

**PACKET**

**NOV 21**

**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, November 21, 2016**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road Wayland**

### Proposed Agenda

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

- 6:00 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss 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 Brigham, et al v. Greenaway
- 6:45 pm 2.) Call to Order by Chair
- Review Agenda for the Public; Announcements
- 6:47 pm 3.) Public Comment
- 6:55 pm 4.) Mainstone Farm: Approve and Sign Purchase and Sale Agreement for Acquisition of Mainstone Farm Conservation Restrictions
- 7:10 pm 5.) Community Preservation Act Application: Historic Preservation: Meet with Historical Society to Discuss Mellen Law Office Repairs: Vote to Approve Application for CPA Funds to Repair
- 7:15 pm 6.) Tax Classification and Recapitulation Hearing
- 7:30 pm 7.) Pole Hearing: Petition from Mobilitie, LLC, for the Purpose of Obtaining a Grant of Location to Install a New Utility Pole
- 8:00 pm 8.) Library Project: Vote to Transfer Custody of 193/195 Main Street to Wayland Board of Library Trustees and Wayland Recreation Commission
- 8:20 pm 9.) Community Preservation Act Application: Housing: Vote to Approve CPA Application for \$20,000 for Consultant and Legal Expenses
- 8:30 pm 10.) Review Draft Recommendation for FY18 Operating Budget and Financial Plan
- 8:50 pm 11.) Review Potential Annual Town Meeting Articles

**BOARD OF SELECTMEN**  
**Monday, November 21, 2016**

**Proposed Agenda Page Two**

- 9:05 pm 12.) Update on River's Edge and Vote to Extend the RFP Schedule
- 9:15 pm 13.) Town Administrator Salary Review
- 9:25 pm 14.) Discuss and Vote to Approve Contract with KP Law; Vote to Appoint Attorney Mark Lanza as Special Counsel
- 9:35 pm 15.) Minutes: Review and Vote to Approve Minutes of October 24, 2016
- 9:45 pm 16.) Consent Calendar: Review and Vote to Approve (See Separate Sheet)
- 9:50 pm 17.) Review Correspondence (See Separate Index Sheet)
- 9:55 pm 18.) Report of the Town Administrator
- 10:05 pm 19.) Selectmen's Reports and Concerns
- 10:15 pm 20.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:20 pm 21.) Adjourn

**TO: Board of Selectmen**  
**CC: Nan Balmer, Town Administrator**  
**FROM: Gretchen G. Schuler, Chair Community Preservation Committee**  
**RE: Mainstone Purchase & Sale Agreement**  
**DATE: November 15, 2016**

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This memo is to address the Purchase and Sale that you are asked to sign – an agreement among the sellers and purchasers of Mainstone Farm Conservation Restriction (CR). The P&S is a long document that is mostly appendices containing documents that you have seen before. It includes:

- I. Terms of agreement and signatory pages – 8 pages: **BOS sign p. 7.**
  - Exhibit A: Draft Conservation Restriction on 208+ acres of farmland – 30 pages with exhibits including plan of land, trail map and certificate of TM vote.
  - Exhibit B: Draft Conservation Restriction for part of Lot 1 making it a single building lot in perpetuity, 22 pages with exhibits including description of land and plan of land.
  - Exhibit C: Title Insurance Commitment – 5 pages
  
- II. Rider to P & S – 8 pages **BOS sign p. 72** of full document (p. 7 of Rider).

The signatures will be gathered as follows:

- SVT signature (Lisa Vernegaard as Director) – signed;
- Devens Hamlen – Week of November 14;
- Conservation Commission – November 17;
- Board of Selectmen – November 21;
- Margery Hamlen and Michael Mooney as Trustees of Mainstone Trust – after other signatures.

The terms of the P & S in short are that the Town and SVT will purchase for \$15 million two conservation restrictions at Mainstone Farm – a) 208+ acres of farmland and b) part of Lot 1. The Town will pay \$12 million and SVT \$3 million and neither is responsible for the payment of the other. All other terms of the P&S and the Rider to the P&S have been negotiated by attorneys Douglas Muir representing the owners; Deborah Eliason representing SVT; and Mark Lanza representing the town. Prior to being sent to the State for review the two draft CRs were negotiated by SVT Staff, Conservation Commission Chair, Hamlen family members and Attorneys Muir for the family, Eliason for SVT and Elizabeth Wroblick, Special Counsel for the Town. The closing date has been set for March 15, 2017.

