

PACKET

OCT 17

2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, October 17, 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.

- | | | |
|---------|------|---|
| 6:45 pm | 1.) | Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Civil Service with Respect to the Police Union |
| 7:00 pm | 2.) | Call to Order by Chair <ul style="list-style-type: none">• Announcements; Review Agenda for the Public |
| 7:02 pm | 3.) | Public Comment |
| 7:10 pm | 4.) | Review New Position Requests with Assistant Town Administrator |
| 7:25 pm | 5.) | Special Town Meeting Articles: Discussion and Potential Vote on Any Articles Including: <ul style="list-style-type: none">• Article 8: Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resource Protection• Article 9: Appropriate Funds to Purchase 8 Glezen Lane for Water Resource Protection• Article 10: Assisted/Independent Living Nursing Home Zoning Bylaw• Article 11: Home Occupation Zoning Bylaw |
| 7:45 pm | 6.) | Update on Rail Trail with Town Planner |
| 7:55 pm | 7.) | Meet with Representatives of River's Edge Advisory Committee to Receive Recommendation on Selection of Project Developer |
| 8:25 pm | 8.) | Discuss Town Administrator Evaluation |
| 8:45 pm | 9.) | Review and Vote to Approve Minutes of September 26, 2016 |
| 8:50 pm | 10.) | Review and Vote to Approve and Release Executive Session Minutes of November 16, 2015, and May 16, 2016; and Review and Vote to Approve and Release with Redactions the Executive Session Minutes of February 3, 2015, May 18, 2015, February 22, 2016, April 11, 2016, May 2, 2016, June 6, 2016, June 13, 2016, June 27, 2016, July 13, 2016, July 25, 2016, September 6, 2016, and September 19, 2016 |

**BOARD OF SELECTMEN
Monday, October 17, 2016
Wayland Town Building
Selectmen's Meeting Room**

Proposed Agenda Page Two

- | | | |
|---------|------|---|
| 8:55 pm | 11.) | Review and Approve Consent Calendar (See Separate Sheet) |
| 9:00 pm | 12.) | Review Correspondence (See Separate Index Sheet) |
| 9:10 pm | 13.) | Report of the Town Administrator |
| 9:20 pm | 14.) | Selectmen's Reports and Concerns |
| 9:30 pm | 15.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 9:35 pm | 16.) | Adjourn |

(4) NEW POSITION REQUESTS

DATE: October 17, 2016
TO: Board of Selectmen
FROM: John Senchyshyn, Asst. TA/HR Director
RE: **FY 18 PERSONNEL REQUESTS**

REQUESTED MOTION:

NONE

BACKGROUND:

During the annual budget process Town departments have traditionally submitted their requests to the Personnel Board for either new or modified positions. For the FY 18 budget, 10 requests have been submitted:

- 8 for new positions
- 2 for modifications to existing work hours

The estimated costs for the requests is \$580,276. Costs include compensation, insurance additives and workplace requirements (furniture, computers, etc.).

The attached document identifies the requests by departments, positions and associated costs.

FY 18 REQUESTS FOR NEW POSITIONS OR POSITION MODIFICATIONS

NEW

<u>Dept</u>	<u>Position</u>	<u>Request</u>	<u>#</u>	<u>Est Total Cost</u>	<u>Comments</u>
Fire	Firefighter	FT	4	402,616	1 Firefighter per shift
Police	Police Officer	FT	1	95,316	1 new Police Officer
Conservation	Asst Conservation Adm	PT - 19 hrs	1	30,992	Not benefits eligible
Health	Sr. Clerk	PT - 17 hrs	1	19,625	Not benefits eligible
Recreation	Recreation Asst.	PT - 19 hrs	1	20,000	Not benefits eligible
Subtotal			8	568,549	

MODIFIED

<u>Dept</u>	<u>Position</u>	<u>Request</u>	<u>#</u>	<u>Est Total Cost</u>	<u>Comments</u>
Conservation	Department Asst.	PT to FT	1	7,592	29 hrs to 35 hrs
Health	Sr. Clerk	PT to PT	1	4,135	15 hrs to 18 hrs
Subtotal			2	11,727	

Estimated
Total Request 580,276

(5) SPECIAL TOWN
MEETING

TOWN OF WAYLAND

WARRANT for

SPECIAL

TOWN MEETING



PLEASE NOTE:

**The location of the Special Town Meeting
will be the**

WAYLAND HIGH SCHOOL FIELD HOUSE

DOORS OPEN AT 6:00 P.M.

Tuesday
November 15, 2016
7:00 P.M.

www.wayland.ma.us

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

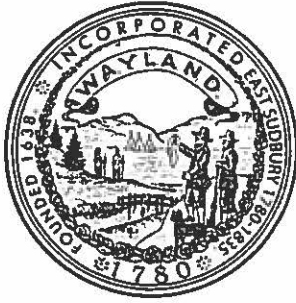
This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Assistant Town Administrator/HR Director
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 711
Days/Hours Available:	Monday, 8:00 a.m. to 7:00 p.m. Tuesday to Thursday, 8:00 a.m. to 4:00 p.m. Friday, 8:00 a.m. to 12:30 p.m.

Individuals who need assistance in seating for more effective communication are invited to make their needs and preferences known to the ADA Compliance Coordinator. Notification prior to Special Town Meeting would be helpful.

**This notice is available in large print and on audio tape
from the ADA Compliance Coordinator.**



TOWN OF WAYLAND
2016 SPECIAL TOWN
MEETING WARRANT

Special Town Meeting will start at 7:00 p.m.
In the WAYLAND HIGH SCHOOL FIELD HOUSE
on Tuesday, November 15, 2016

Doors will open at 6:00 p.m.

TABLE OF CONTENTS

About Town Meeting	2
How to Vote Electronically	3
Warrant of Special Town Meeting	5

ARTICLES

1. Municipal Field Irrigation Waiver Bylaw Change	5
2. Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials	7
3. Landscaping in Parking Areas Zoning Bylaw	9
4. Conservation Cluster Developments Zoning Bylaw	10
5. Petition the State Legislature to Remove all Police Personnel from the Provisions of Civil Service without affecting the Civil Service Rights of Incumbents	15
6. Authorize Land Acquisitions for Natural Diversity (LAND) Grant Program Funding to Purchase Conservation Restriction on Mainstone Farm	18
7. Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Road and Water Main	20
8. Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resource Protection	22
9. Appropriate Funds to Purchase 8 Glezen Lane for Water Resource Protection	25
10. Assisted/Independent Living and Nursing Home Zoning Bylaw.....	27
11. Home Occupation Zoning Bylaw	28
12. Town Wide Recreation Facilities Strategic Plan	32
13. Pay Previous Fiscal Year Unpaid Bills	34

APPENDICES

Appendix A.	The Moderator’s Rules and Regulations Governing Wayland’s Town Meetings	36
Appendix B.	Article 5: Massachusetts Police Departments Covered by Civil Service	44
Appendix C.	Article 6: Map of Mainstone Property	45
Appendix D.	Article 8: Map of 107 Old Sudbury Road Property	46
Appendix E.	Article 9: Map of 8 Glezen Lane Property	47

ADJOURNED MEETINGS

It is anticipated that if an adjourned meeting is necessary to complete action on this warrant, it will be held on Wednesday, November 16, 2016, subject to Special Town Meeting approval.

If you have any questions about the Articles, please attend the **Warrant Hearing on Monday, November 7, 2016, at 7:00 P.M.** at the Town Building. You may also call the Town Administrator’s office at (508) 358-7755 before Special Town Meeting.

NOTICE REGARDING MOTIONS

This Warrant for Wayland Special Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon; i.e., the articles.

By state law, no action at the Special Town Meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action Special Town Meeting might take under an article, you should plan to attend the Special Town Meeting.

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, “The Moderator’s Rules and Regulations Governing Wayland’s Town Meetings” prepared by the Moderator and included as part of this warrant booklet (Appendix A). Copies of the pamphlet, “The Moderator’s Handbook for Wayland Town Meetings,” are available online at http://www.wayland.ma.us/Pages/WaylandMA_BComm/Moderator/Handbook.pdf.

NO SMOKING NOTICE

Voters are reminded that no smoking is permitted on school grounds.

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Special Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

HOW TO VOTE ELECTRONICALLY

During the April 2015 Annual Town Meeting, Wayland's citizens approved a resolution endorsing the use of wireless electronic voting for all sessions of all town meetings through fiscal year 2019. Instead of shouting out *Aye* or *No*, raising our hands, or standing to be counted, we'll use electronic handsets to register our votes quickly, accurately, and privately during the upcoming Special Town Meeting.

The handsets look a bit like a TV remote control, but instead of pushing buttons to change channels, we push buttons to vote: the 1 button for *Yes*, or the 2 button for *No*. Your vote is displayed on your handset's screen and wirelessly transmitted to a computer that counts votes and displays results for the Moderator to announce. Nothing but these totals is permanently recorded, so your vote will remain private.

Special Town Meeting will be held in the High School Field House. You can use any check-in station; waiting in one line based on the first letter of your last name is no longer required. As you're checking in, you'll be issued a handset for your **exclusive** use during that session. Voting with a handset issued to anyone else is **strictly forbidden**.

If your phone, tablet, or laptop supports Wi-Fi, please disable this feature, as doing so will enhance performance of the electronic voting system.



Before each vote, the Moderator will summarize the motion or amendment being decided. He'll then announce the beginning of a 30 second interval during which you can convey your vote, and a "voting light" near the Moderator will be illuminated. To vote *Yes*, push your handset's 1 button. To vote *No*, push your handset's 2 button. If you accidentally push the wrong button, you can change your vote by pushing the correct button. If you don't want to participate in a particular vote, don't push any buttons during the 30 second voting interval; if you don't want to participate but accidentally push the 1 button or the 2 button, you can clear your unintentional vote by pushing the 3 button. When the 30 second interval is over, the "voting light" will be extinguished, and the Moderator will announce that the vote is complete; shortly thereafter, the Moderator will announce the results.



You should check-in at least 5 minutes before a vote to be certain that your handset can be used in that vote. If pushing your handset's 1 button or 2 button during a vote produces a *can't vote yet* message on its display, please raise your hand; the Moderator will direct personnel from the Help Desk to provide you with a paper ballot to record your vote.

If you inadvertently turn your handset off by pushing the power button in its lower-right corner, its display will be blank; push the power button briefly to turn your handset back on. Pushing any of your handset's other buttons during the voting interval will not change your vote, but for peace of mind, your handset will encourage you to *Re-Vote*; push the 1 button for *Yes* or the 2 button for *No*.

If you temporarily leave your seat during the meeting, please keep your handset with you. If you're visiting the restroom, you can leave your handset with the Exit Desk staff. When you leave the Field House – either during a session or at the close of a session – please place your handset in one of the bins at the Exit Desks. If you forget to turn in your handset, we'll give you a call the next day and ask you to return it.

Every handset will be tested before each session of Town Meeting, so the probability of a handset failing is very low. That said, if pushing your handset's 1 button or 2 button during a vote does not produce an *Yes* or *No* on its display, please raise your hand; the Moderator will direct personnel from the Help Desk to provide you with a paper ballot to record your vote, and you'll be issued a new handset. We don't expect this to happen, but like the Boy Scouts, we'll be prepared.

If you're physically unable to use a handset to vote, inform the person who checks you in, and you'll be seated in an area where your votes will be manually counted by Help Desk personnel. If you're wondering how much radio energy is used by a handset to convey your vote wirelessly, it's less than 1% that of a typical cell phone and only for brief instants, employing the same frequencies used for Wi-Fi wireless internet access.

ELVIS: Wayland's Electronic Voting Implementation Subcommittee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Town of Wayland

***** WARRANT *****

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all such residents of Wayland to meet in the Field House of the Wayland High School on

TUESDAY, NOVEMBER 15, 2016, AT 7:00 P.M.

to act on the following Articles:

ARTICLE 1: MUNICIPAL FIELD IRRIGATION WAIVER BYLAW CHANGE

Sponsored by: Board of Public Works and Recreation Commission

To determine whether the Town will vote to amend Section 191-6 of the Code of the Town of Wayland relative to types of applications for lawn irrigation systems by adding thereto the following new paragraph:

"C. Any municipally-owned field which uses prudent water conservation practices shall be exempt from the 15,000 square foot limit for new installations or expansions of existing irrigation systems. All irrigation improvements will be limited to the playing field area. All irrigation systems are subject to applicable regulations as well as approval by the Board of Public Works as Water Commissioners. Nothing in this bylaw shall limit the authority of the Board of Public Works to implement water restrictions, including for municipal irrigation systems."

FINANCE COMMITTEE COMMENTS: Current Wayland By-Laws prohibit the installation of irrigation systems of greater than 15,000 square feet which are connected to the Town's public water supply. Approval of this article would exempt municipally-owned fields which use prudent water conservation measures from the current prohibition. The article would not impact the Board of Public Works' authority to implement water restrictions for the Town, including for municipal systems.

At this time, nine of the Town's sixteen fields are irrigated. Of the nine irrigated fields, eight have conventional irrigation systems and one is irrigated via a drip or underground system. The remaining eight fields do not contain irrigation systems and are primarily irrigated through rainfall.

Under the current bylaw, the Town is currently permitted to install irrigation systems of a size fewer than 15,000 square feet and connect said system to the Town's water supply. Modification as proposed would enable the town to install and connect irrigation systems greater than 15,000 square feet for municipally-owned fields. This proposed modification permits the Department to install systems greater than 15,000 square feet, but it does not include any funding for the installation of new systems.

It should be noted that the Massachusetts Department of Environmental Protection (MassDEP) regulates the Town's ability to withdraw water from the ground for our public water system. Wayland's 20-year permit was due for renewal in 2016, but DEP has pushed this back to 2018 due to

bandwidth issues. Irrigation for playing fields is considered an acceptable use for withdrawing water from the ground in the MassDEP guidelines published in 2016.

The Board of Public Works voted 4-0 to recommend approval of this article.
The Recreation Commission voted 4-0 to recommend approval of this article.
The Board of Selectmen voted 5-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: Approval of this bylaw change would allow the Town to better maintain playing fields and prevent damage to grass/playing surface from summer heat.

Proponents argue that irrigating the fields is more cost-effective than repairing and rehabbing fields that suffer damage.

Proponents also argue that this waiver will eliminate the current costly and sometimes unsuccessful process of digging a well to try to irrigate municipally-owned fields.

Proponents believe that this waiver will enable the Town to maintain better grass quality which will provide a safer playing surface for the users of the fields.

Proponents maintain that this waiver from the by-laws ensure that the fields would be irrigated using modern and prudent conservation practices.

ARGUMENTS OPPOSED: Some may oppose this Article because they want to conserve as much water as possible for other uses.

Given the current drought-like conditions and declining water levels in our town's water sources, some may argue that field watering is not a necessary and appropriate use of this limited resource.

Some may fear that this Article would lead to an increase in water usage and therefore an increase in water rates.

Some feel that the town should explore other options including water reuse to irrigate the town fields.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-1.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

For more information about this article, contact Chris Brown, Chair, Board of Public Works, at cbrown93@comcast.net, or Jessica Brodie, Recreation Director, at 508-358-3662, at jbrodie@wayland.ma.us

ARTICLE 2: AMEND CHAPTER 36, SECTION 18 OF TOWN CODE, ATTENDANCE AND PARTICIPATION OF NONRESIDENT TOWN OFFICIALS

Sponsored by: Board of Selectmen

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

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

FINANCE COMMITTEE COMMENTS: Passage of this article will allow Town Counsel to answer questions at Town Meeting without needing a vote of the attendees to do so. Currently, Chapter 36, Section 18 of the Town Code grants the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, Public Buildings Director and Superintendent of Schools the same right as Wayland voters to attend, sit on the floor and answer questions in all town meetings. Town Counsel is not included in this section of the Town code and, as a result, Town Counsel must request permission from the Moderator to address the meeting each and every time. If there are any objections to allowing the Town Counsel to address the meeting, a vote needs to be taken. This vote is required under the Moderator's Rules and Regulations Governing Wayland's Town Meetings (see Appendix A), section IV, B, 4 which outlines the procedure for nonresidents to address town meeting. To change this, the position of Town Counsel must be added to the list of Town officials allowed to answer questions under Chapter 36, section 18 of the Town Code.

The Board of Selectmen submitted this article for consideration as one more step to make the procedures of town meetings more efficient.

As background, section 18 of Chapter 36 of Town code was added by Annual Town Meeting (ATM) April 2009 and amended by ATM April 2013. At ATM 2013, Article 12 proposed adding two Town officials to those allowed to answer questions. Town meeting approved adding the Public Buildings Director to the list of Town officials, but did not approve adding Town Counsel.

The Board of Selectmen voted 5-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: Proponents argue that passage of this Article will streamline the Town Meeting process by eliminating an administrative protocol.

Making Town Meeting more efficient has long been a goal of many residents and committees. Over the last few Town Meetings, a number of seemingly small steps have been implemented to collectively improve the efficiency of the proceedings. While this one change alone will not save a lot of time, it is one step to make Town Meeting procedures more efficient and will eliminate one interruption of article discussions.

If this article passes, Town Counsel will be allowed to speak only when asked a question.

ARGUMENTS OPPOSED: There are some who would like town meeting attendees to decide on whether Town Counsel may speak each time a question is posed.

Some feel that residents will ask Town Counsel more questions if s/he is allowed to answer questions without permission and that this could slow down Town Meeting even more.

Some argue that Town Counsel's words or opinion may carry different weight and may have more of an ability to sway voters than the other town officials currently listed in the bylaw.

Opponents contend that legal questions should be vetted and answered prior to Town Meeting and that legal opinions should not be requested and given on the fly in the meeting.

RECOMMENDATION: The Finance Committee recommends approval. Vote 5-2.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

*For more information about this article, contact John Senchyshyn, Assistant Town Administrator/
Human Resources Director, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us.*

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 thereto:

Replace the existing section 506.8.1 to read as follows:

"506.8. Landscaping in parking facilities.

- 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 on a lot that is in or 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 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 facilities.

- 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.

PLANNING BOARD REPORT: This amendment makes for clearer and more consistent language and provides proper guidance to permitting boards, Town departments and developers with regard to business district parking lots that abut residential land. The current Zoning Bylaw does not have a minimum standard for screening parking lots serving commercial uses from abutting residential uses. The amendment would establish a minimum ten foot buffer that would accommodate plant materials and fencing as may be required by the Special Permit Granting Authority and the Site Plan Approval Authority. The Planning Board believes this standard will provide better visual and noise screening to owners of residential properties that abut commercial properties.

On September 19, 2016, the Planning Board voted unanimously in favor of this article. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: Passage of this article will change the landscaping requirements for parking facilities in or near a residential district to a continuous landscape strip that is a minimum of 10 feet wide along the perimeter of a parking lot. The current Zoning Bylaw merely calls for "adequate" screening by trees, hedges or a tight fence. This amendment provides clearer and more prescriptive language because it specifies that the strip shall be landscaped and maintained with natural and living materials. Hence it provides clearer guidance to permitting boards, town departments and developers with regard to parking lots that abut residential land. The proposed ten foot buffer would provide room for proper plant material and fencing as may be required by the Special Permit Granting Authority. The Planning Board believes this standard will help to address sound, screening, and safety concerns of residential abutters that are adjacent to commercial districts.

The Board of Selectmen voted 5-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: The proposed change strengthens/clarifies the bylaw by replacing “adequate” with “a continuous landscape strip of a minimum width of 10 feet.”

The proposed change provides greater protection for abutters in residential areas.

The old bylaw gives a **choice** of adequate screening with trees, hedges or a fence. The new bylaw **requires** screening with natural and living materials as well as maintenance, **and** may in addition also require a fence.

ARGUMENTS OPPOSED: A net loss of parking spaces may result. This change may increase development costs by reducing useable space. Some may argue that the proposed changes are not prescriptive enough.

RECOMMENDATION: The Finance Committee recommends approval. Vote 6-1.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at 508-358-3778, or ssarkisian@wayland.ma.us.

ARTICLE 4: CONSERVATION CLUSTER DEVELOPMENTS 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 thereto:

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

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

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

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

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

~~1803.1.3.1~~ (a) The number of building lots that could be created in the tract shown on such plan without a special permit hereunder, plus one lot for each 10 of such building lots that could

otherwise be created; or

~~1803.1.3.2 (b) ¶~~the number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land identified as a protected resource area under the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones) situated within the floodplain or designated as wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.3.1 For purposes of demonstrating the number of lots under subsection 1803.1.3(a) above, an applicant under this Bylaw shall submit a dimensioned lotting plan signed and stamped by a registered professional engineer or land surveyor which shows the maximum number of lots which can be created on a conventional subdivision plan meeting all dimensional and other requirements of the Zoning Bylaw and being in compliance with the Subdivision Rules and Regulations, which submittal shall include a list of requested waivers necessary to implement the subdivision plan, which the Planning Board shall review and consider.

1803.1.3.2 Within the Residence Districts, the Planning Board ~~shall~~ may permit allow by special permit structures to be constructed containing more than one dwelling unit, but not more than four dwelling units per structure. The total number of dwelling units ~~for attached buildings~~ shall not exceed the total that is allowed under § 198-~~1805~~1803.1.43.

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

1803.1.4 Each of the building lots shown on the site plan ~~has~~ shall have adequate frontage, but no less than 50 feet, on a public or private way.

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

1803.1.6 The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built, ~~provided that a~~ All dwellings and accessory buildings, driveways and roadways shall be set back at least ~~45~~ 50 feet from the perimeter of the tract, except that the Planning Board may reduce this set back to not less than 15 feet if it furthers the interests of this by-law, and 15 feet from any open land, except for that portion of a driveway or roadway that intersects a public or private way for access to the development.

1803.1.7 For Conservation Cluster Developments consisting of at least a majority of single-family detached dwellings, ~~At least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be open designated as Open L and, and the open land shall include all land not dedicated to roads or building lots.~~ For Conservation Cluster Developments consisting of at least a majority of ~~attached~~ single-family attached dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as Open L and, ~~and the open land shall include all land not dedicated to roads or building lots.~~ For the purpose of this article, "Open Land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private, The Open

Land shall be reserved to be used for open space, conservation, agriculture, ~~outdoor~~ passive recreation, park purposes or some combination of the foregoing. [Amended 5-5-2005 ATM by Art. 29]

1803.1.82 Conveyance of the open Open land Land.

1803.1.8.12.1 The Open land Land shall be conveyed either:

~~1803.1.8.1.1~~ (a) To the Town or its Conservation Commission, but only if the Town or Conservation Commission agrees to accept title to the Open Land, which shall accept it for park or open space use;

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

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

~~1803.1.8.22.2~~ If ownership in title to the Open Land is held by an entity other than the Town, there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state, and provisions shall be made satisfactory to the Planning Board so that the Town, through its Conservation Commission, Planning Board, or other board, can enforce any other restrictions or easements imposed upon the open Open land Land by the Planning Board as conditions of its special permit grant.

~~1803.1.92.3~~ Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the open Open land Land to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the open Open land Land.

~~1803.1.103~~ If the land shown on the plan includes land tract of land proposed for the Conservation Cluster development is located in two residence zones or two or more residential districts, all of the land shall the entire tract, for all purposes of this article Bylaw, be considered as lying entirely within the zone or zoning district having the largest area and frontage requirements, except that if 75% or more of the total area shown on the plan as building lots lies within one residential district, all of the land shall be considered as lying within that zone or zoning district. [Amended 5-5-2005 ATM by Art.29 3

~~1803.1.11, respectively.~~

~~1803.1.114~~ No lot shown on the plan for which a permit is granted under this article may be further subdivided, and a notation to this effect shall be shown on the approved, recorded plan. [Amended 5-5-2005 ATM by Art. 29]

§ 198-1804. Conditions.

1804.1 The Planning Board may, in appropriate cases, impose as a condition of the special permit

further restrictions, conditions and safeguards upon the tract, or parts thereof, to protect and promote the health, safety, convenience and general welfare of the inhabitants of the Town of Wayland.

§ 198-1805. Decision.

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

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

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

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

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

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

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

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

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

1805.1.9 If, by the terms of the special permit, the Planning Board permits the Open Land to be used for subsurface waste disposal, the finding required by § 198-1803.1.92.3 above.

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

§ 198-1806. ~~Common~~ Open Land.

1806.1 If a special permit is granted, the Planning Board shall impose as a condition that the ~~common~~ Open Land shall be conveyed, free and clear of any liens or encumbrances except those that may be permitted by the Planning Board, ~~of any mortgage interest or security interest~~ and subject to a perpetual restriction of the type described above (if applicable), prior to the Planning Board's release of any lots from the subdivision restriction covenant or, if there is no such covenant, prior to the Building Commissioner's issuance of a building permit for any lot, unless the petitioner shall provide

a cash performance bond in an amount sufficient in the judgment of the Planning Board to guarantee the conveyance of the Open Land as required by the special permit. The petitioner shall provide satisfactory assurance of said conveyance and recording, in the form of copies of the recorded instruments bearing the recording stamp, and of such freedom from encumbrances. In any event, the Open Land shall be conveyed as required on or before one year after the conveyance of the first lot.

§198-1807. Duration of special permit.

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

§ 198-1808. Amendments.

1808.1 Following the granting by the Planning Board of a permit under this article, it may, upon application and for good cause shown, after notice and a public hearing as required for granting a special permit, amend the plan solely to make changes in lot lines shown on the plan; provided, however, that no such amendment shall:

1808.1.1 Grant any reduction in the size of the open land as provided in the permit;

1808.1.2 Grant any change in the layout of the ways as provided in the permit;

1808.1.3 Increase the number of building lots as provided in the permit; or

1808.1.4 Decrease the dimensional requirements of any building lot below the minimal required by this Zoning Bylaw.

PLANNING BOARD REPORT: The Conservation Cluster Bylaw has been very successful in Wayland. Open space is preserved by permitting a developer to subdivide with smaller lots and configurations than specified in the zoning district, giving developers and the Planning Board more flexibility to design a subdivision that preserves natural features and protects natural resources without increasing density. Since its inception, 33 acres of land have been preserved as open space, and 5 affordable housing units have been created that count towards the Town's Subsidized Housing Inventory under Chapter 40B.

The proposed amendments are mostly "housekeeping" in nature, to clarify certain provisions or provide internal consistency. In addition, the following substantive changes are proposed:

- Clarify how the total number of dwelling units allowed on a tract of land is determined, requiring the submission of a "yield plan" to enable the Planning Board to verify the allowable number of lots, and setting a minimum percentage of "upland" within the required Open Land (common area) in the development;
- Increase setbacks from the perimeter of the development tract;
- Strengthen the surety requirements to guarantee the conveyance of the Open Land to the Town or qualified non-profit, and further clarify the procedure for conveyance of the Open Land.

On September 19, 2016, the Planning Board voted unanimously in favor of this article. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: This article amends the Town's zoning bylaws related

to conservation clusters by specifying the total and maximum number of units that can be constructed and clarifying the amount and location of open space through the provisions related to "Open Land."

In addition, the following changes are proposed:

- Clarifies how the total number of dwelling units allowed on a tract of land is determined, including the requirement that a subdivision lotting plan be submitted, and excluding certain Wetland Resource areas from the area calculation;
- Increases setbacks from the perimeter to 50 feet;
- Clarifies the provisions for set aside of Open Land, including the requirements for a restriction to be imposed on the Open Land if it is not conveyed to the Town;
- Requires the developer to provide the Town with a cash performance bond to guarantee the conveyance of the Open Land and further clarifying the procedure for conveyance of the Open Land.

The Board of Selectmen voted 5-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: The proposed amendments include a number of "housekeeping" amendments to clarify the bylaw or provide internal consistency.

ARGUMENTS OPPOSED: Some would argue that this puts too many restrictions on the development of Conservation Cluster Developments.

RECOMMENDATION: The Finance Committee voted 7-0-0 to not take a position on this article.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at 508-358-3778, or ssarkisian@wayland.ma.us.

ARTICLE 5: PETITION THE STATE LEGISLATURE TO REMOVE ALL POLICE PERSONNEL FROM THE PROVISIONS OF CIVIL SERVICE WITHOUT AFFECTING THE CIVIL SERVICE RIGHTS OF INCUMBENTS

Sponsored by: Board of Selectmen

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

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

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

Section 2: The provisions of Section 1 of this act shall not impair the Civil Service status of the

present officers of the Town of Wayland Police Department except for the purpose of promotion.

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

FINANCE COMMITTEE COMMENTS: This article seeks to remove Police personnel in the category of: 1) new hires, and 2) those being promoted from the provisions of Civil Service. Existing Police personnel remaining in their current status would not be affected by this petition. In Wayland, only Police Department personnel (below the rank of Chief) are covered under the Commonwealth of Massachusetts Civil Service Law Chapter 31.

At the March 1946 ATM, an article was approved to petition the General Court to remove the Chief of Police from Civil Service. Wayland adopted Civil Service for Police Department personnel by Referendum Town Election on March 1, 1971. No other Wayland personnel, including those in the Fire Department, are subject to the Civil Service process.

Civil Service was enacted in Massachusetts in 1884 with the primary purpose of protecting the hiring and the disciplinary processes from patronage and political interference. State and municipal employees may be hired and promoted under the Civil Service merit system in accordance with Massachusetts General Law, Chapter 31 and the Personnel Administration Rules of Personnel Administration Rules (PAR's). Civil Service appointments are generally made by appointing authorities who select applicants who have taken a competitive examination or have completed a registration process. The Civil Service system was intended to be guided by "Basic Merit Principles" such as merit hiring and promotion and protection from arbitrary and capricious actions.

Despite the good intentions of Civil Service legislation, Municipalities are opting out of Civil Service because the system has proven to be ineffective and obsolete. The Civil Service Unit under the Commonwealth's Human Resources Division has undergone severe budget cuts in recent years resulting in staff reductions, administrative functions being decentralized, and response time to municipalities becoming very slow and unacceptable.

Acton, Maynard, Wellesley, Westwood, Norwood, Franklin, Walpole, Burlington, and Reading have withdrawn from Civil Service over the past few years. Other towns, such as Framingham, Sudbury, Grafton and Marlborough are in the process of leaving Civil Service. Today, Wayland is bordered by Weston, Lincoln, Framingham and Sudbury which have, or soon will have, non-Civil Service Police Departments.

For Wayland, the primary reason for the petition to withdraw from Civil Service is to improve the Town's ability to recruit and hire the best potential candidates. The average length of time to fill the last six open positions for new hires in the Wayland PD was 13 months; in one instance this stretched to 26 months. These excessive hiring durations cause shift shortages with potential impact to public safety, officer holdover shift to shift, and increased overtime costs to the Town.

Additionally, the best candidates are not always available for selection by the town through the Civil Service process. Under Civil Service a "list" is established for both new hires and internal promotions. For new hires: 1) Candidates take a test with the only requirement having passed a General Educational Development exam and proof of identification; 2) Candidates are scored and placed on the "list" based upon on their test results. Work experience and educational achievement do not play a factor in scoring; 3) Preferences are given for military service and other statutory preferences. Such statutory preferences do not indicate the hiring of an effective, qualified Police Officer; 4) When a

“list” is requested from the Commonwealth by Wayland, candidates must personally come into the Police Station and sign the “list” – only those signing the “list” may be interviewed; 5) Civil Service mandates that ONLY the top 3 candidates who signed a “list” are eligible for hiring for a single vacancy (for 2 vacancies, 5 candidates may be considered). Thus, Wayland has no control over the candidate pool. Candidates can be disqualified or “by-passed”, but “by-pass” can be a contentious and time consuming process. In one instance the top candidate presented on the Civil Service list was an individual who had been arrested in Wayland on domestic violence charges – and again appeared on the next two issued lists; 6) If none of the top 3 candidates are selected by Wayland’s interview committee, and there is not sufficient reason to “by-pass” any of the candidates, Wayland cannot fill its vacancy.

