 2017, in Accordance with Massachusetts General Laws Chapter 54, Section 12
8. Vote the Question of Approving the Reappointment of the Reverend Ted Crass to the Youth Advisory Committee as the Representative of the Clergy for a Two-Year Term that Expires June 30, 2018
9. Vote the Question of Approving the Appointment of Attorney Jeffrey L. Ontell as Special Counsel Regarding Restriction on Use of 5 Concord Road

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

INVOICE - TOWN OF WAYLAND - 6/30/2016

SUMMARY

FEE CALCULATION: 74.4 HOURS X \$160.00 PER HOUR =	\$11,904.00
DISBURSEMENTS (See below for detail)	723.56
TOTAL 6/30/16 INVOICE.....	<u>\$12,627.56</u>
AMOUNT PAYABLE FROM GENERAL FUND LEGAL BUDGET.....	<u>\$12,627.56</u>
AMOUNT PAYABLE FROM GENERAL FUND ECONOMIC DEVELOPMENT COMM. PROFESSIONAL SERVICES ACC'T	<u>0.00</u>

DISBURSEMENTS

6/2016	Postage	14.70
6/2016	FAXing (978) 369-9916 & (978) 261-5034	0.00
6/2016	Copying	15.80
6/2/16	Mileage: 48 @ \$.50 =	24.00
6/7/16	ATB Case Filing Fee - Verizon Case	551.06
6/27/16	Mileage: 44 @ \$.50 =	22.00
6/27/16	Parking	32.00
6/27/16	Tolls	5.00
6/28/16	Mileage: 44 @ \$.50 =	22.00
6/28/16	Parking	32.00
6/28/16	Tolls	5.00
Total Disbursements		<u>\$723.56</u>

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

RECEIVED

JUN 30 2016

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

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

Page 1
06/27/2016
Account No. 5673-01M
Invoice No. 178

Attn: Town Administrator

Labor

BALANCE DUE

\$1,614.30

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

June 30, 2016

Coastal Vineyards
David Neilson
61 Pardon Hill Rd.
South Dartmouth, MA 02748

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

Dear Mr. Neilson:

Please be advised that your application for certification of the Wayland Summer Farmers' Market, on Wednesdays from June 29th 2016 to October 12th 2016, from 12:00 pm to 5:00 pm as an agricultural event pursuant to M.G.L. c. 138, Section 15F has been approved.

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

Sincerely,

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

John Lebeaux, Commissioner

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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



Application for Certification of an Agricultural Event for the Sale of Wine
Pursuant to M.G.L. c. 138, Section 15F
*To be completed by the licensed farm-winery and returned to:
By Mail: Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114
By Email: Rebecca.Davidson@State.ma.us with the subject line "Agricultural Event Certification"
(A separate application must be completed for each event)

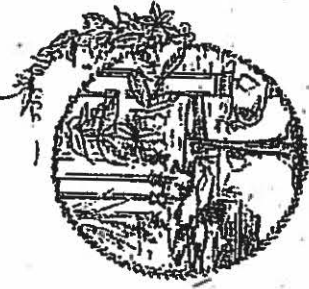
In order for your application to be considered complete, you must include the following documents. Incomplete applications will not be accepted.

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

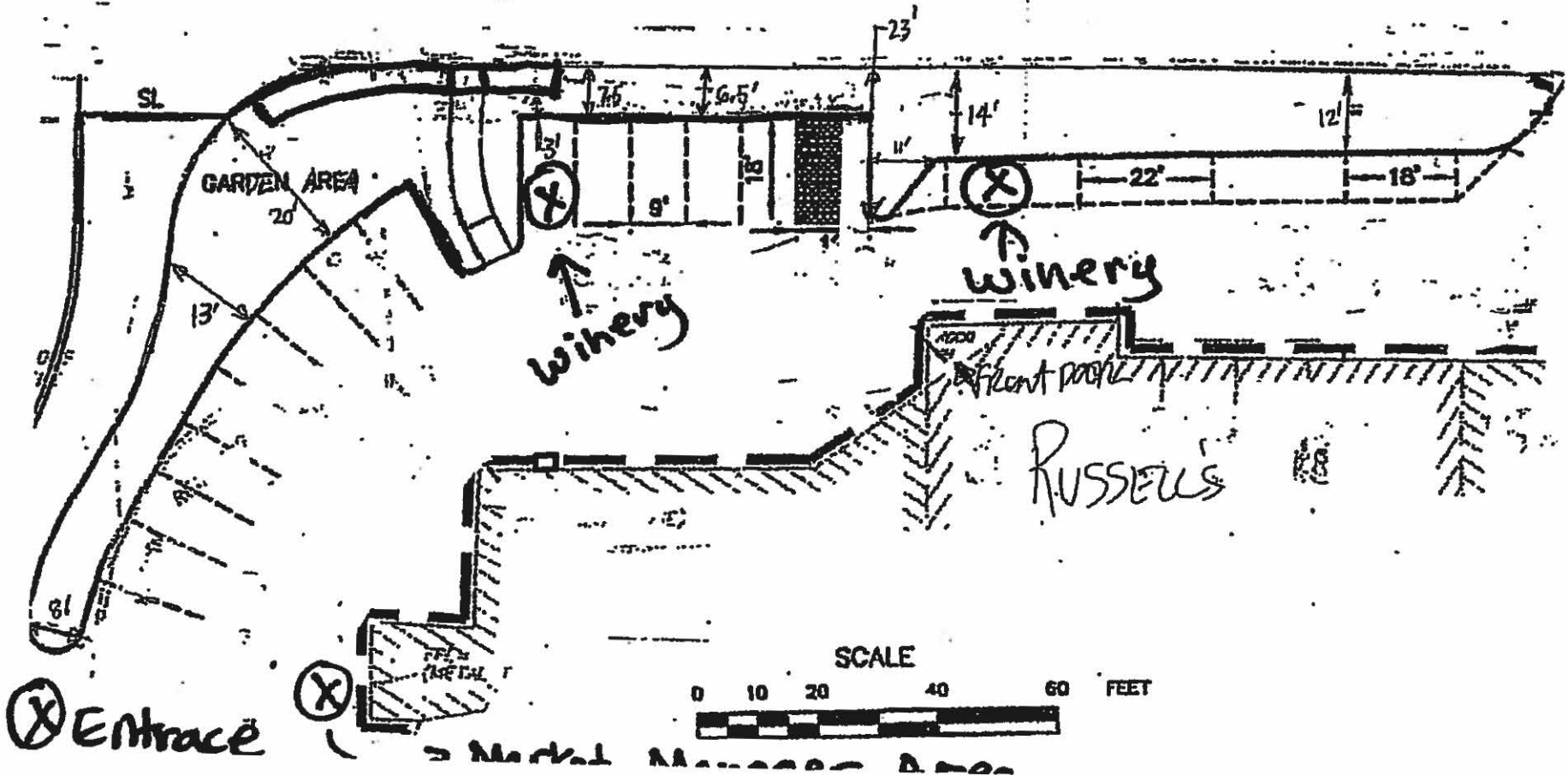
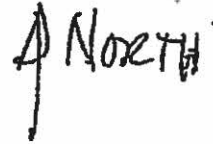
1. Applicant Information					
Name of Licensed Farm-Winery	COASTAL VINOYARDS				
Farm-Winery License Number	FW-63	State of Issue	MA		
Contact Person	DAVID W. NELSON				
Address	1st PARSON HILL RD				
City	SOUTH DARTMOUTH	State	MA	Zip	02748
Phone Number	508-642-3866	Email	INFO@COASTAL-VINOYARDS.COM		
Correspondence preference	<input checked="" type="checkbox"/> Regular Mail	<input checked="" type="checkbox"/> Email			
Note: Approval/denial letters will be sent regular mail.					
Do you intend to sell, sample, or both? Check all that apply.					
<input checked="" type="checkbox"/> Sell		<input checked="" type="checkbox"/> Sample			

2. Event Information					
Name of Agricultural Event	Wayland Summer Farmers' Market				
Type of Event	<input type="checkbox"/> Agricultural Fair (as defined by MDAR policy)	<input checked="" type="checkbox"/> Farmers Market (as defined by MDAR policy)	<input type="checkbox"/> Other Agricultural Event		
If you selected "Other Agricultural Event", how does this event promote local agriculture?					
Event Address	397 Boston Post Road				
City	Wayland	State	MA	Zip	01778
Event Phone Number	508-358-2283 ext.336	Event Website	www.uscollaborationcenter.com/summerfarmersmarket.html		

397 BOSTON POST ROAD • ROUTE 20
WAYLAND, MASSACHUSETTS, 01778
508-358-2283 • FAX 508-358-2473
WWW.RUSSELLSGARDENCENTER.COM



EST. 1876
Russell's
GARDEN CENTER



Wayland Summer Farmers' Market
Peg Mallett
397 Boston Post Road
Wayland, MA 01778

May 19, 2016

Dear Coastal Vineyards,

Coastal Vineyards has been accepted as a vendor for the 2016 Wayland Summer Farmers' Market season, pending all necessary special licenses and/or permits. The Market takes place on Wednesdays (12 to 5 PM) from June 29 through October 12 at Russell's Garden Center in Wayland.

Sincerely,

Peg Mallett, Market Manager

Phone: 508-358-2283 ext.336

Email: mallettpeg@gmail.com



TOWN OF WAYLAND

MASSACHUSETTS

01778

TOWN CLERK
BETH KLEIN
bklein@wayland.ma.us

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

TOWN BUILDING
41 COCHITUATE ROAD

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

DATE: JULY 13, 2016
TO: BOARD OF SELECTMEN
FROM: BETH KLEIN, WAYLAND TOWN CLERK
RE: MINUTEMAN SPECIAL ELECTION

REQUESTED ACTION:

VOTE TO ADVISE THE MINUTEMAN REGIONAL SCHOOL COMMITTEE THAT THE SEPTEMBER 20, 2016 SPECIAL ELECTION WILL BE LOCATED IN WAYLAND AT 41 COCHITUATE ROAD PURSUANT TO MGL CHAPTER 71:16.