Plans and Maps: pgs. 32-34, p.59.

*\* SUPPORTING DOCUMENTS ARE POSTED ON LINE AND PROVIDED IN SELECTMEN'S DROPBOX*

TO: Board of Selectmen

CC: Nan Balmer, Town Administrator

FROM: Molly Faulkner, President, Wayland Historical Society  
Margery Baston, Clerk, Wayland Historical Society

RE: Mellen Law Office Preservation

DATE: November 17, 2016

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Since 1971, when the ca. 1829 Mellen Law Office was given to the Town of Wayland by Sophie Bennett Sears, it has been cared for by volunteers from the Wayland Historical Society. In 2016, we seek town Community Preservation Funds (CPF) to do the important work to keep this landmark sound throughout this century. Applications to the Community Preservation Committee (CPC) are due mid-December and we are seeking your approval to apply for \$30,000, a bit over the estimate that we have received from a vetted contractor, HarperElm, who did the work on the sheds and meetinghouse at First Parish. Several of us visited the Law Office with Capital Facilities Director, Ben Keefe, to seek his input on necessary repairs. On November 9, we discussed the condition of the Law Office and the need for repairs with the Wayland Historical Commission, which granted approval to seek up to \$20,000 in CPA funds for these repairs. That was before we had the attached estimate. The WHC is meeting again on November 30 at which time we will ask members to reconsider this figure using the itemized estimate from HarperElm that was forwarded by Mr. Keefe.

In addition to the architectural integrity of the building its history and association with Judge Edward Mellen is of import to our town. It's thought that the name "Wayland" adopted by East Sudbury in 1835 came from the friendships that Judge Edward Mellen and John Burt Wight, the Unitarian minister, as graduates of Brown University, had with Brown's president, Francis Wayland. We can imagine these gentlemen meeting in Judge Mellen's Law Office here on the town green to consider this possibility. Mellen lived across the street and owned and used this historic treasure from about 1830 until his death in 1875.

At this time we seek your approval of an application to the CPC for funds to preserve the Mellen Law Office. Even though the Historical Society has been the 'ad hoc' steward of the building it is under the jurisdiction of the Board of Selectmen; thus an application to the CPC will require your support and signature as owner. We hope that you will agree that it is a resource worthy of preservation and a fine way in which to use the Historic Preservation monies of the CPF.



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778  
[www.wayland.ma.us](http://www.wayland.ma.us)

## WAYLAND COMMUNITY PRESERVATION COMMITTEE

The Town of Wayland adopted the newly enacted Community Preservation Act (CPA) at Annual Town Meeting in April 2002. Accordingly the Community Preservation Committee (CPC) was established as an on-going committee of the town. Its primary task is to administer the CPA fund by seeking and evaluating proposals, and making recommendations to Town Meeting for the expenditure of CPA funds. The monies are collected yearly as a 1.5% surcharge on the tax bill of each property owner. The CPC welcomes requests for funding and presents the following information to assist applicants in seeking those funds.

### **Mission Statement**

(adopted by CPC April 2002)

The Mission of the Wayland Community Preservation Committee is to create, maintain and implement a Community Preservation Plan to preserve, expand, and enhance open space, historic resources, community housing, and specified recreational uses. The Plan serves as the basis for the Committee's recommendations to Town Meeting for the disposition of Community Preservation Funds.

### **Eligible Uses**

(as per Community Preservation Act as amended July 2012)

The Wayland CPC can only consider proposals that are eligible for CPA funding according to the requirements described in the CPA legislation, specifically for:

- acquisition, creation, and preservation of open space.
- acquisition, preservation, rehabilitation, and restoration of historic resources.
- acquisition, creation, preservation, rehabilitation, and restoration of land for recreational use.
- acquisition, creation, preservation, and support of community housing
- rehabilitation or restoration of open space and community housing that is acquired or created using monies from the fund.