By leaving Civil Service, Wayland could test, rank and interview candidates independently. Candidate pools should increase dramatically and interview and selection would not be limited to only the top three candidates. The Town would have the ability to diversify our personnel, recruit educated candidates from colleges, choose from a pool of twenty or more candidates and incorporate community and department specific criteria into hiring and exams. The length of time to deploy a new, qualified Police Officer may be greatly reduced.

The promotional process will also be improved. Wayland’s recent Civil Service promotional exams have only produced one or two candidates to consider for promotion to a supervisory position. Wayland is fortunate to have qualified Officers who could flourish in supervisory roles, but the Civil Service promotional exams require scoring to take precedence over job related experience, supervisory evaluation of the employee’s potential, score on promotional exam, sick leave record, formal education, training and education through career development, disciplinary record, attitude toward the police department and work ethics and initiative. Once removed from Civil Service, the candidate’s job performance may become part of the evaluation process in promotion to a higher rank.

For current Police personnel, Officers appointed or promoted under Civil Service would retain their Civil Service permanency in their current position. Permanency would not follow an Officer who is promoted to a new position following the withdrawal from Civil Service. Officers would retain their Civil Service rights for as long as they remained in the position appointed under Civil Service.

It should be noted that withdrawing from Civil Service only changes the current collective bargaining agreement in place with the Wayland Police Officers’ Association (NEPBA #176) with respect to Civil Service references. The current agreement already provides for a non-Civil Service arbitration process for settling grievances and disciplinary issues.

The Board of Selectmen voted 5-0 to recommend approval of this article.

The Personnel Board voted 4-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: Wayland could test, rank and interview candidates independent of Civil Service; therefore candidate pools should improve dramatically in quality and quantity.

Police Officer interviews and selection would not be limited to the top 3 candidates, and vacancies would be filled more expeditiously with less cost to the Town.

Performance and merit would become a meaningful factor in promotions.

Civil Service has become outdated.

ARGUMENTS OPPOSED: Some may say that municipalities should not have local control over hiring and promotion of employees where a uniform state level process exists.

The Wayland Police Officers' Union (New England Police Benevolent Association Local #176) opposes removal of Civil Service on the grounds that it was enacted to hire and promote candidates upon a system of merit, rather than political favoritism. They believe the process is effective.

RECOMMENDATION: The Finance Committee recommends approval. Vote 7-0.

QUANTUM OF VOTE: Majority – See Clause (1) of Section 8 of Article 2 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

For more information about this article, contact John Senchyshyn, Asst. Town Administrator/HR Director, at (508) 358-3623, or email jsenchyshyn@wayland.ma.us. See Map of Massachusetts Police Departments covered by Civil Service at Appendix B.

**ARTICLE 6: AUTHORIZE LAND ACQUISITIONS FOR NATURAL DIVERSITY (LAND)
GRANT PROGRAM FUNDING TO PURCHASE CONSERVATION
RESTRICTION ON MAINSTONE FARM**

Sponsored by: Community Preservation Committee and Conservation Commission

To determine whether the Town will vote to:

- 1.) confirm its vote under Article 30 of the Warrant for the 2016 Annual Town Meeting to (i) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise a conservation restriction in accordance with Massachusetts General Laws Chapter 184, Sections 31-33 restricting the use of the land to conservation and passive outdoor recreation purposes, to be held by the Town of Wayland Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C and by the Sudbury Valley Trustees, Inc, on a parcel of land located on Old Connecticut Path and Rice Road, Wayland, Massachusetts containing 208.7 acres, more or less, which parcel of land to be covered by said conservation restriction is part of the parcel of land shown on Wayland Assessors Map as Parcel 35-031A and is shown as "87 Old Connecticut Path" on a plan entitled "Subdivision Plan of Land in Wayland Middlesex County Massachusetts" dated December 22, 2015, prepared for Mainstone Land Trust by Samiotes Consultants Inc., and recorded with the Middlesex South Registry of Deeds as Plan No. 100 of 2016 (Sheets 2 and 3 of 3), which plan is the basis for the sketch map attached to the Warrant for the Annual Town Meeting 2016 in Appendix K; (ii) appropriate \$12,000,000 to be expended by the Board of Selectmen for the acquisition of said conservation restriction to be held by the Town of Wayland Conservation Commission and by Sudbury Valley Trustees, Inc.; and (iii) provide for said appropriation by (1) transferring \$2,100,000 from funds set aside in the Community Preservation Fund for open space (2) transferring \$2,900,000 from the uncommitted funds in the Community Preservation Fund; and (3) authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$7,000,000 in anticipation of future Community Preservation Fund revenues pursuant to Massachusetts General Laws Chapter 44B, Section 11;
- 2.) authorize the Board of Selectmen to expend said funds in conjunction with \$3,000,000 to be provided by the Sudbury Valley Trustees, Inc. for a total project cost of \$15,000,000;

- 3.) authorize the Conservation Commission to (i) file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under Massachusetts General Laws Chapter 132A, Section 11 and/or any others in any way connected with the scope of this Article; and (ii) enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase; and
- 4.) authorize the Town Administrator, with the approval of the Board of Selectmen, to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services LAND Grant Program.

FINANCE COMMITTEE COMMENTS: In order to apply for a \$400,000 land grant, The Town needs to re-address the Mainstone project at Town Meeting to:

- State the full amount of the cost of the conservation restriction (CR);
- Get permission from Special Town Meeting (STM) to apply;
- Get permission from STM to receive the funding if it is awarded.

This article is necessary to comply with regulations of the Department of Conservation Services' Local Acquisitions for Natural Diversity (LAND) Grant program. The Town through its Conservation Commission has applied for a \$400,000 LAND grant toward the purchase price of a CR on 208+ acres of farmland at Mainstone Farm. As part of the grant application Town Meeting must authorize the submittal of the grant application and receipt of monies should the town be awarded funds.

The authorization also must state the full purchase price. Thus:

- a.) reiterates the vote of Annual Town Meeting 2016 in which the town allocated \$12 million toward the purchase of a CR Mainstone Farm;
- b.) authorizes the Board of Selectmen to spend those already allocated funds and states the total purchase price of \$15,000,000 of which Sudbury Valley Trustees will raise \$3,000,000;
- c.) authorizes the Conservation Commission on behalf of the Town to apply for the grant and
- d.) authorizes the Town Administrator, with approval of the Board of Selectmen, to accept funds to reimburse the Community Preservation Fund.

Applications for the grant were due July 13, 2016. DCS has indicated that awards are likely to be announced in late November or early December 2016. The grant is to be used to reimburse part of the cost of the CR; thus the funds would not be received from the State until after the CR transaction has been completed. If the town is awarded grant monies, the CPC desires that those funds be deposited back into the Uncommitted Balance of the Community Preservation Fund and be available for use to fund future projects.

The Community Preservation voted 6-0 to recommend approval.
The Conservation Commission voted 5-0 to recommend approval.
The Board of Selectmen voted 5-0 to recommend approval.

ARGUMENTS IN FAVOR: This article is simply a reconfirmation of the approval of Article 30 from the 2016 Annual Town Meeting allowing the Town to purchase a Conservation Restriction (CR) on over 200 acres at Mainstone Farm.

This article empowers the Board of Selectman to spend the funds authorized for the CR by the Town

for \$12,000,000 and received from SVT for \$3,000,000.

Passage of this article allows the Conservation Commission to apply for a grant to help pay for the CR on Mainstone Farm.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0-0.

QUANTUM OF VOTE: Majority.

For more information about this article, contact Gretchen Schuler, Chair, Community Preservation Committee, at ggschuler@verizon.net. See map at Appendix C.

ARTICLE 7: AMEND FY2017 CAPITAL BUDGET TO ELIMINATE FUNDING FOR STONEBRIDGE WATER ACCESS ROAD AND WATER MAIN

Sponsored by: Petitioners

To determine whether the Town will vote to amend its vote under Article 8 of the Warrant for the 2016 Annual Town Meeting relative to the Fiscal Year 2017 Capital Budget to reduce to zero the amount allocated to Capital Budget Item 28: "Department of Public Works, Water - \$936,000. Title: Stonebridge Water Main Project."

PETITIONERS' COMMENTS: At last Town Meeting nearly 1 million dollars from our water budget was allocated to build a new access road to the Happy Hollow well. The justification presented for this spending was that it will save water budget money by allowing 54 ft 18 wheeler trucks to deliver the well chemicals. The delivery charge for the chemicals will be lower with the larger trucks.

Saving money on our water bills is a good thing.

However, there are two ways to enable this delivery savings:

- 1) Enhance existing delivery route by the High School with optional police escort for safety (1hr/month)
cost ~\$41k payback period: ~about 2 months
- 2) Build new access road and associated infrastructure
cost: ~\$930k payback period: ~4.5 years

There is no need for the town to choose the expensive option.

There is no need to wait an additional four years before the saving starts appearing on our water bills.

FINANCE COMMITTEE COMMENTS: The Finance Committee recommended approval of spending \$936,000 on the design, permitting, bid and construction of a new access road and water main as part of the CIP process last year and it was approved at ATM. It should be noted that at ATM, residents considered a modification to delete this from the capital budget (as is presented in this article) and the motion to delete this from the capital budget failed on ATM floor with a vote of

77-152. Following is what was approved and what appeared in the 2016 Annual Town Meeting Warrant:

28. Budget: Department of Public Works, Water - \$936,000.	
Title: Stonebridge Water Main	Project Advocate(s): Director, DPW
Description: Costs associated with design, permitting, bid and construction of the Happy Hollow Access Road and Water Main.	
<p>Justification: Happy Hollow Well Site and Chemical Feed Facility is a critical component to the Town's water supply, which requires frequent site visits by Town personnel. Access to the site is limited, which requires Town vehicles, bulk chemical deliveries and contractors to drive through the main entrance to the Wayland High School off Old Connecticut Path and around the back of the school adjacent to the football, lacrosse, and soccer fields which can be a hazard to all participants and spectators.</p> <p>Therefore, the Town is proposing to construct approximately 1,800 linear feet (lf) by 18-foot wide paved access road off Stonebridge Road and come in at the rear of the site. The work will also include the installation of approximately 1,200 lf of guardrail and country drainage to handle stormwater runoff. The estimated cost of construction for the access road is approximately \$600,000.</p> <p>In addition, the Town is proposing to install approximately 1,200 linear feet (lf) of 12-inch diameter ductile iron water main to construct a continuous loop to improve hydraulics within the system (and especially the Stonebridge Rd service area) and the ability to redirect flow distribution if needed. The estimated cost of construction for the installation of the 12-inch diameter water main is approximately \$336,000. The Board of Public works indicates that the new pipes will significantly improve water service to this area, and the road noted above is needed for the installation of these pipes.</p> <p>Total estimated cost of construction for the access road and water main is \$936,000.</p>	
Relationship to General Plan: Included in the long-range capital plan to maintain and improve our water distribution system.	
History: This is part of an ongoing plan for sustainment of the water distribution system	
Schedule: Fiscal Year 2017	In the 5 Year Capital Plan? Yes
Source of Funds: Water Borrowing	Request: \$936,000.

It should be noted that water loops circulate water instead of dead-ending it. This improves water quality and lowers maintenance costs. The article, as approved at ATM, will eliminate a dead end in Stonebridge area by creating a new distribution loop. American Water Works Association and Massachusetts* standards recommend a looped network in the water mains of a distribution system. In contrast to a tree-like branched network where there is only a single path from source to endpoint, a looped network allows water to flow to endpoints along multiple paths. Benefits of looped systems include: redundancy for firefighting, enabling portions to be shut off for emergency or preventative maintenance while still providing service to most end points, and avoiding stagnant areas of the distribution system which lead to poorer water quality and maintenance issues.

* MA Energy and Environmental Affairs: [Guidelines for Public Water Systems - Chapter 9 - Distribution System Piping and Appurtenances](#) - page 9-6

“Dead Ends - Dead ends shall be minimized by looping of all mains whenever practical.”

The Board of Selectmen recommends against approval. Vote 0-5.

ARGUMENTS IN FAVOR: Some might argue this would save money.

Some would argue that Stonebridge Road does not meet the state standards for 54 ft tractor trailer trucks (radius of curves too tight).

ARGUMENTS OPPOSED: This same matter was considered at ATM last year and the motion to delete this from the capital budget failed 77-152.

Usage of a widened road through the high school for chemical deliveries results in safety risks to students, staff, and field users.

The three new Happy Hollow wells are our best and most important water source. Today a single path connects them into the system. The 12" main gives us a second full-capacity 900 GPM flow into a different branch of the system (despite a 10" section of main on Stonebridge). The new main eliminates a single point of failure. The water main creates redundant path from HH wells into the distribution system.

The looped water main improves firefighting flow and will improve water quality.

RECOMMENDATION: Finance Committee does not recommend approval of this article. Vote 0-7.

QUANTUM OF VOTE: Majority.

For more information, contact petitioner Duane Galbi.

ARTICLE 8: APPROPRIATE FUNDS TO PURCHASE 107 OLD SUDBURY ROAD FOR WATER RESOURCE PROTECTION

Sponsored by: Board of Public Works

Estimated Cost: \$500,000

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of the parcel of land and the structures thereon located at 107 Old Sudbury Road, Wayland, Massachusetts, containing 2.06 acres, more or less, and shown as Lot 17-022 on the Town of Wayland Assessors' Map;
- b.) appropriate a sum of money for the acquisition of said parcel of land with the structures thereon for water purposes, the demolition and removal of said structures and site work, for water purposes, the fee or any lesser interest in the parcel;
- c.) determine whether said appropriation shall be provided by transfer from the Water Enterprise Fund, borrowing or by grants; and
- d.) authorize the Board of Public Works to apply for and accept a grant under the Massachusetts Executive Office of Energy and Environmental Affairs Drinking Water Supply Protection Program and funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of said grant program.

FINANCE COMMITTEE COMMENTS: Passage of this article will authorize the Board of Public Works (BoPW) to purchase Lot 17-022 located at 107 Old Sudbury Road for water resource protection, appropriate the necessary funds through Water Enterprise borrowing and authorize the BoPW to apply for a Drinking Water Supply Protection (DWSP) grant. The BoPW seeks to acquire this 2.06 acre parcel as shown on the map in Appendix D for two reasons: the protection of the water supply and future expansion of the water treatment process.

Protecting the Water Supply: Wayland has a ten million dollar investment in the Baldwin Pond treatment plant. When the Town's wells were constructed in the early 1900's, the regulations in place did not require wells to be placed in designated areas and/or prohibit buildings on the land. Today, the Massachusetts Department of Environmental Protection (DEP) urges municipalities to control property which can influence Town wells. 107 Old Sudbury Road is a 2.06 acre parcel located in Zone 2 of Baldwin Wells #1, 2, and 3. It runs 300' along Baldwin Pond. Just under an acre of this parcel is located in the capture area of the wells from which a well draws water during periods of little or no rainfall such as the Town has experienced this past summer. The Board of Public Works wants to purchase this parcel and designate it for water supply protection. There is a residence on the property which the BoPW plans to demolish at a future date.

Future Expansion of the Water Treatment Process: The Baldwin Pond treatment plant site is constrained by its size and proximity to the Baldwin Pond. The land available when the treatment plant was built limits future expansion.

The Town is currently rehabilitating the sand filter bed at the Baldwin Pond treatment plant. The BoPW hopes these upgrades will solve ongoing post-treatment issues. If the upgrades prove insufficient, it may be necessary to add another treatment process in between the plant and the filter beds to dewater the sludge before it reaches the sand beds. Additional space for the new process and possibly an additional sand filter bed would be necessary. 107 Old Sudbury Road directly adjoins the treatment facility land and is suitable for any necessary future expansion.

The BoPW has agreed to purchase this property for \$500,000. The Purchase and Sales agreement stipulates this purchase price is only valid if the purchase is approved by a Town Meeting held prior to November 30, 2016. At the time the warrant went to press the appraisal was in process, but had not been completed. The appraisal will be presented at Special Town Meeting. There is a tax lien on the property. The Town will be reimbursed for back taxes from the proceeds of the sale.

To fund this purchase, the BoPW proposes Water Enterprise borrowing. This debt service will be supported by water revenue. In addition, the Board of Public Works intends to apply for a Drinking Water Supply Protection Grant. If successful, the grant will award 50% of the purchase price up to \$350,000.

The Board of Public Works voted 5-0 to recommend this article.
The Board of Selectmen deferred its recommendation until Special Town Meeting.

ARGUMENTS IN FAVOR: Making this acquisition ensures this parcel will only be used for water supply protection purposes.

Purchasing this property will further protect the Town's investment in the Baldwin wells and water supply.

Increasing the land area on which the Baldwin Well is sited by 2.06 acres will provide room for any necessary future expansion.

ARGUMENTS OPPOSED: Some might argue this property should be thoroughly vetted to determine whether water protection is the best use of this land.

Some might feel it more appropriate to allow another buyer to purchase this parcel and the Town continue to collect approximately \$9,000 in annual real estate tax revenue.

This parcel is one of several that abut the Baldwin Water Treatment plant. Purchasing all these parcels as they become available may prove to be a costly endeavor and has the potential to cause residential water rates to increase.

The estimated cost does not include demolition, removal of the leach field or ongoing maintenance expenses.

RECOMMENDATION: The Finance Committee voted 7-0-0 to take no position on this article, deferring its recommendation, if any, until Town Meeting.

QUANTUM OF VOTE: a.) Two-thirds – See Massachusetts General Laws Chapter 40, Section 14; b.) Majority – See Massachusetts General Laws Chapter 40, Section 5; c.) Two-thirds for borrowing – see Massachusetts General Laws Chapter 44, Section 7, otherwise, majority; and d.) Majority.

For more information about this article, contact Chris Brown, Chair, Board of Public Works, at cbrown93@comcast.net. See map at Appendix D.

ARTICLE 9: APPROPRIATE FUNDS TO PURCHASE 8 GLEZEN LANE FOR WATER RESOURCE PROTECTION*Sponsored by: Board of Public Works**Estimated Cost: \$1,225,000*

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of the parcel of land and the structures thereon at 8 Glezen Lane, Wayland, Massachusetts, containing 1.82 acres, more or less, and shown as Lot 18-014 on the Town of Wayland Assessors' Map;
- b.) appropriate a sum of money for the acquisition of said parcel of land with the structures thereon for water purposes, the demolition and removal of said structures and site work;
- c.) determine whether said appropriation shall be provided by transfer from the Water Enterprise Fund, borrowing or by grants; and
- d.) authorize the Board of Public Works to apply for and accept a grant under the Massachusetts Executive Office of Energy and Environmental Affairs Drinking Water Supply Protection Program and funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of said grant program.

FINANCE COMMITTEE COMMENTS: Passage of this article will authorize the Board of Public Works (BoPW) to purchase Lot 18-014 located at 8 Glezen Lane, appropriate the necessary funds through Water Enterprise borrowing and authorize the BoPW to apply for a Drinking Water Supply Protection (DWSP) grant. The BoPW seeks to acquire this 1.82 acre parcel as shown on the map in Appendix E for two reasons: Protection of the water supply and future expansion of water treatment process.

Protecting the Water Supply: Wayland has a \$10,000,000 investment in the Baldwin Pond treatment plant. When the Town's wells were constructed in the early 1900's, the regulations in place did not require wells to be placed in designated areas and/or prohibit buildings on the land. Today, the Massachusetts Department of Environmental Protection (DEP) urges municipalities to control property which can influence Town wells. Nearly the entire 1.82 acres at 8 Glezen Lane is located within the 400-foot Zone I wellhead protection area of the Baldwin Pond wells and treatment plant.

The parcel at 8 Glezen Lane not only abuts the Baldwin Pond Treatment plant: it contains a residential building with a septic system that has failed a Title V inspection, a situation that does not meet today's code. If septic or any contamination from this parcel were to reach the Baldwin well, the DEP could require a long outage of the well to requalify the plant. This could significantly affect the Town's ability to deliver water.

The BoPW plans would include demolishing the residence on the property at a future date.

8 Glezen Lane is one of 7 properties that have residences built on them that abut the water treatment plant. The BoPW has indicated it would be prudent to evaluate each of these as they become available in terms of increased water supply protection.

Future Expansion of the Water Treatment Process: The Baldwin Pond treatment plant site is constrained by its size and proximity to the Baldwin Pond. The land available when the treatment plant was built limits future expansion.

The Town is currently rehabilitating the sand filter bed at the Baldwin Pond treatment plant. The BoPW hopes these upgrades will solve ongoing post-treatment issues. If the upgrades are not sufficient, it may be necessary to add another treatment process in between the plant and the filter beds to dewater the sludge before it reaches the sand beds. 8 Glezen Lane directly adjoins the treatment facility and is suitable for such expansions as well as any necessary future expansion.

At the time the warrant went to press, the appraisal was in process, but had not been completed. It will be presented at Special Town Meeting.

To fund this purchase, the BoPW proposes Water Enterprise borrowing. This debt service will be supported by water revenue beginning with FY17. In addition, the Board of Public Works intends to apply for a Drinking Water Supply Protection Grant. If successful, the grant will award 50% of the purchase price up to \$350,000.

The Board of Public Works voted 5-0 to recommend approval of this article.
The Board of Selectmen deferred its recommendation until Special Town Meeting.

ARGUMENTS IN FAVOR: Purchasing this property will ensure the property will be only used for water supply and protect the Town's investment in the Baldwin wells.

Completing this purchase will eliminate a potential contamination source for the Baldwin well and water supply.

Increasing the land area on which the Baldwin Well is sited by 1.82 acres will provide room for any necessary future expansion.

Enhancing wellhead protection will bring the well into further compliance with DEP guidance.

ARGUMENTS OPPOSED: Some may argue this is an expensive parcel in a prime site to be left undeveloped.

The failed septic system could be replaced with a leach field outside the Zone I or a tight septic holding tank.

This purchase will result in an approximate annual reduction of approximately \$15,000 in real estate tax revenue.

This parcel is one of several properties that abut the Baldwin wells. Purchasing all these properties as they become available could prove to be a costly endeavor, and has the potential to cause residential water rates to increase.

The estimated costs do not include demolition, removal of leach field and/or ongoing maintenance expenses.

RECOMMENDATION: The Finance Committee voted 7-0-0 to take no position on this article, deferring its recommendation, if any, until Special Town Meeting.

QUANTUM OF VOTE: a.) Two-thirds – See Massachusetts General Laws Chapter 40, Section 14; b.) Majority – See Massachusetts General Laws Chapter 40, Section 5; c.) Two-thirds for borrowing – see Massachusetts General Laws Chapter 44, Section 7, otherwise, majority; and d.) Majority.

For more information about this article, contact Chris Brown, Chair, Board of Public Works, at cbrown93@comcast.net. See map at Appendix E.

ARTICLE 10: ASSISTED/INDEPENDENT LIVING AND NURSING HOME 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 thereto:

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.

PLANNING BOARD REPORT: This article amends the Zoning Bylaw by prohibiting Assisted/Independent and Nursing Homes in residential districts. The intensity of use of these types of operations (traffic, employees, etc.) with no density limitations is not compatible with single-family residential neighborhoods, but are allowed under our Zoning Bylaw in our business districts by special permit.

On September 19, 2016, the Planning Board voted unanimously in favor of this article. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: This article requests that Town Meeting amend the Zoning By-Laws to prohibit Assisted/Independent Living and Nursing Homes in residential districts. The current zoning bylaws allow Assisted /Independent Living and Nursing homes in residential districts to be built under special permits issued by the Zoning Board. Buildings of this type of scale with no density standard do not meet the intent of the residential districts and may be detrimental to the residential or natural environment of a neighborhood. In addition, there are currently no parameters that control the development of assisted/independent living and nursing home use in residential neighborhoods. This article would not allow such development.

The Board of Selectmen deferred its recommendation until Special Town Meeting.

ARGUMENTS IN FAVOR: This article would protect residential neighborhoods from a form of development that some would consider too dense for residential neighborhoods.

By limiting the number of assisted/independent living and nursing home residences in Wayland, it is argued that the burden on the ambulance staff of Wayland's Fire Department would be lessened.

Buildings of this type of scale with no density standard do not meet the intent of the residential districts and may be detrimental to the residential or natural environment of a neighborhood.

Passage of this article will allow time for the Planning Board to consider where such facilities should be located, Town safety considerations to support such facilities, regulations regarding types of services offered and density, if allowed, in potential residential locations. This is something the Planning Board will do in the future.

ARGUMENTS OPPOSED: Some would argue that owners of residences in Wayland should have the right to use their homes for the purpose of assisted/independent living and nursing homes.

Some would argue that the demand for these types of facilities are needed in Wayland and should not be limited by this proposed change.

The article may be considered inconsistent with current and future industry trends in the care of people in need of these services.

Some people would argue that the requirement of obtaining a special permit is sufficient.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0-0.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at 508-358-3778, or ssarkisian@wayland.ma.us.

ARTICLE 11: HOME OCCUPATION 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 thereto:

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

"In Section 198-104:

Any activity customarily carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit or an accessory structure. ~~Said occupation to include but are not necessarily limited to the following: sale of antiques; dressmaking, sewing and tailoring; letting of rooms; telephone solicitation work; tutoring; home crafts; studio for artist or craftsman; office for doctor, dentist, attorney, real estate agent, insurance agent, accountant, stock broker, engineer, architect, landscape architect, musician, writer, data programming, sales representative; and tradesperson, such as electrician, plumber, and carpenter.~~ Where customary home occupations are permitted by the Table of Accessory Uses § 198-804, no dwelling or accessory structure so used shall be reconstructed or enlarged for such purposes unless specifically permitted under the provisions of § 198-203.

[Added 4-30-2001 ATM by Art. 25; amended 4-7-2011 ATM by Art. 19]

901.1.1.

A customary home occupation of a resident owner, or a resident tenant with the owner's permission, shall be permitted as a matter of right in those zoning districts specifically referenced in the Table of Accessory Uses, § 198-804, provided that all of the following conditions are met:

[Amended 5-4-1994 ATM by Art. 23; 4-30-2001 ATM by Art. 25]

901.1.1.1.

The customary home occupation occupies no more than 25% of the gross floor area or 500 square feet, whichever is less, of the dwelling unit or accessory building on the lot.

901.1.1.2.

There are no employees;

901.1.1.3.

No business is conducted on the lot with any client or customer physically present;

901.1.1.4.

There are no signs or other external evidence of nonresidential use; and

901.1.1.5.

No hazard or nuisance, including offensive noise, vibrations, smoke, dust or other particulate matter, odors, heat, glare, humidity, and noxious fumes, shall be created to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists.

901.1.2.

A customary home occupation of a resident owner, or a resident tenant with the owner's permission, may be permitted by issuance of a special permit from the Zoning Board of Appeals in those zoning districts specifically referenced in the Table of Accessory Uses, § 198-804, provided that all of the following conditions are met:

[Added 4-30-2001 ATM Art. 25]

901.1.2.1.

The use of the dwelling unit, or an accessory structure, by the resident for business is incidental and subordinate to its use for residential purposes and occupies no more than 25% of the gross floor area of the dwelling unit or 500 square feet, whichever is less, within the dwelling unit or accessory structure on the premises;

[Amended 5-6-2004 ATM by Art. 21]

901.1.2.2.

No more than one nonresident employee shall be permitted on the lot;

901.1.2.3.

There is no change in the outside appearance of the building, structure, or lot or any visible or audible evidence detectable from the property line of the conduct of such business except that one sign not larger than two square feet in area bearing only the name of the practitioner and occupation shall be permitted (words only). The sign shall be flush-mounted to the dwelling unit and shall not be illuminated.

901.1.2.4.

~~Traffic, including traffic by commercial delivery vehicles, shall not be generated in greater volumes than would normally be anticipated in a residential neighborhood;~~ The Customary Home Occupation shall not generate more than ten additional vehicle trips per day, as is predicted by the Institute of Transportation Engineers (ITE) trip generation manual or other competent evidence.

901.1.2.5.

No hazard or nuisance, including offensive noise, smoke, dust, odors, heat, glare, noxious fumes or vibrations, shall be created to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists;

901.1.2.6.

There shall be no display of goods or outside storage;

901.1.2.7.

Parking for the customary home occupation shall be provided on the lot.

PLANNING BOARD REPORT: This article modernizes the Zoning Bylaw's home occupation provisions. The first change amends the definition of "home occupation" as found in the Bylaw's definition section, §104:

Any activity customarily carried out for gain by a resident, conducted as an accessory use in the resident's dwelling unit or an accessory structure. ~~Said occupation to include but are not necessarily limited to the following: sale of antiques; dressmaking, sewing and tailoring; letting of rooms; telephone solicitation work; tutoring; home crafts; studio for artist or craftsman; office for doctor, dentist, attorney, real estate agent, insurance agent, accountant, stock broker, engineer, architect, landscape architect, musician, writer, data programming, sales representative; and tradesperson, such as electrician, plumber, and carpenter.~~ Where customary home occupations are permitted by the Table of Accessory Uses § 198-804, no dwelling or accessory structure so used shall be reconstructed or enlarged for such purposes unless specifically permitted under the provisions of § 198-203.

Some residents have raised concern that the enumerated list of specific types of home occupations in the definition section is outdated and does not include more modern occupations. Given the rapidly changing economy and constant evolution of employment trends, the Planning Board feels that regulation of home occupations would be better managed through performance standards rather than attempting to list specific occupations or professions that are permitted.

The Wayland Zoning Bylaw has two types of permitted "Home Occupations:" those that are allowed as of right (§901.1.1) and those that are allowed only through the issuance of a special permit by the Zoning Board of Appeals (ZBA) (§901.1.2). The Zoning Bylaw allows certain businesses and occupations to be conducted inside a home as of right, as long as certain standards are met, such as no customer or client visits to the home. There is no change to 'as of right' allowances. Other types of home occupations require a Special Permit under Section 901.1.2. Under that Section, customer and client visits are permissible, but traffic, including traffic by commercial delivery vehicles, "shall not be generated in greater volumes than would normally be anticipated in a residential neighborhood."

The Planning Board feels that the existing "traffic" language in the Bylaw is vague and susceptible to conflicting interpretations, leaving homeowners who are engaged in home occupations, their neighbors, and the ZBA without any quantifiable standards to apply to special permit applications. The proposed amendment to Section 901.1.2.4 would set a quantifiable standard by which to measure home occupations that generate customer/client trips – no home occupation shall generate more than 10 average daily trips, in addition to daily trips attributable to the residential use of the home. Given that home occupations cannot occupy more than 500 square feet of floor area and cannot employ more than one non-resident employee, the Board determined that 10 additional daily trips was a reasonable limitation and not overly-restrictive.

The amended bylaw refers to the Trip Generation Manual published by the Institute of Transportation Engineers (ITE) as a guide for calculating how many daily vehicle trips a specific occupation or profession would generate. The Trip Generation Manual aggregates traffic data for a wide range of land use activities, is a widely-accepted data source for modeling future traffic volumes, and is used by the state Department of Transportation for transportation modeling. The ZBA or interested parties can also refer to other data sources or evidence in determining how many trips a particular home occupation will generate. Importantly, any existing home occupation will be grandfathered from this Bylaw amendment pursuant to G.L. c. 40A, §6. Any change or expansion of an existing home occupation would be subject to this amendment, however.

On September 19, 2016, the Planning Board voted unanimously in favor of this article. Vote: 5-0.

FINANCE COMMITTEE COMMENTS: Passage of this article will change (1) the definition of “Home Occupation” and (2) amend one of the four conditions as spelled out in section 901.1.2 of the zoning bylaws that must be satisfied so that a permit to conduct a home occupation may be issued. With respect to (1) above, the current version of the bylaw defines “home occupation” and goes on to give a long list of examples. The proposed amendment deletes this list of examples.