Background:

Please see below for the requirement:

MGL Chapter 71:16

*(n) To incur debt for the purposes and terms specified in clause (d); provided that the vote of the district committee authorizing such debt is approved by a majority of the registered voters in the member towns voting on the question at an election called and held pursuant to the following provisions. The election shall be called by a warrant addressed to the registered voters in the member towns and signed by a majority of the members of the district committee which shall set forth the date of the election, the polling place or places in each town, the hours during which the polls are to be open and the question which is to appear upon the ballot. Notice of the election shall be given by posting a copy of the warrant attested by the secretary of the committee in at least one public place in each town and by publishing a copy thereof at least once in a newspaper of general circulation in the district, said posting and publishing to occur at least ten days before said election. A certificate of the secretary shall be conclusive evidence that the warrant was duly posted and published. **The number and location of the polling place, or places, in each town shall be determined by the district committee after consultation with the selectmen thereof;** and the hours during which all the polls in the district are open shall be uniform throughout the district and shall be not less than four nor more than eight consecutive hours. The district committee*

shall be responsible for preparing the ballots used at the election. The town clerk of each town shall certify the results of the election to the district committee.

Except as provided herein the election shall be conducted in each town in the same manner as town meetings for the election of town officers. The expenses of the election shall be paid by the regional school district as an operating expense of the district; and if provision for their payment is not included in the budget for the year in which they are incurred, the district committee may use any available funds of the district or may transfer the sums required from appropriations included in the budget. The defeat of a proposal for incurring debt shall not prevent the resubmission of the same proposal as a new authorization.

Memo from the Office of the Town Clerk

Date: July 6, 2016

TO: Nan Balmer
FROM: Beth R. Klein

RE: State Primary Warrant

Nan,

Please have the Board of Selectman vote to sign 5 copies of the Warrant for the September 8th, 2016 Primary State Election at their next meeting. I have also included the list of Election workers which they are required to reappoint by August 15th.

If you have any questions please feel free to contact me.

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2016 STATE PRIMARY

MIDDLESEX SS.

To the Constables of the Town of Wayland

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

Prec.1, Prec. 2, Prec.3, Prec.4
(Precinct numbers)

WAYLAND MIDDLE SCHOOL AND WAYLAND TOWN BUILDING
(Polling locations)

On **THURSDAY, THE EIGHTH DAY OF SEPTEMBER, 2016**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
SHERIFF

FIFTH DISTRICT
SECOND DISTRICT
NORFOLK, BRISTOL AND MIDDLESEX DISTRICT
13TH MIDDLESEX DISTRICT (Prec. 1, 2 &3)
14TH NORFOLK DISTRICT (Prec. 4)
MIDDLESEX COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 25th day of July, 2016.
(Month)

Selectmen of Wayland

(Service of warrant by Constable)

_____, 2016.
Constable (month and day)

Warrant must be posted by **September 1, 2016** (at least *seven days prior* to the **September 8, 2016** State Primary).



TOWN OF WAYLAND

MASSACHUSETTS
01778

TOWN CLERK

Beth R. Klein

bklein@wayland.ma.us

ASSISTANT TOWN CLERK

Diane M. Gorham

dgorham@wayland.ma.us

TOWN BUILDING
41 COCHITUATE ROAD

TEL: 508-358-3630

508-358-3631

FAX: 508-358-1683

www.wayland.ma.us

To: Board of Selectmen
From: Beth R. Klein, Town Clerk
Date: July 6, 2016
Re: Appointment of Election Officers

In accordance with MGL c.54, s. 12, Election Officers are appointed annually by the Board of Selectmen not earlier than July 15th or later than August 15th for a period of one (1) year starting September 1st.

Attached you will find a list of Election Officers recommended by the Board of Registrars to be appointed by the Board of Selectmen from September 1, 2016 to August 31, 2017.

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

Cherry C. Karlson, Chairman

Joseph F. Nolan

Mary M. Antes

Lea Anderson

Louis M. Jurist

Election Officials

APPOINTED ELECTION OFFICIALS REV. 7/1/1						
D ELECTION OFFICIALS F	ADDRESS	PHONE	POSITION	VEN#	PREC.	PARTY
Abel, Susie	35 Sedgmeadow Rd	358-4996	Inspector	8104	1	U
Armstrong, Christine	3 Morse Rd.	380-4125	night teller	15469	4	U
Baston, Margery	11 Cochituate Rd	358-7155	Inspector	4459	1	U
Bryant, Pamela	86 West Plain St	651-8874	Warden	6914	2	D
Burke, Markey	18 Squirrel Hill Rd	358-7607	Inspector	10011	4	U
Brown, Louise	30 Campbell Rd	358-4220	Inspector	1042	1	U
Cavanaugh, Lynne	136 Plain Rd.,	358-7556	Inspector	15544	4	U
Cornell, Peter	20 Red Barn Rd.	358-4155	Inspector	14041	1	U
Chase, Andrea	203 Stonebridge Rd	788-1081	Night Teller	11759	1	U
Coy, Sandra	14 Hawthorne Rd	653-6014	Inspector	5639	2	D
DePasquale, Lillian	8 Willow Ln.	395-2942	Night Teller		2	U
Delorey, Jayne	52 Pemberton Rd	TM ONLY	check-in	13142	2	D
Deveaux, Esther	41 Peck Ave	653-6952	Inspector	8107	3	U
Dunn, Jan	51 Knollwood Ln	655-9149	Inspector	6637	2	U
Ferguson, Joan	14 Hill St	655-2788	Inspector	9718	3	D
Finch, Katherine	8 Hearthstone Circle	655-8150	Inspector	5199-2	3	D
Foster, Susan P	23 Old Connecticut Path	774-270-0443	Inspector	10552	4	U
Franklin, Carol	200 Willow brook Dr	651-2683	Inspector	8003	3	U
Gagnebin, Betsy	31 High Rock Rd	358-2432	Inspector	3790	3	R
Gardner-Westcott, Katherin	5 Richard Rd.,	655-6324	Inspector	15545	2	U
Gennis, Aida	22 Wayland Hills Rd	650-3869	Inspector	7954	3	U
Glick, Terry	4 Caulfield Rd	655-2633	Ballot Box	10013	3	U
Green, Susan	3 Priscilla Path	655-9904	Night Teller	4820	2	D
Gentilotti, Marilyn	25 Castlegate Rd	948-9333	Inspector	15467	2	U
Henry, Shelley	12 Winthrop Terrace	358-7143	Inspector	2768	4	R
Hill, Cynthia C	54 Orchard Ln	358-1636	Inspector	10016	1	R
Ide, Judith	135 Old Connecticut Path	358-2981	Town Meeting	3831	TM	R
Jahnke, Nan	36 Pequot Rd	358-0297	Inspector	14510	2	D
Jenney, Kathleen (Kate)	10 Glen Rd	358-7829	Inspector	8035	4	D
Kennedy, Regina	84 Old Sudbury Rd	358-7684	Inspector	4771	1	U
Koffman, Susan	66 Shermans Bridge Rd	358-4751	Inspector	5832	1	D
Kwarta, Joanne	11 Edgewood Rd	596-6423	Ballot Box	7671	2	D
Lang, Kathleen	38 East Plain St	653-1028	Inspector	8635-2	3	U

Election Officials

Lee, Dorothy	5 Wallace Rd	653-5369	Inspector	4475	2	R
Leone, Madeline	1064 Grove St., Framingha	358-1028	Inspector	4168		U
Lewis, Anette	33 Claypit Hill Rd	358-4973	Inspector	4474	4	U
Ludwig, Anna	28 Aquaduct Rd	650-4078	Night Teller	15486	3	D
MacDonald, Catherine Mar	9 Melville Place	655-4710	Inspector	2465-1	3	U
Maxted, Deirdre	228 Lakeshore Drive	653-8710	Inspector	8109	2	U
McCabe, Antonia	3 Coolidge Rd	358-7062	Ballot Box	6917	4	R
Melnicove, Margo	245 Lakeshore Rd.	651-1309	Inspector	12167	2	D
Miller, Michael	6 Cross St.		Inspector	7301	2	R
Morss, Mary	53 Moore Rd	358-2779	Inspector	4480	1	D
Nawawi, Anne M	7 Lakeview Rd	655-5629	Inspector	10015	2	D
Newburg, Marlene	112 Willow Brook	655-1919	Inspector	15468	3	D
Nolin, Janet	21 Brooks Rd.	651-0634	Night Teller	14362	3	U
Norwood, Margaret	58 Three Ponds Rd	358-7524	Inspector	4481	4	U
Patterson, Elizabeth (Becky)	116 West Plain St	653-1202	Ballot Box	4483	2	U
Patterson, Kay	12 Claypit Hill Rd	358-4259	Inspector	6284	4	U
Patton, Margaret	43 Plain Rd	358-7209	Inspector		4	U
Pope, Susan	28 Moore Rd	358-2462	Inspector	5794	1	R
Ramesh, Vijaya	17 Dean Rd	647-4017	Night Teller	8641	3	U
Riley, Jennifer	133 Peham Is. Rd	774-893-3090	Inspector	9196	1	U
Schofield, Patricia	13 Oak St	653-2634	Inspector	5795	3	U
Schuler, Gretchen	126 Old Connecticut Path	358-7980	Warden	4072	4	R
Scola, Marilyn J	7 Carpenter Rd	653-7074	Inspector	5640	3	U
Segal, Linda	9 Aqueduct Rd	655-0724	Inspector	4493	3	D
Sims, Patricia	47 Rice Spring Lane	358-1611	Inspector	10014	2	D
Steele, Eileen	221 Lakeshore Dr	655-4403	Inspector	10010	2	U
St. Croix, Judy	36 Andrew Ave, APT. 205		Inspector	14510	1	U
Stimpson, Suzanne	72 Maiden Lane	655-6632	Inspector	14746	2	D
Stubeda, Deborah	17 White Rd	358-5581	Inspector	9158	4	U
Toombs Lois	12 Main St. #11, Maynard		Inspector			
Toombs, Peter	12 Main St. #11, Maynard	617-281-2290	Ballot Box	13767		U
Torres, Julia	33 Highgate rd.	508-276-3190	Floater	8100	1	U
T=Received Training						
New election workers						

Congregation Or Atid

June 22, 2016

To: Mary Ann DiNapoli, Wayland Board of Selectmen

It is my honor to nominate the Rev. Ted Crass to serve for a second term as the representative of the Wayland Clergy Association to the Wayland Youth Advisory Committee. We feel that he has been an excellent representative of our organization and of our concerns, and we are happy to have Rev. Crass serve in this capacity for another two years.

Sincerely,



Rabbi S. Finestone
Congregation Or Atid
97 Concord Rd.
Wayland, MA 01778

Chair
Wayland Clergy Association

Copy to Town Clerk

DATE: JULY 13, 2016

TO: BOARD OF SELECTMEN

FROM: NAN BALMER, TOWN ADMINISTRATOR

RE: APPOINTMENT OF SPECIAL COUNSEL: DEED RESEARCH – 5 CONCORD ROAD

REQUESTED ACTION:

VOTE TO APPOINT ATTORNEY JEFFREY ONTELL, TO SERVE AS SPECIAL COUNSEL FOR DEED RESEARCH ON 5 CONCORD ROAD AT A COST NOT TO EXCEED \$5,000.