### **Application for Funding**

(as per CPC September 2014)

Use of CPA funds is determined by Wayland's Town Meeting. The request for funds must be made at Town Meeting by the CPC following consideration of eligible applications. Please provide as much information as possible so that the CPC is able to make an informed decision on funding requests.

It is highly recommended that applicants meet with the CPC to discuss a potential proposal. The CPC generally meets once a month. Please submit information at least one week prior to a CPC meeting at which the application will be considered.



# WAYLAND COMMUNITY PRESERVATION ACT PROJECT APPLICATION COVER SHEET

## I: Project Information

Project Title:

**MELLON LAW OFFICE PROJECT**

Project Summary:

**We seek CPA funds sufficient to carry out repairs and restoration to the exterior trim/siding, roofing, windows (inside and out), and paint, and the interior floors.**

Map and Parcel #: 23-044A Estimated completion date: 2017

CPA Program Area (check all that apply):

- Open Space
- Community Housing
- Historic Preservation
- Recreation

## II: Applicant/Developer Information

Contact Person and or/primary applicant: **Molly Faulkner**

Property Owner (if applicable): **Town of Wayland**

Organization (if applicable): **Wayland Museum and Historical Society**

Mailing Address: **PO Box 56 Wayland, MA 01778**

Daytime phone #: **508-358-7959**

Other phone #: **MF's cell: 978-505-5912**

E-mail address & Website: **[www.waylandmuseum.org](http://www.waylandmuseum.org);  
[info@waylandmuseum.org](mailto:info@waylandmuseum.org); [farringtonfamily1@verizon.net](mailto:farringtonfamily1@verizon.net)**

## III: Budget Summary

Total budget for project: **\$30,000**

CPA funding request: **\$30,000**

CPA request as percentage of total budget: **100%**

**Applicant Signature:** \_\_\_\_\_

**Date Submitted:** \_\_\_\_\_

*Please attach a narrative addressing the following issues and questions.*

### **PROJECT DESCRIPTION**

1. Scope or concept of project: (State the scope of work including the specific information about extent of work. Provide photographs of existing conditions and proposed plans, if applicable.)

**Please see project description and estimate from Ian Harper attached**

2. Projected action plan and timeline: List steps needed to complete the project and an estimated timeline. This plan and schedule will be critical once funding is allocated, to assist the CPC in preparing annual Project Status Reports that are reported annually to Town Meeting until project completion.

**Four to five weeks total**

### **FINANCES**

3. Anticipated project cost: Provide a budget, with line itemization.

**See estimate from Ian Harper**

4. Other funding sources, including private/public/in-kind:

**None**

5. CPA funding request amount:

**\$30,000**

6. Budget justification: Provide an explanation for why each type of expense is needed.

**See estimate from Ian Harper**

### **PURPOSE OF PROJECT**

7. Relevance to community: Indicate how the project is relevant to the current and/or future needs of Wayland. Does it serve multiple needs?

**This 19<sup>th</sup> century gem sits on a remnant of the old green bordered by historic houses and the First Parish church and is an important piece of Wayland's history, listed in the National Register of Historic Places in 1974. Moreover, it, and the green, have served over the years to calm traffic and to provide a rest stop for hardy pedestrians across of an ever-widening 21<sup>st</sup> century intersection. The Law Office, built in ca. 1830, is considerably older than the Massachusetts Central Railroad Passenger Station (aka the Depot) and the Freight House built in 1881. It was constructed by Samuel Mann as a law office and sold soon after with the house at 24 Cochituate Road to Edward Mellen, Esq. for whom it served as his law office. Mellen was a distinguished Wayland citizen who in 1855 was appointed Chief Justice to the Massachusetts Court of Common Appeals. The building's most important function is just what it does now – existing as a lovely preserved small building on the green. Yet, over the years it was the office of the BUGLE, Wayland's local paper for GIs, an office for both a realtor and a decorator, and most recently as the Local Studies**



**Center, a non-profit, volunteer staffed collaboration among the Town of Wayland, the Historical Society and the Wayland Public Schools to teach local natural and cultural history. It housed the resource library, curriculum files, A-V aids, and over 40 packaged teaching kits.**

8. Explain how the project will meet goals and objectives of the category under which you are applying (Community Housing, Historic Preservation, Open Space, Recreation). **Making this investment now will ensure that this special place is preserved for the future. The property retains the integrity of location, setting, design, materials, craftsmanship, feeling and association.**

9. Supporting documents: Provide supporting letters, references, studies, maps, and statistics.

**Please refer to the Survey for the Massachusetts Historical Commission.**

Please keep in mind that there are legal limitations on the uses of CPA funds. If you have any questions about your project's eligibility, please contact the CPC for guidance. Thank you.