With respect to (2) above, the Town’s zoning bylaws recognize two types of “Home Occupations”. Those that are permitted “by right” and those that are allowed “by issuance of a special permit”. The requirements for “home occupations” by right are set forth in section 901.1.1 of the Zoning Bylaws. The requirements for “home occupations” requiring a special permit are set forth in section 901.1.2. The proposed amendment changes subsection 901.1.2.4, a subsection within section 901.1.2 that concerns additional traffic created by the “home occupation”. The current bylaw defines permitted additional traffic as “not in greater volumes than would normally be anticipated in a residential neighborhood”. This article would limit permitted traffic to not more than 10 additional vehicle trips per day being generated by the home occupation.

The number of permissible additional trips was set at 10 based on the Institute of Transportation Engineers (ITE) estimate that the average residence generates 10 vehicle trips per day. An additional 10 vehicle trips as this amendment contemplates would double that number. The Planning Board feels a typical neighborhood could tolerate 10 additional vehicle trips.

The Board of Selectmen deferred a decision until Special Town Meeting.

ARGUMENTS IN FAVOR: Changing the definition of home occupation puts all home occupations on equal footing.

Limiting “additional” vehicle trips to 10 per day replaces a subjective metric with a quantifiable metric. It attempts to balance concerns about the amount of traffic generated by the home occupation with a reasonable accommodation to individuals working from their home.

Replacing a subjective metric with a quantifiable and objective metric reduces ambiguity in the event of a dispute by providing the appeals board, as well as the individual seeking a permit, with clearer and defensible guidance.

ARGUMENTS OPPOSED: Some may argue that setting the maximum additional vehicle trips at 10 is too high; others that it is too low. It may or may not be suitable to all neighborhoods equally.

Some residents might prefer ambiguity because it permits the judgement of the Zoning Board of Appeals.

Some residents have taken the position that a change is unnecessary. There is a question about the appropriateness of using ITE for determining the additional traffic generated by a specific occupation or profession.

The determination of 10 trips and the need for specialized skills required to hear and decide petitions for specific use or activity might make the town more susceptible to legal challenges and associated costs.

RECOMMENDATION: The Finance Committee does not recommend approval. Vote: 1-5-1.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing bylaw amendment is consistent with Federal and Massachusetts law.

For more information about this article, contact Sarkis Sarkisian, Town Planner, at 508-358-3778, or ssarkisian@wayland.ma.us.

ARTICLE 12: TOWN WIDE RECREATION FACILITIES STRATEGIC PLAN

Sponsored by: Recreation Commission

Estimated Cost: \$60,000

To determine whether the Town will vote to appropriate a sum of money to be expended by the Recreation Commission for a Town Wide Recreation Facilities Strategic Plan; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Approval of this article would provide funding for the Recreation Commission to develop a strategic plan that establishes a specific approach and timeline for implementing recreation facility improvements in the future. Properties to be considered include parks, schoolyards, conservation lands, other town properties, and certain other lands that might be suitable for recreation purposes (e.g., a privately-owned property that might be purchased by the town and used as the site for a local playground in a neighborhood that is far away from other playgrounds in town).

The Town has already developed a number of master plans and feasibility studies that contain a significant amount of information that will be useful as a strategic recreation plan is developed. Documents that would be included as sources for this effort include, but are not limited to:

- 2016/17 High School Master Plan update (in progress)
- 2016 Wayland Open Space and Recreation Plan Update
- 2013 Wayland Town-wide and School Athletic Fields Master Plan – Executive summary (GALE report)
- 2010 Wayland School Athletic Fields Master Plan (GALE report)
- 2010 Wayland Town-wide Athletic Fields Master Plan (GALE report)
- 2011 Wayland Master Plan Update

The Recreation Commission's intent is to make use of the information contained in these documents and to update certain data as appropriate. Additional study, only to the extent needed, will be performed in order to establish a strong, community-endorsed recreation strategic plan.

The project approach and scope of work would include kick-off and outreach meetings with the community and key stakeholders, boards, and committees. The plan will also address the current water use issue that Wayland faces with maintaining playing fields. Schematic designs will be developed, as well as a 10 year Capital Plan with cost estimates.

The Town-wide Strategic Plan is needed to pull together all the work and studies that have already been done to develop a long term strategic plan for both project and capital plans. The GALE report was a master plan that identified options at a schematic level, whereas the proposed strategic plan will provide feasibility-level answers about what is possible at various properties to provide a more solid plan to move forward with. The Town-wide Strategic Plan will also look at all aspects of Recreational facilities – playgrounds, walking trails, courts, new buildings (art center, community center, outdoor center, etc.). The GALE report focused just on athletic fields and not all the other Recreational aspects we need to consider when developing a long term Capital Plan (e.g., programing needs, building needs, field rotation/resting abilities).

The proposed funding source is the Recreation Stabilization Fund. The balance of the Recreation Stabilization Fund is \$402,618 (as of June 30, 2016).

The Recreation Stabilization Fund was established at 2016 Annual Town Meeting. Below is the language of the approved motion:

To determine whether the Town will vote to establish and authorize the use of a Recreation Stabilization Fund for the Recreation Department to be expended by the Recreation Commission and Recreation Director.

The Finance Committee Comments section of the article included the following statement based on discussions with Recreation representatives:

All projects proposed by the Commission to be funded from the Recreation Stabilization Fund will be vetted via the Capital Improvement Plan (CIP) and presented at Town Meeting as part of the Capital Budget.

The strategic plan is likely to take at least 6-8 months to complete, and if we wait until ATM (April 2017) to approve it, the results may not be available in time to help make important decisions in the 2019 capital improvement process.

The Recreation Commission voted 4-0 to recommend approval.
The Board of Selectmen voted 5-0 to recommend approval.

ARGUMENTS IN FAVOR: A Town-wide Recreation Facilities Strategic Plan would be valuable to help voters make recreation-related capital improvement decisions.

The strategic plan will be funded from the Recreation Stabilization Fund that was created to fund recreation capital improvement projects and can only be used for that purpose.

Starting soon, rather than waiting for Annual Town Meeting, will help ensure the findings are available to guide major potential capital investment decisions for FY2019.

ARGUMENTS OPPOSED: The past studies mentioned above have been criticized by some for incomplete data collection, analysis, and/or conclusions drawn. If the new strategic plan is based largely on work already done, it may be that the resulting strategic plan will be subject to the same criticisms and not achieve the breadth of community endorsement that is needed. For example, unless the study includes detailed demand usage information that differentiates between capacity needed to support local users vs. rental of fields to outside organizations, future capacity needs may be overstated.

The Town-wide Recreation Facilities Strategic Plan should wait and be considered as part of the Capital Improvement Project (CIP) process - as was the agreed upon procedure when the Recreation Stabilization Fund was established.

Some might argue that we have already done a number of extensive studies on recreation needs and that doing another is not necessary.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-2-1.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 5; Two-thirds for borrowing – See Massachusetts General Laws Chapter 44, Section 7, otherwise, majority, See Massachusetts General Laws Chapter 44, Section 33B.

For more information about this article, contact Jessica Brodie, Recreation Director, at 508-358-3662, or jbrodie@wayland.ma.us

ARTICLE 13: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Sponsored by: Town Clerk and Board of Selectmen

Estimated Cost: \$900.00

To determine whether the Town will vote to:

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

Fiscal 2016 liabilities to be paid using Fiscal 2017 appropriations;

1) The Bank of New York Mellon Invoice 252-1929247	\$300.00	Selectmen
2) The Bank of New York Mellon Invoice 252-1930724	\$300.00	Selectmen
3) The Bank of New York Mellon Invoice 252-1930725	\$300.00	Selectmen

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. These unpaid bills from March 2016 result from The Bank of New York Mellon's work on the Town's bond issuance.

The Board of Selectmen voted 5-0 to recommend approval of this article.

ARGUMENTS IN FAVOR: This is a standard Article that allows the Town to pay bills for the previous fiscal year.

ARGUMENTS OPPOSED: There are no apparent arguments against this Article.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 7-0-0.

QUANTUM OF VOTE: Nine-tenths – see Massachusetts General Laws Chapter 44, Section 64.

For more information about this article, contact Brian Keveny, Finance Director, at (508) 358-3611, or email bkeveny@wayland.ma.us.

APPENDIX A**THE MODERATOR'S RULES AND REGULATIONS
GOVERNING WAYLAND'S TOWN MEETINGS**

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. THE WARRANT

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting in accordance with applicable provisions of the Code of the Town of Wayland. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed (if this is an annual meeting), the report and recommendations of the Finance Committee, and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a TWO-THIRDS vote.

II. THE VOTERS

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the Bylaws of the Town and these rules and regulations.

B. The Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works, Public Buildings Director and Superintendent of Schools, shall have the right to attend and sit on the floor of town meetings, but they shall not be considered in determining the presence of a quorum unless they are registered voters of the Town.

C. All other persons, including members of the press, may attend and observe Wayland's town meetings so long as they remain seated in the special section reserved for non-residents, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

D. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. THE MODERATOR

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the Bylaws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. THE MEETING**A. The Call to Order**

I. The Moderator will call each session of town meeting to order at 7:30 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred (100) registered voters has been checked into the hall.

2. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

- a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:
 - 1) The main motion under the article being considered and a presentation in support thereof;
 - 2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a, below;
 - 3) An amendment to a main motion;
 - 4) A question seeking information concerning the motion or other matter then under discussion, or guidance from the Moderator as to procedure, including a point of order;
 - 5) An answer to a question seeking information; and
 - 6) A point of order or procedural motion, such as:
 - a) a motion to terminate debate;
 - b) a motion challenging the Moderator's declaration of a vote;
 - c) a motion questioning the presence of a quorum; and
 - d) a motion to adjourn.
- b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.
- c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. Those individuals granted the right to sit on the floor under Section II B above, if non-residents, shall have the right to answer questions, but they do not have the right to vote unless they are registered voters of the Town.

4. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:
 - a. "I move that . . .";
 - b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);
 - c. "I rise to a point of order"; or

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but
 - a. Any person who wishes to offer the principal presentation in support of the main motion under an article, must so notify the Moderator prior to that article being called and complete the same within seven (7) minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the final minute. The Moderator may divide the time if more than one person indicates a desire to make a presentation in support. The aforesaid seven minute limit does not apply to the principal motions under the omnibus budget article.
 - b. Any person wishing to offer a presentation in opposition to the main motion under an article must so notify the Moderator prior to that article being called and complete the same within the time used by the proponent, or within three (3) minutes, whichever is longer, and yield the floor. The same one (1) minute warning light will warn you to conclude your remarks. The Moderator may divide the time if more than one person indicates a desire to make a presentation in opposition.
 - c. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in two (2) minutes, or less, unless extended to three (3) minutes by leave of the Moderator (*which will automatically be given in 2016*) and yield the floor. The same one (1) minute warning light will be turned on when you have used up the first minute.
 - d. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.
 - e. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.
 - f. The Moderator will rule, or take other appropriate action on any generally recognized incidental, subsidiary or privileged motion.

3. Abbreviated Presentation Procedure. With notice to and leave of the Moderator any person making a main motion under an article may present that motion under the Abbreviated Presentation Procedure. Under this procedure:

- a. The motion must be presented in or be substantially consistent with the words of the Article as printed in the Warrant, and without making further presentation in support of that article. The Moderator may allow minor or editorial variation from the words of the Article as printed in the Warrant.
- b. The Moderator will ask if anyone wishes to speak in opposition to the motion or if anyone has a question regarding the motion.
- c. Should there be a question, the questioner will be permitted to state his or her question and the presenter of the motion will be permitted to answer that question.
- d. Should any individual state that he or she is opposed to the motion, or if the Moderator determines that the questions are of significant depth or importance, the presentation and debate will continue in the normal course as set forth in these Rules.

4. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

5. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph IV. B. and C., above.

- a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.
- b. If you plan to offer a main motion that contains more than twenty-five (25) words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.
- c. No motion or amendment of a motion that exceeds ten (10) words in length will be accepted, unless it shall have been offered to the Moderator in writing.
- d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be accepted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article or would not further restrict, if passed, the liberties of the residents of Wayland than the proposal set forth in the article.

-
- e. The Moderator will accept no motion proposing a layout, taking, acceptance of gift, purchase, sale, lease or rezoning of land, unless the article under which the motion is offered contains a running description of the land in question, a description by metes and bounds or a reference to a plan suitable for recording that is available for public inspection at the office of the Town Clerk, the Town Surveyor, the Planning Board or another place to which the public has access during normal business hours.
 - f. The Moderator will accept no motion to appropriate and/or expend a sum of money, which exceeds the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.
 - g. The Moderator will accept no motion that in the Moderator's view would eviscerate or be completely opposite of the motion under the Article under consideration.
 - h. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.
6. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.
7. Wayland's practice with respect to some common subsidiary motions is generally as follows:
- a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.
 - b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.
 - c. You may move to advance or postpone to a time certain within the then current session of the meeting consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.
 - d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.

You may ask the Meeting to take no action under an article by moving “that the article be passed over.” Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

8. Upon the expiration of forty-five (45) minutes after the main motion under any article shall have been seconded, or put before the meeting by the Moderator, unless extended to sixty minutes by leave of the Moderator (*which will be automatically given in 2016*), the Moderator will terminate debate thereon, unless the Town Meeting shall have voted by majority vote to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article will not be included in the total time. The aforesaid time limit does not apply to debate under the omnibus budget article.

9. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, make a motion to terminate debate (move the previous question). If your motion receives a second, the Moderator the Moderator may, but need not, defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

10. If an article of the Warrant has been acted upon and disposed of, a motion to reconsider the article may be made at any time if the Moderator determines that the person offering the motion discloses significant new information to the Town Meeting concerning said article, which existed but had not been disclosed or made available to the Meeting when the motion under that article was debated, and the Moderator thereupon explains why such information satisfies the foregoing criteria; provided however, the debate and action on said motion shall be deferred until all other articles have been disposed of. In any event, a two-thirds vote shall be required for approval of a motion to return to an article.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. In the event that electronic handset voting equipment shall have been made available for use by voters at any Annual or Special Town Meeting, all votes shall be taken by secret ballot using such equipment, unless the Moderator shall decide otherwise for reasons he/she shall state publicly. When calling for an electronic vote, the Moderator will ask voters to press the number “1” if they wish to register an “aye” or the number “2” if they wish to vote “no”. In the event that a voter wishes to abstain, he or she may (but need not) press “3”. Voters may change their mind as many times as they wish, but the last vote recorded upon the expiration of thirty seconds will count. Any voter who believes that his or her keypad is not functioning properly or is failing to record his or her vote accurately should proceed to the designated help desk. If a vote is in progress, the voter should raise his or her hand; if seen by the Moderator, the Moderator will dispatch help desk staff to examine the handset for any defect. If it is determined by help desk staff that the handset is defective, the voter will be offered a paper ballot and pen to record his or her vote on that question and will be provided with another handset for the next vote. Such paper vote shall be promptly relayed by help desk staff to the Moderator.

- a. If a voter cannot use the electronic handset offered by the Checkers, he or she will be provided with a colored piece of paper or cardboard and directed to sit in a special section reserved for those who will not be using an electronic handset to vote. Whenever the Moderator shall call for a vote, tellers will provide a ballot to each voter in the special section(s), who has such a colored paper or cardboard, collect those ballots within thirty seconds and deliver them to the Moderator, who will add the total of the ballots to the

and deliver them to the Moderator, who will add the total of the ballots to the vote received electronically and declare the vote on the motion before the meeting.

- b. Each person receiving a handset must retain and use only that handset until turned in at the Help Desk, given to a Teller or turned in at the end of the session. No person may lend or give that handset to another person, nor may any person vote with a handset originally given to another.

Voters with handsets may retain them if they wish to leave the room for any reason, but they must hand their handset to an exit attendant if they plan to leave the building.

2. In the event that electronic voting is for any reason not to be employed, the Moderator will first ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

3. If the Moderator is still in doubt, or if seven (7) or more voters shall immediately question a voice or an uncounted vote taken by non-electronic means, he will call for the tellers to help him take a standing counted vote – two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report the number of voters they have counted from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration of the vote is final, unless clear and convincing evidence shall have been submitted to the Moderator that fraud, errors by of one or more tellers or some other irregularity has infected the accuracy of the vote count just completed; in which event the Moderator will repeat the standing counted vote procedure outlined above.

4. If a vote taken by electronic means is questioned by seven (7) or more voters, the Moderator will audit the vote by choosing a set of voters to come forward and present their handsets in turn to the Town Clerk, who will compare the vote shown on each handset with the vote received by the Electronic Voting System for that handset. If the correlation is less than fully accurate, the Moderator shall discard the electronic vote and call for a standing counted non-electronic vote under the previously set out procedures.

5. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion acted on by non-electronic means the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote. If the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative the Moderator may by hand vote determine that the TWO-THIRDS majority was met.

6. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

E. Adjournment

1. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote, provided, however,

2. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

3. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. QUESTIONS

In the event that you have a question concerning the conduct of the meeting, you need further information to cast your vote, or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

VI. MISCELLANEOUS RULES

Residents of the Town of Wayland may, with the prior permission of the Moderator, place and/or post documents intended and designed to inform and influence the action of voters at town meetings on the tables and wooden walls located behind and on either side of the tables occupied by the checkers at the entrance of the Field House and each other venue where town meetings are conducted, so long as said documents are germane to any of the articles set forth in the warrant.

The Selectmen, the Chief of Police and the Chief of the Fire Department and other town officers and employees may also be permitted by the Moderator to post and place documents pertaining to the safety of the public in the aforesaid locations.

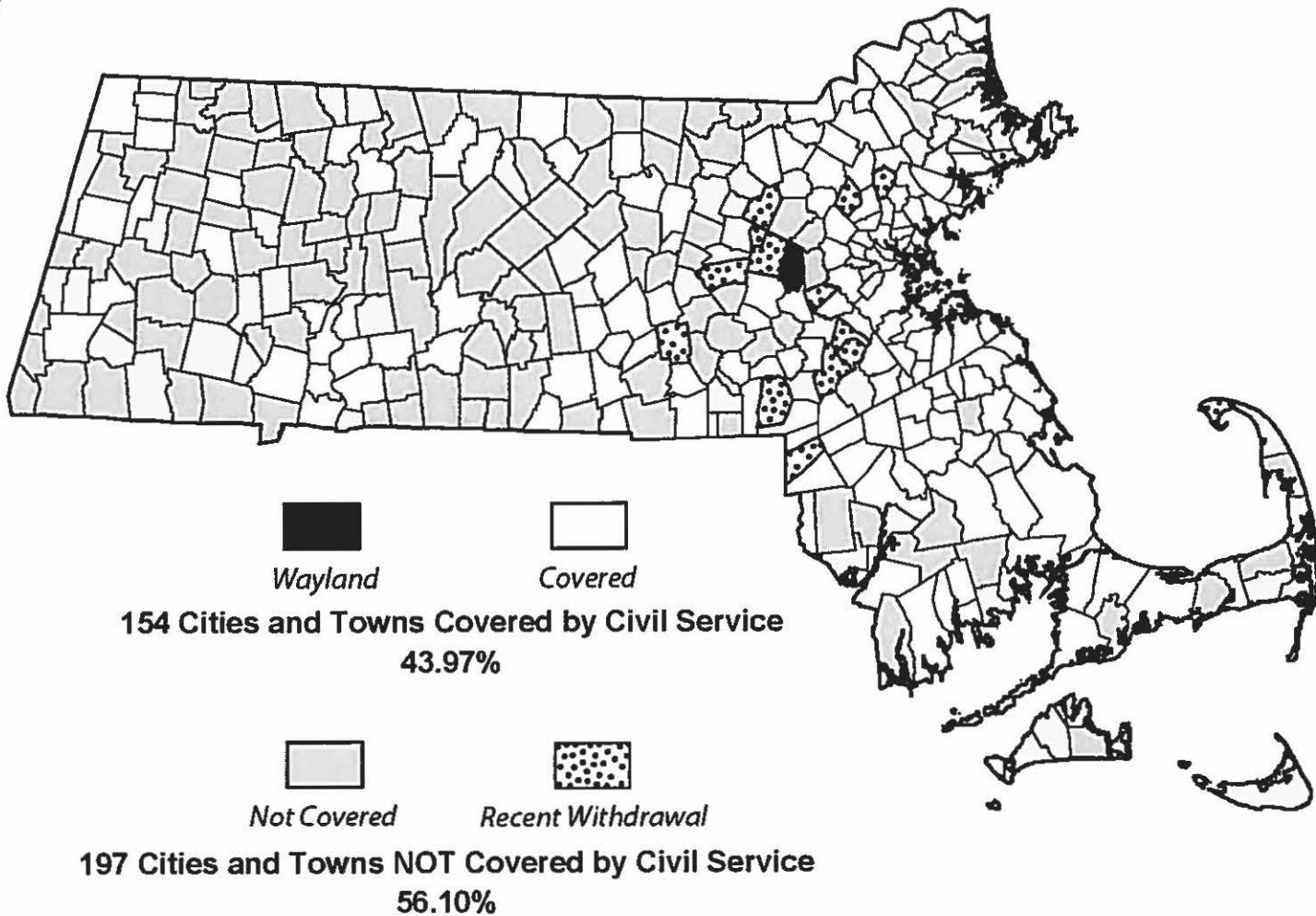
Thank you for joining us to do the Town's business.

Dennis J. Berry, Moderator
November 15, 2016

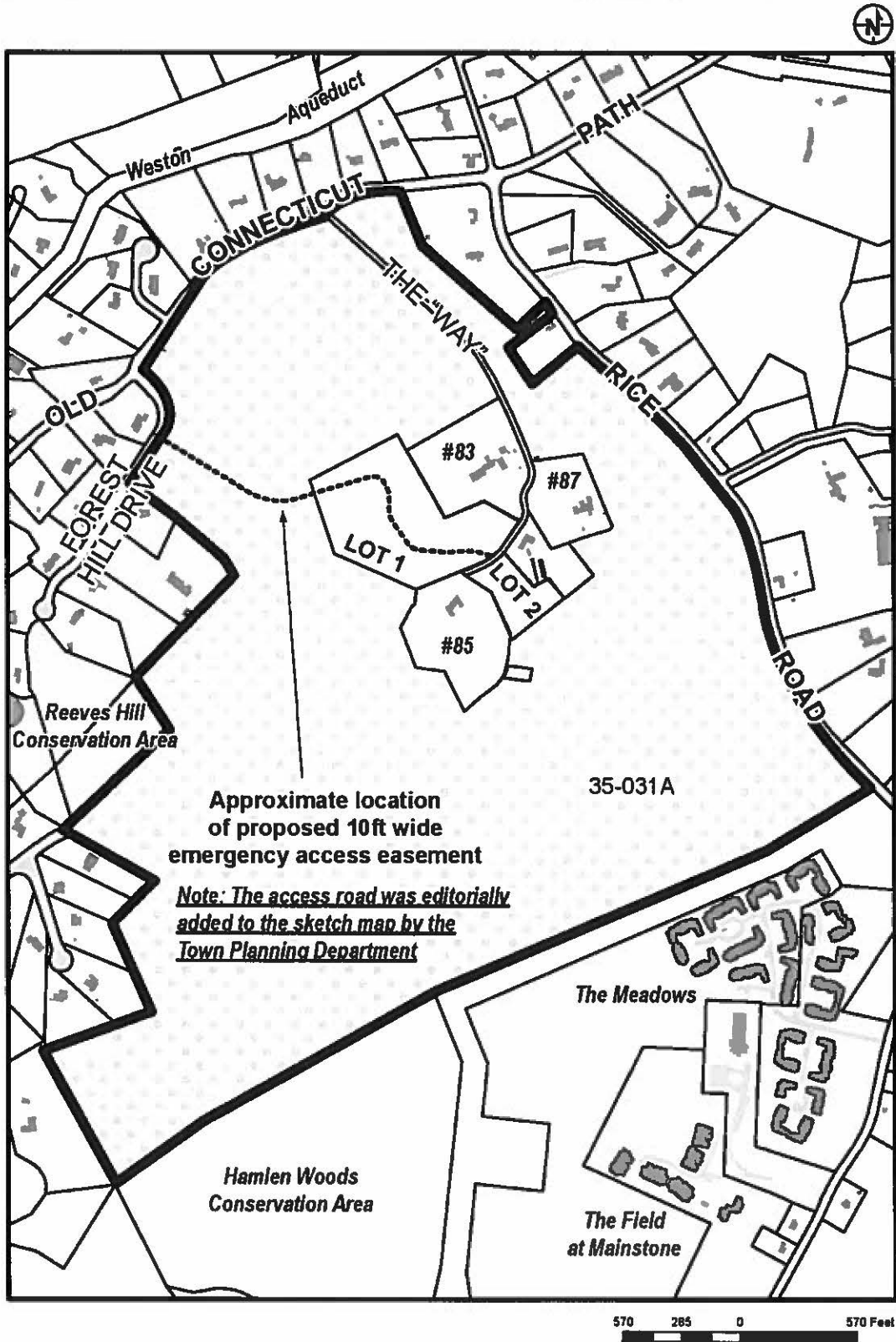
APPENDIX B: Article 5, Massachusetts Police Departments Covered by Civil Service



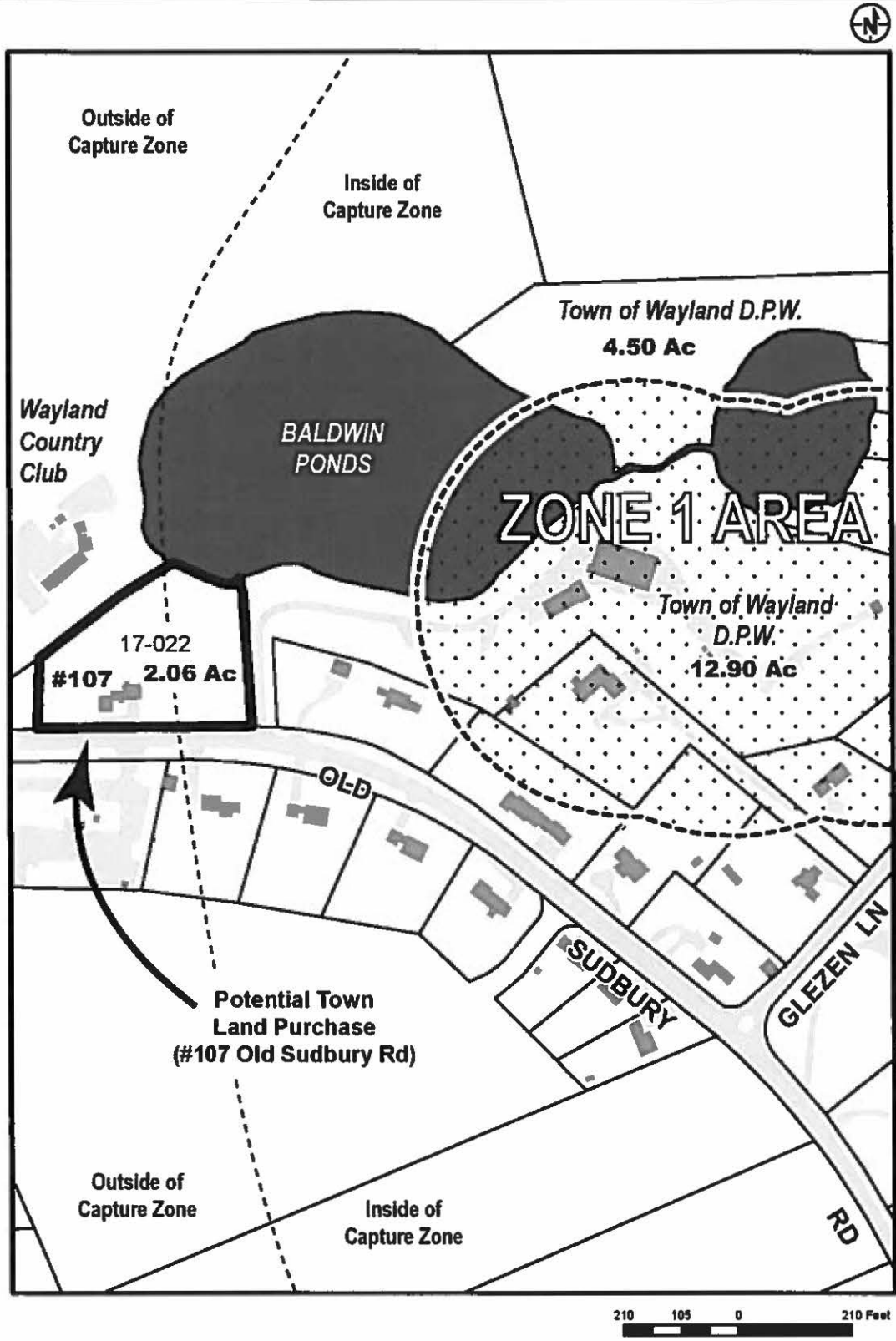
Massachusetts Police Departments Covered by Civil Service



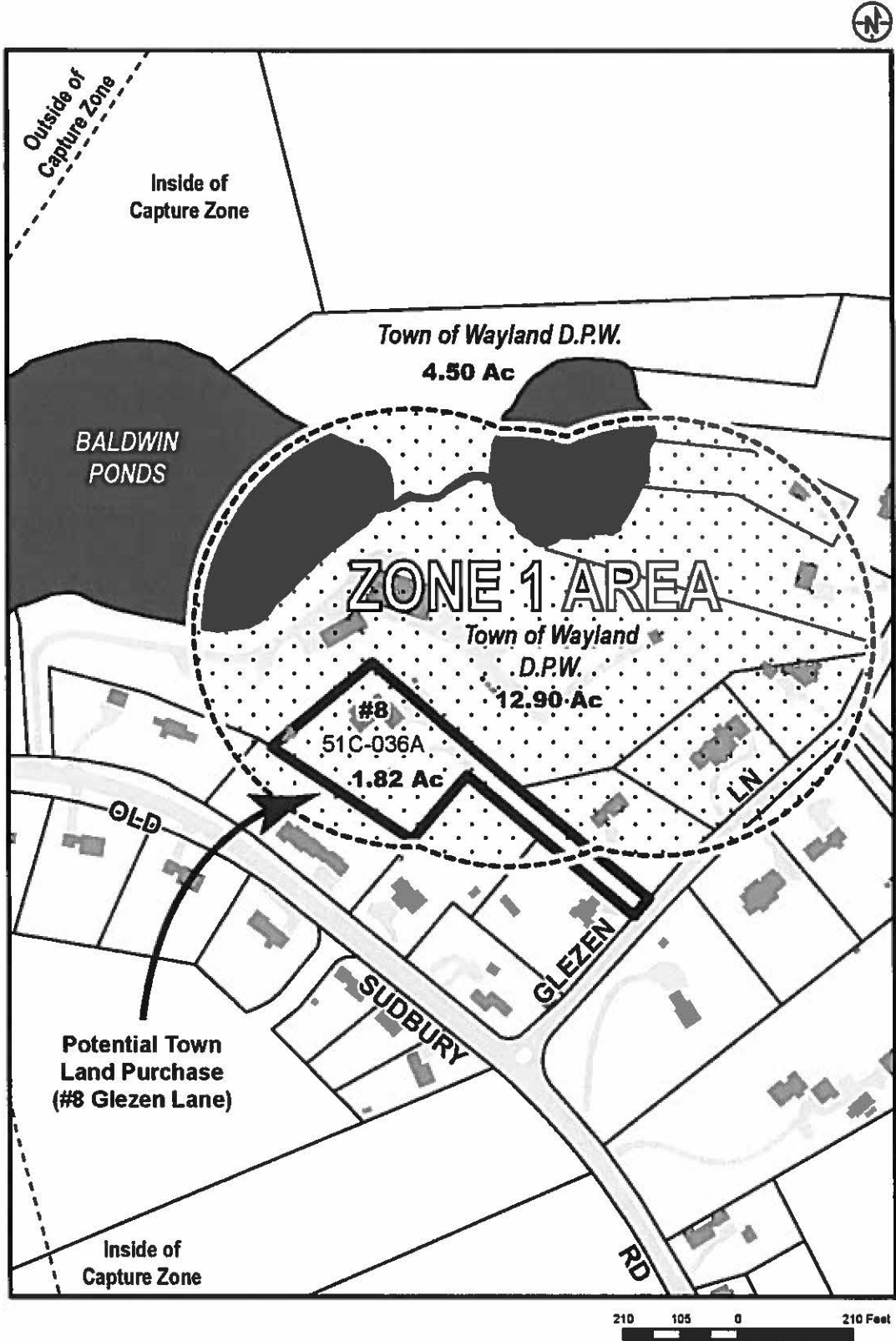
APPENDIX C: Article 6, Map of Mainstone Property



APPENDIX D: Article 8, Map of 107 Old Sudbury Road Property



APPENDIX E: Article 9, Map of 8 Glezen Lane Property



★ ★ ★ ★ ★ ★ ★ ★

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town fourteen (14) days, at least, before the time appointed for the Special Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before November 1, 2016.