BACKGROUND:

The Board of Selectmen approved the request of the Library Trustees to appoint Special Counsel to advise the Library Trustees and Selectmen on restrictions to the use of 5 Concord Road, the current library site.

Attached are Town Counsel's recommendation of Special Counsel and a letter of engagement from Attorney Jeffrey Ontell.

Balmer, Nan

Subject: FW: Wayland Library

From: Mark J. Lanza
Sent: Friday, July 08, 2016 11:33 AM
To: Balmer, Nan
Subject: RE: Wayland Library

Nan –

I am recommending Mr. Ontell based on his extensive experience as a real estate title attorney. For example, he recently certified title as to the Mainstone Farm for the SVT relative to the SVT's future title as co-holder of the CR.

The scope of work in the engagement letter is correct and definite. He will need to review the documents in the Roby Probate file as part of his research.

I estimate that the work will involve about 20 hours. I suggest that the appointment limit the fee and expenses to \$5,000.00, not be exceeded without authorization.

Thanks,

Mark

MARSH, MORIARTY, ONTELL & GOLDER, P.C.

ATTORNEYS AT LAW
18 TREMONT STREET, SUITE 900
BOSTON, MASSACHUSETTS 02108
(617) 778-5100
TELECOPIER (617) 720-2565

MICHAEL H. MARSH
ROBERT J. MORIARTY, JR.
JEFFREY L. ONTELL
RICHARD M. GOLDER

EDWARD A. ACTON
JOSEPH D. CONWAY †
LAURA L. FITZGERALD
LAURA J. NEWCOMB
MICHAEL D. BUONICONTI
KATHERINE E. MCGARR

June 30, 2016

OF COUNSEL
JOSEPH T. RUBINSTEIN
† ALSO ADMITTED IN NEW HAMPSHIRE

Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Attention: Nan Balmer, Town Administrator

Dear Ms. Balmer,

You have retained this firm to provide a legal opinion as to whether or not the land now owned by the Town of Wayland and used as a public library is subject to a deed restriction which requires the land be used as a library in perpetuity. The research required to provide such opinion includes researching Massachusetts and Federal case law, Massachusetts statutory law and records at the Middlesex South Registry of Deeds and such other research as deemed appropriate.

I will have primary responsibility for this matter. I expect to work with Laura Fitzgerald, Esq., title examiners and legal assistants in the office where such assignments will benefit you. The principal factor in charging for services rendered is our schedule of hourly rates in effect at the time services are rendered. Our hourly rates for attorneys and other staff members are based on their experience, ability and level of professional accomplishment, as well as the fees customarily charged in the Boston area for similar services. My rate is normally \$350.00 per hour, I will provide a discounted rate of \$275.00 per hour. Laura Fitzgerald's rate is normally \$250.00 per hour, I will provide a discounted rate of \$210.00 per hour. Our rates for legal assistants and law clerks range from \$80.00 to \$90.00 dollars per hour. Our rates for title examiners range from \$70.00 to \$80.00 dollars per hour. Events for which we charge on an hourly basis include but are not limited to office conferences, telephone conferences, review of file materials or documents sent and received, legal and title research, drafting of pleadings, correspondence, memoranda, court appearances, travel time, and preparation for hearings and conferences. All events, including telephone calls and e-mails, will be billed at a minimum of one-tenth (1/10) of an hour. We review the schedule of hourly rates periodically and adjust it as appropriate. In setting fees, we also may consider the uniqueness of the services rendered, the time limitations imposed by the client or the circumstances, and whether the work precludes other engagements that we otherwise would have expected.

Although we reserve the right to suggest that a premium is appropriate for a particular engagement, we do not charge more than straight-time hourly rates without your consent and approval. I would estimate that the cost for our services as not less than five thousand (\$5,000.00) dollars. Additional work and unanticipated circumstances may result in charges exceeding this

MARSH, MORIARTY, ONTELL & GOLDER, P.C.
Town of Wayland
June 30, 2016

estimate. If it becomes apparent that an estimate was too low due to complications not known to us at the time of the estimate, we will advise you of this as soon as possible.

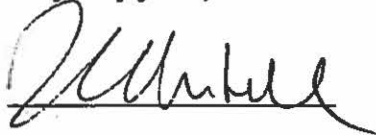
In the course of our representation, we will also incur costs and pay out-of-pocket expenses on your behalf. You will be expected to reimburse us for these items. These costs and expense may include photocopying, delivery services, computerized legal research, staff overtime, court and registry fees and other incidental items. Costs and expenses will be separately itemized on our statements as disbursements. At this time, we will not require a retainer in this matter.

Our statements are itemized and detailed. We expect payment promptly and in any event within thirty (30) days from the date of the statement. If a statement is outstanding for more than forty-five (45) days, we reserve the right to suspend further services unless satisfactory arrangements are made for payment. You have the right to terminate our engagement at any time. We have the same right, subject to our obligation to take reasonable steps to protect your interests. This may include giving you advance notice that we are terminating the relationship so that you may obtain alternative representation. In the event of termination, we will deliver your files and records to your new attorneys (or as you otherwise direct) upon satisfaction of all financial obligations to the firm.

These general terms of engagement may be modified or supplemented by mutual agreement. Except to the extent so agreed, these terms apply to all engagements accepted by this firm. Please sign and return one copy of this letter for our records.

Thank you for letting us assist you in this matter.

Very truly yours,



Assented to:

Name:
Title:



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 JUNE 24, 2016,
THROUGH AND INCLUDING JULY 11, 2016,
OTHERWISE NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR JULY 13, 2016**

Items Distributed To the Board of Selectmen – June 24-July 11, 2016

1. Email of 6/28/16 from Minuteman Regional School to Board of Selectmen re: FYI Minuteman Vote re Massachusetts General Laws Chapter 71, Section 16 (n), a District Wide Ballot Election

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 27, 2016

1. Email of 6/27/16 from Gil Wolin to Board of Selectmen re: Résumé for Interview for Finance Committee Position

Items Included as Part of Agenda Packet for Discussion During the July 13, 2016 Board of Selectmen's Meeting

1. Memorandum of 7/11/16 to Board of Selectmen re: Appointments to Positions on Conservation Commission, Finance Committee, Surface Water Quality Committee, and Planning Board, with Letters of Interest
2. Memorandum of 7/8/16 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Rail Trail Update
3. Memorandum of 7/8/16 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Zoning Articles for the Fall 2016 Special Town Meeting
4. Memorandum of 7/8/16 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Brookside 113, 115, 117, 119 Boston Post Road MassHousing Comprehensive Permit Site Approval Application
5. Draft Minutes of June 27, 2016
6. Report of the Town Administrator for the Week Ending July 8, 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
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LOUIS M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

BOARD OF SELECTMEN
Wednesday, July 13, 2016
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Lawn Irrigation System, and Response from DPW
2. Public Comment, 40B Development at 225 Old Connecticut Path, and Response from Building Commissioner
3. Public Comment, Heard Pond Drainage; Letter of 7/7/16 from Town Counsel Mark Lanza to Conservation Commission re: Heard Road, and Letter of 3/31/16 from Eggleston Environmental to Conservation Commission re: Heard Road Drainage
4. Letter of 6/21/16 from WestMetro HOME Consortium, to Board of Selectmen, re: Notice of Renewal of Membership in the WestMetro HOME Consortium
5. Letter of 6/22/16 from Mark J. Lanza, Town Counsel, to Land Court, re: John Moss et al v. Gary Lingley, Trustee, et al
6. Letter of 6/27/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Linda Segal, re: Response to Letter dated June 22, 2016
7. Letter of 6/30/16 from MetroWest Economic Research Center to Board of Selectmen re: Greater MetroWest Economic Profile 2016
8. Director of Public Health Report, June 29, 2016

Conservation Commission

9. Determination of Applicability, Wetlands Protection Act and Chapter 194 Permit, 6/24/16, re: 32 River Road

Minutes

10. Board of Public Works, June 14, 2016
11. Surface Water Quality Committee, July 5, 2016

State

12. Letter of 6/27/16 from MassHousing, Monitoring and Permitting Specialist, to Board of Selectmen, re: Brookside
13. Letter of 6/29/16 from Ben Keefe, Public Buildings Director, to Massachusetts School Building Authority, re: Loker Elementary School
14. Letter of 7/6/16 from Office of the Attorney General to Board of Selectmen re: Open Meeting Law Complaint dated April 20, 2016

①

**Ronald and Maryanne Lewis
Seven Gennaro Circle
Wayland, Massachusetts 01778**

June 27, 2016

Mr. Stephen Kadlik, Director
Wayland Department of Public Works
66 River Road
Wayland, Massachusetts

Dear Mr. Kadlik:

I am in receipt of your "notice of 'first offence'," in which you informed me that a member of the Wayland DPW Water Division, at 4:30am on the twenty-fourth of June, observed our lawn irrigation system in operation. I am responding in writing to let you know that our irrigation system draws all of its water from a private well which I had installed at the time this home was built thirty years ago. This can be confirmed by researching the records of the building department or by a simple site visit. Under Paragraph 190-3 of Article I cited in your letter, "water users or water consumers" are specifically defined as "users of the public water system," which I am not with reference to this issue.

I also wish to let you know that I find the practice of sending out "observers" in the early morning hours to witness "infractions" such as this to be a foolish use of resources. Likewise, the waste of five pages of paper and a postage stamp in notifying me belies any pretense of conservation concerns on your part. As you know, Wayland is one of the state's smaller towns in population with one of the state's highest tax rates. I think picking up the phone or driving by during business hours and ringing the bell would be a smarter, less expensive, friendlier and certainly more efficient way to carry out your business.

Very truly yours,



Ronald S. Lewis

Cc: — Nan Palmer, Town Administrator
Cherry C. Carlsson, Selectmen Chair

RECEIVED

JUN 30 2016

Board of Selectmen
Town of Wayland



WAYLAND DEPARTMENT OF PUBLIC WORKS
TOWN OF WAYLAND

66 RIVER ROAD, Wayland, Massachusetts 01778-2697

(508) 358-3672 • FAX (508) 358-4082

Stephen F Kadlik, Director

Ronald S. Lewis
7 Gennaro Circle
Wayland, MA 01778

Dear Mr. Lewis,

You stated in your letter to the DPW that your well is thirty years old. Private wells are regulated by the Board of Health. The BOH provides us with a list of all registered wells that we cross reference before handing out violation notices. Unfortunately, your address was not on our list. Your address has been added to our private irrigation well list. We would ask you to please fill out and return an irrigation application for our records.