Wayland Community Preservation Committee

# FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION  
MASSACHUSETTS ARCHIVES BUILDING  
220 MORRISSEY BOULEVARD  
BOSTON, MASSACHUSETTS 02125

Assessor's Number USGS Quad Area(s) Form Number

23-044A

Natick

A & I

WAY.87

Town: WAYLAND

Place: (neighborhood or village)  
Wayland Center

Address: 35 Cochituate Road

Historic Name: Judge Mellen Law Office

Uses: Present: museum

Original: office

Date of Construction: ca. 1829

Source: histories

Style/Form: Federal

Architect/Builder: unknown

Exterior Material:

Foundation: concrete

Wall/Trim: wood clapboards

Roof: wood shingles

Outbuildings/Secondary Structures: none

Major Alterations (with dates): none

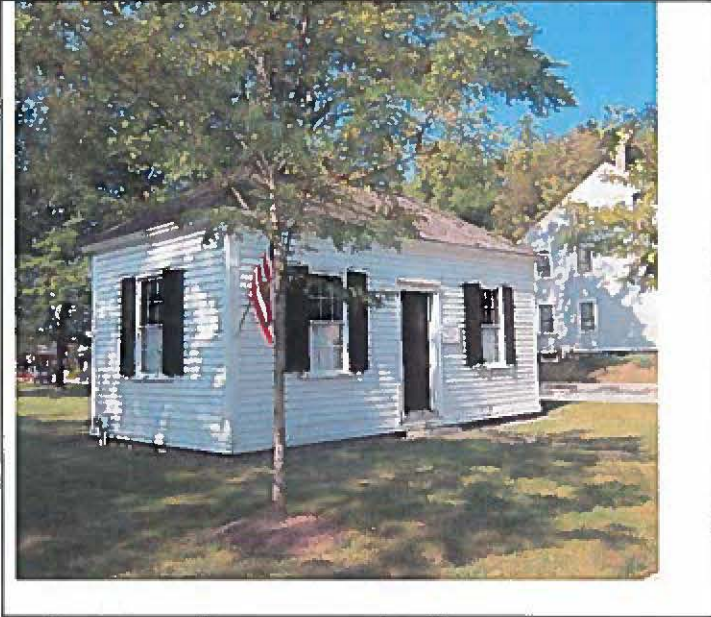
Condition: good

Moved: no | | yes | x | Date 1973 \_\_\_\_\_

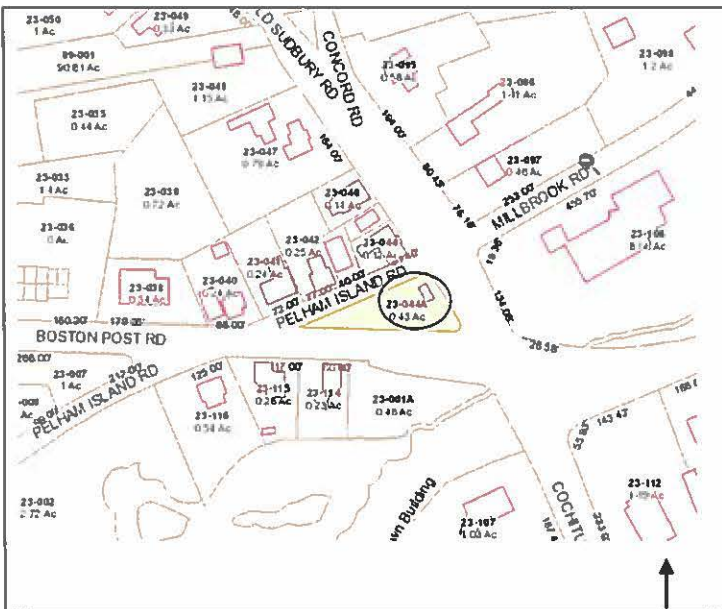
Acreage: .43 acres

Setting: On west side of Cochituate Road (Rt 126/27). On Mellen Law Office Green, a triangular plot of land owned by the town at main intersection. Near road edge. New small street trees planted on each side of the front of building.