Given under our hands and seals this 24th day of October, 2016.

Cherry C. Karlson, Chair
Lea T. Anderson, Vice Chair
Mary M. Antes
Louis M. Jurist
Joseph F. Nolan

Selectmen of the Town of Wayland

David V. Watkins, Chair
Carol B. Martin, Vice Chair
Gordon Cliff
Nancy Funkhouser
Jen Gorke
Klaus Shigley
George Uveges

Finance Committee

(6) RAIL TRAIL



Sarkis Sarkisian
Town Planner

TOWN OF WAYLAND
MASSACHUSETTS
01778
PLANNING DEPARTMENT

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

DATE: October 13, 2106
TO: Nan Balmer, Town Administrator
FROM: Sarkis Sarkisian, Town Planner
RE: Rail Trail Second Update and Grant Opportunity

BOARD ACTION REQUESTED: None

As requested, this memorandum provides a summary of the Rail Trail and a grant opportunity for the Town of Wayland through the Transportation Department of Massachusetts Area Planning Council (MAPC). The Town of Wayland, several weeks ago, combined the Library Flood Mitigation Project with the Rail Trail Project. Tighe & Bond, engineers for the design and construction of the Library Flood Mitigation project, was instructed to coordinate specifications and bidding documents with TEC, Inc, who prepared the plans and specifications for the Wayland Rail Trail and Depot Improvements. This was recommended because the proposed Library drainage pipe goes through the Depot Parking lot, and having one responsible contract/contractor is a better way to coordinate and manage both projects.

Bids for the project were opened on October 6, 2016, and the low bidder was I.W. Harding Construction Co, Inc. of West Bridgewater, MA. The Rail Trail and Depot Site Improvements bid was \$414,000. This amount is about \$75,000 dollars over the engineering estimate. The good news is that the town has appropriated \$740,000 dollars for the Rail Trail project and we have an opportunity to apply for a Greenway's Grant through (MAPC). I have enclosed an email from Karen Adelman, MetroWest Regional Collaborative Coordinator, and have communicated with her that the Wayland Mass Central Rail Trail would be a great greenway project.

More good news! Eversource has filed with the Wayland Conservation Commission a Notice of Intent for permitting and construction of a 16-foot wide gravel access road from the Wayland Freight House to the Wayland Weston town line. This will provide the necessary foundation for the Rail Trail while still providing access to Eversource. The permitting and construction of access road will be totally funded by Eversource and has already been budgeted for this construction season.

Sarkisian, Sarkis

From: Adelman, Karen <KAdelman@mapc.org>
Sent: Tuesday, October 11, 2016 4:15 PM
To: Adelman, Karen
Subject: Quick turnaround: Funds for greenway projects

Quick turnaround: Call for greenway project ideas

MWRC Board and Planners:

Our transportation department has word from a local foundation that they are willing to give in the \$10-20,000 range to one or more communities or organizations to advance a greenway project in the region. The money can be used for a feasibility study, construction, or anything in between. The focus is building a trail or corridor that would connect parks and open space to a downtown or other gathering place, and our MAPC would want to focus on LandLine corridors. The Transportation Department will be looking at potential projects early next week and submitting ideas to the foundation at the end of the week. Does anyone have something that might be a fit? Please let me know!

Karen

KAREN ADELMAN
*Communications Strategist &
Coordinator of the MetroWest Regional Collaborative*
Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111
617.933.0704



Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

(7) RIVER'S EDGE

DATE: OCTOBER 14, 2016

TO: BOARD OF SELECTMEN

RE: AGENDA ITEM 7, MEET WITH REPRESENTATIVES OF THE RIVER'S EDGE ADVISORY COMMITTEE TO RECEIVE RECOMMENDATION ON SELECTION OF PROJECT DEVELOPER

Documentation for this agenda item will be provided at the meeting.

Town Administrator Evaluation, October 2016, DRAFT

Vision Of The Role Of Town Administrator In Wayland:

a. Provides administrative leadership

Nan accomplishes many aspects of administrative leadership in the day-to-day operation of the town and governance by the BoS. She communicates with staff, and with them prepares BoS agendas including planning meetings weeks in advance, prepares Town Meeting warrants, manages human resources including making volunteer appointments, manages legal services, acts as head procurement officer for the town, responds to the public, and solves problems that come up every day.

The office competently handles many tasks that do not come to the Board of Selectmen.

Most of the reviews mentioned that in her second year in Wayland, Nan has stepped up her administrative leadership. She is clearly in charge and willing to take on difficult issues.

b. Provides available facts and information to the Board; makes policy recommendations to the Board.

Board members comments indicated their satisfaction with performance on this goal. Specifically,

- Weekly electronic meeting packets contain all materials necessary for background and decisions on agenda items. Nan provides a summary overview of agenda items as needed and is becoming more comfortable making recommendations to the Board.
- "Agenda Memos" clearly outline the topic in front of the board and provide a staff recommendation on actions to take.
- Making policy recommendations after thorough study and planning - an example is the OBEP investment strategy to change to PRIT.

c. Supports the work of town boards and committees

Board members' comments were positive while recognizing the limited authority of the Town Administrator's role in the Town Code. Comments included:

- Wayland's very flat organizational structure and over 40 committees means that almost every project passes through the TA's office, sometimes needing significant time commitment to keep the project moving forward. Therefore, Nan becomes involved in almost every aspect of Wayland's volunteer boards and committees. She does not shy away from this involvement.
- Balancing the requests of volunteer boards and departmental staff workload is a challenge. Generally Nan handles this well.
- Nan delves into the town code to confirm the Board of Selectmen's and Town Administrator's responsibilities and then follows through with recommendations. An example is the FY2018 budget planning process.

d. Responsive to inquiries from the public and promotes a culture of respect for the public

It was agreed that Nan makes a concerted effort on citizen relations; she strives to be responsive to residents' requests and communications and has exhibited a steady, patient, calm manner.

Nan shows respect to the public and regularly meets with and listens to the concerns of Town residents. She explains her reasoning for doing things in a certain way, but has also shown flexibility in trying to find ways to solve problems.

e. **With other staff, manages the operations of the town**

The Selectmen acknowledge the expectation of responsibility, but also the limited authority the TA role has (by code). Within this structure, Nan relies on department heads and office staff to manage the operations of the town. It is clearly a large team effort. Again this year, there are new department heads on staff, so there have been many transitions and learning curves.

Although at times Nan expresses frustration with the unusual organizational structure that places responsibility with the Town Administrator, but no clear authority, it does not impact her willingness to tackle issues. It takes a great deal of finesse to work with departments that are reporting to other boards and commissions. This structure may be something the Board wants to address in the near future.

Nan has demonstrated a determination to improve the operations of the town. Examples are her work on the Recreation Funding Model, the FY2018 budget planning process, review of organization of affordable housing initiatives, and wastewater managerial structure and staffing issues.

Goal 1: Sustain and improve the quality of life in Wayland

Objective A: Provide well designed market rate and affordable rental housing at Rivers Edge at reasonable cost to the town

Achieving her action goal, Nan conducted and oversaw the procurement process to select a developer for River's Edge. The timing of completing this project prior to ATM was not met because the first RFP received no responses. The reissued RFP received three responses in July and deliberation and decision by BoS will continue into the next review year (ongoing as of October 2016).

Board members comments include:

- Demonstrated ample administrative skill in shepherding this process
- Did a good job keeping the board informed of the issues arising from this project as it relates to other affected Town functions, boards, and the need for planning in this area. Appropriately to this point, the board has been informed as interested observers.
- The board will take a more active role, with Nan's advice and recommendations, as the bid is awarded and multi-board discussions/negotiations of solving the town administrative issues round the site planning. Specifically, Nan has worked with the DPW and School Dept. to find an alternative site for DPW materials and school buses.
- The Board of Selectmen reached agreement with the Sudbury Selectmen on the potential disposition of the Septage Facility.

Objective B: Maximize the effectiveness of town boards and committees that are planning for future development of the town

Nan had two action item topics under this objective – WRAP and Town Center. Progress was made on each but for various reasons, neither was achieved.

WRAP: Nan's goal included providing staff resources and monthly monitoring of the WRAP committee and involvement of the Land Use Team. (While WRAP was formed under the Planning Board, its work impacts the future development of the Town.) It was noted that

- Nan defined staff support roles (Town Planner, Town Surveyor, Facilities Director) for the WRAP Committee
- Some felt that status reports were performed, some that reports could have been more regular
- The WRAP committee is operating with 3 of 5 allowed members and no efforts have been made to fill openings
- The end product and its role in Wayland are unclear; more information about the function, role and process would be helpful
- The WRAP Committee is expected to provide a final recommendation and report on a strategic long-range plan by June 30, 2017
- Relatedly, Nan has reported on the continued development and work of the Land Use Team (staff) under the Assistant TA and has reported improved staff communication on such land based issues before the Town (Carroll School, implementing the solar project).
- The Land Use Team (10 members) meets monthly to coordinate planning and permitting on projects like the Carroll School, Rail Trail, Solar Facilities, Library drainage project, development of recreational fields, revision of fee payment processes, and some public events. Nan has updated the board on these projects regularly.

Town Center: Nan's action item was to identify and complete tasks regarding use and maintenance of the Town green at Town Center with a goal date of August 2016. This item was not achieved due to overall delays in the discussions with KGI, the owner of the town greens and municipal parcel at Town Center.

Completing work on Town Center has been a clear priority of the Board; however, it has not been a consistent focus of the TA's office. Board members' perspectives differ on this goal. Some feel that work has only been completed or followed at board members' urging. Others that progress has been made and updates have been comprehensive and timely.

- Nan directed staff time to be devoted to finishing the escrow accounting for 20Wayland accounts (10 years of entries), and the board communicated this information/result to 20W.
- Efforts toward planning for and using the Town Green were not evident.
- Town Counsel assisted with drafting communications to KGI.
- Efforts to complete the Conservation Restriction and Trail Easement were unsuccessful and are key to completing work on the municipal parcel and town green areas.
- The housing component at town center was completed and the bond released.

An overall comment on this goal of effectiveness in governance was that it seems most often town boards and committees, and departments, function more as silos than as a unified cohesive organization. The MOU with Rec, Schools and BoPW was a refreshing change. The board looks for opportunities in other areas to work together to facilitate better cooperative functioning.

Goal 2: Assure that local government resources are used responsibly and efficiently

Objective A: Create a cohesive financial management group that is in compliance with MA General Law and serves the needs of the town.

Nan had two action items under this objective – to apply for a DLS grant for a financial management study and to select an investment management model for OPEB funds.

Financial management study: In June, Nan has engaged The Collins Center for a study of financial workflow and processes and has overseen their work. A report is due in December 2016; the board has not received any updates. Originally, Nan's goal was to apply for a DLS grant to conduct this work rather than using a consultant.

Nan has set up a Finance Team (Town Administrator, Assistant Town Administrator/HR Director, Finance Director, Director of Assessing, Treasurer/Collector, School Business Manager, Financial Analyst) to mirror the construct of the Land Use Team. The team meets monthly to review and address current issues and adopt changes to financial processes.

OPEB: Nan worked with the Treasurer/Collector and Finance Director to present a successful proposal to move the \$12 million OPEB fund to the Massachusetts Pension Reserves Investment Trust (PRIT). PRIT provides oversight and investment management through a statewide trust. This was a major accomplishment stemming from years of work.

Financial Advisor: For the first time in a number of years, the Town issued an RFP for financial services and as a result selected a new financial advisor. The result was hiring a Financial Advisor (UNIBANK) to counsel the BoS, Treasurer, and Finance Director on the best approaches to borrowing and other financial issues.

The selection committee had two finalists, but because of a split vote, Nan made the final selection. Her final decision criteria were not well communicated and resulted in some questioning her selection.

Other comments on financial topics included:

- Acknowledgment that healthcare structure and costs are an ongoing priority. The Assistant Town Administrator/HR Director is working on a major (nearly completed) project to restructure employees' and retirees' health insurance plans to reduce insurance costs.
- The Treasurer's office resolved cash reconciliation issues, assisted other departments with cash receipt procedures and started tax title collections.
- Nan worked with the Finance Director to present a "state of the town" financial report to the Finance Committee in August. This informed the committee's work in setting the FY18 budget guideline.
- Nan has done a good job managing those aspects of the budget process under her control and has worked to coordinate and organize all town budgets and financial planning. Members expressed confidence in her ability to continue to organize this process.

Objective B: Provide excellent information technology for the town and schools.

Nan identified two action items here – complete and implement the IT planning study and develop/manage a town wide document management system.

IT: This project continued to be a major time commitment for most of this review year. The board was complimentary of her work in this area. Nan deliberately to identify weaknesses in the towns operation and hired consultants to address short and longer term fixes including review IT policies, procedures, controls and staffing. Specific comments included:

- Though not an expert in IT, Nan rolled up her sleeves, worked with consultants, town staff, and FinCom to address security, training, staffing, and funding.
- Nan successfully managed the work to bring a comprehensive IT budget to ATM, answer residents' questions, handle staff issues and continue implementation of the consultant's

suggestions.

- Hiring an IT Director to oversee the Town and School IT infrastructure has provided relief to her workload on this topic and put us on the right track. Good efforts continue to implement and maintain the consultants' recommendations of a comprehensive, multi-year IT master plan.

Document management: The goal of developing a document management system was not worked on this review year, primarily due to other priorities. One member noted that we have talked for years about having a document that explains to residents how to navigate the land use boards: which board to go for what approval. Nan has put that on her long list of things to do, which I commend.

Objective C: Continuously improve the effectiveness of town services to the public.

Nan identified two action items for this objective – performance evaluations for department heads and providing a structure for the Schools, BoPW and Rec to manage joint assets.

The board is aware that Nan met with all Department Heads to identify goals. Generally, the board is not involved in the detail of performance reviews and it is difficult to comment on her work on measurable objectives for all departments or instituting a performance evaluation program for regular personnel. The board notes that not all town staff seem to share Nan's work ethic or positive attitude. The board recognizes that Town Building staff and all Town employees are in a service industry, and some believe we need to do better to make Town Building and its employees more user friendly.

MOU: Nan worked to have departments work cooperatively and in a forward thinking mode as it pertains to recreation facilities through this cross-departmental MOU her office helped develop and broker. The Assistant TA worked with Rec, Schools and BoPW to develop and sign an agreement on managing maintenance and projects related to town and school recreational assets. It is recognized that this is a first 'draft' and will be revised and improved as it is used.

Other comments related to the effectiveness of Town services included:

- The Public Buildings Director budgeted utility savings (FY18) from work spearheaded by the Energy committee. Fuel conversion, ESCO energy saving work and solar installations are all budgeted to bring savings to the town's utility budget.
- Specific areas that will improve effectiveness are IT, budget planning, Land Use Team's effort to streamline the permitting process, communications effort, and the Recreation funding model.
- This is an ongoing and never-ending goal to try to maximize our town's government functioning and there is much we can improve upon. Making town functions more efficient and organized should remain a major goal for FY17 as Nan works with the department heads and the boards and committees. There is much we can improve upon.

Goal 3: Improve the responsiveness of Wayland town government.

Objective A: Create public awareness about the actions of the Board of Selectmen and the activities of town departments.

There were two action items here – communication through quarterly newsletters and WayCam and website improvements.

Communication: It was agreed that we've made a good start here with the joint efforts of staff and volunteers. Nan's goal was to implement a quarterly newsletter and periodic programming on WayCam.

The quarterly newsletter has not been implemented but other efforts have been made.

- Staff and volunteers have appeared on WayCam's Weekly Buzz.
- Nan established a team (Human Resources Assistant, Executive Secretary, BoS member) to improve public information dissemination.
- TA staff started and manages a Facebook page for town events and one selectman is coordinating informational articles in the local press.

It was agreed that more consistent effort is needed to regularly communicate the good work of the town – perhaps in formats for those not as tech savvy, but also considering list serve options. Also, a social media policy should be created and adopted.

Website: Work on redesigning and updating the town website has not begun. However, the Executive Secretary is working on organizational improvements to the Website, and staff was assigned responsibility for assisting committees with posting documents. Board members agreed that this is a bigger project requiring the assistance of the IT Director, but also recognized that information can be hard to find (Town meeting information appears in many places and some links do not work) and needs to be updated (out-of-date contact information for those of us on town boards and committees).

ClearGov is software allowing the town more financial transparency and hopefully responsiveness to residents. This has been painfully slow to review, purchase and implement. It was assigned to the Finance Director in August/September to share the workload. (Note – the contract was signed at the end of September 2016.)

Objective B: Provide efficient permitting processes that are user friendly for the public.

This objective and action item were not met primarily due to other priority issues. The board recognizes that Nan has articulated a good vision and that efforts are underway now. However, this is best addressed in the next review cycle. Improvement in this process remains a priority of the board, as the permitting process is a consistent complaint of residents.

It was noted that the Health and Building Departments have adopted a process to work with WMDC (Wastewater) to make sure permits tie to wastewater allocation.

Objective C: Create a culture of open government within all town departments.

The Board of Selectmen and its staff are committed to this goal. Nan has developed a Board and Committee Handbook to help guide elected and appointed volunteers in the rules around Open Meeting Law and Public Records compliance. The board was very supportive of this idea. Nan's action item deadline was not met because the board did not complete its review of the document or take action on this item.

Nan fosters an environment of open government. Entire BoS packets are available to the public prior to BoS meetings. This is far more than other communities provide. One member commented that through the board and Nan's efforts Wayland's town government is as open as any in the State. However, one member noted that Town staff is discouraged from speaking with volunteers. Given Wayland's volunteer heavy structure, we are all dependent on staff and volunteers working well together. Volunteers do need to be aware of and sensitive to time demands on staff.

Regarding town-wide compliance with OML, it was noted that there is no central review or repository for all minutes and minutes are not created or posted for all committees on a timely basis. No OML training sessions were held this year.

The Board had an OML violation and \$1000 fine due to untimely production of minutes. While the Board is legally responsible for minutes, the drafting of minutes is a TA office staff responsibility and the office had fallen behind. The board implemented a new procedure (standard agenda item) and job descriptions were revised to prevent this from happening in the future. The new procedure seems to work well with a more rapid and efficient turnover for review and approval of minutes.

Job descriptions have been altered to account for new public information requirements.

During the past year, other town-wide initiatives took significant portions of the Town Administrator's time. Please comment on her efforts on each the following projects:

The board noted that each of these projects was a major initiative, some involving working with boards over which Nan has no direct authority. She did her usual thorough job of identifying the various issues, bringing the stakeholders together, looking for options, and encouraging the parties to reach consensus in the best interest of the Town.

Information Technology: IT is an example of an issue that took much more time than the board expected when considering goals for Nan. The details of the IT effort are noted above under Goal 2, Objective B.

One additional point is that Nan demonstrated her ability to organize a group around finding a solution to a very serious problem. She presented a coherent argument to FinCom for additional funding. When many questions came back, Nan kept refining her information. Nan managed a challenging situation with many opinionated constituents. The result is a functional IT department.

Recreation Funds: Nan worked very hard with a relatively new employee and an entrenched board to help the recreation department better understand its multiple financial funds and hopefully to manage and report its resources correctly and efficiently.

The board recognizes that sorting through Recreation funding proved another huge time sink for Nan. She coordinated a Recreation Funding Model to manage within the spending cap (Revolving Fund, Stabilization Fund, Beach Fund, and Indirect Costs). This is another example of Nan's ability to take on big projects with many stakeholders and make progress.

Nan has made progress in this area where the board had not been successful. It is agreed that there is more to be done here, but it must be at the will of the independently elected Recreation Board, the FinCom, and Town Meeting

Wastewater: Again Nan worked tirelessly with an independent board to help its members better understand and manage their financial operations. She had made prudent recommendations for the board to consider, including seeking outside professional help. The board recognizes the time commitment she made to assist the WWMDC and she deserves credit for her accomplishments here.

Nan dove into the complicated issues around wastewater capacity, PILOBs, and the Abrahams Report. This is an example of an area that she thinks the BoS and other boards (Health, Building) have some responsibility, but not control or accountability. Nan's skill working out puzzling issues will be needed on this one.

Budget Process: Nan has an excellent understanding of the laws, bylaws, regulations, etc. governing Wayland's budget process and follows them carefully. She has also improved the communication, cooperation, transparency, and day-to-day operations of the various fiscal departments.

Nan reviewed the Town Code to understand the BoS's and her responsibility around budgeting. She and the Finance Director, working with the Finance Team, developed an in-depth presentation to the Finance Committee in late August to set the stage for developing the FY2018 budget. The presentation

was well received by FinCom and the public.

To prepare the FY2018 budget, Nan organized budget review meetings for each department to include the FinCom liaison as well as staff. This was (and is) a major time commitment towards improving the quality and preparedness of the budget data the board and the FinCom will receive.

What would you identify as the Town Administrator's strength(s) expressed in terms of results achieved during the rating period?

Overall, the comments reflected admirably management of each area of her vision statement, often going beyond her official jurisdiction for the benefit of the Town (provides administrative leadership, provides available facts and information to the Board; supports the work of town boards and committees, responds to inquiries from the public and promotes a culture of respect for the public, and manages the operations of the town). She takes her responsibilities, and the town's welfare, seriously while working in a deliberate and thoughtful manner.

Nan continues to care deeply about her work and responsibilities for the Town of Wayland gaining confidence in her role and actions when compared to her first year, and has shown growth after the initial steep learning curve of the understanding Wayland way. Nan is more willing to offer advice to the Board and organizes responses to many items without the board. A town administrator's job is wide-ranging and requires knowledge and skills in many areas: financial, legal, human resources, good judgment, team builder, follow through, motivator, analyzer, responder, initiator, advisor, communicator, balance-er of needs and wants, and so on. Nan handles many things very well and as one member commented, it would be great if Nan had time to lighten up a bit and enjoy her job, at which she is very good.

Nan has an ability to delve into the details of a project, looks to law/code for direction on actions and breaks it down to a workable plan. Examples include OPEB, the River's Edge process, determining a structure for Recreation revolving funds and WWMDC staffing and procedures.

In last year's evaluation, the BoS encouraged Nan to provide more direction on policy, to not be afraid to offer suggestions. Nan was encouraged to develop comfort with improving policies and programs that involve multiple areas of town government. In the past year Nan has accepted this challenge and excelled. Examples as described at length above are Budget Planning, Recreation Funding Model, Information Technology, OPEB investing in PRIT, Land Use Team effort to streamline permitting, Finance Team, Legal RFP for Town Counsel, and Wastewater.

Some thought that Nan's greatest impact/strength has been in the financial arena. The Town has faced many issues here: hacking, financial issues, wastewater, recreation, and revolving funds. To resolve differences and keep projects moving forward, Nan spent countless hours working with staff, reviewing systems, understanding the applicable laws, crafting options, and charting new courses. She has worked closely and effectively with staff to ensure their understanding and seek high quality performance. Nan should continue her efforts to address any systemic problems impacting multiple areas of Town.

Other comments included:

- Strong work ethic, attention to detail and follow-through
- New hires under Nan's watch have been very good and there are several more to come. There are clearer lines of responsibility among staff, especially in the financial department.
- Managing the additional space needs for the Health Department by shifting office locations
- Willingness to study our organizational system as it relates to responsibility and accountability
- Supportive of the Board's efforts to streamline ATM processes and to bring forth fully vetted articles. Preparation for town meeting and production of the Warrant can be all encompassing and takes many weeks/year.

What performance area(s) would you identify as most critical for improvement?

Bring long-term projects/efforts to closure more efficiently to reduce workload/open items. If the Board makes project completion a priority, it will give Nan more authority to have staff make it a priority. The board acknowledges that Nan often does not have the authority to direct outcomes of policy and programs, but everything still manages to come back to the TA's office if there is a problem.

Make more suggestions for improvement. With increased experience with Wayland's Town and government organization and based on her experience and judgment, Nan can add value here. Board members viewed Nan as a change agent. One example: Nan has often mentioned that Wayland has a unique way of budgeting. She should bring her experience from other communities to bear on Wayland's budgeting practices. If changes are needed to Town code, let's propose them.

Make recommendations to the board on agenda items. Our packets have improved greatly and most agenda items have a suggested course of action. The board would like this to continue and improve.

Manage staff and volunteer relations. This will continue to be a challenging part of Nan's job. Nan is a change agent and sometimes shakes up long ingrained processes that might be unpopular with some staff and committees. Maintaining good relations while moving the Town forward will be a balancing act. Some sense that staff relations are strained at times and found emails abrupt. Overall, the board is cognizant of Nan's workload, her patience and the close scrutiny by some residents and appreciates her efforts to have a handle on everything.

Some board members stated:

- Some would appreciate additional/continued effort to assist the board with town meeting article prep – reviewing Finance Committee article drafts with the board and working with staff to postpone articles that are not quite ready.
- Nan has demonstrated willingness to change approach on advice of others, but sometimes has sensitivity to constructive criticism (e.g. selecting the financial advisor).
- At times Nan is cautious or wary and this may result in being defensive, quick to use consultants, increasing concerns about volunteers talking to staff without going through her and/or taking on a responsibility without some 'official' supervision.

What other comments do you have for the Town Administrator, e.g. priorities, expectations, goals or objectives for the next year?

When one asks five board members for comments/ideas on the coming year, the list is long!

Four common themes emerged:

- Town Center. The board places a high priority on completing the relationship with KGI on the Town Center. Provide advice to the BoS on finishing the few Town Center issues remaining with the developer. The CoA/CC Committee is waiting for resolution on the town parcel. This state of limbo needs to be resolved. The board's goals include resolving the issues with KGI, opening up the town green, and moving ahead with new space for our seniors.
- River's Edge. Provide guidance and materials for BoS to make an informed decision in awarding the bid and meeting procurement deadlines. Analysis should include tangibles (financial comparison) and intangibles (progress toward affordable housing goals, increased taxes,

support for businesses).

- **Communication.** Efforts to improve communications have begun, but there is still a long way to go to increase the flow of positive information about the Town. The BoS needs help in keeping the public informed with factual information through press releases, newsletters, Facebook posts and perhaps an annual “state of the town” event. This was a goal for last year that will continue to take attention and effort, including that of the board.
- **Setting priorities.** Trying to set priorities in a Town where everything is a high priority, Nan can feel overwhelmed with the number of “critical issues” on her plate. For self-preservation, she needs to work with the BoS to prioritize. Together, the board and Nan need to balance the interests of a vocal group of stakeholders focused on fiscal and compliance issues against those in town who may be less vocal but value most the services that this town provides with regard to public safety, infrastructure, and schools.

Other items that were mentioned for the next year:

- **Understand and implement the opportunities available through the Municipal Modernization Act**
 - **Implementation of the Public Records Information Officer requirements**
 - **Continued attention to OML issues**
 - **Provide guidance in bringing a recommendation on legal services to the board**
 - **Create an effective organizational structure. Perhaps the Collins Center report will generate some ideas around a more effective organizational structure starting with the financial operations.**
 - **Develop a long-term plan for use of the current town building and manage space needs**
 - **Continue progress on affordable/work force housing**
 - **Apply for Community Compact funds – perhaps for financial review or website redesign among other topics**
 - **Incorporate feedback from boards/committees in Department Head reviews**
 - **Streamline packet correspondence – highlighting items in our packet that need board attention to give structure to our current review process**
 - **Report information in the weekly expense warrants in a better and more consistent manner**
-



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

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

Board of Selectmen Meeting Minutes September 26, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Assistant Town Administrator/Human Resources Director John Senchyshyn, Human Resources Assistant Katelyn O'Brien

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 with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions; and to Discuss Strategy with Respect to Negotiations with the Police Union Regarding Withdrawing From Civil Service; 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 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 with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions; and to discuss strategy with respect to negotiations with the Police Union regarding withdrawing from civil service; 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. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, negotiating or litigating 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 Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Manager Donna Lemoyne, Assistant Superintendent of Schools Brad Crozier, Police Chief Robert Irving, Police Lieutenant Patrick Swanick, Town Counsel Mark Lanza, and Human Resources Assistant Katelyn O'Brien. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:24 p.m.

A2. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:24 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.

L. Anderson announced the results of the special election on the bonding for the Minuteman Vocational Technical High School. She stated that it passed overall but lost in Wayland. L. Anderson noted that Minuteman will go ahead with their project.

A3. Public Comment There is no Public Comment.

A4. Discuss Special Town Meeting Articles including: Meet with Petitioner Duane Galbi The petitioner, Duane Galbi, 190 Stonebridge Road, stated that the reason for bringing the Petitioner's article to Special Town Meeting was because he feels residents didn't know exactly what they were voting for during the Annual Town Meeting in the spring. He also stated that cheaper alternatives have not yet been explored. D. Galbi stated that enhancing the way to the high school costs less and does less harm. The Board asked

D. Galbi if there has been any new information from last spring. D. Galbi reiterated that he believes people didn't understand the vote from last spring. He also told the Board that he has talked to residents and they assure him that they would much rather not have the road built. He noted that the most disappointing thing is they are afraid to speak up. D. Galbi brought up the issue of roads being pre-approved for certain sized trucks, and it's unclear if the road is suitable for trucks of that size. D. Galbi also asked if there has been a detailed cost analysis done.

Meet with Representative of the Planning Board Town Planner S. Sarkisian stated that there have been changes made at the public hearing. S. Sarkisian also announced that the article regarding home occupation should include the entire article so people can understand it and leave a portion of the definition in place. That article may generate the most questions. C. Karlson brought up the titles of articles and asked if they should be rearranged. S. Sarkisian stated that the Planning Board Report will be out by their October 4th meeting. The Board asked Town Counsel M. Lanza if the Board of Public Works has the right to enter an agreement on their own. M. Lanza stated that only the Conservation Commission can sign a purchase agreement.

L. Jurist entered the room at 7:48 p.m.

Vote to Take Position to Co-Sponsor or to Withdraw Articles The Board stated that they will wait to see comments from the Planning Board meeting on October 4th before taking a position on zoning articles F(Landscaping in Parking Areas), G(Home Occupation), H(Conservation Clusters Developments), and I(Assisted/Independent Living and Nursing Home). The Board stated that the Recreation Commission did go ahead and change their article so the request for study money for the site next to the potential Library project has been removed. The board agreed to wait on the Middle School field article until they get more information. C. Karlson stated that she doesn't think the Board will have any more info on Articles M(107 Old Sudbury Road) and N(8 Glezen Lane) before STM.