I would also like to address your concern of the way we police our Water Conservation Restrictions. Water Conservation Restrictions are mandated by MassDEP. We must document our enforcement activities for future review by our regulatory agency. As of right now, physically sending employees out during the early morning "known watering hours" is the only way we have to efficiently enforce the conservation restrictions. We know when folks are watering due to the severe drop in our water storage tank levels (3:00am).

The DPW has tried several times over the past 6 years to pass an article at Town meeting to allow us to install an automated water meter reading system. This metering reading system would allow us to see remotely when individual homes are irrigating and not have to send employees out at night. In turn, it would also allow us to specifically notify those homes directly by email, text or telephone by office staff during regular business hours. We are preparing to present another proposal for an automated meter reading system at a future Town Meeting. Technology has improved greatly since our current system was installed in the late 1990's and we would like to pass on those benefits to our customers.

I do apologize for the letter that you received. Now that you are on our private well list, you will not receive another one.

Please contact me if you have any additional concerns.

Sincerely

Don Millette
Water Superintendent
Wayland DPW
Water Division

Cc: Nan Balmer, Town Administrator
Cherry C. Carlson, Selectman Chair

2

M. BRIAN FISHWICK
10 Old Farm Road
Wayland
MA 01778-3118

RECEIVED

JUN 28 2016

Board of Selectmen
Town of Wayland

27 June 2016

To:- G. Larsen, Town of Wayland Building Director
(copy to Nan Balmer, Town Administrator)

Dear Mr. Larsen,

I'm not too sure if this matter falls within your jurisdiction; if not perhaps you could direct it to the appropriate department.

As you can see, our home is immediately adjacent to the 40b development at #225 Old Connecticut Path

Several days ago I noticed a distant, but annoying, high-pitched continuous whistling sound when I was in the garden at the back of our home.

Thinking that it was a so-called Ultrasonic pest repeller, I asked my neighbour (the Andros family at #8) if they had installed such a device. "No" they said. It was noticeably louder there and they were more disturbed than I was.

I continued to the Moy family at # 6 where it was even louder and Mrs. Moy was definitely upset . She told me that it was loudest at the rear of the house and seemed to be coming from the development behind.

The following day I walked over into the new estate and found the culprit; it is a small container with ventilating ports around its sides and on top was a label - 'Bio-Microbics', from which a very loud whistle emanated, rather like a large electric motor with dry bearings. It is between buildings 2 & 3 (from Rt 126) adjacent to a 20KW standby generator.

I suspect it is either a pump (the septic system leaching field is higher than the buildings' basements) or possibly a device required to reduce waste solids to a more easily pumpable/digestible form. (a maserator ?).

Whatever its function it should be enclosed in a box or small shed, suitably designed to reduce the noise level by using sound absorbing material and/or baffling.

We live about 250 feet away and it annoys me: I'm sure it would be totally unacceptable for anyone to live in the two closest apartments as they are only 30ft or so from the device and it runs 24 hours a day.

Thanking you in advance for your attention to this matter-

M. B. Fishwick

DiNapoli, MaryAnn

From: Larsen, Geoffrey
Sent: Thursday, July 07, 2016 2:48 PM
To: DiNapoli, MaryAnn
Cc: Cuttell, Sheila
Subject: FW: 225 Old Connecticut Path construction condition

Good afternoon MaryAnn,

The Comprehensive Permit for this development includes a landscape plan and construction conditions that would likely define any written complaint (such as equipment noise) as a request for zoning enforcement which is controlled by MGL 40A and Town zoning.

Please see e-mail chain below for enforcement action to date.

The owner/builder has been very responsive and all parties have been informed of the process and their rights.

Geoff Larsen
Geoffrey S. Larsen, CFM
Building Commissioner
Town of Wayland, MA
glarsen@wayland.ma.us

From: Mark OHagan [<mailto:mark@craftsmanvillagehomes.com>]
Sent: Wednesday, July 06, 2016 5:00 PM
To: Larsen, Geoffrey
Cc: Fuller, David
Subject: RE: 225 Old Connecticut Path construction condition

Hi Geoff:

Will do – we are cleaning up the area around it as we complete the siding work for the adjacent building. We will then be adding some buffering. I can invite you on site prior to installation for your feed back.

Thanks

Mark

Mark C. O'Hagan
MCO & Associates, Inc.
Craftman Village Homes
Cell: 508-395-1211

From: Larsen, Geoffrey [<mailto:glarsen@wayland.ma.us>]
Sent: Wednesday, July 6, 2016 2:15 PM
To: mark@craftsmanvillagehomes.com
Cc: Fuller, David <dfuller@wayland.ma.us>
Subject: 225 Old Connecticut Path construction condition

Good afternoon Mr. OHagan,

This is a brief written follow up to a site visit that Mr. Fuller made to your construction site on 6.28.2016.

The Department's site visit was in response to a written request received the same day.

Regarding equipment assumed by me to be related to the septic system the hope is that steps can be taken in order to reduce the noise level when functioning.

For the sake of efficiency and similar to your final landscape plan please contact me prior to undertaking the actual work.

Thank you.

Respectfully,

Geoff Larsen
Geoffrey S. Larsen, CFM
Building Commissioner
Town of Wayland, MA
glarsen@wayland.ma.us

Balmer, Nan

Subject: FW: Heard Road Paving Project
Attachments: 160331 Heard Rd drainage assessment.pdf

From: Rachel Rice [redacted]
Sent: Thursday, July 07, 2016 10:06 PM
To: Monahan, Brian; Selectmen; Sarkisian, Sarkis; Kadlik, Stephen
Cc: Paul Rubinfeld; Emily Rubinfeld; Paul Cincotta; Mary Cincotta; Ben Rice; Lauren Reynolds; Sander Reynolds; Debby Keogh; Keith Keogh
Subject: Heard Road Paving Project

Dear Conservation Commission, Selectman, Planning Department and Department of Public Works,

We are writing about the potential paving of Heard Road, oversight of such, increased traffic and speed related to such, and culvert drainage issues related to the same.

It is our understanding that the Conversation Commission recommended to itself and approved of its own proposal at the 5/26/16 Conservation Commission Meeting to permit paving of the last 200 feet of Heard Road, 19 feet wide extending equally in each direction from the midline. The minutes mention that funding was provided three years ago but reference to the source and approval of the funding was not mentioned. A review of the past three years of town meeting minutes as currently available on the Town of Wayland website has not yielded an answer as to the source of the funding for the project. Please provide this insight at your earliest convenience.

The approval of this project is without support of the residents of the Heard Road, which is considered private with public access (according to the attached map, surveyed by Town of Wayland, and the deed for 9 Heard Road). The attached map and the deed for 9 Heard Road specifically show the road as entirely private. As a private road, residents and owners of property along the road own up to the midline of the road but not beyond. Paving the road requires our buy-in which you do not yet have.

We would like to have a collaborative approach to addressing our concerns. Please address our concerns in writing to our satisfaction.

1. **As residents of this private road, we have the right to vote on (in favor or not) whether the paving occurs and have veto ability in relation to it. It is our road and it is private. Nothing should move forward on it without our approval unless it is with respect to passage of emergency vehicles and maintenance of the road for passage of emergency vehicles. If this is not the case, please share with us documentation that proves otherwise.**
2. **The increase in traffic speed and volume that we anticipate will lead to both an increase in expense and hazard to residents of the road. There are already visitors to the road who speed on this road and drive recklessly. Who will bear the increase in expense and risk of injury? Will the Conservation Commission pay for the injuries, snow removal, repair of the road that it is paving as well as the remainder of the road that is impacted by the increase in traffic? We would like to know what the mitigation and maintenance plans are.**
3. **We believe that the culvert drainage issues will be worse with a paved road in place and should take a higher priority. The culvert drainage issue at the end of Heard Road needs to be addressed (this is a more serious issue and we believe that town funds would be used more wisely if they were directed at minimizing the potential town liability regarding water drainage issues).**

We look forward to your response.

Sincerely,

Ben and Rachel Rice
Paul and Mary Cincotta
Keith and Debby Keogh
Paul and Emily Jo Rubinfeld
Sander and Lauren Reynolds



TOWN OF WAYLAND

MASSACHUSETTS
01778

TOWN BUILDING
41 COCHITUATE ROAD
TEL. (508) 358-7701
www.wayland.ma.us

July 7, 2016

BY HAND

Sherre Greenbaum, Chair
Conservation Commission
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778

RE: Heard Road, Wayland, Massachusetts

Dear Sherre:

The Conservation Commission has sought my opinion as to whether it may make improvements and repairs to Heard Road, including paving. For the reasons discussed below, the short answer to the Commission's question is yes.

Heard Road is a private way. It has never been laid out, accepted and acquired as a Town way. On November 9, 1972, the Town purchased Lot C, Heard Road, from the Sudbury Valley Trustees, Inc., (the "SVT") for conservation purposes. Lot C, which contains approximately 85.7 acres of land, abuts Heard Road. Lot C was sold to the Town "with the rights in and with respect to", among other things, Heard Road.

In Massachusetts, it is well settled that "where there are several owners in common of a private way, each owner may make reasonable repairs which do not injuriously affect his co-owners, but he cannot make any . . . change in its grade or surface, which makes the way less convenient and useful to any appreciable extent to anyone who has an equal right in the way." Crowley v. J.C. Ryan Construction, Inc., 356 Mass. 31, 35 (1969) (citations omitted). Paving a private way has been considered a reasonable repair. See, e.g., Glenn v. Poole, 12 Mass. App. Ct. 292, 296 (1981).

Additionally, abutters of private ways with deeded rights of access have a statutory right to install utilities in the way. Massachusetts General Laws Chapter 187 Section 5 provides in pertinent part that: "[t]he owner or owners of real estate abutting on a private way who have by deed existing rights of ingress and egress upon such way or other private ways shall have the right by implication to place, install or construct in, on, along, under and upon said private way or other private ways pipes, conduits, manholes and other appurtenances necessary for the transmission of gas, electricity, telephone, water and sewer service, provided such facilities do not unreasonably obstruct said private way or other private ways, and provided that such use of the private way or other private ways does not interfere with or be inconsistent with the existing use by others of such way or other private ways; and, provided further, that such placement, installation, or construction is done in accordance with regulations, plans and practices of the utility company which is to provide the gas, electricity, or telephone service, and the appropriate cities, towns, districts, or water companies which provide the water service."