## Photograph



## Topographic or Assessor's Map



Recorded by: Gretchen G. Schuler

Organization: for Wayland Historical Commission

Date (month / year): November 2012

Follow Massachusetts Historical Commission Survey Manual instructions for completing this form.

**INVENTORY FORM B CONTINUATION SHEET**

WAYLAND

35 COCHITUATE ROAD

MASSACHUSETTS HISTORICAL COMMISSION  
 220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

A & I	WAY.87
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Recommended for listing in the National Register of Historic Places.  
*If checked, you must attach a completed National Register Criteria Statement form.*

*Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.*

**ARCHITECTURAL DESCRIPTION:** *Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.*

Situated on the town-owned Mellen Law Office Green, the small but significant structure is prominently situated at the major intersection of Wayland Center in the heart of the Wayland Center Historic District (local and NR). The Mellen Law Office is at the eastern edge of the triangular-shaped green, only a few feet of setback between it and the sidewalk along Cochituate Road. It is a three-bay, single-story, hipped-roof Federal building not unlike the shape of Mellen's house (24 Cochituate Road) across the road. It rests on a concrete foundation (moved a few feet south in 1973), is sided with wood clapboards and has a wood-shingled roof. The simplicity is an important characteristic. Windows have 6/6 sash set in slightly projecting casings with wood louvered shutters. One window is located on each side of the center entry, a single window is centered in each end; and one window is near the south side of the west/rear elevation side of the building. The entry is centered on the façade and has a six-paneled door with a Norfolk latch. The panels are recessed and the surround is plain. Other trim includes a water table wrapping around the building, corner boards, and a flat fascia board under the eave overhang, which is minimal. A brick chimney rises through the rear roof slope. The interior is divided into two rooms – or two offices – which is less common than a single-room law office. The south room is slightly larger than the north room. They are fitted out with modern furniture, and a reproduction of Mellen's desk (the original is in the Grout-Heard House, the Historical Society's house museum).

**HISTORICAL NARRATIVE** *Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.*

Built in about 1829, this small building tells much about the evolution of life at Wayland Center. It is located on the Mellen Law Office Green, so named for this building, which was moved slightly south in 1973. At the time of construction a large hotel and public house, known as Pequod Inn, was across Cochituate Road (Public Safety building site), the First Parish had been built in 1814, and several houses already lined Cochituate Road at the center.

**Samuel H. Mann Esq.** (1801-1838), a lawyer, acquired the Dr. Ebenezer Ames House (24 Cochituate Road) in 1829. The deed was witnessed by Mark Sibley and William Bridge, Justice of the Peace in September 1829 but not recorded until April 1830. The 1829 date was only a month before Mann's marriage to Isabella Ross. It is believed that he built this small law office across the road from his house on this town green, now known as the Mellen Law Office Green; however the exact and location have not been confirmed. The 1829 date coincides with when Mann took over the Ames house according to deeds and is three years later than reported by Helen Emery in the 1973 survey form. A year later in November 1830 Mann sold the house and this law office to **Judge Edward Mellen** (1802-1875) who moved to the house just after his marriage to Sophia Whitney in 1831 where he lived out the rest of his life. Mellen, who practiced law in Wayland in this law office, was appointed Chief Justice of the Massachusetts Court of Common Pleas in 1855 – hence the title the Honorable Judge Edward Mellen. In 1850 Mellen was assessed for his house, barn and shed on two acres as well as the office and land, therefore we know that the law office was across the street on this town green by that date. In 1860 he had the same real estate holdings. By 1872 Mellen's small office on the green was valued at only \$100.