J. Nolan moved that the Board support the Petitioners' Article (Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Road and Water Main), L. Jurist seconded. YEA: none. NAY: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. ABSENT: none. ABSTAIN: none. Motion fails: 0-5.

Vote to Order Articles The Board stated that the order will be finalized and voted for at the October 5 meeting. C Karlson stated that she will work with M. Dinapoli to populate the Special Town Meeting webpage on the website.

A5. Vote to Approve Memorandum on Health Insurance; Discussion and Approval of Health Insurance Press Release J. Senchyshyn updated the Board with a summary of the Health Insurance discussions that has led to the memorandum being presented for approval tonight. The Board thanked J. Senchyshyn and the unions for their efforts on getting this done. M Ante moved to approve the memorandum on Health Insurance, L. Anderson seconded. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

J. Senchyshyn presented a draft press release to the Board announcing the town's health insurance agreement with the town and school unions. The Board is supportive of the Press Release. C Karlson read the press release out loud. J. Senchyshyn thanked Assistant Superintendent B. Crozier and Benefits Coordinator D. Lemoyne for their work as well.

A6. Review and Vote Approval of Draft Annual Town Report, Board of Selectmen Report L.

Anderson gave a quick summary of how she approached writing the report. M. Antes moved to approve with edits, J. Nolan seconded, YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. Absent: none. Abstain: none. Adopted 5-0.

A7. Receive Town Administrator Reviews from Each Selectman The Board handed in their reviews to J. Senchyshyn. C Karlson asked each member to email theirs only to her in a word document by their next meeting.

A8. Review and Approve Minutes of September 12, 2016 L. Anderson moved, seconded by M. Antes, to approve the minutes of September 12, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. Absent: none. Abstain: J. Nolan. Adopted 4-0-1.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Jurist 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. C. Karlson asked J. Senchyshyn to have someone follow up with the gentleman who has questions about the proposed development on Route 20. The Board noted that resident Mark Hays was complimentary on J. Pazos's work on IT for the schools and town but is concerned about the schools' use of Adobe Flash Player. C. Karlson stated that Children's Way is looking for new signage and will approach the Board at a future meeting. C. Karlson stated that she appreciates seeing information on the COA and it shows the incredible effort the director gives to get things done. The Board stated they might want to bring up gas leaks to legislators when they come to the town and also reach out to gas companies.

A11. Report of the Assistant Town Administrator J. Senchyshyn stated he along with Executive Assistant M. Dinapoli and Assistant Town Clerk D. Gorham attended a seminar on the new Public Records Law last Friday. J. Nolan stated that his take away on the new law was that the time to respond from the town is shorter.

A12. Selectmen's Reports and Concerns J. Nolan thanked Wayland's Housing Authority Executive Director Brian Boggia for his 30 years of service to the Town. M. Antes reported to the Board that she attended the forum on marijuana legalization last Thursday and people had good questions for the pro and con speakers. M. Antes also attended the COA's lobster fest and said it was very successful.

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

A14. Adjourn There being no further business before the Board, M. Antes moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 8:49 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of September 26, 2016

1. Memorandum on Health Insurance
2. Draft press release on Town's Health Insurance Agreement

Items Included as Part of Agenda Packet for Discussion During the September 26, 2016 Board of Selectmen's Meeting

1. Memorandum of 9/22/16 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Zoning Articles for the Fall Special Town Meeting
2. List of Articles Received for the November Special Town Meeting with Article Text
3. Revised Text and Finance Committee Comments on Recreation Commission Article, Middle School Feasibility Study
4. Finance Committee Comments, Board of Public Works Articles, Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resource Protection, and Appropriate Funds to Purchase 8 Glezen Lane for Water Resource Protection
5. Draft Board of Selectmen Report for the 2016 Annual Town Reports
6. Draft Minutes of September 12, 2016

(10) EXECUTIVE SESSION
MINUTES

DATE: OCTOBER 13, 2016
TO: BOARD OF SELECTMEN
FROM: MARYANN DINAPOLI, EXECUTIVE ASSISTANT
RE: EXECUTIVE SESSION MINUTES

REQUESTED ACTION: Vote to approve and release, and approve and release with redactions, the following executive session minutes.

VOTE TO APPROVE AND RELEASE THE EXECUTIVE SESSION MINUTES OF:

November 16, 2015

May 16, 2016

VOTE TO APPROVE AND RELEASE WITH REDACTIONS THE EXECUTIVE SESSION MINUTES OF:

February 3, 2015

May 18, 2015

February 22, 2016

April 11, 2016

May 2, 2016

June 6, 2016

June 13, 2016

June 27, 2016

July 13, 2016

July 25, 2016

September 6, 2016

September 19, 2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session November 16, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, School Committee Chair Ellen Grieco, Personnel Board Chair Jessica Green, Finance Committee Chair Nancy Funkhouser, and Executive Assistant MaryAnn DiNapoli

Purpose: The session was called at 6:30 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none.

ABSENT: none. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town.

Discussion: J. Senchyshyn said that on October 19, 2015, he received a letter from seven of the ten town bargaining units, requesting that the Board discuss alternatives to the state Group Insurance Commission (GIC). He said that he asked the remaining three bargaining units to sign the request, and they did so. He said the Board needs to address three issues: confirm that the Board will engage in the discussion and authorize J. Senchyshyn to pursue talks; identify the amount of health insurance savings the Board would seek; and determine what health insurance alternative the Board would find acceptable. In regard to the target amount of savings, J. Senchyshyn cited a Cook and Company model, based on moving to a variety of GIC plans, which projected a savings to the town of \$876,000 and a savings to the employees of \$412,000 from FY16 rates. He said he reviewed the numbers, found them to be reasonable, and suggested they be used as a benchmark. He suggested two options: to adjust the contribution rate by employees (which he estimated would increase the employee share by over \$100 per month), and alternatively, to maintain a certain town contribution amount, and allow the employee to pay the difference for a more expensive plan. He said he believes the unions want to stay in the WSHG, and noted those plans will not match the GIC plans. J. Nolan said he would like to see the best negotiated rate and the comparison to GIC. He also asked if the town could maintain the WSHG for the short term and move to GIC in two years; J. Senchyshyn said yes. C. Karlson expressed concern that the School Committee had not yet addressed the issue. J. Senchyshyn said he would like to meet with the unions first, then request an agenda item with the School Committee. It was the sense of the Board to pursue talks with the bargaining units, and to agree with the target savings suggested by J. Senchyshyn. C. Karlson instructed J. Senchyshyn to pursue the discussions and report back to the Board.

J. Nolan moved, seconded by M. Antes, to exit executive session at 6:58 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

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

1. Memorandum of 11/16/15 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Confidential Union Correspondence
2. Cook and Company Health Insurance Options Summary, Fiscal Year 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 Meeting Minutes Executive Session May 16, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, and Assistant Superintendent of Schools Brad Crozier

Purpose: The session was called at 7:30 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(6), to consider the purchase, exchange, lease or value of real property relative to the town center municipal parcel, and to discuss the exchange, lease or value of real estate in regard to 4 and 8 Sycamore Road; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to consider potential litigation regarding Bernstein et al v. Wayland Planning Board et al, and to discuss strategy with respect to pending litigation regarding 150 Main St, LLC, Plaintiff, v. Wayland Zoning Board of Appeals, and to discuss strategy with respect to healthcare in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and to discuss strategy with respect to collective bargaining pertaining to the Police Union, known as the New England Police Benevolent Association, Inc., Local 176 and the Fire Union, known as Local 178 of the LAFF, AFL/CIO, and the School Custodians Union; and to discuss strategy with respect to collective bargaining relating to a Step 3 Police Grievance; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with the Town Administrator; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) 7, to review and consider for approval the potential release of the following minutes pertaining to these subjects, because a public discussion of pending litigation and collective bargaining will have a detrimental effect on the bargaining, negotiating, or litigating position of the town: APPROVE AND RELEASE: November 5, 2012, May 6, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016; APPROVE AND RELEASE WITH REDACTIONS: October 2, 2013, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, and January 25, 2016; APPROVE AND HOLD: November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, April 19, 2016, and May 2, 2016.

Discussion: B. Crozier reported on a tentative agreement with the school custodians and said they are waiting for ratification. He reviewed the changes from the current contracts, noting the one-year date to synchronize with the other school unions, the consideration of an employee's seniority when making moves or assignments, and the policy change to holidays, uniform colors, and uniform standards. He said the wages are the same as the other unions in the same year.

L. Anderson moved, seconded by L. Jurist, to authorize the Selectmen's designee to the School Custodian negotiations, Assistant Town Administrator John Senchyshyn, to vote in support of the Memorandum of

Agreement which extends the current contract through June 30, 2017, between the School Committee and the Public Employees' Local Union 1116 Custodians and Maintenance. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

B. Crozier left the meeting at 7:35 p.m.

The Board reviewed and edited the executive session minutes. The minutes of August 26, 2013, February 24, 2014, and February 3, 2015, were deferred until the next meeting because they were not listed in the motion to enter executive session.

J. Nolan moved, seconded by M. Antes, to approve and release as amended the executive session minutes of November 5, 2012, May 6, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

L. Anderson moved, seconded by M. Antes, to approve and release with redactions as amended the executive session minutes of October 2, 2013, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, January 25, 2016, and May 2, 2016. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Anderson, to approve and hold as amended the executive session minutes of November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, and April 19, 2016. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Anderson, to exit the executive session at 8:17 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

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

1. Memorandum of 5/16/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: School Custodial Union Negotiations
2. Draft Memorandum of Agreement for School Custodial Union Negotiations, from Brad Crozier, Assistant School Superintendent; same as included in item 1 above
3. Executive Session Minutes of November 5, 2012, May 6, 2013, August 26, 2013, January 27, 2014, March 30, 2015, July 27, 2015, February 9, 2016, and March 7, 2016, October 2, 2013, February 24, 2014, February 3, 2015, May 18, 2015, June 24, 2015, October 19, 2015, December 14, 2015, January 25, 2016, May 2, 2016, November 2, 2015, November 16, 2015, February 22, 2016, March 21, 2016, April 11, 2016, and April 19, 2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

MARY M. ANTES
ANTHONY V. BOSCHETTO
EDWARD J. COLLINS
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes Executive Session February 3, 2015

Attendance: Mary M. Antes, Tony V. Boschetto (arrived 6:10 p.m.), Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, Town Counsel Mark Lanza, Wastewater Management District Commission members Fred Knight, Sam Potter, and Rick Greene

Purpose: The session was called at 6:00 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: M. Antes, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a (3), with the Wastewater Management District Commission, to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland et al; and to discuss collective bargaining strategy pertaining to the OPEB recommendation 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, as a public discussion of these matters in an open meeting may have a detrimental effect on the bargaining, litigating or negotiating position of the Town.

Discussion: Assistant Town Administrator/HR Director John Senchyshyn briefed the Board on a request from the OPEB Committee to change non-Medicare retiree rates paid by retirees with a goal toward increasing employee contributions to 50%. He expressed concern that if this topic were discussed in open session, it could affect ongoing negotiations.

T. Boschetto joined the meeting at 6:10 p.m.

J. Senchyshyn reviewed the new Supreme Judicial Court Ruling that retiree premiums are not a mandatory subject of bargaining. The Board discussed the current rates and the interest of the OPEB Committee in reducing costs. It was noted there would be a \$200,000 savings if non-Medicare retiree rates were reduced to 50%. The Board considered retirees who are not eligible for Medicare because they did not contribute. J. Senchyshyn said that the OPEB Committee cannot hold an executive session because they cannot bargain; they can only make a recommendation as an advisory committee to Board. J. Nolan said he was concerned about the effect on negotiations; he said it could be costly if it triggered arbitration. C. Karlson said it was an issue of timing, and she would be inclined to wait until all offers are on the table. T. Boschetto said he supports the recommendation of the OPEB Committee but would also be in favor of waiting. It was the sense of the Board to hold the issue until a later date.

The Board was joined by Mark Lanza, Fred Knight, Rick Greene, and Sam Potter at 6:35 pm

M. Lanza reviewed each term of the Settlement Agreement that was negotiated with the counsel for Twenty Wayland LLC. The Board discussed how the agreement would be made public when signed, the waiving of post judgment interest by Twenty Wayland LLC, the ongoing negotiations on the configuration of the municipal pad, the concern about an appeal of the betterment assessment, and the possibility of waiting until Friday before signing the agreement to see if the abatement is signed. [REDACTED]

[REDACTED] S. Potter suggested a letter to Twenty Wayland LLC to confirm that they will not file an abatement of its betterment, although he said the members of the Wastewater Management District Commission will sign the agreement. J. Nolan said he would discuss the potential letter with Anthony DeLuca, principal of Twenty Wayland LLC. Members discussed issuing a joint press release.

C. Karlson moved, seconded by M. Antes, that the Board of Selectmen amend the Memorandum of Agreement between the Board of Selectmen and the Wayland Wastewater Management District Commission dated July 28, 2014 relative to the Town's Wastewater Management System Financial Matters by executing the amendment thereto dated February 3, 2015, a copy of which amendment is attached hereto. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. R. Greene moved, seconded by S. Potter, that the Wastewater Management District Commission amend the Memorandum of Agreement between the Board of Selectmen and the Wayland Wastewater Management District Commission dated July 28, 2014 relative to the Town's Wastewater Management System Financial Matters by executing the amendment thereto dated February 3, 2015, a copy of which amendment is attached hereto. YEA: R. Greene, F. Knight, S. Potter. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 3-0.

T. Boschetto moved, seconded by C. Karlson, that the Board of Selectmen: (1) execute the Settlement Agreement between Twenty Wayland, LLC and the Town of Wayland and the Wayland Wastewater Management District Commission relative to the litigation between them, currently pending in the Massachusetts Appeals Court as Case No. 2014-P-0679, on appeal from the June 23, 2013 Judgment entered in the Middlesex Superior Court in Case No. 2011-04095-F, a copy of which agreement is attached hereto; and (2) upon the execution of said settlement agreement by all parties thereto, pay to Twenty Wayland, LLC a.) \$350,000. from funds received by the Town as a gift from Twenty Wayland, LLC pursuant to Section J. 1. (i) of the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC dated March 28, 2006, as amended on October 20, 2009 (the "DA"); and \$120,000. from funds received by the Town as a gift from Twenty Wayland, LLC pursuant to Section J. 1. (ii) of the DA. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. R. Greene moved, seconded by S. Potter, that the Wastewater Management District Commission: (1) execute the Settlement Agreement between Twenty Wayland, LLC and the Town of Wayland and the Wayland Wastewater Management District Commission relative to the litigation between them, currently pending in the Massachusetts Appeals Court as Case No. 2014-P-0679, on appeal from the June 23, 2013 Judgment entered in the Middlesex Superior Court in Case No. 2011-04095-F, a copy of which agreement is attached hereto; and (2) upon the execution of said settlement agreement by all parties thereto, pay to Twenty Wayland, LLC a.) \$350,000. from funds received by the Town as a gift from Twenty Wayland, LLC pursuant to Section J. 1. (i) of the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC dated March 28, 2006, as amended on October 20, 2009 (the "DA"); and \$120,000. from funds received

by the Town as a gift from Twenty Wayland, LLC pursuant to Section J. 1.(ii) of the DA. YEA: R. Greene, F. Knight, S. Potter. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 3-0.

C. Karlson moved, seconded by M. Antes, that the Board of Selectmen pay \$325,671. to the Wayland Wastewater Management District Commission by transferring said sum of money to the Wastewater Enterprise Fund from funds received by the Town as gifts from Twenty Wayland, LLC pursuant to following provisions of the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC dated March 28, 2006, as amended on October 20, 2009 (the "DA"):

<u>Amount</u>	<u>DA Section</u>
\$150,000.	J. 1 (i);
\$175,000.	D. 10. a.; and
\$ 671.	J. 1. (initial \$230,000. Payment).

YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson moved, seconded by T. Boschetto, to exit executive session at 7:24 p.m. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the February 3, 2015, Meeting

1. Memorandum of 2/2/15 from John Senchyshyn, Asst. Town Administrator/HR Director, to Board of Selectmen re: Request for Executive Session with the Board of Selectmen, Personnel Board and OPEB Committee Regarding Bargaining Obligations and Strategy for Increasing Non-Medicare Retirees' Health Insurance Contributions
2. Memorandum of 2/2/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Twenty Wayland Agreement, Amendment to Inter-Board Agreement and Proposed Motions



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session May 18, 2015

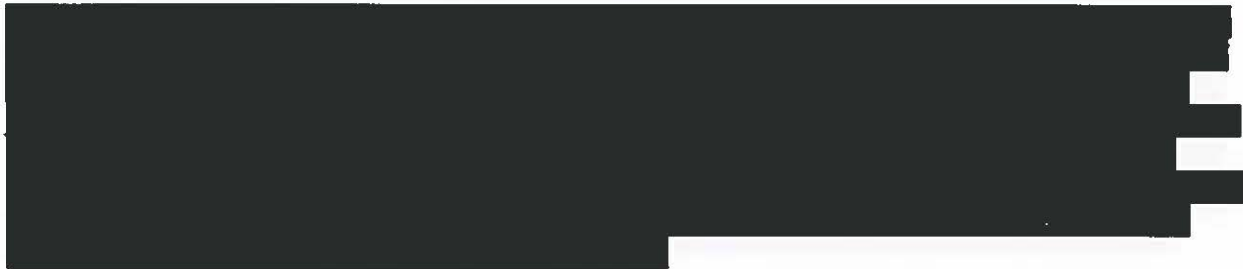
Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Absent: Tony V. Boschetto

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Town Counsel Mark Lanza, Police Chief Robert Irving, Personnel Board member Maryanne Peabody, OPEB Advisory Committee member Cliff Lewis, Principal/Senior Project Manager Kevin Dandrade of TEC, and Executive Assistant MaryAnn DiNapoli (left at 7:00 p.m.)

Purpose: The session was called at 6:04 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending actions regarding Ide, et al v. Zoning Board of Appeals et al, Frishman V. Lanza, et al, Carvalho's v. Town, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, Dresens, et al v. Planning Board, et al, Nelson v. Conservation Commission, Bernstein, et al v. Planning Board, et al, and Appellate Tax Board cases filed by the Wayland Town Center LLC and West Beit Olam Jewish Cemetery Corporation; and to discuss collective bargaining strategy pertaining to contract negotiations with the Police Union, and all unions, and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to discuss the exchange, lease or value of real estate in regard to the municipal parcel at Town Center; and to review and consider for approval the following executive session minutes relative to the said subjects: April 7, 2015, and April 13, 2015. J. Senchyshyn noted that there was an error in the agenda, and corrected the motion above from "the Police Union and all unions" as printed in the agenda, to "the Police Union, the Fire Union, and the AFSCME Clerical Union." The Chair made the correction. The Chair declared that a public discussion of pending litigation and collective bargaining and the review and consideration for approval and potential release of executive session minutes will have a detrimental effect on the bargaining or litigating position of the Town.

Discussion: The Board was joined by Police Chief R. Irving and K. Dandrade to discuss the Glezen Lane litigation. L. Anderson recused herself from debating or deliberating on the issue, as she is a resident of the Glezen Lane neighborhood; she said she would listen but not participate in votes or discussions.



R. Irving and K. Dandrade left the meeting at 6:32 p.m. L. Anderson returned to the discussions.

[REDACTED] The Board reviewed a report of legal costs over the past year prepared by Elizabeth Doucette, Financial Analyst.

At 6:45 p.m., the Board was joined by Maryanne Peabody of the Personnel Board and Cliff Lewis of the OPEB Advisory Committee. J. Senchyshyn explained for the Board that the OPEB Advisory Committee was seeking the Board's consideration for changing all retiree health insurance to a 50/50 premium contribution rate. He said the decision to make the change is under the jurisdiction of the Board of Selectmen. He noted that the reason the discussion was taking place in executive session was due to the fact that there are three unions still in active negotiation (the Police Union, the Fire Union, and the AFSCME Clerical Union). He said there is an active proposal in negotiations with the Police Union to increase the premium contribution rate for members of that bargaining unit. He then reviewed the two categories of town-sponsored health care plans, Medicare Plans and Non-Medicare Plans, and defined the number of current retirees and spouses who were the probable target populations for the proposed change. He said the annual projected savings by converting the target group would be approximately \$166,000. The Board discussed the options for the implementation of the plan. J. Senchyshyn advised that the Board had the discretion to include all current retirees immediately, or to phase in the program for future retirees. The Board discussed the timing of the decision.

M. Peabody and C. Lewis left the meeting at 7:05 p.m.

J. Nolan moved, seconded by M. Antes, to approve and hold the minutes of April 7, 2015. YEA: M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: L. Anderson. Adopted 3-0-1. J. Nolan moved, seconded by M. Antes, to approve and hold the minutes of April 13, 2015. YEA: M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: L. Anderson. Adopted 3-0-1.

J. Nolan moved, seconded by M. Antes, to exit executive session at 7:14 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the May 18, 2015, Meeting

- [REDACTED]
2. Town of Wayland Defendant's Motion for Temporary Relief from Judgment on Count II of Plaintiffs' Amended Complaint, April 6, 2015
 3. Notice of Default of Judgment on Count II of Plaintiffs' Amended Complaint, filed by Attorney Jeffrey L. Roelofs, P.C., April 10, 2015
 4. Staff Analysis of Legal Costs, 5/15/2015
 5. Memorandum of 5/18/15 from John Senchyshyn, Assistant Town Administrator/HR Director, re: Retiree Health Insurance Contributions
- [REDACTED]



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session February 22, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, Assistant Superintendent of Schools Brad Crozier, Benefits Manager Donna Lemoyne, and Executive Assistant MaryAnn DiNapoli

Purpose: The session was called at 6:16 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to health insurance negotiations with AFSCME, AFSCME 2, Police, Fire, Teamsters, Library, WTA, WESA, Cafeteria Workers and School Custodians, and to discuss collective bargaining with the Police Union. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town.

Discussion:

[REDACTED]

R. Irving left the meeting at 6:33 p.m.

The Board was joined by Donna Lemoyne and Brad Crozier to discuss health insurance alternatives. J. Senchyshyn said that the three of them met with representatives of the unions in January. He prepared a proposal for that meeting: that the town stay with the West Suburban Health Group, and would pay 71.5% of the premium based on the Fallon Direct Plan; the participants would pay the difference for other plans. Following the meeting, the unions issued a letter requesting further information. He said they appointed Jay Chandler, the representative from the WTA, as their spokesman. He said the unions have been contacting the Board of Selectmen directly, and he requested that the Board not respond. In response to the letter from the unions, he said he asked the health groups to gather the requested data, and hopes to have it ready by next week. He said he will also have next year's rates by tomorrow. The town needs to give notice to the GIC by December 1, 2016 so there is sufficient time. He said the unions asked what level of savings the Board would accept, and he responded that he didn't know. Finally, he told the Board that any deal will only be for one year, as the current West Suburban plans will go away on June 30, 2018.

M. Antes moved, seconded by J. Nolan, to exit executive session at 6:52 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

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

[REDACTED]

2. Memorandum of 2/22/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, re: Health Insurance, GIC Alternatives



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session April 11, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, and Selectman-elect Louis Jurist

Purpose: The session was called at 6:02 p.m. in the Wayland High School Field House by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to collective bargaining relating to a Step 3 Police Grievance. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town.

Discussion: J. Senchyshyn reviewed for the Board the grievance filed by [REDACTED] regarding the [REDACTED]

[REDACTED] The Chief of Police denied the grievance, and the Personnel Board denied the grievance. The case is now at Step 3, a hearing with the Board of Selectmen. He said the Board has fifteen days from March 31 to schedule a hearing. He said the union has agreed to a hearing with an appointed hearing officer. L. Jurist asked if the decision is a [REDACTED]. C. Karlson and J. Senchyshyn explained that the town's position is [REDACTED]

[REDACTED] J. Senchyshyn said he will draft hearing procedures.

J. Nolan moved, seconded by M. Antes to appoint Lea Anderson as the hearing officer. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by J. Nolan, to exit executive session at 6:22 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

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

1. Email of 3/31/16 from Mark Hebert, WPOU/NEPBA Local 176 Vice President, to Chair of the Board of Selectmen re: [REDACTED]



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session May 2, 2016

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

Absent: Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Director Donna Lemoyne, Town Counsel Mark Lanza

Purpose: The session was called at 7:30 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to potential litigation by a former school employee; discuss collective bargaining for health insurance with Police, Fire, AFSCME 1 AFSCME 2, Library, Teamsters, WTA, WESA, Custodians and Cafeteria Workers Unions; and review and approve and potential vote to release executive session minutes of 11/30/2015. The Chair declares that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town.

Discussion: The Board was joined by J. Senchyshyn and D. Lemoyne. J. Senchyshyn reviewed the background of the health insurance issue, beginning with the Cook & Company presentation from September 2015 and continuing through the February 1, 2016 meeting with the union representatives. He said that all of the unions' requested information has been received, including a health insurance quote from MIIA. J. Senchyshyn reviewed the MIIA quote, which does not provide the depth of savings as a potential GIC move. He also reviewed several other alternatives. He said another meeting with the unions is pending.

D. Lemoyne left the meeting at 7:40 p.m.

C. Karlson reviewed the informal records request of George Harris for all executive session minutes regarding concluded litigation since January 2013. C. Karlson said she asked G. Harris if he also wanted the executive session minutes of November 30, 2015 regarding the Cass criminal investigation. G. Harris told her he also wanted those minutes. The Board reviewed the draft minutes. [REDACTED]

M. Antes moved, seconded by L. Anderson, to approve the executive session of minutes of November 30, 2015, 2015, as amended. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: L. Jurist. Adopted 3-0-1.

M. Antes moved, seconded by L. Anderson, to release the executive session minutes of November 30, 2015, with redactions. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

L. Anderson moved, seconded by M. Antes, to exit the executive session at 8:23 p.m. Roll call vote:
YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none.
Adopted 4-0.

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

1. Memorandum of 5/2/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Health Insurance, GIC Alternatives, and MIA Proposal, and Letter of 2/2/16 from Union Representative Jay Chandler, and Illustrative MIA Rates
2. Memorandum of 5/2/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Executive Session Minutes of November 30, 2015



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session June 6, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Manager Donna Lemoyne, Chief of Police Robert Irving, Police Lieutenant Patrick Swanick, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli
Absent: Assistant Superintendent of Schools Brad Crozier

Purpose: The session was called at 6:03 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by 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 to discuss Civil Service with respect to the Police Union; and to discuss an arbitration filing with respect to the Police Union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to discuss strategy with respect to negotiations with Non-Union Personnel, the Police Chief contract; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the following minutes pertaining to the following subjects: pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real property in regard to the Municipal Parcel at the Town Center Project; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending action regarding Bernstein, et al v. Planning Board: May 23, 2016, because a public discussion of these matters will have a detrimental effect on the bargaining, negotiating, or litigating position of the town.

Discussion: J. Senchyshyn and D. Lemoyne provided an update to the Board on the current status of discussions with the unions regarding health insurance. J. Senchyshyn reviewed the progress to date; he said that while considerable time has passed, there is little to show for results. He reviewed the union proposal from the May 17 meeting and his response. At the May 25 meeting, the unions focused on Section 19 bargaining. J. Senchyshyn reviewed the differences between Chapter 32B, Section 19, and Chapter 150E, and Chapter 32B, Sections 21-23 bargaining. Discussion ensued on a Section 19 agreement from Natick which included a sunset clause. Labor Counsel opined that such a provision should be enforceable. J. Senchyshyn said he advised the unions that he only saw three options for discussion: staying within the WSHG until June 30, 2018, moving to MILA, or moving to the GIC. He noted that the unions were not willing to engage in any discussion until their Section 19 proposal was addressed. The unions focused on Section 19 because there was discussion on changes to contribution rates.

J. Senchyshyn also requested direction on the Board's savings expectations for changing health insurance. A number of scenarios and outcomes were discussed. The Board believed a Town savings between \$700,000 to \$800,000 was a reasonable offer to make to the unions. He said he will meet with the unions again on June 8.

He noted that there would likely be two rounds of bargaining; one that covers the period from now until June 30, 2018, and the next phase which begins on July 1, 2018. The Board was supportive of proceeding with Section 19 bargaining, provided that a sunset clause was in place.

C. Karlson suggested considering a vote on Chapter 32B, Sections 21-23. J. Senchyshyn suggested waiting until the next meeting in order to gauge the tenor of the discussions with the unions, and said he would report back next week.

D. Lemoyne left at 6:48 p.m., and the Board was joined by R. Irving and P. Swanick.

[REDACTED]

R. Irving and P. Swanick left at 7:05 p.m..

[REDACTED]

[REDACTED]

The Board reviewed the executive session minutes of May 23, 2016. J. Nolan moved, seconded by M. Antes, to approve and release with redactions the executive session minutes of May 23, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Jurist, to exit the executive session at 7:15 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the June 6, 2016, Executive Session Meetings

1. Memorandum of 6/6/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Health Insurance Discussions with the Unions
2. Draft Executive Session Minutes of May 23, 2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes Executive Session June 13, 2016

Attendance: Lea T. Anderson, Mary M. Antes (arrived 6:53 p.m.), Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Assistant Superintendent of Schools Brad Crozier, Benefits Manager Donna Lemoyne, and Executive Assistant MaryAnn DiNapoli

Purpose: The session was called at 6:32 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes. ABSTAIN: none. Adopted 4-0) in open session as permitted by 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 to discuss Civil Service with respect to the Police Union; 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 6, 2016, pertaining to the above subjects, and also including discussion of an arbitration filing with respect to the Police Union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2), a discussion of strategy with respect to negotiations with non-union personnel, Police Chief Contract, because a public discussion of these matters will have a detrimental effect on the bargaining, negotiating, or litigating position of the town.

Discussion: J. Senchyshyn reported on a meeting with union representatives on June 8 in regards to health insurance. He said the union members refused to engage in any further discussion until the Board of Selectmen had voted to accept Massachusetts General Laws Chapter 32B, Section 19, as the mechanism for negotiations. The Board discussed whether to accept Section 19 with a sunset clause. J. Senchyshyn said it was the opinion of Special Labor Counsel John Foskett that the Board accept Section 19 to enter negotiations, but Counsel did not believe it was necessary to include the sunset provision in the vote. Counsel also advised that if an agreement was not reached, the Board of Selectmen would not be bound by the provisions of Section 19. If the parties do not reach agreement under Section 19, then J. Senchyshyn recommended that the Board vote to accept Massachusetts General Laws Chapter 32B, Section 23, to begin the move to the Group Insurance Commission (GIC). He distributed a timeline for a projected move to GIC; he said notification of intent to enter GIC by July 1, 2017, must be received by the GIC no later than December 1, 2016, and that in order to meet that deadline, the Board should vote to adopt Sections 21-23 at the July 13, 2016 Board of Selectmen meeting.

J. Senchyshyn recommended that the Board vote to adopt Section 19 tonight. He said he is meeting with the unions on Thursday, June 16, and will notify the unions of the Board intent to adopt Sections 21-23 on July 13. In the event they do not reach an agreement on Section 19, he said that Sue Shillue, President of Cook & Company Insurance Services, is available to help transition the town to GIC for an approximate cost of \$9,000-\$10,000. L. Jurist asked how long the town would be committed to GIC; J. Senchyshyn said three years. Members discussed the limits of mitigation in regard to the current negotiations.

J. Nolan moved, seconded by L. Anderson, to accept the provisions of Massachusetts General Laws Chapter 32B, Section 19, as the mechanism to negotiate health insurance alternatives rather than moving to the GIC. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. B. Crozier said he will report the Board's action to the School Committee. J. Senchyshyn said he would report the same to the Personnel Board.