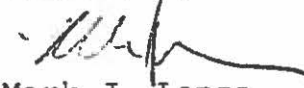
Further, under the so-called "Derelict Fee Statute", Massachusetts General Laws Chapter 183, Section 58, the Town, as an abutting landowner along Heard Road, owns the fee in the soil of Heard Road to its centerline where Lot C abuts the road, subject to the rights of other abutting landowners, unless the grantor retained ownership of the fee in the way. Neither the SVT nor the SVT's grantor retained ownership of the way.

For the foregoing reasons, it is my opinion that the Town, acting through the Conservation Commission, may make reasonable repairs to Heard Road, including paving, and may install utilities in the road.

Please let me know if additional clarification is needed.

Thank you very much.

Sincerely,



Mark J. Lanza
Town Counsel

March 31, 2016

Wayland Conservation Commission
41 Cochituate Road
Wayland, MA 01778
Attn: Brian Monahan

RE: Heard Road drainage

Dear Brian and Commission Members:

Per your request I have taken a look at the Heard Road drainage issue. The following is a summary of my initial findings and recommendations based on the 12/19/14 existing conditions plan you provided and my own site observations during both wet and dry weather. I'm also attaching several photos I've taken to illustrate the existing conditions.

As you are aware, the Heard Farm parking lot and the last approximately 120 feet of Heard Road before it reaches the parking lot is unpaved. While the parking lot itself drains well and is in decent shape, the unpaved roadway leading into the lot does not drain effectively and is prone to potholes. There is presently town drainage in Heard Road, but the last set of catchbasins on the drain is located approximately 200 feet north of the start of the unpaved road.

Filling of potholes and regrading of the unpaved roadway over the years has also lead to a buildup in the grade of that portion of the road such that it is currently several inches higher than the paved portion. Consequently, the overland flow from the 200-ft stretch of pavement to the south of the last pair of catchbasins tends to pond in the roadway between the last driveway and the unpaved portion. Some of this flow drains off through a shallow swale on the eastern side of the road, but only when the level of ponding builds up high enough to overcome the grade along the edge of the pavement.

According to the survey plan, the 15-inch storm drain in Heard Road runs in a southerly direction to a drain manhole located just beyond the Heard Road right-of-way on the Town of Wayland (Heard Farm) property. I believe this drain conveys flow from some portion of Pelham Island Road in addition to that from the catchbasins in Heard Road. The 21-inch outlet pipe from the drain manhole terminates approximately 145 feet to the east, in an existing drainage ditch within the BVW. Based on the inverts shown on the plan though, the outlet pipe has a negative slope of about 0.5 percent, therefore limiting the amount of flow that is discharged and likely also leading to sedimentation of the drainage lines. I was unable to locate the outlet during my site visit and believe that it is at least partially buried beneath the sediment in the ditch.

My recommendations for improving the existing drainage at the southern end of Heard Road start with regrading and paving the approximately 100 feet of gravel roadway leading into the Heard Farm parking area and regrading and repaving the southernmost 50 to 75 feet of the

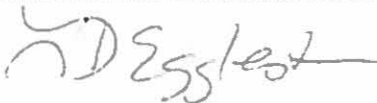
existing paved road to remove the existing saddle and smooth the transition from pavement to gravel surface.

If it is feasible to correct the negative slope on the existing storm drain to allow free discharge, another pair of catchbasins could then be added to collect the drainage from the southern end of Heard Road. In order to accomplish this however, the approximately 275 feet of the existing 15-inch drain in Heard Road between the last two drain manholes would need to be re-laid at a flatter slope to gain the elevation differential needed in the outfall line. It may also be possible to shorten the new outfall line by daylighting it further west of the existing location (closer to the road), but more detailed survey and possibly cleaning of the existing drainage ditch would be needed to determine that.

If Town opts not to re-lay the existing drains, a new pair of catchbasins could still be added in the newly paved portion of Heard Road with a separate (higher) discharge to the existing drainage ditch. Alternatively, the new pavement area could be graded to drain entirely to the eastern edge of pavement where some of the runoff could be drained overland through the existing swale and the remainder to the low point of the shoulder near the existing manhole. Since there is an existing trail through the wetland between the existing manhole and the drainage ditch I would still recommend adding a single catchbasin in this low area, with a separate discharge to the drainage ditch.

I hope this makes sense – please let me know if you have any questions or would like to meet to discuss further.

Sincerely,
EGGLESTON ENVIRONMENTAL

A handwritten signature in black ink, appearing to read "L D Eggleston", written over the typed name.

Lisa D. Eggleston, P.E.



Potholes on unpaved portion of Heard Road



Ponding at end of paved portion of Heard Road



Overflow into swale on eastern edge



View south on Heard Rd from last pair of CBs



Low point on eastern edge near existing DMH



View east from low point to drainage ditch

Bedford
Belmont
Brookline
Concord
Framingham
Lexington

WESTMETRO HOME CONSORTIUM

City of Newton, Representative Member
1000 Commonwealth Avenue
Newton, MA 02459-1449
(617) 796-1140

Natick
Needham
Newton
Sudbury
Waltham
Watertown
Wayland

4

June 21, 2016

Ms. Cherry Karlson, Chairman
Board of Selectman
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

Re: Notice of Renewal of membership in the WestMetro HOME Consortium

Dear Ms. Karlson:

We are pleased that your community continues to be a contributing member of the WestMetro HOME Consortium. As you know, the Consortium acts under the rules of the HOME Investment Partnerships Program, a federal housing program which provides funding to support the development of affordable housing for low- and moderate-income residents in the Consortium communities.

As you may know, the Consortium is governed by the three-year Mutual Cooperation Agreement ("Agreement"), which was signed by all member communities and in effect July 1, 2014 through June 30, 2017. Per Section 8.D of the Agreement, the Agreement is automatically renewed for subsequent three year term. HUD requires that, prior to automatic renewal for the subsequent three-year period, your community be notified of its right not to participate in the Consortium. If your community chooses not to participate for the next three year period starting July 1, 2017, please notify me in writing no later than **July 15, 2016**.

If you have any questions or comments, please feel free to contact me at 617-796-1145 or evalenta@newtonma.gov.

Sincerely,



Elizabeth Valenta
Consortium Administrator

Cc: Sarkis Sarkisian, Town Planner

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JUN 24 2016

Board of Selectmen
Town of Wayland

5



TOWN OF WAYLAND
MASSACHUSETTS
01778

TOWN BUILDING
41 COCHITUATE ROAD
TEL. (508) 358-7701
www.wayland.ma.us

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JUN 23 2016

Board of Selectmen
Town of Wayland

June 22, 2016

VIA COURIER FOR DELIVERY
6/22/16 PM OR 6/23/16 AM

Recorder's Office
Land Court Department
Three Pemberton Square - Room 507
Boston, MA 02108

RE: John Moss, et al v. Gary D. Lingley, Trustee, et al;
Case No. 13 MISC 480577 (KCL)

Dear Madam/Sir:

Enclosed with respect to the above-referenced case please find the Intervener's Post-Trial Brief. Kindly docket and file this document and forward it to Judge Long.

Thank you for your attention to this matter.

Very truly yours,

Mark J. Lanza
Town Counsel

MJL/ms
Enclosure
cc Nicholas P. Shapiro, Esq. (w/ encl.)
Board of Selectmen (by hand w/ encl.)
Board of Public Works (by hand w/ encl.)
Conservation Commission (by hand w/ encl.)



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

6

June 27, 2016

Linda Segal
9 Aqueduct Road
Wayland, MA 01778-4605

RE: Response to Letter of June 22, 2016

Dear Ms. Segal,

I am responding to your letter of June 22, 2016. I am surprised at your comments that you perceived I failed to respond to your records request of April 1, 2016. Prior to the April 11, 2016 session of Annual Town Meeting you commented at the Selectmen's Meeting of that evening that you had not yet received a response to your public records request. I was not present at the Selectmen's Meeting, but when I was informed of your concern, I met with you briefly on the floor of Town Meeting. At that time I shared with you that your request was being researched and that you would receive a response to your records request from either Dr. Stein or myself. You gave no indication that a singular response would be unacceptable.

For the period of time referenced in your April 1, 2016 request, references to Mr. Cass appear several times in legal invoices. In one instance there is a discernable .2 of an hour charge related to Mr. Cass. Mr. Lanza's hourly rate is \$160.00 per hour. In all other references to Mr. Cass it is impossible to parse out either specific times associated with Mr. Cass or specific expenses. The invoices are not produced with the type of detail that demonstrates the legal expenses for Mr. Cass charged to the Town from May 1, 2015 to present related to the theft of the MacBook computer owned by the Wayland Public Schools. The charges you seek are not segregated in the invoices.

Sincerely,

John Senchyshyn
Asst. Town Administrator/HR Director

Cc: Dr. Stein
N. Balmer
Wayland Board of Selectmen
S. Williams



Framingham
State University

MetroWest Economic
Research Center

7

June 30, 2016

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

Dear Selectmen:

Enclosed please find your complimentary copy of *Greater MetroWest Economic Profile 2016*© by Anderson, Dunne, Lamontagne, MacRitchie, Meaney, Phelan, Rosero, Sjuib, and Soriano with Boti, Coburn, Crocker, D'Amore, Leach, Leger, Olicio, Pandolfino, Porcello and Sena. All are members of the MetroWest Economic Research Center (MERC) at Framingham State University.

This report is MERC's latest update on the state of the Greater MetroWest economy, and includes data and analysis on the state of unemployment, employment, municipal revenue, K-12 enrollment, and housing for the region as well as cost of living in MetroWest. Greater MetroWest includes the municipalities of Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlborough, Natick, Northborough, Sherborn, Southborough, Sudbury, Wayland and Westborough.

Complimentary copies of MERC publications are provided to legislators, boards of selectmen, city councils and public libraries for each community in the region to assist economic planning and ensure citizen access to the data and analyses.

We at MERC hope you find our studies informative and helpful. This publication is also available on our website: www.merc-online.org.

If you have any questions after reading the study, please contact us at 508-626-4033. We would be pleased to speak to you.

Sincerely,

Fahlino Sjuib
Beverly Soriano
MERC Co-Directors

Enclosure



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

✓ 205
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JUL -5 2016

**Board of Selectmen
Town of Wayland**

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

Wayland Board of Health Director's Report June 29, 2016

Septic work and building approvals- construction continues to be very busy this season. Soil testing appointments have continued. We also continue to have numerous meetings with residents to provide guidance for potential home renovations/septic projects.