B. Crozier and D. Lemoyne left at 6:57p.m.



J. Senchyshyn left at 7:00 p.m.

The Board reviewed the executive session minutes of June 6, 2016. M. Antes moved, seconded by J. Nolan, to approve and release with redactions the executive session minutes of June 6, 2016. Roll call vote: 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 M. Antes, to exit the executive session at 7:04 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the June 13, 2016, Executive Session Meetings

1. Timeline for Projected Move to GIC prepared by John Senchyshyn, Assistant Town Administrator/
Human Resources Director, June 13, 2016
2. Draft Executive Session Minutes of June 6, 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 Meeting Minutes Executive Session June 27, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Absent: Louis M. Jurist

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Manager Donna Lemoyne, and Executive Assistant MaryAnn DiNapoli

Purpose: The session was called at 6:01 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0) in open session as permitted by 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 these matters will have a detrimental effect on the bargaining or negotiating position of the town.

Discussion: J. Senchyshyn reported on meetings with the combined union representatives on June 16 and again on June 27. He said that at the meeting of June 16, the Teachers Union advised him that they required a ratification vote prior to approving a Massachusetts General Laws Chapter 32B S.19 agreement. Such a vote could not occur prior to August 31. He subsequently consulted Labor Counsel John Foscett, who said that it is outside the guidelines of S. 19, and was not necessary. J. Senchyshyn then reported on the meeting today, June 27. He said the unions made a proposal to the town which included remaining under a S. 19 agreement for three years, transitioning all employees to Benchmark Plans in the West Suburban Health Group (WSHG) effective 7/1/17, and holding the contribution rates the same for all the plans except for Fallon plans, which they requested be reduced by one percent. He said the unions want 25% of the overall first year savings in mitigation, and half that amount again in the second year. He estimated the cost savings to the town would be approximately \$280,000, which is substantially less than the projected Group Insurance Commission (GIC) savings. Members discussed a counter proposal, which would include a two-year S. 19 agreement, town savings of approximately \$750,000, and mitigation based only on the first year's overall savings.

J. Senchyshyn noted if a S. 19 agreement is reached, the option to go to GIC remains a viable option in future years. He said that J. Foscett does not see a legal prohibition against negotiating under S. 19 and S. 21-23 at the same time, but rather that J. Foscett recommends against it. J. Senchyshyn recommended not voting S. 21-23 until July 25.

J. Senchyshyn said he will be meeting with union representatives again on June 30, and he must present a counter proposal. He said he would put forth a proposal as discussed earlier in the meeting with an incentive to move to the Fallon Plans. He asked that the Board allow the parties to continue to negotiate until the Board of Selectmen meeting on July 25, 2016, at which time the Board could vote to move to GIC if necessary. It was the sense of the Board that J. Senchyshyn proceed as described.

J. Senchyshyn and D. Lemoyne left the meeting at 7:07 p.m.

The Board reviewed the executive session minutes of June 13, 2016. M. Antes moved, seconded by L. Anderson to approve and release with redactions the executive session minutes of June 13, 2016. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

J. Nolan moved, seconded by M. Antes, to exit the executive session at 7:10 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

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

1. Draft Executive Session Minutes of June 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 Meeting Minutes Executive Session July 13, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan (arrived 6:50 p.m.)

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, and Assistant Superintendent of Schools Brad Crozier

Purpose: The session was called at 6:30 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0) in open session as permitted by 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.

Discussion: J. Senchyshyn distributed to the Board a statement from Teachers' Union President Jay Chandler, and the counter-proposal from the unions. The Board discussed and commented on the points raised by the unions' statement. J. Senchyshyn reviewed the counter-proposal on health insurance, and suggested potential responses to the unions. The Board discussed mitigation alternatives, effective dates for change, and an end date for a Section 19 agreement. J. Senchyshyn asked if the Board wanted to be firm on its proposal, and if not, what terms the Board would authorize him to negotiate. He said that the unions' public statements on health insurance suggested they were most concerned with the availability of mitigation for employees with high medical costs. B. Crozier said the School Committee would defer to the Selectmen in this negotiation.

J. Nolan arrived at 6:50 p.m. It was the consensus of the Board that J. Senchyshyn could negotiate with the unions on the mitigation; however, the Board was firm on the January 1, 2017, effective date for change, and indicated a strong preference for a June 30, 2018 end date to the Section 19 agreement.

B. Crozier left the meeting at 6:56 p.m.

The Board reviewed the executive session minutes of June 27, 2016. M. Antes moved, seconded by L. Anderson to approve as amended and release with redactions the executive session minutes of June 27, 2016. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

L. Anderson moved, seconded by M. Antes, to exit the executive session at 7:04 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Board of Selectmen
Meeting Minutes
Executive Session
July 13, 2016**

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

Purpose: The session was called at 9:25 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by 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 bargaining, negotiating, or litigating position of the town.

Discussion:

[REDACTED]

[REDACTED]

[REDACTED]

J. Nolan moved, seconded by M. Antes, to exit the executive session at 9:45 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the July 13, 2016, Executive Session Meetings

1. Draft Executive Session Minutes of June 27, 2016
2. Statement from Jay Chandler, President, Wayland Teacher's Association
3. List of Unions' Counter-Proposals, prepared by John Senchyshyn, Assistant Town Administrator/
Human Resources Director, June 30, 2016

[REDACTED]

6. Letter of 1/17/13 from Office of the Attorney General to Board of Selectmen re: Open Meeting Law Complaint filed by George Harris on May 29, 2012
7. Memorandum of Decision and Order from the Superior Court Judge Dennis J. Curran in the case of Mary Alice Boelter et v. Wayland Board of Selectmen, June 26, 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 Meeting Minutes Executive Session July 25, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, School Committee members Barb Fletcher and Kathie Steinberg, Finance Committee member Gordon Cliff, Board of Public Works members Chris Brown and Michael Lowery, Town Counsel Mark Lanza, and Human Resources Assistant Katelyn O'Brien

Purpose: The session was called at 6:37 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by 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)(3) to discuss civil service with respect to the Police Union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real property in regard to 8 Glezen Lane, and 107 Old Sudbury Road; and 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)(7), to review and consider for approval the potential release of the executive session minutes of July 13, 2016, pertaining to the above subjects, because a public discussion of these matters may have a detrimental effect on the bargaining, negotiating, or litigating position of the town.

Discussion: The Board was joined by J. Senchyshyn, B. Fletcher, K. Steinberg, and G. Cliff to discuss the issue of health insurance negotiations. J. Senchyshyn started the discussion by talking about the history of the town's process so far with health insurance. He then stated that he had a tentative agreement with the unions. He gave the board three documents: a summary, a draft agreement, and a projection of savings as compared to a GIC alternative. The agreement would run from January 1, 2017, to June 30, 2019. J. Senchyshyn stated that the plan is to hold seminars for employees and retirees in early September 2017, beginning the first week if possible. Two would be held at Town Building, one at the DPW and one at each of the Schools. Open enrollment will follow the seminars and run through November 4, 2016, giving the Benefits Manager time to enroll participants. J. Senchyshyn noted that the unions have requested that the town pick up administrator costs for a third party administrator (TPA) to issue and track mitigation funds on a Benny Card. The estimated cost for the TPA is \$50,000-\$60,000 for a 30-month period.

[REDACTED] J.
Senchyshyn noted that the GIC will be going out to bid for new plans in 2018, and there is uncertainty about which directions they are going. WSHG also has similar administrative burdens as GIC. Some towns, such

as Sherborn and Ashland, have left WSHG. J. Senchyshyn confirmed that the unions will have to ratify to have their members vote, as a majority vote is necessary.

K. O'Brien left at 7:00 p.m.

The Board discussed the need to develop a communication plan to explain the changes to the public, and thanked J. Senchyshyn for his work in successfully negotiating a change in health insurance.

J. Nolan moved, seconded by L. Anderson, to support the proposed Memorandum of Agreement between Town of Wayland and Wayland Public Employee Committee, for the period of January 1, 2017, through June 30, 2019 and for the Town to pay for the cost of the TPA. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

B. Fletcher and K. Steinberg left the meeting at 7:20 p.m.

[REDACTED]

J. Senchyshyn left the meeting at 7:25 pm.

[REDACTED]

[REDACTED]

C. Brown and M. Lowery left the meeting at 7:44 p.m.

[REDACTED]

The Board reviewed the executive session minutes of July 13, 2016. J. Nolan moved, seconded by L. Jurist, to approve and release with redactions the executive session minutes of July 13, 2016. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Anderson, to exit the executive session at 7:50 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the July 25, 2016, Executive Session Meetings

1. Memorandum of Agreement between Town of Wayland and Wayland Public Employee Committee, January 1, 2017, through June 30, 2019, with Health Insurance Savings Comparisons and a Summary of Agreement
[REDACTED]
3. Draft Executive Session Minutes of 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 Meeting Minutes Executive Session September 6, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph R. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Human Resources Assistant Katelyn O'Brien.

Purpose: The session was called at 6:31 p.m. in the Selectmen's meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by 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 (b) 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 August 3, 2016, pertaining to the following subjects: pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), a discussion of strategy with respect to pending actions regarding 150 Main Street LLC v. Zoning Board of Appeals, Nelson v. Conservation Commission (two cases), Bernstein, et al v. Planning Board, et al, Boelter, et al v. Board of Selectmen, Moss, et al v. Lingleys and Town, West Beit Olam Corporation v. Board of Assessors, and Green v. Police Chief. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, negotiating or litigating position of the town.

Discussion: J. Senchyshyn updated the Board on Health Insurance negotiations. J. Senchyshyn reported that the town has finished up the language on mitigation and referred to the document he passed out to the Board, which breaks down the language. He told the Board that the unions are in the process of ratifying individually, which will probably be finished next week. J. Senchyshyn stated they would then have a meeting with the PEC. J. Senchyshyn hopes to bring this to the Board by the September 26th, 2016 meeting. The catastrophic funds were also discussed.

L. Anderson asked J. Senchyshyn if the unions are pleased. J. Senchyshyn said that they seem to be pleased that the town is not going to GIC and that there is an agreement. However he said they do not seem pleased the town is changing plans. [REDACTED]

J. Nolan suggested that a white paper or press release be created that would announce changes in plans and the savings. J. Senchyshyn suggested a joint press release with the Public Employee Committee (PEC).

L. Anderson moved to vote to support Appendix A of the Draft of Memorandum of Agreement with the Public Employees Committee for the Purpose of Changing the Town's Health Insurance Plans. M. Antes seconded. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

J. Senchyshyn left the room at 6:44 pm.

M. Antes moved, seconded by J. Nolan, to approve with edits and release with redactions the executive session minutes of August 3, 2016. 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 M. Antes, to exit the executive session at 6:55 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the September 6, 2016, Executive Session Meeting

1. Draft Executive Session Minutes of August 3, 2016
2. Appendix A of the Draft of Memorandum of Agreement with the Public Employees Committee for the Purpose of Changing the Town's Health Insurance Plans, Prepared by John Senchyshyn, Assistant Town Administrator/ Human Resources Director, September 6, 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 Meeting Minutes Executive Session September 19, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, members of the Finance Committee, members of the School Committee, members of the Personnel Board, School Superintendent Dr. Paul Stein, Assistant School Superintendent Brad Crozier, Finance Director Brian Keveny, School Business Administrator Susan Bottan, Administrative Assistant to the Superintendent of Schools Diane Marobella, and Human Resources Assistant Katelyn O'Brien.

Purpose: The session was called at 7:00 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy for collective bargaining negotiations with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions; and (b) 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 September 6, 2016, pertaining to the following subject: pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), a discussion of 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. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the town.

The Board, N. Balmer, and K. O'Brien moved to the School Committee room at 7:01 p.m.

J. Nolan moved, seconded by M. Antes to exit the executive session at 7:10 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0

The session was called again at 7:11 p.m. in the School Committee Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0), to include attendance by School Business Administrator Susan Bottan, in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy for collective bargaining negotiations with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions; and (b) 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 September 6, 2016, pertaining to the following subject: pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), a discussion of 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. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the town.

Discussion:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Superintendent P. Stein expressed his appreciation for what the volunteer boards go through during this time and thanked everyone in the room for their time and efforts.

M. Antes moved, seconded by J. Nolan, to approve and release with redactions the executive session minutes of September 6, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by J. Nolan to exit the executive session at 7:51 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the September 19, 2016, Executive Session Meeting

[REDACTED]

2. Draft Executive Session Minutes of September 6, 2016

(13) TOWN ADMINISTRATOR
REPORT

TOWN ADMINISTRATOR'S REPORT

WEEK ENDING OCTOBER 14, 2016

STM ARTICLES: PURCHASE OF PROPERTY FOR WATER PROTECTION:

107 Old Sudbury (Unique property, not subject to public procurement): An appraisal for \$480,000 was received and submitted to the Chair of the Board of Public Works for consideration. The property may be sold for a maximum of the average of the last 3 assessed valuations plus 25%. The \$500,000 price included in the purchase and sales agreement was recommended to the BOPW by the former DPW Director based on an appraisal provided by the owner in excess of \$500,000.

8 Glezen Lane: (Subject to public procurement) The owners agreed to an appraisal and it is expected to begin next week. RFP responses are due 10/21. If there are multiple responses, BOPW may consider whether 8 Glezen Lane is still the best property to purchase. Purchase of other properties offered for sale could be considered at Annual Town Meeting.

The Finance Director provided the attached financial projection on the Water Enterprise Fund which suggests that in order to fund existing and future capital projects and maintain the Water Enterprise Fund's target fund balance of \$2.5 million additional water revenue is needed. The need for more water revenue will be documented in a rate study.

OPEB

Attached please find an update from the Finance Director on the OPEB actuarial study.

RIVER'S EDGE

The attached letters were sent to the Chair of the Board of Public Works and to the School Superintendent to request plans and timetables to move the DPW laydown area and school bus parking to alternate sites.

In response to the Board's request to quantify the economic benefits of the River's Edge project in light of current circumstances and conditions, I requested proposals from two firms that specialize in the economic analysis of housing development projects. I also requested a proposal for legal services from Anderson Krieger to assist the Board in bringing the project to completion. Although the Board may not choose to enter into any consultant arrangements or retain special counsel, the information may be helpful to move the project forward.

HOUSING

The Affordable Housing Production Plan was approved by the state.

As you may recall, the Assessors alerted the Selectmen to the \$300,000 difference between the deeded price for Habitat homes and the deed restriction which was also reflected in 2 silent mortgages on these

homes in addition to a first mortgage for the deed restriction and a second mortgage for closing costs. The Assessors were concerned that the discrepancy was confusing and that it imposed \$500+ in additional costs on buyers who paid the recording fee on the higher deeded price.

The Director of Assessing and I consulted with staff of the Regional Housing Services Office to develop a solution with Habitat. Habitat for Humanity agreed to discharge the third and fourth mortgages on the Habitat properties and consider recording confirmatory deeds to match the deed price to deed restriction for the properties.

Habitat used the multiple mortgage approach for the first time with Wayland as a result of a policy of Habitat International. This policy is more applicable to housing programs in other states that do not have the uniform deed rider required in Massachusetts, is not beneficial to the property owners and is of minimal benefit to the affordable home owners.

LEGAL RFP

The Evaluation Committee interviewed the municipal law teams from three firms and plans to conduct second interviews with two firms in the last week of October before making a recommendation to the Board of Selectmen.

RECREATION – REVOLVING FUNDS

The Recreation Commission invited me to discuss revolving funds with them on 10/13. The Commission is open to working collaboratively with me and a representative of the Board of Selectmen and Finance Committee to develop an FY 18 plan. To do so effectively, I will work on a guidance document that outlines some alternative approaches to a recreation funding structure. The alternatives changed and improved under the Municipal Modernization Act. Because of last year's collaborative staff work, there is now data on costs and fees for programs, fields and the beach use as the basis for a solid plan. The Recreation Commission continues to generate excess revenue in all areas and is interested in determining the appropriate disposition of these funds for the benefit of the residents.

WASTEWATER

Please see attached correspondence from the WWMDC to the Finance Director and Treasurer and my response. The letter from WWMDC was of concern to these department heads and me because it alleged a \$300,000 error by the Treasurer and Finance offices. The error appears to be solely the result of the WWMDC consultant's report mistaken in comparing 3/31/16 accounting data on betterments with 6/30/16 end of year data rather than matching the time periods to come to a conclusion. I am continuing to look into this as it has brought to light other accounting matters that should be addressed.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BRIAN KEVENY
FINANCE DIRECTOR
TEL. (508) 358-3610
www.wayland.ma.us

To: Nan Balmer, Town Administrator
Chris Brown, Chair – Board of Public Works

From: Brian Keveny, Finance Director

Date: October 3, 2016

Subject: Water Enterprise Fund

I would like to take the opportunity to update my October 3, 2016 memo to you and Chris Brown, Chair Board of Public Works. Yesterday we received a reconciliation of the Water Enterprise outstanding debt from Clark Rowell of Unibank. Attached is the Water Enterprise revenue and expense budget which includes the debt expense adjustments. The amounts shown for Fiscal 2018 thru Fiscal 2022 include both committed debt service and an estimate of debt service related to the upcoming February 2017 borrows. The new amount projects a higher ending fund balance than my previous schedule. However a decline in Fund Balance below the target amount of \$2.5M is still expected.

Fiscal 2018 thru Fiscal 2022:

In order to maintain Fund Balance at the targeted \$2.5M level and fund the capital projects by either Water Capital or future borrowings a review of revenue would be necessary and a water rate study. The attached schedule does not include any additional capital appropriations. The Water Department has submitted a CIP total of \$2.075M for Fiscal 2018 and a five year total of \$15.5M.

Wayland Water Enterprise Fund
Actual and Estimated Revenues, Expenditures and Fund Balance

Water Enterprise Fund	Actual				Budget	Estimated				
	Fiscal 2013	Fiscal 2014	Fiscal 2015	Fiscal 2016	Fiscal 2017	Fiscal 2018	Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal 2022
Revenues	4,283,019	4,253,074	3,862,051	3,691,325	4,241,009	3,791,009	3,791,009	3,791,009	3,791,009	3,791,009
Expenses					-450,000					
Operating	2,137,601	2,413,333	2,424,196	2,408,554	2,685,345	2,685,345	2,685,345	2,685,345	2,685,345	2,685,345
Debt	1,215,021	1,167,749	1,046,453	1,064,627	1,105,664	1,272,378	1,226,154	1,188,009	1,090,969	967,483
Total	3,352,622	3,581,083	3,470,649	3,473,182	3,791,009	3,957,723	3,911,499	3,873,354	3,776,314	3,652,828
Capital	910,000	1,095,000	1,075,000	310,000	450,000	0	0	0	0	0
Total all expenses	4,262,622	4,676,083	4,545,649	3,783,182	4,241,009	3,957,723	3,911,499	3,873,354	3,776,314	3,652,828
Net Revenues over Expenses	20,397	-423,009	-683,598	-91,856	-450,000	-166,714	-120,490	-82,345	14,695	138,181
Fund Balance- Beg. Year	4,075,597	4,095,994	3,672,985	2,989,387	2,897,531	2,447,531	2,280,817	2,160,327	2,077,982	2,092,677
Net Revenues over Expenses	20,397	-423,009	-683,598	-91,856	-450,000	-166,714	-120,490	-82,345	14,695	138,181
Fund Balance-End of Year	4,095,994	3,672,985	2,989,387	2,897,531	2,447,531	2,280,817	2,160,327	2,077,982	2,092,677	2,230,858
Fund Balance Goal- (\$2.5M)	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
\$ Variance- \$2.5M to actual	1,595,994	1,172,985	489,387	397,531	-52,469	-219,183	-339,673	-422,018	-407,323	-269,142

Table of Assumptions

- 1) Revenue for FY 18 thru FY 22 is expected to be the same as FY 17 budget.
- 2) No use of Water Capital to support capital expenses FY 18 thru FY 22.
- 3) No increase in debt service from new capital projects FY 18 thru FY 22.
- 4) Operating expense budgets are same as FY 17 budget



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BRIAN KEVENY
FINANCE DIRECTOR
TEL. (508) 358-3610
www.wayland.ma.us

To: Nan Balmer, Town Administrator
From: Brian Keveny, Finance Director
Date: October 13, 2016
Subject: OPEB Update

I would like to take this opportunity to update you on our Fiscal 2018 OPEB Actuarial Valuation. Recently Assistant Town Administrator John Senchyshyn and I met with Parker Elmore of Odyssey Advisors to discuss planning the next actuarial valuation which is expected to be completed in January 2017.

During the next couple of months we will be compiling the information Odyssey will need to complete this report. A large part of the information needed is related to health insurance. We expect to have a portion of the information prepared for Odyssey without any delays. However, given the recently negotiated changes in health insurance, the current open enrollment period must conclude and non-Medicare enrollment solidified before the completed data can be transmitted. The report will be compliant with GASB 45 and GASB 74. Both the Fiscal 2017 Comprehensive Annual Financial Report and the separate OPEB report will be compliant with both of these GASB requirements. The report will provide the basis for determining the Fiscal 2018 appropriations. The actuarial report will be prepared to include both the methodology that the Wayland OPEB Advisory Committee developed and the standard GASB requirement. Because the premium based valuation for the last round contained subsidized premium rates by the West Suburban Health Group, and because the following years had significant premium increases, we have asked Odyssey to prepare both a premium based and a traditional valuation for comparative purposes.

The town will need to have the January 2017 valuation updated a year from now due to the new GASB 75 requirement. The GASB 75 implementation is for all Fiscal 2018 financial statements and not Fiscal 2017. Only GASB 45 and GASB 74 are required for Fiscal 2017 financial statements.

It is expected that Odyssey will make a presentation to town management and the Board of Selectmen to review the January 2017 valuation. I will update you as we progress in the process.



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

October 13, 2016

Mr. Chris Brown, Chair
Board of Public Works
66 River Road
Wayland, MA 01778

Dear Chris,

On October 17, 2016, the Board of Selectmen will receive a recommendation from the River's Edge Advisory Committee on the selection of a contractor to develop the River's Edge property. The Board of Selectmen must act on the recommendation no later than January 6, 2017. Upon designation by the Selectmen of a contractor to develop River's Edge and execution of a Land Disposition Agreement, the successful contractor requires control of the site, beginning immediately with a 90-day due diligence period for site investigation.

Please respond with a commitment from the Board of Public Works by October 24th to a detailed plan and timetable for DPW to vacate the site. A clear plan and commitment by the Board of Public Works upon which the Board of Selectmen and selected contractor can rely is required for the River's Edge project to go forward. In the event the Board of Public Works must use the site for any activities after the property is transferred to the contractor, please explain so the Selectmen can consider in its deliberations.

My understanding of the current plan to vacate the site and accommodate the needs of the River's Edge project is as follows:

1. DPW will establish new, reduced "DPW laydown area":
 - a. A $\frac{3}{4}$ acre "triangle site" adjacent to new DPW was identified for use as a transfer area and for water project decanting. We understand that other alternative sites including sites on Route 20, at North or Lakeview Cemetery, at the old DPW and at a school site on Orchard Lane were explored but are not feasible for the DPW laydown area. Also reviewed and determined as impractical is the option of closing the Transfer Station and providing curbside trash pick-up.
 - b. The DPW Director is working with a consultant to estimate the usable area for the laydown area, after which BOPW will determine if the site is adequate.
 - c. The DPW Director will then request a site plan for the property which will include storage bins and a decanting area approximately 50 by 100 feet in size and will apply for Conservation Commission approval to use the "triangle" site for these purposes.

2. DPW will Change in Operating Practices:

- a. **Stockpiling of Materials:** Rather than storing materials, DPW will haul materials such as wood chips, road millings, bituminous berm and asphalt, concrete road reclamation materials, street sweepings and catch basin debris off-site at an estimated new cost of \$90,000 annually. \$30,000 of the cost is for processed gravel which formerly was stored on site. The remaining \$60,000 in new costs plus costs for existing labor reflect the cost of changes to a preferred practice of disposing of materials off-site rather than stockpiling. There will be an additional charge included in road construction projects, estimated at \$100,000 annually because contractors will have no temporary storage for road millage.
- b. **Snow Storage:** DPW will request necessary approvals to use the Town Beach parking lot for snow storage beginning in 2017.

3. The Project Requires Construction of a Water Loop:

- a. The Board of Public Works will require the construction of a "water loop" in order to approve a Certificate of Occupancy for the project. At the same time, the BOPW would make improvements, including construction of a road to fulfill the requirements of the Order of Conditions for the new DPW, at an estimated cost of \$2.3 million. Approximately \$250,000 has already been approved for this project. A capital request for the project was submitted for FY 18. The Order of Conditions is expiring and the BOPW will need to request an extension of the Order.

The Board of Selectmen will discuss the Rivers Edge at its upcoming meetings on October 24, November 7th and November 21st. The Board will appreciate your participation at an upcoming meeting to discuss the plan and timetable of the Board of Public Works to vacate the River's Edge site.

Thank you.

Sincerely,



Nan Balmer
Town Administrator

cc: Mike Lindeman, DPW Acting Director
Board of Public Works
Board of Selectmen



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

October 13, 2016

Dr. Paul Stein, Superintendent
Wayland Public Schools
41 Cochituate Road
Wayland, MA 01778

Dear Paul,

On October 17, 2016, the Board of Selectmen will receive a recommendation from the River's Edge Advisory Committee on the selection of a contractor to develop the River's Edge property. The Board of Selectmen must act on the recommendation no later than January 6, 2017. Upon designation by the Selectmen of a contractor to develop River's Edge a Land Disposition Agreement, will be executed between the Board of Selectmen on behalf of the Town and the contractor.

Please respond with a commitment from the School Committee by October 24th to a plan, cost and timetable to park school buses at an alternate location. A clear plan and commitment by the School Committee upon which the Board of Selectmen and selected contractor can rely is required for the River's Edge project to go forward.

The Board of Selectmen will discuss the Rivers Edge at its upcoming meetings on October 24, November 7th and November 21st. The board will appreciate your participation at an upcoming meeting to discuss the plan and timetable for school bus parking.

Thank you.

Sincerely,

Nan Balmer
Town Administrator

cc: School Committee
Board of Selectmen

Balmer, Nan

Subject: FW: WWMDC Financial Review by Abrahams Group

From: Balmer, Nan
Sent: Friday, October 07, 2016 11:34 AM
To: Capasso, Jane; Keveny, Brian; Pierce, Zoe; gordoncliff59@gmail.com
Cc: Rick Greene; Fred Knight; mako71wt@gmail.com; Senchyshyn, John
Subject: RE: WWMDC Financial Review by Abrahams Group

Dear Mr. Greene,

I reviewed your letter, received October 6th from the WWMDC this morning with the Finance Director, Treasurer and Assistant Treasurer which states that there is a \$324,937 variance between the town's accounting and treasurer's records on wastewater betterments.

Your letter is incorrect. My understanding is that Mr. Abrahams has known for at least 10 days that he based his written report to WWMDC on data from two different time periods (March 31 and June 30). Indeed, the town's auditor agrees that the accounting and treasurer's records reconcile within \$0.02. Ms. Capasso was made aware on September 28th that the \$324,937 discrepancy was an error in the Abrahams report and not in the town's records. It appears Ms. Capasso did not report this to you.

Please let me know at your earliest convenience when you or the Commission can meet to discuss this matter further. I am of course open to hearing any new information on this matter.

Thank you.

Nan Balmer, Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778
(508) 358-3620 office
(508) 237-1330 cell





Wayland Wastewater Management District Commission
66 River Road, Wayland, Massachusetts 01778-2697
508-358-6851
wastewater@wayland.ma.us

Date: September 27, 2016

From: Rick Greene, Commission Member

To: Brian Keveny, Finance Director
Zoe Pierce, Treasurer

cc: Nan Balmer, Town Administrator
Gordon Cliff, Finance Committee Liaison
Joe Nolan, Board of Selectmen Liaison

Re: WWMDC Financial Review by Abrahams Group

Dear Brian and Zoe,

On August 31, 2016, Mark Abrahams of the Abrahams Group met with the WWMDC to share his findings regarding our financial management, and to present proposals for routine financial reports. The information presented was very positive and helpful, and brings us within a hair's breadth of WWMDC's goal of sound and transparent financial management. Most reassuring was that we seem to be in a solid position to meet payments over the life of the outstanding bonds, and that we have prudent reserves to cover unforeseen repairs.

My fellow Commissioners asked me to reach out to you to help in resolving two outstanding issues:

1. A \$324k Discrepancy between Finance and Treasury on the Unapportioned Betterment Principal

Mr. Abrahams informed us that there is a difference of \$324,937 in the figures that the Treasury and Finance Departments have for outstanding betterment principal to be committed. While we realize that it may require significant work to trace this difference (especially if it stems from the old betterment), we would like to reconcile the outstanding amounts related to the new betterment. Because these transactions are of a more recent vintage and took place at a time that the Town had stronger financial management in place, we believe this would be a limited effort that could potentially unearth more traceable errors. The use of the lower number on the balance sheet, plus unapportioned committed interest, plus June 30, 2016 retained earnings and other balances gives us comfort that we should have sufficient resources to meet our bond and interest payables through the life of the bonds in total. The higher amount would provide greater comfort. Nonetheless, we hope that these numbers can be reconciled, particularly since Mr. Abrahams did not perform an audit. We would be happy to provide the spreadsheet with his reconciliation if that would be helpful to you.

2. Approximately \$221k of Unspent Funds for the Most Recent Bonds

The WW capital projects fund balance sheet shows a \$221,284.50 undesignated fund balance. Since this money is being paid back by only a small fraction of Wayland's residents (WWMDC users), it is clear this amount should revert to the WWMDC rather than the Town's general fund.

Mr. Abrahams suggested it would be in our interest to have Bond Counsel advise on the best manner to make these funds available to the WWMDC. One issue, for example, is the recent change in MGLs (44:20) which increase to \$50,000 the amount of unspent bond funds that can be used to pay down debt: "Any balance not in excess of 50,000 dollars may be applied, with the approval of the chief executive officer, for the payment of indebtedness". Mr. Abrahams was not clear about how the Modernization Bill is to be implemented for this section as the Department of Revenue has not issued guidance as of this date. The Modernization Bill becomes effective after November 7, 2016 for this section. He indicated Bond Counsel or our Department of Revenue field representative could help with such questions. However, the capital project must be declared to be completed and the undesignated fund balance be declared available.

We understand your need to balance these issues with other priorities. We are hoping, however, to have these issues resolved in time to finalize our FY2018 Budget and Rate Hearings. If we could set a target completion date of November 1st, that would be very helpful.

Thank you for your ongoing help in these matters. Please feel free to contact me at (339) 927-1848 if you have any questions or would like to discuss these issues further.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, October 17, 2016
Wayland Town Building
Selectmen's Meeting Room

REVISED CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through September 30, 2016, Invoice 182, Account 5673-01M: \$1,516.00
3. Vote the Question of Approving the Placement of One Sandwich Board Sign for the Veritas Christian Academy Open House Below the Permanent Sign at Station Two in Cochituate (at the corner of East Plain Street), from October 30-November 6, 2016
4. Vote the Question of Approving the Placement of Four Temporary Sandwich Board Signs for the Wayland Children and Parents Association, Trunk or Treat and Monster Mash Party, Claypit Hill School, at Route 20 at the Weston Town Line, Route 20 at the Intersection of Route 27, the Intersection of Old Connecticut Path and Routes 126 and 27, and the Cochituate Fire Station at the Corner of East Plain Street, from October 23-29, 2016
5. Vote the Question of Approving the Warrant for the State Election on Tuesday, November 8, 2016, from 7:00 a.m. to 8:00 p.m.