Ruth Mori, PHN/Nurse Leader updates- SBIRT grant funds have been spent as of this date. SBIRT stands for Screening, Brief Intervention, Referral, Treatment regarding substance abuse. This is a planning grant provided by MDPH in the amount of \$5,027.00. Purchases include supplies for Binders (20) to be created for High School and future Middle School SBIRT Administrators and Screening Staff. Printing of what will be going into binders and handouts to be provided to students that include resources. Also includes a stipend for CHN, Amy Schoeff who attended training (how to perform motivational interviewing) on a school holiday and was our SBIRT on site coordinator. Also, the purchasing of the book on Motivational Interviewing so it will be available as this is the process used with SBIRT. Planning documentation was submitted to MDPH as per requirement June 2016 and plan will be for 10th graders to be screened in the spring 2017, with guidance and nursing, most likely in March. Fall of 2016 the Youth and Behavioral Risk survey will be completed and is the reason for waiting until spring. We are anticipating training for Middle School Staff to be trained to offer to one of their grades (?8th) so they can implement SBIRT the following year. These screenings will provide meeting the requirement for student substance abuse screening for 2 grades in the school age population that Charlie Baker signed in March of 2016.

Dr. Marni Roitfarb has been appointed as School Physician by the School Committee. She will be meeting with office staff this summer to discuss various aspects of the school physician role including standing orders and narcan implementation.

End of Year School Health Report was submitted to MDPH as per required of ESHS(Essential School Health Services) grant. A copy of the report will be provided for BoH to review via email.

Working with Health Director and Fire Dept. regarding Assisted Living Emergency Preparedness planning. Attended meetings this week and last week, including site tours.

We have been advised by MDPH that flu mist should not be used this year. We have cancelled Flu Mist private purchase order and have been in touch with MDPH,

they are working with additional vaccine providers to obtain increased inventory for Children. We will only be providing injectable vaccine this year.

Providing End of Year Community Health Nursing Support, Uptick in GI illness follow up as summer season is starting (common each summer, giardia, campylobacter, salmonella), Camp inspections regarding the medical component.

EPI support for Foodborne illness is being offered to Local BoH's by the MDPH (funding was provided by CDC). We have accepted this support and will be working with the state going forward as needed. This will assist with enhanced foodborne disease outbreak detection, investigation and response for Salmonella, Shiga toxin-producing E. coli and Listeria cases (local or multi-state clusters or outbreaks).

Food inspection-Coach Grill was inspected today and has some outstanding items to take care of before reopening (due to fire).

Summer intern-We have an intern that will be assisting in the Health Department for 1 week in August. We plan to have the individual assist with the private well project. We also have had a resident volunteer who has been assisting with the department during Patti's absence. She will be returning again to assist with potential projects sometime in August.

Vaccine refrigerator battery backup setup-the Fire Chief is in the process of assisting us with assembling the battery backup system. It is not up and running yet but will be in the near future (before vaccine deliveries!).

Land Use meeting-Office staff have been invited to a site visit at Mahoney's Garden center next week where a potential site of a 40B housing project is being considered. Details will be provided to BoH once more information is obtained.

Office staff met with representatives of the Carroll School to be located at the existing residence of 45 Waltham Road. We conducted a review of their plan and it appears that from an engineering perspective they could use the existing septic system. Once we receive a formal application we will provide a formal staff comment and then they will eventually come before the BoH for formal review and request for approval for change in use (and to use the existing septic system).

Household Hazardous Waste Day – was held on June 18th, we had a great turnout of 148 people attending, 3 non-residents. The cost has exceeded our budget line item by, \$2,600.00 therefore we will need to use money from our Public Health Nuisance line item to cover the deficit. This great turnout is in part due to increased advertising and cooperation of the Police Department, DPW and Fire Department where we were allowed to use 2 electronic signs one at the Public Safety Building and one at Fire Station 2. Thank you to everyone for helping us get the word out for HHWD.

Conservation Cluster on Rice Road (52-60)-Staff provided comment to the Planning Board regarding the soil testing results for this 5 lot project. Soils are suitable for

constructing subsurface sewage disposal systems on each lot as presented in the site plan showing house footprints and soil testing locations. Detailed septic plans will need to be submitted for staff review.

Mosquito Control – EMMCP has treated 2,234 catch basins in town and they should be completing the remainder (route 27 and route 20) by the end of this week. This year is expected to be an active year for West Nile Virus. We have put out a press release regarding what residents can do to protect their yards from becoming a breeding ground and protecting themselves against mosquito bites. Information was also provided regarding new surveillance on *Aedes Albopictus*.

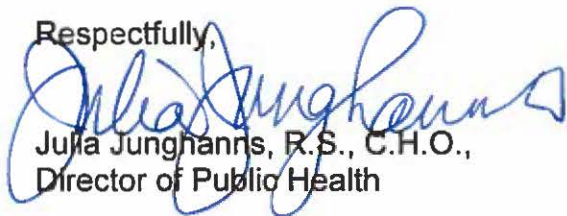
Meetings with Assisted Living Facilities in town-I have attended 4 meetings so far that were organized by the Fire Chief, also attending; several Assisted Living Facilities in town (The Carriage House, Traditions, and Sunrise). Discussions took place regarding emergency plans and plans for drafting mutual aid agreements between these facilities.

Retail Tobacco Compliance checks-Tickets are being prepared for the violations of our Tobacco Regulations related to selling cigars.

Town Center-We received a notification regarding CVOC's in groundwater that have migrated from Cook's Gas station (where an environmental cleanup of a reported release is taking place and being managed by a Licensed Site Professional) to Town Center. Documentation and reports will be forwarded to BoH for fyi on the cleanups.

Office staff has been very busy with end of year tasks regarding the budget, and follow up, to ensure needed items, and supplies are purchased to spend down respective line items.

Respectfully,



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



9



TOWN OF WAYLAND
MASSACHUSETTS
01778
CONSERVATION COMMISSION

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

June 24, 2016

James Douthit
Christopher Hougataling
32 River Road
Wayland, MA 01778

Re: DETERMINATION OF APPLICABILITY [D-876] - WETLANDS PROTECTION ACT (WPA)
and Chapter 194 Permit – 32 River Road, Wayland

Dear Mr. Douthit and Mr. Hougataling:

Enclosed please find the original Wetlands and Water Resources Protection Bylaw Permit (Chapter 194) and a Determination of Applicability issued by the Wayland Conservation Commission regarding the approved barn renovation project at 32 River Road in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit. The Determination of Applicability issued pursuant to the WPA is shorter, deferring to the Chapter 194 Permit. No other work is permitted by this decision.

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

Sincerely,

Brian J. Monahan
Conservation Administrator

Enclosure

- cc: Building Department w/enc.
- Town Clerk w/enc.
- DEP – NERO w/enc.
- Drake Associates Inc. w/enc.
- Board of Selectmen
- Board of Health
- Planning Board
- Abutters
- File

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JUN 24 2016

Board of Selectmen
Town of Wayland

WAYLAND BOARD OF PUBLIC WORKS

Wayland DPW Facility

June 14, 2016

7:00 PM

MEETING MINUTES

Present: C. Brown, (Chair), M. Lowery (Vice Chair), W. Baston, M. Lindeman (Acting DPW Director), D. Millette (DPW Water Superintendent), J. Doucette (DPW Senior Foreman)

Absent: J. Mishara

Meeting opened at 7:00 PM

Brown noted that the meeting is being recorded.

Brown opened the meeting with a review of the agenda.

Topics Not Reasonably Anticipated 48 Hours Prior to Posting

Brown noted that DPW Director Stephen Kadlik has announced that he will be retiring in October 2016, and that DPW Park and highway Superintendent Michael Lindeman has been appointed Acting Director by the Town Administrator.

Public Comment

Susanne Woodruff, member of the Board of Library Trustees, appeared before the Board to thank the DPW for the landscaping work that was recently done at the Library.

Public Comment

Richard Turner, Chair of the Public Ceremonies Committee, appeared before the Board to thank the DPW for their efforts in preparing the Town for Memorial Day, and offered the use of the Public Ceremonies Committee's public address equipment for the dedication of the DPW Facility if necessary.

Irrigation Application Review – 19 Happy Hollow

Chip Ely of Lynch Irrigation appeared before the Board to discuss the application for the installation of an irrigation system at 19 Happy Hollow Road.

Lowery noted that his interpretation of the irrigation regulations prevent a system from irrigating the area on top of a septic system.

Ely responded that his understanding of the regulations prohibit the physical installation of an irrigation system over a septic system.

Lowery requested that the application clarify the regulations pertaining to the installation and operation of irrigation systems near septic systems.

Lowery noted that, in his opinion, the irrigation plan provided inadequately depicts the proposed system.

Brown made a motion to approve the application for the installation of an irrigation system at 19 Happy Hollow Road as submitted.

Baston and Brown in favor, Lowery opposed.

Items Distributed for Discussion

- 19 Happy Hollow Irrigation Application and System Plans

Irrigation Application Review – 250 Old Connecticut Path

Al Litchfield of Oxbow Development appeared before the Board to discuss the application for the installation of an irrigation system at 250 Old Connecticut Path.

Brown made a motion to approve the application for the installation of an irrigation system at 250 Old Connecticut Path as submitted.

Baston and Brown in favor, Lowery opposed.

Items Included as Part of Agenda Packet for Discussion

- 250 Old Connecticut Path Irrigation Application and System Plans

Discussion of the Roles of DPW and Citizen Volunteers for Town Beautification

Laurel Gill of 242 Stonebridge Road appeared before the Board to discuss the status of the Beautification Committee and its role in relation to the DPW.

Gill noted that she would like to take over the administration of the Beautification Committee from the DPW.

Gill discussed potential beautification sites, including the island at the intersection of Old Connecticut Path and Route 20.

The Board noted that it may be advantageous for a plan of action to be developed between the DPW and interested citizen volunteers.

Lowery suggested that Gill provide Lindeman with a description of potential beautification projects.

[Wegerbauer arrived at 7:28PM]

Update on Library Drainage Project

Baston expressed concern over project changes that have occurred since the proposed plan provided by Tighe & Bond in January.

Wegerbauer asked who oversees the work on the project.

Lindeman noted that Kadlik has overseen the project in the past.

Lowery suggested that a list of questions for Tighe & Bond be drafted.

Brown requested that Lindeman ask Tighe & Bond for an explanation for the reduction in the overall scope of the project.

Items Included as Part of Agenda Packet for Discussion

- 6/9/2016 Email from Jenny Moonan Re: Pre-NOI Submittal Discussion about Wayland Library Flood Mitigation

Discussion of Potential By-Law Change to Allow for Municipal Irrigation Systems Over 15,000 sq. ft. for Town Playing Fields

The Board discussed the nature of the DEP's position on the use and regulation of private wells for irrigation.

Millette discussed language likely to be included in the Town's new withdrawal permit restricting water used for irrigation purposes.