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

OCT 12 2016

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

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

Page 1
10/07/2016
Account No. 5673-01M
Invoice No. 182

Attn: Town Administrator

Labor

BALANCE DUE

\$1,516.00

DiNapoli, MaryAnn

From: Linda King <bloking@msn.com>
Sent: Sunday, October 09, 2016 5:00 PM
To: DiNapoli, MaryAnn
Subject: Temporary sign - Oct. 30 - Nov. 6

Hi MaryAnn,

We're having an open house at Veritas Christian Academy on Nov. 6 and would like permission to put our A-frame sign at the fire station from Oct. 30-Nov. 6.

Thanks so much,
Linda King
Member, Board of Directors
(E) bloking@msn.com

Veritas Christian Academy
6 Loker Street, Wayland
(508) 653-1188
VeritasMA.org

DiNapoli, MaryAnn

From: Samantha Richter <samantha.d.richter@gmail.com>
Sent: Friday, October 14, 2016 10:58 AM
To: DiNapoli, MaryAnn
Subject: WCPA Sandwich Board request

Hello MaryAnn,

On behalf of the Wayland Children and Parents Association, I would like to request permission to place our sandwich boards at the following locations from October 23-29, 2016: Below the permanent signs at Station Two in Cochituate, Old Connecticut Path and Cochituate Road (Five Paths), Route 20/Old Connecticut Path by the Coach Grill, and Town Center (corner of Routes 20 and 27).

The boards will be advertising our annual Halloween events, Trunk or Treat and the Monster Mash - both scheduled for October 29th at Claypit Hill school.

We appreciate the board's consideration of this request and thank you for your assistance with this matter.

Best,
Samantha Richter
WCPA President

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

WARRANT FOR STATE ELECTION

MIDDLESEX SS.

To the Constables of the City/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 the State Election to vote at

Precinct 1, Precinct 2, Precinct 3, Precinct 4
(precinct)

Wayland Town Building Gym, Wayland Middle School
(polling locations)

on **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2016**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT.FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.FIFTH DISTRICT
COUNCILLOR SECOND DISTRICT
SENATOR IN GENERAL COURT NORFOLK, BRISTOL & MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COURT. 13TH MIDDLESEX (PREC. 1, 2 & 3 DISTRICT
REPRESENTATIVE IN GENERAL COURT. 14TH NORFOLK (PREC. 4) DISTRICT
SHERIFF. MIDDLESEX COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would allow the state Gaming Commission to issue one additional category 2 license, which would permit operation of a gaming establishment with no table games and not more than 1,250 slot machines. The proposed law would authorize the Commission to request applications for the additional license to be granted to a gaming establishment located on property that is (i) at least four acres in size; (ii) adjacent to and within 1,500 feet of a race track, including the track's additional facilities, such as the track, grounds, paddocks, barns, auditorium, amphitheatre, and bleachers; (iii) where a horse racing meeting may physically be held; (iv) where a horse racing meeting shall have been hosted; and (v) not separated from the race track by a highway or railway.

A **YES VOTE** would permit the state Gaming Commission to license one additional slot-machine gaming establishment at a location that meets certain conditions specified in the law.

A **NO VOTE** would make no change in current laws regarding gaming.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would allow the state Board of Elementary and Secondary Education to approve up to 12 new charter schools or enrollment expansions in existing charter schools each year. Approvals under this law could expand statewide charter school enrollment by up to 1% of the total statewide public school enrollment each year. New charters and enrollment expansions approved under this law would be exempt from existing limits on the number of charter schools, the number of students enrolled in them, and the amount of local school districts' spending allocated to them.

If the Board received more than 12 applications in a single year from qualified applicants, then the proposed law would require it to give priority to proposed charter schools or enrollment expansions in districts where student performance on statewide assessments is in the bottom 25% of all districts in the previous two years and where demonstrated parent demand for additional public school options is greatest.

New charter schools and enrollment expansions approved under this proposed law would be subject to the same approval standards as other charter schools, and to recruitment, retention, and multilingual outreach requirements that currently apply to some charter schools. Schools authorized under this law would be subject to annual performance reviews according to standards established by the Board.

The proposed law would take effect on January 1, 2017.

A YES VOTE would allow for up to 12 approvals each year of either new charter schools or expanded enrollments in existing charter schools, but not to exceed 1% of the statewide public school enrollment.

A NO VOTE would make no change in current laws relative to charter schools.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would prohibit any farm owner or operator from knowingly confining any breeding pig, calf raised for veal, or egg-laying hen in a way that prevents the animal from lying down, standing up, fully extending its limbs, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs intended for human consumption or any uncooked cut of veal or pork if the business owner or operator knows or should know that the hen, breeding pig, or veal calf that produced these products was confined in a manner prohibited by the proposed law. The proposed law would exempt sales of food products that combine veal or pork with other products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food items.

The proposed law's confinement prohibitions would not apply during transportation; state and county fair exhibitions; 4-H programs; slaughter in compliance with applicable laws and regulations; medical research; veterinary exams, testing, treatment and operation if performed under the direct supervision of a licensed veterinarian; five days prior to a pregnant pig's expected date of giving birth; any day that pig is nursing piglets; and for temporary periods for animal husbandry purposes not to exceed six hours in any twenty-four hour period.

The proposed law would create a civil penalty of up to \$1,000 for each violation and would give the Attorney General the exclusive authority to enforce the law, and to issue regulations to implement it. As a defense to enforcement proceedings, the proposed law would allow a business owner or operator to rely in good faith upon a written certification or guarantee of compliance by a supplier.

The proposed law would be in addition to any other animal welfare laws and would not prohibit stricter local laws.

The proposed law would take effect on January 1, 2022. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit any confinement of pigs, calves, and hens that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.

A NO VOTE would make no change in current laws relative to the keeping of farm animals.

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

The proposed law would permit the possession, use, distribution, and cultivation of marijuana in limited amounts by persons age 21 and older and would remove criminal penalties for such activities. It would provide for the regulation of commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of these items.

The proposed law would authorize persons at least 21 years old to possess up to one ounce of marijuana outside of their residences; possess up to ten ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing.

The measure would create a Cannabis Control Commission of three members appointed by the state Treasurer which would generally administer the law governing marijuana use and distribution, promulgate regulations, and be responsible for the licensing of marijuana commercial establishments. The proposed law would also create a Cannabis Advisory Board of fifteen members appointed by the Governor. The Cannabis Control Commission would adopt regulations governing licensing qualifications; security; record keeping; health and safety standards; packaging and labeling; testing; advertising and displays; required inspections; and such other matters as the Commission considers appropriate. The records of the Commission would be public records.

The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.

The proceeds of retail sales of marijuana and marijuana products would be subject to the state sales tax and an additional excise tax of 3.75%. A city or town could impose a separate tax of up to 2%. Revenue received from the additional state excise tax or from license application fees and civil penalties for violations of this law would be deposited in a Marijuana Regulation Fund and would be used subject to appropriation for administration of the proposed law.

Marijuana-related activities authorized under this proposed law could not be a basis for adverse orders in child welfare cases absent clear and convincing evidence that such activities had created an unreasonable danger to the safety of a minor child.

The proposed law would not affect existing law regarding medical marijuana treatment centers or the operation of motor vehicles while under the influence. It would permit property owners to prohibit the use, sale, or production of marijuana on their premises (with an exception that landlords cannot prohibit consumption by tenants of marijuana by means other than by smoking); and would permit employers to prohibit the consumption of marijuana by employees in the workplace. State and local governments could continue to restrict uses in public buildings or at or near schools. Supplying marijuana to persons under age 21 would be unlawful.

The proposed law would take effect on December 15, 2016.

A YES VOTE would allow persons 21 and older to possess, use, and transfer marijuana and products containing marijuana concentrate (including edible products) and to cultivate marijuana, all in limited amounts, and would provide for the regulation and taxation of commercial sale of marijuana and marijuana products.

A NO VOTE would make no change in current laws relative to marijuana.

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 _____ day of October 2016.

City Council or Selectmen of: **WAYLAND**

POSTING BY CONSTABLE
(Indicate method of service of warrant.)

_____, 2016.
Constable (month and day)

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



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 OCTOBER 4, 2016,
THROUGH AND INCLUDING OCTOBER 13, 2016,
OTHERWISE NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR OCTOBER 17, 2016**

Items Distributed To the Board of Selectmen – October 4-13, 2016

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the
Meeting of October 5, 2016**

1. Draft Town Administrator Evaluation, October 2016
2. Invitation to Celebration to Honor Ann Knight, Director of the Wayland Free Public Library, Sunday, October 30, at the Library
3. Draft Order of Special Town Meeting Articles

**Items Included as Part of Agenda Packet for Discussion During the October 17, 2016
Board of Selectmen's Meeting**

1. Memorandum of 10/18/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: FY18 Personnel Requests
2. Draft Warrant November 2016 Special Town Meeting
3. Memorandum of 10/14/16 from Sarkis Sarkisian, Town Planner, to Board of Selectmen, re: Rail Trail Second Update and Grant Opportunity
4. Draft Minutes of September 26, 2016
5. Executive Session Minutes of November 16, 2015, May 16, 2016, February 3, 2015, May 18, 2015, February 22, 2016, April 11, 2016, May 2, 2016, June 6, 2016, June 13, 2016, June 27, 2016, July 13, 2016, July 25, 2016, September 6, 2016, and September 19, 2016
6. Report of the Town Administrator, October 14, 2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, October 17, 2016
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Concern about School Committee's Failure to Address Ongoing Problems
2. Press Release, 10/11/16, from the Office of the Town Clerk, re: Early Voting
3. Letter of 9/19/16 from Nan Balmer, Town Administrator to Secretary Jay Ash, Executive Office of Housing and Economic Development, and Assistant Secretary Nam Pham, Office of Business Development, re: Support for the 495/MetroWest Partnership
4. Letter of 10/5/16 from Council on Aging to Board of Selectmen re: Municipal Site at the Town Center
5. Monthly Report, Animal Control, September 2016
6. Monthly Report, Police Department, September 2016

Minutes

7. Finance Committee, September 19, 2016
8. River's Edge Advisory Committee, August 3, 2016, September 7, 2016

State

9. Memorandum of 10/4/16 from MBTA Advisory Board to Chief Elected Officials re: Municipal Elections to the Boston Region Metropolitan Planning Organization
10. Memorandum of 10/5/16 from Metropolitan Area Planning Council re: Call for Project Concepts
11. Letter of 10/12/16 from Department of Housing and Community Development to Board of Selectmen re: Approval of the Town of Wayland's Housing Production Plan

From: boelteralice@gmail.com [mailto:boelteralice@gmail.com] **On Behalf Of** alice boelter
Sent: Friday, October 07, 2016 12:05 PM
To: Selectmen
Cc: Balmer, Nan; Ellen_Grieco@wayland.k12.ma.us
Subject: Concern about School Committee's Failure to Address Ongoing Problems

Dear Board of Selectmen:

The School Committee hosted a public forum on Tuesday night and invited the community to hear from the Superintendent about goals for the new school year. New staff members were introduced. Public comment was welcomed. I felt compelled to remind the School Committee that there are serious problems which were raised in past two years and which still beg specific answers from the Superintendent. I have attached my message to the School Committee to this email correspondence and I also put it below for your convenience.

I hope the Selectmen will recognize that these unresolved problems in the Schools do affect the Town as a whole and I urge you to act accordingly. Thank you.

Sincerely,

Alice Boelter

106 Lake Shore Dr.
508.650.3592

School Committee Public Forum October 5th, 2016

I note in the Wayland Public Schools Mission statement Personal and civic responsibility, love of learning, and empathy for others:

I observe 2016-17 Systemwide goals laid out as U-N-I-T-E-D Among them T for Training Global Citizens To train students to be productive global citizens of their country, nation and world able to demonstrate requisite skills, which include civility and cultural proficiency.
Elevating Achievement

The Superintendent, staff and faculty may spend many hours wordsmithing soundbites such as the above. But the examples provided daily in school, on the playing field, in the locker room or lunchroom and overheard on the street or read in the news media are far more telling to impressionable young adults. The kids know the players, they've been in the venues and they can picture the situations much more readily than they can process mission statements.

The past two years have been stormy ones for the Wayland Public School system. I hope the School Committee will recognize that this storm is not over and forgotten. We've no guarantee of sunny skies going forward. You have danced around the problems cited by Stephen Cass where clearly the mission statement and school goals were not demonstrated. Rather than addressing them, you've simply applied layers of band aids while the infection festers underneath. You may pretend that a new Athletic Director and a new Assistant Principal at the High School solve the issues Mr. Cass outlined. But you are sorely mistaken if you believe the Superintendent and think that all is well.

Words don't paper over some wrongful practices of coaches, law enforcement officials, school administrators and others. The kids know better. They see how the system works. How can you expect them to honor and respect the School administration when they know what is really happening. Similarly how do you think kids are going to respect school administrators when awards supposedly for academic excellence are given out to everyone much as all Little League players on the team are issued trophies for outstanding play? This is disingenuous and the kids can see through it. Don't do this to them. They deserve better. Please stop the pretty words and pictures. Let honesty and truth reign so that the kids can go out into the world demanding these from their peers, their elders, their government officials and themselves. It's up to you, school committee members, to make this happen.

PRESS RELEASE

We are excited to announce that all registered voters will be able to vote before Election Day for the first time ever in Massachusetts. Early voting will begin on October 24th and continue through November 4th, 2016. Prior to the enactment of this new law, the only way a registered voter was allowed to vote prior to Election Day was through absentee voting. Although absentee voting will still be available for registered voters who qualify, only those who will be absent from their city or town on Election Day, or have a disability that prevents them from going to the polls, or have a religious belief preventing the same, are legally allowed to vote by absentee ballot.

Unlike absentee voting, early voting is for every registered voter. Registered voters do not need an excuse or reason to vote early. Regardless of whether a voter wants to take advantage of early voting, vote absentee or vote on Election Day, the first step is making sure you are registered. To check to see if you are registered to vote, and to find information on how to register to vote, you may visit the Secretary of the Commonwealth’s website: www.sec.state.ma.us/ele. If you need to register to vote, you may do it online by visiting: www.RegisterToVoteMA.com. All you need is a license or an I.D. issued by the Registry of Motor Vehicles to apply online. To be eligible to vote in the November 8th State Election, you must register to vote or make any necessary changes to your voter registration by October 19th, 2016. Early voting can be done in person or by mail. In Wayland, early voting can be done in person at the Wayland Town Building during the following dates and times:

10/24/16	Monday	8AM-7PM
10/25/16	Tuesday	8AM-4PM
10/26/16	Wednesday	8AM-4PM
10/27/16	Thursday	8AM-4PM
10/28/16	Friday	8AM-12:30PM
10/31/16	Monday	8AM-7PM
11/1/16	Tuesday	8AM-4PM
11/2/16	Wednesday	8AM-4PM
11/3/16	Thursday	8AM-4PM
11/4/16	Friday	8AM-12:30PM

For public convenience, Wayland has also decided to offer weekend hours on Saturday October 29th from 9am to 1pm.

Also, registered voters have the option to request an early voting ballot through the mail. Simply fill out an application and mail it to Town Clerk, Wayland Town Building, 41 Cochituate Rd, Wayland MA 01778. You can find the application on the Secretary of the Commonwealth’s website: <http://www.sec.state.ma.us/ele>.

Please note, however, once a voter has cast an early voting ballot, the voter may no longer vote at the polls on Election Day.

3



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

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

September 19, 2016

Secretary Jay Ash
Executive Office of Housing and Economic Development
One Ashburton Place, Room 2101
Boston MA 02108

Assistant Secretary Nam Pham
Office of Business Development
10 Park Plaza, Suite 3730
Boston MA 02116

RE: Support for the 495/MetroWest Partnership

Dear Secretary Ash and Assistant Secretary Pham:

On behalf of the Town of Wayland, I am writing to confirm our community's inclusion in the 495/MetroWest Partnership's thirty-five community service area. Beyond the Partnership's service to our municipal government, a member of our Board of Selectmen, Joe Nolan, serves on the Partnership's Board of Directors and is the Public Sector Co-Chair of their Transportation Committee.

Our municipality values the work of the Partnership on both a regional and local level. The staff at the Partnership serves as a resource to our community on economic development, transportation and transit infrastructure, workforce development, and water resources through committee meetings, connections to state resources and expertise, educational forums, and other initiatives.

With these benefits from being part of the 495/MetroWest Partnership's service area, the Town of Wayland supports the Partnership's work on a local, regional, and state level. If any further background is needed, please just let me know.

Sincerely,

Nan Balmer
Town Administrator

4

10.05.16

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

Re: Municipal Site at the Town Center

To the Selectmen:

At our meeting on September 6, the CoA discussed the continued lack of progress made in acquiring the Municipal parcel at the Town Center. We Board Members shared our frustration, dismay and disappointment that nothing has happened to close on the property at the Town Center owned by 20 Wayland since the Town voted with a super majority to acquire the parcel 11 months ago. In that same time period the Town did move forward with significant energy and effort to push through two other major efforts, most notably the acquisition of a Conservation Deed Restriction at Mainstone Farm and the Schematic Design of a new library. Those two projects have the potential of costing up to \$12 million for Mainstone and \$15-25 million for the library, depending on whether a library grant is awarded by the state. Meanwhile this year members of the FinCom have declared the Town overextended with capital expense obligations. It is difficult for the CoA Board to understand why the 3,730 Wayland seniors are not seen by the Town as deserving of the same concern and action.

Last spring Gordon Cliff of the FinCom met with the CoA to suggest that we cut back our expectations for the Senior Center/Recreation building. It was presented that if we limited our space to what was available in the footprint of the

standing building on the Municipal site - 10,250 SF instead of building a new combined Senior Center/Recreation building facility with 22,000 SF - that goal may be attainable in the current fiscal climate. At that meeting our Board voted unanimously to support that suggestion in the spirit of cooperation as a short term solution to our pressing current needs for over 10,000 SF for our various programs and activities. Even though our programs and related space needs continue to grow with the senior population, the availability of rooms in the Town Hall is rapidly diminishing each year due to pressures from other departments.

Shortly after agreeing with Gordon Cliff we learned that the FinCom left our request for capital expenses off the Capital Plan entirely, even though we had previously carried a \$5 million budget. In addition, efforts to purchase or lease the Municipal Parcel from the developer seem to have stalled completely. Without the parcel no renovation of the existing structure for a Senior Center/Recreation building can even be explored.

One can only conclude that this lack of attention to our needs is the result of BoS prioritization. We believe that the Council on Aging needs continue to be on the BoS back burner and are hereby writing to urge you all to rally your energies around this sorely needed Town necessity.

Wayland's Senior Center 2,100 SF of dedicated space is only 10% of the size recommended by the MA Council on Aging. It is one of the worst cases of non-compliance in the state. The lack of private offices for our staff makes it almost impossible to protect individuals' privacy and dignity when we conduct confidential personal discussions about such matters as financial hardship, inability to pay for heat and food, problems with caring for one's parents, drug

addiction, dementia issues, spousal abuse and the isolation suffered by some single seniors in our community. While our staff does a marvelous job of coping with the limited space, it is an embarrassment that Wayland does not take better care of the pressing needs of our senior population. There is no dedicated space where seniors can drop in and socialize, get a meal or a cup of coffee and fraternize with other folks who share their interests. To continue to ignore this need is a disservice to the 27% of our voters who are seniors.

Wayland's senior population (over 60) is currently 3,730, over a quarter of the total population. That number is expected to increase to 30% by 2025. This is a significant number of Wayland residents that are under-served by the Town. The CoA therefore strongly urges the BoS to make the Municipal Parcel the top priority until the deal is done. That means acquiring the property, testing it as agreed and maintaining a capital expense budget of \$5 million for the design, construction and furnishing of the finished building, parking and other related site work. We feel that the BoS should earmark at least some of the income from selling the River's Edge property as seed money for funding the CoA/Community Center. This would be a great gesture for the Town to offer a newly renovated building for the older folks moving into the new housing on the opposite shore.

The Fire Department will also benefit from this project because the art classrooms and pottery studio may be relocated from Station #2 into a small addition to the CoA/Community Center, thus freeing up much needed space for the women personnel of the Fire Department to convert to women's sleeping quarters, showers and rest rooms.

If there is still some reservation about dedicating such effort and money for seniors alone, keep in mind that the building will also serve other departments such as Recreation for afternoon and evening programs and for week-end activities. It will be a Senior and Community Center for all residents to use.

Sincerely,

Wayland Council on Aging

Betsy Soule

William Sterling

Ellen Scult

Nancy Leifer

Denise Yurkofsky

Evelyn Ekmejian

Cc: Gordon Cliff

TOWN OF WAYLAND
ANIMAL CONTROL SUMMARY REPORT
SEPTEMBER 2016

5

TOTAL NUMBER CALLS HANDLED **79**

Complaint Calls 4
Lost Dog Calls 8
Lost Cat Calls 1
Other Cat related calls
Animal / Wildlife Calls 10
Miscellaneous Calls 44

TOTAL # ANIMALS PICKED UP **2**

Total # dogs not licensed 2
Total # dogs not claimed 1
still in dog officer custody 0
#surrendered to Humane Shelter 1

TOTAL # HUMAN BITE CALLS **1**

TOTAL # ANIMAL -> ANIMAL BITE **1**

10 Day Quarantine Order -Human Bite **Issued 1 / Released 1**
10 Day Quarantine Order -Animal Bite **Issued 1 / Released 0**
45 Day/6 Month Quarantine Orders **Issued 2 / Released 3**

TOTAL # CITATIONS ISSUED **NONE**

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

Submitted by:
Jennifer Condon
Animal Control Inspector/Officer



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

September 2016

On September 29th, a 23 year old Lincoln man was arrested for Receiving Stolen Property, Use of a Vehicle Without Authority, Larceny Over \$250 and Breaking and Entering During the Daytime. Police began an investigation of a break-in and theft from a home on Sherman's Bridge Road on September 28th. Investigation revealed that someone entered the home and stole a laptop computer and a small jar of change. Through investigation, the man was identified as a suspect. He came to the Wayland Public Safety Building on September 29th, where he confessed to the crime and also admitted to stealing a vehicle from Wayland Automotive. The man was charged and then released on a Promise to Appear in Court on September 30th.

On September 24th, a 52 year old Framingham man was arrested for Possession of a Class A Drug (Heroin). Officers responded to a report of a man vomiting while sitting on a wall on Lakeview Road. Officers located the man and when they spoke with him he admitted to possessing heroin which was located in a plastic bag in his pants pocket. The heroin was retrieved and the man was placed under arrest, booked and later released to appear at Framingham District Court.

On September 5th, a Wayland man was arrested for Operating Under the Influence of Liquor and Having an Open Container. At 3:00 P.M., officers responded to Old Connecticut Path in the vicinity of Charena Road for a report of a disabled motor vehicle. Upon arrival officers discovered that the man had apparently struck something with the vehicle causing a flat tire. It became apparent that the man was intoxicated and he failed roadside sobriety tests. In addition, an open bottle of Jose Golden Cuervo Margarita was found in his vehicle. The man was placed under arrest and transported to the Wayland Public Safety Building where he submitted to a breathalyzer test that indicated he had nearly three times the legal limit of alcohol in his system. He was later released on a Promise to Appear at Framingham District court.

Fifteen people began classes for the Wayland Citizen Police Academy in September. The Citizen Police Academy is an eight week program designed to teach interested Wayland residents about the various tasks that are performed by Wayland police officers in the community.

On September 14th, Officer Tyler Castagno was assigned as a detective in the Detective Division. Det. Castagno had been filling in as a detective on a temporary basis during Det. Lombardo's injury leave. He competed in an interview process with two other officers prior to the assignment.

Our new police recruit, Kenneth Davis, began the Reading Municipal Police Training Academy on September 12th. The hiring of Mr. Davis will bring the department back to its full authorized strength of 23 sworn officers. It is anticipated he will graduate from the Academy in February of 2017.

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

Robert Irving
Chief of Police

Wayland Police Department Detective Division Report for September 2016

INVESTIGATIONS

Narcotics Investigation

Residential Burglary/Larceny – Sherman Bridge Road

Residential Burglary Follow up – Sherman Bridge Road

Residential Burglary/Larceny – Wisteria Way

Residential Burglaries – Follow up – West Plain, Forty Acres and Ellen Mary Lane

Attempted Larceny over \$250 – Dylans Circle

Larceny – Boston Post Road

Larceny – Cochituate Road

Threats to commit a crime – Cochituate Road

Vandalism – Cochituate Road

Found Property – Cochituate Road

MEETINGS/TRAININGS

Youth Advisory Committee

Domestic Violence Services Network (DVSN) Training

FBINA Annual Shoot

Middlesex County District Attorney Framingham Office meeting

MIIA Back Training

Community Based Justice meeting

Chronic Absenteeism

MISCELLANEOUS

Citizen Police Academy

Walden Pond Bicycle Trip

BT Recertification

Framingham District Court MV/Criminal Hearings

ALICE drill – WMS

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

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

Community Engagement

Municipal Police Institute
Marlboro, MA

September 15th, 2016

Jamie Berger
Sean Gibbons
Patrick Swanick

Advanced Criminal Law and Police Powers of Arrest

Patrick Rogers and Associates
Plymouth, MA

September 12 - 13, 2016

Justen Kazan
Colin Fitzpatrick

Crash Investigations/ Accident Reconstruction Refresher

MPTC
Natick, MA

September 26 - 30, 2016

Mark Wilkins

High Technology Crime Investigation

EMC Corporation
Franklin, Ma

September 13th, 2016

Mark Wilkins



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

9/14/2016

To: Officer Tyler Castagno

From: Robert Irving, Chief of Police

Subject: Assignment to Detective Position

Effective Wednesday, September 14th, 2016, you will be assigned to the Detective Division as a detective.

Your schedule for this assignment will be 5-2, Monday through Friday, day shifts. You will receive an administrative day off with pay for each three-week period that you are assigned to these duties. As a specialist, you will receive a 6% stipend.

Congratulations on this important assignment, please see me should you have any questions or concerns.

cc: Lt. Pat Swanick
Det. Sgt. Jamie Berger
Files



Wayland Middle School BERT Recognition

Presented to Shari Bowles
By Betsy Gavron Date 8/31/16

I always feel safer when
you are around! You continue
to be such a wonderful asset
at WMS. I so appreciate your
partnership.

Belonging

Empathy

Respect

Trust



Town of Wayland Massachusetts

Finance Committee

- David Watkins (Chair)
- Gordon Cliff
- Nancy Funkhouser
- Jen Gorke
- Carol Martin
- Klaus Shigley
- George Uveges

**Finance Committee
Minutes
Sept 19, 2016**

Attendance: D. Watkins, G. Cliff, K. Shigley, and C. Martin. Also attending: Brian Keveny (Finance Director).

Call To Order:

The meeting was called to order by Chair David Watkins in the Planning Board Meeting Room at the Town Building at 7:00pm. Mr. Watkins announced the meeting was being taped by WayCam. Mr. Watkins then distributed an agenda for the meeting.

Executive Session: The first item was to call for a motion to move into a Joint Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to Discuss Strategy for Upcoming Collective Bargaining Negotiations with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions, as an open discussion of these matters may have a detrimental effect on the Town’s bargaining position. D. Watkins moved, G. Cliff seconded. Followed by roll call-Watkins-yes, Martin-yes, Cliff-yes, Shigley-yes. Chair Watkins indicated the Committee would return to Open/regular session in approx. one hour.

The Committee recessed to the School Board Meeting Room at the Town Building for the Joint Executive Session with the School Committee, Board of Selectmen and Personnel Board. Before convening into Executive Session, the Committee briefly went back to an open meeting session in order to specifically invite Susan Bottan (School Business Manager), Dr. Paul Stein (School Superintendent), Nan Balmer (Town Administrator), Katelyn O’Brien (Human Resources Assistant), John Senchyshyn (Assistant Town Administrator) , Brian Keveny (Finance Director), Diane Marobella (Administrative Assistant to Superintendent of Schools), and Brad Crozier (Assistant Superintendent of Schools) to attend the executive session. Chair Watkins moved the Committee move back into Executive Session, Mr. Cliff

seconded. Vote 4-0 as follows: Watkins - yes; Cliff - yes; Martin - yes and Shigley - yes. Mr. Watkins reiterated that the Committee expected to return to open session in approximately one hour.

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

Public Comment: None

Committee's Response to Public Comment: N/A

Review Issues & Actions List:

Chair Watkins distributed an action/issues list of items for future discussion.

Finance Director's Report:

Brian Keveny distributed a request for a transfer from reserve funds to pay for repairs to a large format copier in the surveyor's department. The expense exceeded what was available to pay for it in the budget. The question was how best to pay for it. The Committee agreed to table the resolution of the matter for a future meeting.

Mr. Keveny's discussion of Special Town Meeting Article B was deferred until after the discussion of Article E, in order to accommodate Gretchen Schuler, who joined the meeting to help answer questions about the article.

Discussion and possible Vote of STM articles

Two aspects of Article E, an article authorizing land acquisitions for natural diversity (land) Grant Program funding to purchase conservation restrictions on Mainstone farm, were discussed. One was procedural. To the extent that the town wishes to apply for a grant to support this purchase, the town needs to restate and revote the article approved at last year's ATM, with the modification that the revote would reflect the grant. The other aspect discussed was how the potential \$400,000 grant money should be used; whether it should be used to reduce the debt to acquire the property or to replenish the money in the Community Preservation Trust fund. The Community Preservation Committee would like it to go to the trust fund. The Committee deferred that decision pending further review and discussion with the Treasurer on how or whether the various options could be executed.

Brian Keveny then discussed Article B: Pay Previous Year's unpaid bills to the BONY for \$900. This is an administrative article. Mr. Keveny wasn't aware of any arguments opposed. Just a discussion on how best to word the article. G. Cliff moved C. Martin seconded. Committee voted 4-0 to recommend approval.

A brief discussion of articles G and F followed. Both articles were being discussed at a concurrently scheduled meeting of the planning board for that same evening. Hence the exact nature of both articles was still in flux.

K. Shigley presented Article G: Home Occupation which seeks to change the description of "Home Occupation" as it appears in the by-laws. Mr. Shigley explained as currently written in the by-laws,

certain home occupations are permitted by right; others need permission. The gist of the proposed change is to modify one of the conditions in the "by permission" category. The article adds as a condition for receiving approval a "not more than 10 additional vehicle trips per day" limit to the extra traffic generated by the home occupation. Thus, all things equal, a music teacher with a student population that exceeds 10 pupils per day would not satisfy the conditions needed for receiving approval to engage in the home occupation. Gordon Cliff recused himself from the discussion because he had written a public comment to the Planning Board. Dave Watkins raised some concerns about the process for securing permission and making appeals. Although these procedures haven't changed, his feeling is that the bylaw could be improved by addressing that. Further discussion was tabled until the next meeting since the Planning Board had not officially voted on the issue yet.

Mr. Shigley discussed Article F: Landscaping in Parking Area Zoning Bylaw explaining this proposed change would specify a 10' landscaped area between commercial and residential properties. Dave Watkins expressed a concern about the process for determining who's responsible for enforcing the rules. Perhaps we can make that part of the Finance Committee's discussion of the article that goes into the Warrant.

The Committee then discussed Article M: Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resource Protection. Two members of the Board of Public Works (BoPW), Chris Brown, Chair of BoPW and Mike Lowery, Vice Chair of BoPW, joined the Committee for this discussion. Ms. Martin explained this property is currently on the market for \$500,000. It is situated in a Zone 2 of Baldwin Wells #1, 2, and 3. She stated just under an acre of this 2.06 acre parcel is in what is known as the capture area of the wells - the area from which a well draws water during periods of little or no rainfall such as the Town has experienced this past summer. The Board of Public Works wants to purchase this parcel and designate it for water supply protection. There is a residence on the property which the BoPW will demolish at a future date. There is a tax lien on the property. It's possible the BoPW may need additional space to expand the current treatment facility. This property would give them the space, if needed.

Gordon Cliff raised a number of questions. How reliable is the valuation? Answer: the Town has hired an appraiser. He stated that the fact that there's a tax lien on the property is irrelevant. That money will be collected one way or another. How likely is it that the property will impact the wells? How much would the remediation cost? Would that be covered by existing insurance? Is that cheaper than buying the property? How many other properties fall into this category. How do we decide which ones to buy? The response was that this property is unique: it's adjacent to the pond, it's at the same elevation as the treatment facility making it easier to expand if necessary, and it could be used for flood mitigation. Mr. Cliff stated that we're being asked to digest a lot of information in a short period of time making it difficult for us to confidently recommend that the Town should spend such a large sum of money.

There has been a new and recent development. Massachusetts announced a grant program in September that provides for a 50% reimbursement for qualified water protection expenditures. The Town is submitting an application. Multiple submissions are allowed. The application deadline is December. It was suggested that the cost of demolishing the house on the property be added to the grant request. This would increase the size of the potential grant.

Article N: Appropriate Funds to purchase 8 Glezen Lane for Water resource Protection was the next Special Town Meeting article discussed. Ms. Martin explained this property, on the market for \$1.125 million, involves the same issues as came up in discussions of Article M/Purchasing 107 Old Sudbury Road. One difference being this property has a failed septic system and is situated in Zone 1, i.e. within 400 feet of the wells. It was felt that this property could be more likely to receive the grant money discussed above.

The Water Commissioners were asked whether the Enterprise fund could afford the level of borrowing needed to buy both these properties. Would they develop a capital plan? Could they come up with a list of all other potential purchases for water protection? Are there sufficient revenues in the enterprise fund to cover these other potential borrowings?

The Commissioners' response was that they would ideally like to purchase all seven of the properties that have the potential for damaging our water resources. The Town has a \$10 million investment in the water treatment facility. While the odds of environmental damage are small, the cost to remediate and the inability to use that well would be large. Mr. Cliff asked if the expected life of these wells was sufficiently long to justify these expenditures. The response was that realistically it would be 30 years before we could move to the MWRA alternative. Moreover, the Town would then be able to sell the properties, which would no longer be a threat to water resources, and recoup the expenses.

A question of roles and responsibilities came up. What's the Finance Committee's role? The Commissioners stated that the BoPW is responsible for making expenditure decisions, but they look to the FinCom for advice on the impact of their decisions on the Town's financial profile.

Mr. Watkins asked if the BoPW could prepare a 5 year capital plan. Mr. Keveny suggested they take a close look at their sources of revenue and anticipated expenses to ensure that these land purchases can be done without exhausting the enterprise fund.

Article K. Town Wide recreation facilities strategic plan was presented by Mr. Cliff who stated this article seeks to spend \$60,000 to develop a strategic plan for the Town's recreation facilities. The funds would come out of the Recreation Stabilization Fund. Mr. Cliff urged support. There was a discussion on how best to fund the study. It was noted the Stabilization fund was set up such that these type of expenditures would normally be processed via the capital improvement plan (CIP). The downside to using the CIP process was that this study would have to be deferred for 6 months until the next ATM. So, even though procedurally this should go through the capital budget, it was Mr. Cliff's view that this would be a losing battle at the ATM. Mr. Cliff felt the FinCom should defer to the judgement of the Recreation Committee on how to pay for the study.

The Committee then discussed Article L: 207/195 Main Street & Middle School Field Feasibility Study. To determine whether the Town will vote to allow the Recreation Commission to spend a sum of money from the Recreation Stabilization Fund to do a Feasibility Study to investigate the construction of a potential new Multi-Purpose, Rectangular, Natural grass field at 207 & 195 Main Street in conjunction with the design of a potential new library, as well as to investigate the construction of a potential new multi-purpose, rectangular, artificial turf field where the current

Middle School soccer/lacrosse field is situated on the 207 & 195 sites if found to be a feasible.

Mr. Cliff stated that it might have been better to pull the artificial turf study out of the warrant and fund it separately on the grounds that it will generate opposition/heat that will carry over to the other portion of the article, which is less controversial.

Mr. Keveny left the meeting at 9:03pm

Discussion and Possible Vote of Annual Report:

Ms. Martin presented a draft "Annual Report of the Finance Committee", for possible inclusion in the FY '16 Annual Report of the Town. The Committee first discussed the purpose of such a report. Whether it should or shouldn't be prepared. How long should it be? Should it be forward looking or not? Mr. Watkins stated that this is the only forum for the Finance Committee to present a prospective view of the Town's finances. Mr. Cliff was unenthusiastic about both the project as well as the presentation of forward looking views. Some suggested edits were discussed. Ms. Martin was asked to update and re-distribute the report for review and possible vote at the next meeting.

Review Issues and Action List: Mr. Watkins reviewed the action list. Mr. Cliff stated that the action list should be updated to reflect deliverables that had been submitted. Mr. Watkins agreed and asked that Committee members inform him when an action item should be modified to reflect work already done.

Members Reports, Concerns, etc. Mr. Cliff asked that Mr. Watkins confirm that the use of the "Drop box" conforms to the OML rules. Mr. Watkins stated that he would do that.

The remaining agenda items: Members' Reports, Concerns, Finance Committee Website, River's Edge Update and Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, if any were tabled to a future meeting due to the lateness of the hour.

Meeting Minutes: The Committee reviewed the meeting minutes of the August 29, 2016 meeting. Motion to accept the minutes was moved by C. Martin, seconded by G. Cliff and approved 4-0.

Adjourn Meeting: C. Martin moved, K. Shigley seconded and the Committee voted 4-0 to adjourn at 10:30 pm.

Respectfully submitted,

Klaus Shigley

Documents:

Agenda

Request for a transfer from reserve funds to pay for repairs

ARTICLE B PAY PREVIOUS FISCAL YEAR UNPAID BILLS

ARTICLE LIST FOR NOVEMBER 15, 2016 SPECIAL TOWN MEETING

ARTICLE xx: AUTHORIZE LAND ACQUISITIONS FOR NATURAL DIVERSITY (LAND) GRANT PROGRAM FUNDING TO PURCHASE CONSERVATION RESTRICTION ON MAINSTONE FARM

ARTICLE G: TITLE Home Occupation

Article F: Landscaping in Parking Areas Zoning Bylaw

ARTICLE XX: Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resource Protection

ARTICLE XX: Appropriate Funds to purchase 8 Glezen Lane for Water resource Protection

ARTICLE xx: TOWN WIDE RECREATION FACILITIES STRATEGIC PLAN

ARTICLE xx: 207/195 MAIN STREET & MIDDLE SCHOOL FEASIBILITY STUDY

Draft: Annual Report of the Finance Committee

Issues and action list



Town of Wayland Massachusetts

River's Edge Advisory Committee ("REAC")
Meeting of August 3, 2016

8

Present: Jerry Heller (Chair); Chris DiBona; Dan Hill; Rebecca Stanizzi; Bill Steinberg; Bill Sterling; & Mike Wegerbauer
Absent: Mike Ellenbogen

Call to order: 6:36 PM

Public Comment – None

Meeting Minutes - The minutes to the meeting of July 13, 2016 were presented. Mr. Sterling moved that the minutes be approved as presented and that motion was seconded by Ms. DiBona. The minutes were approved by a vote of 6-0-1.

Motion to Go Into Executive Session – At 6:40 PM, Mr. Heller made a motion to enter into Executive Session in the School Committee Conference Room, Wayland Town Building and the motion was seconded by Mr. Wegerbauer. The Committee approved, by unanimous roll call vote (YEA: Mr. Heller, Ms. DiBona, Mr. Hill, Ms. Stanizzi, Mr. Steinberg, Mr. Sterling & Mr. Wegerbauer. NAY: none. ABSENT: Mr. Ellenbogen ABSTAIN: none. Adopted 7-0) to enter into Executive Session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to bids from respondents to the Request For Proposals for the development of the River's Edge property, pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. Member of the Town's staff, Elizabeth Doucette was noted to be joining the Members in Executive Session, and it was estimated that the Members would return from Executive Session in approximately 30 minutes.

Return From Executive Session – At 7:02 PM, the Committee returned to Open Session from Executive Session after approving a motion from Mr. Heller and a second from Ms. Stanizzi for the termination of Executive Session and return to Open Session by roll call vote (YEA: Mr. Heller, Ms. DiBona, Mr. Hill, Ms. Stanizzi, Mr. Steinberg, Mr. Sterling & Mr. Wegerbauer. NAY: none. ABSENT: Mr. Ellenbogen ABSTAIN: none. Adopted 7-0). Mr. Heller announced that the meeting was being recorded (video and audio).

Presentation by Wood Partners (RFP Respondent) - Mr. James Lambert, the Director of the Boston office of Wood Partners, introduced himself and his team and lead a presentation of their proposal to develop the River's Edge property, consistent with the materials they had previously submitted to the Town. He noted that Wood Partners is a national firm that has completed multiple projects in Greater Boston, most being in the suburbs of Boston. Following

their presentation, they answered a series of questions from the Committee (see list of 13 questions, attached hereto).

Presentation by Baystone Development (RFP Respondent) – Mr. Roy McDowell of Baystone Development presented his team and lead a presentation of their proposal to develop the River’s Edge property, consistent with the materials they had previously submitted to the Town. Mr. McDowell is a 40-year Wayland resident and his firm has been involved in the development of a variety of properties in the Greater Boston area for many years. Following the presentation, Mr. McDowell answered a series of questions from the Committee, which were substantially the same questions as those asked of the previous respondent.

Motion to Go Into Executive Session – At 8:54 PM, Mr. Heller made a motion to enter into Executive Session in the School Committee Conference Room, Wayland Town Building and the motion was seconded by Mr. Wegerbauer. The Committee approved, by unanimous roll call vote (YEA: Mr. Heller, Ms. DiBona, Mr. Hill, Ms. Stanizzi, Mr. Steinberg, Mr. Sterling & Mr. Wegerbauer. NAY: none. ABSENT: Mr. Ellenbogen ABSTAIN: none. Adopted 7-0) to enter into Executive Session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to bids from respondents to the Request For Proposals for the development of the River’s Edge property, pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. Member of the Town’s staff, Elizabeth Doucette was noted to be joining the Members in Executive Session, and it was estimated that the Members would return from Executive Session in approximately 30 minutes.

Return From Executive Session – At 9:25 PM, the Committee returned to Open Session from Executive Session after approving a motion from Mr. Heller and a second from Mr. Sterling for the termination of Executive Session and return to Open Session by roll call vote (YEA: Mr. Heller, Ms. DiBona, Mr. Hill, Ms. Stanizzi, Mr. Steinberg, Mr. Sterling & Mr. Wegerbauer. NAY: none. ABSENT: Mr. Ellenbogen ABSTAIN: none. Adopted 7-0).

The next meeting of REAC will be on August 24, 2016 at 7:00 PM.

At 9:26 PM, a motion to adjourn was made by Mr. Steinberg and was seconded by Mr. Sterling. The meeting was adjourned by a vote of 7 – 0.

Handouts:

Meeting minutes of July 13, 2016

List of Questions for RFP Respondents



Town of Wayland Massachusetts

River's Edge Advisory Committee ("the Committee")
Meeting Minutes of September 7, 2016

In attendance: Jerome Heller (Chair), Christine DiBona, Michael Ellenbogen, Daniel Hill (7:31), Rebecca Stanizzi, William Steinberg, William Sterling, Michael Wegerbauer (8:09)

The meeting was scheduled to commence at 7:00 PM; however a quorum was present at 7:19 PM and the meeting was called to order by the Chair. It was announced that the meeting was being videotaped.

- I Public Comment - The Chair asked for public comment. There was none.
- II Meeting Minutes – The Committee reviewed the minutes of its meeting of August 24, 2016. Mr. Steinberg made a motion that the minutes be approved as amended and Mr. Sterling seconded. The minutes were approved by a vote of 5-0-1 (Mr. Ellenbogen abstaining).
- III Motion to enter into Executive Session – at 7:24 PM, Mr. Heller made the following motion: that the Committee enter into executive session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to bids from respondents to the Request For Proposals for the development of the River's Edge property, as a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. Mr. Sterling seconded the motion, and it was approved by a roll call vote: Ellenbogen (yes); Stanizzi (yes); Heller (yes); Sterling (yes); Steinberg (yes); DiBona (yes). The Chair noted that the Committee would exit from executive session in approximately 15 minutes to continue the meeting in open session.
- IV Interview of Baystone Development – members of the Baystone Development team sat before the Committee, and Mr. Roy McDowell of Baystone introduced the members of his team who were present. He handed out to the Members of the Committee the list of questions that the Chair had sent to them prior to the meeting (see attachments of the Committee's questions and the handout from Baystone), which included written responses to those questions.
 1. Question 1: Mr. McDowell added to his written response that they plan to hold the project as part of their portfolio for the long-term, and as such, they had not incorporated development fees in their pricing model.
 2. Question 2: Mr. McDowell handed out several handouts labeled as Exhibits 1 (dealing with on-site soil removal); Exhibit 2 (dealing with design and construction of on-site sewer treatment plant); and Exhibit 3 (dealing with the demolition of the former septage facility). These exhibits detail the cost estimates provided by Baystone for each of these tasks. They did not have details of the design and construction of the water main extension. With regard to the on-site soil, Baystone believes that the majority of the "dirt pile" will not be contaminated to the extent that it needs to be reported to the Department of Environmental Protection ("DEP" – Commonwealth of Massachusetts agency) and that they would use those soils on-site and the cost of moving those soils is

being carried in their construction numbers, set forth in the costs provided per question 1, above. They also estimate that the vast majority of the soils to be trucked off-site (18,500 tons of 25,000 tons, or 74% of such soil) have contaminants that are below reportable conditions, and therefore they can be removed at a much lower cost than the remainder of the soils being removed (see Exhibit 1, attached). Details of their costs for two of the other three items are detailed on Exhibits 2 and 3.

3. Question 3 – directional drilling only under the bridge.
 4. Question 4 – answered on Exhibit 1 (see above). Baystone noted that they will be using two Licensed Service Professionals (“LSP;s”) for the soils work, which is unusual, but they felt good about having multiple opinions.
 5. Question 5 – Baystone provided a handout of projected rents (see handout entitled “Unit Matrix”, attached hereto). Their explanation of they they think their rents are reasonable is set forth on their handout of questions with answers.
 6. Question 6 – the Unit Matrix handout shows unit sizes and they indicated that they will have a variety of unit sizes for each category (1BR, 2BR and 3BR units). They feel that these unit sizes are reasonable to serve the rental market in Wayland.
 7. Question 7 – answered as part of their response to question 6.
 8. Question 8 – With regard to the tax rate and potential property taxes, they agree that they will be high, but they have underwritten their pro-forma, taking this into account, and they do not foresee that they would file for abatement.
 9. Question 9 – This question was specifically asked of Baystone, as their plan did not comply with the design guidelines set forth in the RFP with regard to the number of floors and the building heights in various portions of the Property. They provided a revised plan (see handout), which shows stepping back the height of the senior building (Building 4 on their plan) from the Route 20 side (south side) of the Property from 4-stories to 3-stories. They also noted that while some of the buildings have 4-stories from the courtyards, they have 3-stories on the non-courtyard facades (western sides of the buildings). They feel this will allow them to comply with the design guidelines, and will make sure that their plans do comply with zoning requirements.
 10. Questions 10 – their answer is yes, that the Town will benefit from cost savings from the soils work and in addition would benefit from any cost savings for each of the four items discussed in Question 2.
 11. Questions 11 – Baystone provided the name of their attorney, with contact information (Bryan Connolly of DLA Piper). They will negotiate to a reasonable agreement with the Town. They will indemnify the Town for pre-existing environmental conditions.
- V Wood Partners (“Wood”) met with the Committee. Jim Lambert of Wood introduced the members of his team who were present, and the Chair proceeded to go through the same list of questions that we had just completed asking Baystone.

1. Question 1 – Wood responded to the question of costs as follows: Total Cost/Unit \$294,692; Soft Cost/Unit \$62,692; and Hard Cost/Unit \$232,000. They noted that their costs are relatively high for the following reasons: they include 76 parking spaces below grade (adds approximately \$17,000/unit to hard cost estimate); they have elevators in the 3-story buildings; and they are building high-end units with significant project amenities.
2. Question 2 – Wood provided a handout that details the costs of the 4 items noted in this question. There was significant discussion of their estimated soil removal cost. They are projecting that they will truck the entire dirt pile off-site and bring it to a remediation waste site, where the cost of disposal is significant, but the risk of that material providing a future liability is abated. There are multiple reasons why they plan to remove the entire dirt pile, in addition to the potential environmental liability benefit: a) they are grading the entire site such that the buildings are at approximately the same grade, which provides for better integration between the buildings; and b) they are building garages beneath each of the buildings and therefore need to work from a lower elevation. They could keep clean portions of the dirt pile on-site; however that might mean that they would have to eliminate the garages and might lose the grading design that is a key element to their design.
3. Question 3 – When answering question 2, above, they indicated that they will be doing directional drilling only under the bridge and the river.
4. Question 4 – A breakdown of their soil removal pricing was provided in the discussion of question 2 above.
5. Question 10 – The Committee skipped to this question, as it was consistent with the previous questions. Wood indicated that they will pass along to the Town any cost savings for each of the four items in question, including soil removal costs, despite having suggested that language should be stricken from the Land Disposition Agreement (“LDA”).
6. Question 12 – With regard to an environmental indemnification, Wood is not willing to provide that to the Town; however they will provide a full release, which it explained would mean that Wood would not take any actions against the Town for the environmental conditions. They indicated that they could not indemnify the Town from third party legal actions naming the Town as a defendant/co-defendant.
7. Question 5 – Wood foresees a large number of “empty-nesters” who would be residents of the Property, with a large number of these people being from Wayland and the surrounding communities. They do foresee some residents being younger people coming out of the City and possibly renting prior to purchasing a home. They view their projected rents as being on the high side of the market, but feel they will be competitive, especially given that they will be built to attract the high-end of the market. They noted that rents for garage spaces will be in addition to the rents they showed in their proposal.

8. Question 6 – Wood feels that the design guidelines set forth units that are small for the market. Empty nesters will be coming from homes and will not want to down-size to significantly smaller living spaces.
 9. Question 7 – As set forth in their response to the RFP, Wood will have a range of unit sizes in each category of apartment.
 10. Question 8 – While Wood acknowledges the high tax cost for this project, they have built it into their numbers and are willing to operate with it, without filing for an abatement.
 11. Question 11 – Wood had a large number of redlines on the LDA that was returned with their proposal. They indicated that they do not have to make all of those changes and are willing to negotiate a reasonable LDA. Their attorney is Christina Graham of Morris, Manning & Martin. They will forward to the Committee her contact information.
 12. Question 13 – Wood was asked to comment with regard to their comment in their proposal that the Town would not unreasonably withhold material changes to their Conceptual Design Plans. Wood stated that they do not anticipate making any material changes to their plan, so their request in the proposal should not need to be made in a negotiated LDA.
- VI Motion to Enter Into Executive Session - At 9:28 PM, Mr. Heller made the following motion: that the Committee enter into executive session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to bids from respondents to the Request For Proposals for the development of the River's Edge property, as a public discussion of these matters may have a detrimental effect on the bargaining or negotiating position of the Town. Mr. Sterling seconded the motion, and it was approved by a roll call vote: Hill (yes); Wegerbauer (yes); Ellenbogen (yes); Stanizzi (yes); Heller (yes); Sterling (yes); Steinberg (yes); DiBona (yes). The Chair noted that the Committee would exit from executive session in approximately 30 minutes to continue the meeting in open session for the purpose of adjourning the meeting.
- VII Adjournment – at 10:43 PM, the Committee returned from executive session and Mr. Steinberg moved that the meeting be adjourned. Mr. Sterling seconded. The meeting was adjourned at 10:43 PM by a vote of 7-0.

Handouts and Other Items:

- 1) Meeting Agenda
- 2) List of Attendees
- 3) Questions Sent to Bidders by the Chair Prior to the Meeting
- 4) Questions with Responses by Baystone Development
- 5) Exhibits 1- 3 From Baystone Development
- 6) Unit Matrix Exhibit From Baystone Development
- 7) Exhibit 4 From Baystone Development – Revised Site Plan
- 8) Wood Partners Handout of Estimated Costs for Soil Removal, Septage Demolition, Water Main Construction and Design and Construction of On-Site Sewer Package Treatment Plant

RECEIVED

OCT 11 2016

Board of Selectmen
Town of Wayland



MBTA Advisory Board

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

October 4, 2016

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board
Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: Municipal Elections to the Boston Region Metropolitan Planning Organization

We are pleased to forward the 2016 MPO Ballot for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are four municipal seats on the MPO up for election. The Town of Framingham is running unopposed for the Metro West Regional Collaborative (MetroWest) seat, The Town of Bedford is running unopposed for the Minuteman Advisory Group on Interlocal Coordination (MAGIC) seat. The City of Somerville is running unopposed for the Inner Core seat. The Town of Braintree is running unopposed for the South Shore Coalition (SSC) seat.

Key Dates and Locations:

October 25, 2016	Absentee Ballots Due 5:00 PM delivered by mail or in person <u>(No Fax or Email)</u> to: BOSTON REGION MPO ELECTIONS Metropolitan Area Planning Council 60 Temple Place, 6 th Floor Boston, MA 02111
October 26, 2016	MPO Municipal Election At MAPC Fall Council Meeting, 9:00AM Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169

Voting Rules:

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 4 open seats). Ballots may be cast by one of the following ways:

1. By the CEO, in-person, on October 26, 2016 at MAPC Fall Council Meeting.
2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 25, 2016.
3. By a designee, in-person, on October 26, 2016 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats (for a total of 4 votes cast).

Appointing Designees:

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

Certification of Results:

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday October 28, 2016.

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-933-0740) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

2016 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 26, 2016
At MAPC Fall Council Meeting, 9:00 AM
Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169

Absentee ballots must be delivered by October 25, 2016
via mail or in person (**No Fax or Email**) by 5 PM to:
BOSTON REGION MPO ELECTIONS
Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats.

Chief Elected Official may:

Vote for only one from the Metro West Regional Collaborative

Framingham Cheryl Tully Stoll, Chair Board of Selectmen

Vote for only one from the Minuteman Advisory Group on Interlocal Coordination

Bedford Michael Rosenberg, Chair Board of Selectmen

Vote for only one from the Inner Core

Somerville Joseph A. Curtatone, Mayor

Vote for only one from the South Shore Coalition

Braintree Joseph C. Sullivan, Mayor

Municipality _____ Chief Elected Official _____
(Signature)

(Print or type name)

(see back for more information)

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 26th at the MAPC Fall Council Meeting.

Designation of alternate (by Mayor or Chair Board of Selectman):	
I hereby authorize _____ to cast the ballot for _____	
(name)	(municipality)
_____	_____
Chief Elected Official (signature)	Date



Smart Growth & Regional Collaboration

RECEIVED

OCT 11 2016

Board of Selectmen
Town of Wayland

MEMORANDUM

To: MAPC Council Representatives and Other Local Officials
From: Marc D. Draisen, Executive Director
Subject: Call for Project Concepts
Date: October 5, 2016

I am writing today to invite you to submit project concepts for work to be undertaken by the Metropolitan Area Planning Council (MAPC), for the benefit of your municipality through our Technical Assistance Program (TAP). In calendar year 2016, this program has enabled MAPC to work with individual cities and towns and groups of municipalities on over 75 projects.

Through this Call for Project Concepts, we are soliciting ideas for projects that will commence in 2017. Municipalities can submit concepts for individual, community-specific projects and for multi-community projects. Direct calls for applications are generally released twice a year in the fall and spring. Awards are made on a rolling basis pending the availability of funding, with a batch of awards often made in the late fall and late spring of each year.

Eligible projects cover a wide variety of topics, including but not limited to: housing and economic development; regionalization and shared services; public safety; public health; smart growth; climate change; clean energy; equity; fair housing; equitable transit-oriented development (E-TOD); bicycle/pedestrian mobility; environmental and resource protection; creative community placemaking; and arts and culture planning.

After you submit a concept, we will work with you to determine the best funding source or sources for each project, based on the specific ideas you present and the timetable and criteria of the funding sources that are best suited to fund the work. Just come up with the best concepts you can in accordance with the guidelines in this memo and we will try and fund as many projects as possible through our technical assistance resources or by working with you to apply to state grant programs. Generally speaking, we give preference to projects that advance the regional land use and policy plan, *MetroFuture: Making a Greater Boston Region*. We also give preference to projects that align with the state's Community Compact Best Practices. Projects that involve multiple municipalities and projects that will advance equity within the region are always considered important priorities. For further information on the program's priorities, please see www.mapc.org/tap.

Funding Sources

The MAPC Technical Assistance Program (TAP) is funded through two primary sources: District Local Technical Assistance (DLTA) and Planning for MetroFuture Technical Assistance (PMTA). DLTA comes through a state appropriation, whereas PMTA arises from the assessment dollars that you all contribute to our region-wide work. MAPC actively fundraises to expand our technical assistance budget by seeking funds from philanthropic sources. This year, the Barr Foundation has also provided generous support to assist in several topical areas, particularly E-TOD and climate adaptation. We also leverage funds from state-administered grant programs, including significant

resources from the Community Compact Program, the Department of Housing & Community Development (DHCD), and the Executive Office of Energy & Environmental Affairs (EOEEA).

Applying for Assistance

Please submit a short, 1-2 page maximum project concept on municipal letterhead to Manager of Technical Assistance Programs, Jennifer Erickson, at jerickson@mapc.org with the following:

1. Lead Municipality and Lead Contact for Submittal: Designate a lead contact for the submittal. In the event that this is a multi-municipal proposal, indicate the lead municipality for the submittal and whether firm commitments have been secured from participating municipalities.
2. Project Description and Context: Provide a 1-2 paragraph description of the project. Provide an overview of project context, including geographic location and relevant previous and current planning efforts, e.g., plans, reports or studies.
3. Project Need and Alignment with Local, Regional, and State Goals: Describe the community need(s) the project will address, and its alignment with local, regional and/or state goals. You can learn more about the overall priorities for the TAP and each funding source at www.mapc.org/tap/faq.
4. Project Deliverable(s) and Outcomes: Identify the specific products expected from the project (e.g., master plan, draft or adopted bylaw or ordinance, inter-municipal agreement, streamlined permitting procedures, collective purchasing agreement). Also, identify the anticipated outcomes and changes in the municipality and/or region that you expect will be achieved.
5. Community Engagement: Explain how local officials, community groups, business and/or institutions will be involved in the planning process, as appropriate, and how the project will involve groups that are historically under-represented in planning processes (e.g., low-income individuals, racial/ethnic minorities, youth, seniors, recent immigrants, small business owners, etc.).
6. Project Timeline: Outline the anticipated project timeline and associated project milestones (e.g., must be completed in time for close of fall Town Meeting warrant in August).
7. Municipal Commitment: Describe the municipal commitment to the project. Indicate the support of the mayor, city manager, or town administrator and municipal boards, committees, and/or commissions. For single-municipality and multi-municipal project concepts, detail each municipality's commitment to move ahead with the project in a timely fashion (e.g., will establish a multi-municipal project advisory committee to move the project along).
8. Municipal Contribution: Define any in-kind and/or financial contribution by the municipality to the project, e.g., X hours of municipal planner staff time or Planning Board volunteer time to assist in analysis; X dollars towards direct costs, such as meeting refreshments and translation and interpretation. (Note: Some of MAPC's technical assistance funding sources require a local financial contribution, whereas others do not.)

9. **Signature:** The submittal must be signed by the mayor, city manager, or town administrator. In the case of a multi-community project, the lead municipality's representative will sign the approved scope of work after the project has been accepted. For multi-municipal project concepts, it is ideal – but not required – to verify support from the mayor, city manager or town administrator in each participating municipality in the form of a signature on the submittal by all participating municipalities.

Decision-Making Timeline

MAPC will acknowledge receipt of project concepts within two business days. MAPC reviews submitted applications on a rolling basis. To check on the status of your submittal, contact Manager of Technical Assistance Programs Jennifer Erickson: 617-933-0759 or jerickson@mapc.org.

Approved projects are awarded a funding allocation that is based on an assessment of anticipated tasks. If MAPC cannot fully fund the project, we will work with the municipality (or municipalities) to achieve additional funding from other sources. Most awards will draw upon a variety of funding sources – including DLTA, PMTA, grants from private foundations, leveraged grants from state programs, and fee-for-service contributions.

Selected projects are assigned to a Project Manager, who works with municipalities to develop detailed scopes of work.

Discuss a Project Concept with MAPC Staff

Please feel free to contact any member of the MAPC staff with whom you have worked on a project in the past or any of the program staff listed below to discuss a potential project.

Departments and Divisions

- Mark Racicot (land use, housing, economic development): 617-933-0752, mracicot@mapc.org
- Mark Fine (municipal services): 617-933-0789, mfine@mapc.org
- Ani Krishnan (energy): 617-933-0715, akrishnan@mapc.org
- Martin Pillsbury (environment): 617-933-0747, mpillsbury@mapc.org
- Eric Bourassa (transportation): 617-933-0740, ebourassa@mapc.org
- Barry Keppard (public health): 617-933-0750, bkeppard@mapc.org
- Tim Reardon (data services): 617-933-0718, treadon@mapc.org

Subregional Coordinators

- Jennifer Erickson, Inner Core Committee Coordinator, 617-933-0759, jerickson@mapc.org
- Heidi Stucker, MAGIC Coordinator, 617-933-0739, hstucker@mapc.org
- Karen Adelman, MWRC Coordinator, 617-933-0704, kadelman@mapc.org
- Sam Cleaves, North Shore Task Force Coordinator, 617-933-0748, scleaves@mapc.org
- Amanda Chisholm, North Suburban Planning Council Coordinator, 617-933-0736, achisholm@mapc.org
- Emily Torres-Cullinane, South Shore Coalition Coordinator, 617-933-0735, etorres@mapc.org
- Christine Madore, Southwest Advisory Planning Committee Coordinator, 617-933-0774, cmadore@mapc.org
- Gregory Miao, Three Rivers Interlocal Council Coordinator, 617-933-0769, gmiao@mapc.org



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Komegay, Undersecretary

11

October 12, 2016

Cheryl C. Karlson, Chairman
Board of Selectmen
Town of Wayland
41 Cochituate Road
Wayland, MA 01788

Dear Ms. Karlson:

The Department of Housing and Community Development (DHCD) approves the Town of Wayland's Housing Production Plan (HPP) pursuant to 760 CMR 56.03(4). The effective date for the HPP is September 20, 2016, the date that DHCD received a complete plan submission. The HPP has a five year term and will expire on September 19, 2021.

Approval of your HPP allows the Town to request DHCD's Certification of Municipal Compliance when:

- Housing units affordable to low and moderate income households have been produced during one calendar year, totaling at least 0.5% (25 units) of year round housing units.
- All units produced are eligible to be counted on the Subsidized Housing Inventory (SHI). If you have questions about eligibility for the SHI, please visit our website at: www.mass.gov/dhcd.
- All units have been produced in accordance with the approved HPP and DHCD Guidelines.

I applaud your efforts to plan for the housing needs of Wayland. Please contact Phillip DeMartino, Technical Assistance Coordinator, at (617) 573-1357 or Phillip.DeMartino@state.ma.us, if you need assistance as you implement your HPP.

Sincerely,

Louis Martin
Associate Director

cc Senator Richard J. Ross
Representative Alice Hanlon Peisch
Representative Carmine L. Gentile
Nan Balmer, Town Administrator, Wayland
Sarkis Sarkisian, Planning Director, Wayland