Lindeman suggested a potential amendment to the irrigation by-law to allow for drip irrigation for areas over 15,000 sq. ft.

Brown asked Millette if there is any update on when the new withdrawal permit may be issued.

Millette replied that a date has not yet been established, but he does have a meeting scheduled with the DEP.

Baston noted that he will provide a draft of an irrigation system information sheet for comment and review at a future meeting.

Update on the Status of the Draft MOU Between the DPW, Recreation, and School Dept

Lindeman described changes made to the draft MOU following a recent meeting of the involved parties, noting that he is happy with the changes that have been made.

Wegerbauer expressed his concern that the MOU still references a collaboration between Boards rather than Departments.

Lowery noted that he feels the MOU should be considered an agreement to facilitate a collaboration between departments.

Brown asked if the Board would like to vote its support or seek further changes.

Baston and Lowery noted they would like to see the portions of items 6 and 7 that have been struck in the updated MOU reincorporated, and would like it clarified that this is an interdepartmental agreement to be ratified by the Boards.

Wegerbauer added that the DPW should be involved in the project design phase referenced in item 6.

Items Included as Part of Agenda Packet for Discussion

- Original Draft MOU

Items Distributed for Discussion

- Updated Draft MOU

Discussion of Future Lay-Down Area for DPW Use

Lowery described the current condition of the DPW's potential future lay-down area, noting that a large amount of material placed there during the construction of the DPW Facility remains.

Brown noted that the Permanent Municipal Building Council intends to close out the DPW Facility account shortly after June 30.

Brown suggested that a real estimate for the cost of the removal of the material be obtained.

Lowery expressed his desire for the Board to draft a letter to the PMBC requesting that the cost of removing the material be paid out of the DPW Facility construction account before it is closed out.

Discussion of Current DEP-Imposed Water Usage Restrictions

Millette appeared before the Board to discuss the nature of the recent water use restrictions imposed by the DEP.

Brown requested that the status of the 20-year withdrawal permit be discussed at the next meeting.

Baston suggested that historical data regarding the amount of water used in reference to irrigation systems be gathered in anticipation of justifying potential future changes to irrigation regulations.

DPW Director's Operational Report

The Board reviewed the DPW Director's Operational Report.

Brown asked Millette about the status of the sand filtration beds.

Millette noted that he is working with Tata & Howard to develop a plan to treat and maintain the current sand beds.

*Items Included as Part of Agenda Packet for Discussion
- 6/14/16 DPW Director's Report*

Board Members' Reports, Concerns, and Updates

Lowery discussed a recent meeting he had with Selectmen Mary Antes and Town Planner Sarkis Sarkisian regarding the regulation of signs within the right-of-way.

Lowery described potential alternatives to the current A-frame signs.

Wegerbauer expressed his concern that the proposed signs may look too commercial, and may lose their 'semi-rural' character.

Wegerbauer noted that bids on the River's Edge Development will be opened on July 6.

Wegerbauer questioned why glass bottles are not currently being collected for recycling at the Transfer Station.

Baston noted that the Community Preservation Committee has asked if the DPW may be able to create several signs to post at CPC project sites.

Baston asked what method residents generally use to fill swimming pools.

Brown noted that usually the initial fill is brought in by truck, while they are usually topped off with a hose.

Topics Not Reasonably Anticipated by the Chair 48 Hours Prior to Posting

Brown noted that there are three major road construction projects, and asked if an outside coordinator's services should be sought to oversee the projects.

Lindeman noted that TEC provided an estimate to oversee the Town's projects, and the cost would be determined by the extent of the oversight requested.

Jack Carr of 268 Commonwealth Road appeared before the Board to request permission for National Grid to excavate the road to install natural gas service at his residence.

Carr noted the request is due to a medical condition, and provided a note from a doctor supporting his claim.

DPW Highway Senior Foreman Joe Doucette noted that the road was paved approximately two years ago and is currently under the five-year moratorium imposed by MassDOT.

Carr described conversations he had with Kadlik regarding the opening of the road, and noted that the road has been opened a number of times recently.

Doucette responded that any openings in the road have occurred to address emergency gas leaks.

Lindeman noted that Chapter 90 regulations prohibit the cutting of a roadway under moratorium.

Lowery recalled a similar situation involving a resident on Glezen Lane, and noted that the issue was resolved by allowing a minimized road opening and a directional bore.

Following Board discussion, it was determined that Lindeman should further investigate the status of the road and the nature of the Chapter 90 restrictions in place, and discuss it further at the next meeting.

Items Distributed for Discussion

- 6/7/2016 Letter from Carol S. Englender, M.D. Re: Susan Carr and gas heating

Review and Approve the Minutes of the 5/24/16 and 6/3/16 Meetings

Lowey noted three typographical corrections on pages two and three.

Baston noted a typographical correction on page three.

Baston requested that the three questions he asked Ian Catlow of Tighe & Bond be added to the minutes.

Lowery made a motion to accept the minutes of the 5/24/2016 meeting as amended.

Wegerbauer 2nd, all in favor.

Baston noted a correction to the location of the DEP streamflow gauge referenced on page 1.

Brown made motion to accept the minutes of the 6/3/2016 meeting as amended.

Lowery 2nd, all in favor.

Items Included as Part of Agenda Packet for Discussion

- 5/24/2016 Meeting Minutes Draft

- 6/3/2016 Meeting Minutes Draft

Wegerbauer made a motion to adjourn.

Lowery 2nd, all in favor

Meeting adjourned at 9:13PM

TOWN OF WAYLAND – MINUTES

WSWQC MINUTES 7/5/2016

NAME OF BOARD/COMM: Surface Water Quality Committee

FILED BY: Jack Carr, member

DATE OF MEETING: Tuesday July 5, 2016

TIME OF MEETING: 7:30 PM

PLACE OF MEETING: Wayland Town Building

ATTENDING: Tom Largy, Mike Lowery, Jack Carr, Toni Moores

NOTE: Notices and agendas are to be posted at least 48 hours in advance of the meetings excluding Saturdays, Sundays, and legal holidays. Please keep in mind the Town Clerk's business hours of operation and make the necessary arrangements to be sure this notice is received and stamped in an adequate amount of time.

MINUTES

1. Meeting began at 7:32
2. Approval of Minutes – unanimous approval
3. Public Comments – Lisa Newton - Dudley pond abutter, came to better understand treatment of Dudley pond and offer thoughts.
4. Dudley Pond – Mike Lowery reports that the 3rd shot of fluridone will be administered to Dudley pond on July 7th. This will be done based upon results from last week. Started at 20 ppb and as of last week level of fluridone had fallen to 7 ppb. Lisa Newton reports that swimming around mansion beach has improved as weeds are reduced.
Mike feels tapegrass may need to be targeted next. Tapegrass is fish habitat. It should only be treated when it is within 2 feet of the surface. Aquathol is used. Currently no hand pulling is being done but was done earlier this year

Recreation boat rack is still work in progress

July 30th – jazz band on pontoon boats on Dudley pond
5. Heard Pond – Tom Largy
Aquatic vegetation survey – tom Largy submitted quote to the committee from Solitude to survey. Ms Arvidson offers four options. They are an all inclusive point intercept survey and report along with three options . Point intercept, Transect, and baseline. \$2300.00, \$2000.00 and 1200.00 respectively. Tom points out that in 2001 transect survey was done. He also points out that in 1997 there are reports that the US Fish and Wildlife dredged the pond but Tom is skeptical this occurred

and if so it was limited in area. Tom feels that there will never be enough funds to treat heard pond in its entirety. Toni suggests the survey be completed now because there may be an explosion of milfoil or water chestnut in future and the survey today would have future value.

Mike questions will the transect study be sufficient baseline to justify treatment. Mike feels that the goal ought to be to obtain the best detail possible in the report and possibly repeat this once every five years. Mike would also like to obtain a data file in a standard format that could be referenced in future.

Motion by tom largy to accept the original proposal of 3000 plus 300.00 for perimeter survey. Unanimous vote by board to allocate \$3,300.00 for monitoring program of Heard pond which is a point intercept survey @\$2250.00 +\$750.00 for reporting and mapping. An additional \$300.00 for perimeter survey.

6. Lake Cochituate – Jack Carr

Weed treatment signage - DCR holds the order of conditions that allows solitude to operate. OOC is 322-643 which is very old but apparently extended by permit extension act . Going forward Mike advises that Recreation department must be informed when there is going to be treatment of Lake Cochituate.

Mill Pond – Tom Largy Debris removal below dam – Committee decides to leave dam as is and monitor.

7. New SWQC member candidates – Lisa Newton may be interested.
8. Committee members reports and concerns - Committee member Mike Lowery - needs a key to the chain at Mansion beach
9. Septic System O&M Mailing
 - a. Mailing date - TBD
10. 7:00pm meeting August 2nd Mansion Beach at intersection of Mansion Road and lakeshore drive.
11. Invoice Approval – no invoices
12. Adjournment at 8:33pm



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1091
VP: 866.758.1435 | www.masshousing.com

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RECEIVED

JUL -1 2016

Board of Selectmen
Town of Wayland

June 27, 2016

Ms. Cherry C. Karlson, Chair
Wayland Board of Selectmen
41 Cohichuate Road
Wayland, MA 01778

Re: Brookside, Wayland MH# 851

Dear Ms. Karlson:

The Massachusetts Housing Finance Agency (MassHousing) is currently reviewing an application for Site Approval submitted by Eden Management, Inc. The proposed development will consist of 60 rental apartments in a single, four-story building on approximately 6.49 acres of land on the south side of Boston Post Road near its intersection with Rich Valley Road.

The site approval process is offered to project sponsors who intend to apply for a comprehensive permit under Chapter 40B. MassHousing's review involves an evaluation of the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies. As part of our review, we are soliciting comments from the local community and we would appreciate your input. You also may wish to include in your response, issues or concerns raised by other town boards, officials or other interested parties. Pursuant to the new Massachusetts General Laws Chapter 40B regulations (760 CMR 56.00) your comments may include information regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, multifamily districts adopted under G.L. c.40A and overlay districts adopted under G.L. c.40R. Your comments will be considered as part of our review.

We have been informed by the Applicant that the Town has received a copy of the application and site plans. Please inform us of any issues that have been raised or are anticipated in the Town's review of this application. We request that you submit your comments to this office within 30 days so we may process this application in a timely manner.

During the course of its review, MassHousing will conduct a site visit, which Local Boards, as defined in 760 CMR 56.02, may attend. The site visit for this development has been scheduled for 10:00 AM on Thursday, July 7. Please notify me promptly if any representatives of your office or of other Local Boards plan to attend the scheduled site visit.

Please note that if and when an application is submitted for a comprehensive permit, assistance is available to the Wayland Zoning Board of Appeals (ZBA) to review the permit application. The Massachusetts Housing Partnership's (MHP) Ch. 40B Technical Assistance Program administers grants to municipalities for up to \$10,000 to engage qualified third-party consultants to work with the Town's ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, www.mhp.net/40B or e-mail MHP at communityinfo@mhp.net. Also available at MHP's web site are the "Local 40B Review and Decision Guidelines" that were released in November 2005 to provide guidance to local officials as they review comprehensive permit applications. The Chapter 40B regulations and accompanying guidelines issued by DHCD, however, take legal precedence over the MHP guidelines.

If you have any questions, please do not hesitate to call me at (617) 854-1098.

Thank you for your assistance.

Sincerely,



Katharine Lacy
Monitoring and Permitting Specialist

cc: Eric Goldberg, Chairman, Wayland ZBA
Nan Balmer, Town Administrator
Sarkis Sarkisian, Planning Director (via e-mail)



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

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

June 29, 2016

Mr. John K. McCarthy, Executive Director
Massachusetts School Building Authority
40 Broad Street, Suite 500
Boston, MA 02109

RECEIVED

JUN 29 2016

Board of Selectmen
Town of Wayland

Re: Town of Wayland, Loker Elementary School

Dear Mr. McCarthy:

The Town of Wayland and Wayland Public Schools look forward to partnering with your staff on another Accelerated Repair Program.

Attached is the Vote Certification for the appropriation of \$1,900,000.00 for the Loker Elementary School Window and Door Accelerated Repair Program. The vote was taken at Wayland Annual Town Meeting on April 7, 2016.

The appropriation covers all expenses of the project including the Feasibility Study/Schematic Design phase. This document should meet all the requirements of the first two pre-requisites detailed in your May 25th invitation letter.

The remaining two pre-requisites will be forwarded as soon as practical after completion.

As The Town of Wayland's Public Building Director I will be responsible for the administration of this project and will serve as the administrative contact for both the Town of Wayland and Wayland Public Schools.

Sincerely,

Kenneth "Ben" Keefe
Public Buildings Director
Town of Wayland

Attachment: Annual Town Meeting Vote Certificate

Cc: Cherry C. Carlson, chair, Wayland Board of Selectman
Ellen Grieco, Chair, Wayland School Committee
Nan Balmer, Town Administrator, town of Wayland
Dr. Paul Stein, Superintendent, Wayland Public Schools



TOWN OF WAYLAND

MASSACHUSETTS
01778

TOWN CLERK

Beth R. Klein

bklein@wayland.ma.us

ASSISTANT TOWN CLERK

Diane M. Gorham

dgorham@wayland.ma.us

TOWN BUILDING
41 COCHITUATE ROAD

TEL: 508-358-3630

508-358-3631

FAX: 508-358-1683

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ANNUAL TOWN MEETING VOTE CERTIFICATE

At a legal meeting of the qualified voters of the TOWN OF WAYLAND, held on April 7th, 2016, the following business was transacted under Article 8 Motions No. 2 & 3 as Amended:

ARTICLE 8: FY 2017 OMNIBUS BUDGET - MOTIONS # 2 & 3 (AS AMENDED)

VOTED that each and every numbered item set forth in the Finance Committee's capital budget of Fiscal Year 2017 listed on Pages 40 through 54 of the Warrant for the 2016 Annual Town Meeting in the total amount of \$8,974,000 be appropriated for equipment and vehicle acquisitions and projects for the listed departments, each of which shall be a separate appropriation, and, of the total sum so appropriated, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$6,721,000 pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$195,000 shall be raised from taxation, \$410,000 shall be provided by transfer from the General Fund - Unreserved Fund Balance, \$450,000 shall be provided from water surplus, \$515,000 shall be provided from Ambulance receipts, \$50,000 shall be provided from the Cemetery Revolving Fund, \$88,000 shall be provided from the Transfer Station Revolving Fund, \$10,000 shall be provided from the Before and After School Account, and \$545,000 shall be provided by transfer from surplus capital closeouts, provided that the debt services costs related to the improvements to the Transfer Station and Recycling Center Facility shall be funded by transfer to the General Fund from fees paid for the use of said facility.

VOTED that Town appropriate the amount of \$1,900,000 Dollars for the purpose of paying costs of repairs to the Loker School, 47 Loker Street, Wayland, Massachusetts, 01778, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Permanent Municipal Building Committee; to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority; acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if

the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Wayland; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of appropriation authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Wayland and the MSBA;

to meet said appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$1,900,000 under Massachusetts General Laws Chapter 44, or any other enabling authority; and

authorize the School Committee to enter into all necessary and appropriate agreements for the repairs to the Loker School, including but not limited to a project funding agreement and a project scope and budget agreement with the MSBA, which agreements with the MSBA may include a provision requiring the Town to indemnify the MSBA for losses associated with the Town's performance of its obligations and exercise of its rights under such agreements.

VOTE ON MOTIONS NO. 2 & 3 AS AMENDED:

IN FAVOR: 173
OPPOSED: 39

MOTIONS PASSED BY MORE THAN 2/3 VOTE

A true copy, Attest:

A handwritten signature in black ink, appearing to read 'Beth R. Klein', followed by a long horizontal line extending to the right.

Beth R. Klein
Town Clerk

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THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

TEL: (617) 727-2200
www.mass.gov/ago

July 6, 2016

OML 2016 – 89

RECEIVED

JUL - 8 2016

Board of Selectmen
Town of Wayland

Cherry Karlson, Chair
Wayland Board of Selectmen
41 Cochituate Road
Wayland, MA 01778

RE: Open Meeting Law Complaint

Dear Chair Karlson:

This office received a complaint from George Harris, dated April 20, alleging that the Wayland Board of Selectmen (the "Board") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Board on February 26, and the Board responded by letter dated March 15. In his complaint, Mr. Harris alleges that the Board convened in executive session without a proper statutory purpose.

Following our review, we find that the Board did not violate the Open Meeting Law. In reaching this determination, we reviewed the original complaint, the Board's response, and the request for further review filed with our office. We also reviewed, *in camera*, unredacted minutes of the Board's February 1 executive session meeting.

FACTS

We find the facts as follows. The Board held a meeting on February 1. The notice of this meeting listed, among several other topics, the following:

Enter in Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al, v. Lingleys and Town, Frishman v. Lanza, et al, and West Beit Olam Corporation v. Board of Assessors[.]

The Board held its February 1 meeting as planned. During the meeting, the chair made a motion to enter executive session, quoting the above description. The vote to enter into the

¹ Unless otherwise indicated, all dates in the letter refer to the year 2016.



executive session was unanimous. The chair stated that a public discussion of the listed matters would have a detrimental effect on the bargaining, litigating, or negotiating position of the Town of Wayland. The minutes of the February 1 executive session have been released, though certain sentences have been redacted pursuant to attorney-client privilege.² Because the redacted minutes remain confidential, we do not recount their contents here. We note, however, that the Board met with Town Counsel Mark Lanza to hear a report from him on the progress of the seven cases mentioned above.³ In three cases—150 Main Street v. Zoning Board of Appeals, Nelson v. Conservation Commission, and West Beit Olam Corporation v. Board of Assessors—neither the Board nor the Town of Wayland was named as a party.

DISCUSSION

The Open Meeting Law was enacted “to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based.” Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). However, the Open Meeting Law permits public bodies to enter executive session and conduct deliberations outside the public view for any of ten specific purposes. G.L. c. 30A, § 21(a). One appropriate purpose for an executive session is “[t]o discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.” G.L. c. 30A, § 21(a)(3) (Purpose 3). To convene an executive session under Purpose 3, a public body must have a bargaining or litigating position to protect. See OML 2012-116.⁴

At issue is whether the Board properly entered executive session using Purpose 3, even though it was not, itself, a party in several of the cases discussed during the executive session. A public body that is not a named party in litigation may still have a litigating position to protect where such body undertakes legal or financial responsibilities in the litigation and is “an active participant in litigation strategy.” See OML 2011-47. Here, under the Town Code of the Town of Wayland, the Board has “full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town[.]” Further, as a matter of Town policy, the Town Counsel makes a semi-annual report to the Board on pending litigation matters, as was done during the February 1 meeting. Based on this update, the Board could vote to suspend the payment of funds for a particular litigation matter. If such a discussion were held in open session, opposing parties could be placed on notice of the Board’s intention to discontinue litigating a particular suit. This, in turn, could place the Town at a disadvantage in its litigating position. We conclude that the Open Meeting Law does not require such a result. See OML

² “When the purpose for which a valid executive session was held has been served, the minutes, preparatory materials and documents and exhibits of the session shall be disclosed unless the attorney-client privilege or 1 or more of the exemptions under [the Public Records Law] apply to withhold these records, or any portion thereof, from disclosure.” G.L. c. 30A, § 22(f).

³ Attorney Lanza represents the Zoning Board of Appeals, Conservation Commission, and Board of Assessors in their respective actions.

⁴ Open Meeting Law determinations may be found at the Attorney General’s website, www.mass.gov/ago/openmeeting.

2014-141. Therefore, we find that it was appropriate for the Board to enter executive session during its February 1 meeting. See G.L. c. 30A, § 21(a)(3).⁵

CONCLUSION

For the reasons stated above, we find that the Board did not violate the Open Meeting Law. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Board. Please feel free to contact the Division at (617) 963-2540 if you have any questions.

Sincerely,



Kevin W. Manganaro
Assistant Attorney General
Division of Open Government

cc: George Harris
Mark Lanza, Esq.

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

⁵ We note that the Superior Court (Salinger, J.) has held that it was improper for the Board to convene in executive session to discuss a lawsuit to which it was not a named party where the Board had already determined that it would not seek to press its own position in litigation. See Collins v. Wayland Board of Selectmen, 2013 WL 2456337 (Mass. Super.) However, in Collins, the court also stated that a public body may convene in executive session to discuss potential positions with respect to ongoing litigation where the public body is not a named party. Collins, 2013 WL 2456337, at *3. Thus, where a public body has not yet discontinued its litigating position with respect to a particular matter, even if that body is not a named party in the underlying case, such discussion is appropriate for a Purpose 3 executive session. Here, the Board was, in part, evaluating the viability of ongoing lawsuits and determining whether to continue funding their defense. Because the Board had not determined, prior to the February 1 meeting, that it would cease supporting the litigation, we conclude that the Board still had a litigating position to protect in these matters. Therefore, this determination is fully consistent with the Collins decision.