**INVENTORY FORM B CONTINUATION SHEET**

WAYLAND

35 COCHITUATE ROAD

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

A &amp; I WAY.87

Mellen was a graduate of Brown University and a close friend of the Rev. Francis Wayland (1796-1865), who was president of Brown University from 1827 until 1855 and was responsible for establishing the Wayland Public Library (5 Concord Road) with a donation that had to be matched by the citizens. It was this donation that led Mellen to question the ability of a municipality to raise mandatory funds (taxes) for libraries, which in turn led him to work with the Rev. John Burt Wight – also a friend of Wayland's, pastor of the First Parish and Wayland's representative to the General Court – to file legislation that would become the Library Act of 1851 enabling cities and towns to raise money to establish free libraries. In the 1850s Franklin Fiske Heard (b. 1825) son of Jonathan Fiske Heard (11 Cochituate Road) studied law with Judge Mellen using this office. Heard went on to become an authority in criminal law in Massachusetts.

Mellen's widow Sophia Mellen retained ownership of the law office after her husband's death in 1875. When she died in 1893 the law office passed to her daughter Anna Mellen Bennett, in a circuitous route since Mrs. Mellen had died intestate. Her son, Joshua had died in 1890 so her property went to two daughters and one granddaughter (daughter of Edward Mellen Jr. and Georgiana Storer named Mary Coleman (Mellen) Stone); Sophia W. (Mellen) Hudson and Mary C. (Mellen) Stone conveyed their shares in this property as well as the house to their sister **Anna Bennett** in 1899. Anna and her husband Theodore W. Bennett (1844-1899) had lived in the Bennett homestead on the corner of Plain Road and Boston Post Road. Both the law office and the Mellen family home remained with Mellen descendants through the first half of the 20<sup>th</sup> century. The Law Office passed to Anna Bennett's daughter Sophie Bennett Sears (wife of Edmund Sears – 183 Pelham Island Road). During World War II a newsletter to soldiers the Village Bugle was published here. A couple of businesses used the law office in the 1950s and 1960s. In 1971 Sears gave it to the town. It was the town that moved it only a few feet south in 1973 due to its proximity to an elm tree. The town continues to own the law office and the green.

**BIBLIOGRAPHY and/or REFERENCES**

- Atlas/Maps: 1831; 1856 Walling (Mellen's Office); 1866 Lake (); 1875 Beers (Off.); 1889 Walker (Mellen Est.); 1908 Walker (Bennett Hrs.); 1946 Brooks (Marion S. Robbins & Sophia W. Sears).
- Emery, Helen. *The Puritan Village Evolves*. Canaan, NH: Phoenix Publishing. 1981.
- Hudson, Alfred S. *Annals of Sudbury, Wayland and Maynard*. 1891.
- Massachusetts Historical Commission. Historic Resource Survey Form. 1973.
- Street Directories. Weston Directory: 1893. Waltham Suburban Directories. 1906-07, 1911-12, 1913-14. Wayland Historical Society.
- Wayland Valuation List. 1850, 1860, 1872.
- Wolfson, Evelyn and Dick Hoyt. *Wayland A to Z. A Dictionary of Then and Now*. 2004.
- [www.en.wikipedia.org/wiki/Francis\\_Wayland](http://www.en.wikipedia.org/wiki/Francis_Wayland)
- [www.ancestry.com](http://www.ancestry.com) Vital Records

MASSACHUSETTS HISTORICAL COMMISSION  
MASSACHUSETTS ARCHIVES BUILDING  
220 MORRISSEY BOULEVARD  
BOSTON, MASSACHUSETTS 02125

WAYLAND 35 Cochituate Road

Area(s) Form No.

A & I	WAY.87
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### National Register of Historic Places Criteria Statement Form

Check all that apply:

- Individually eligible       Eligible only in a historic district  
 Contributing to a potential historic district       Potential historic district

Criteria:     A     B     C     D

Criteria Considerations:     A     B     C     D     E     F     G

Statement of Significance by \_\_\_\_\_ Gretchen G. Schuler \_\_\_\_\_  
*The criteria that are checked in the above sections must be justified here.*

The Judge Mellen Law Office is listed in the National Register of Historic Places as part of the Wayland Center Historic District. The property retains integrity of location, setting, design, materials, craftsmanship, feeling and association.

**Client:**

Town of Wayland  
Attn: Ben Keefe  
41 Cochituate Road  
Wayland, MA 01778

11.16.16  
Estimate #165

**Project description:**

Exterior rehabilitation of the Judge Mellen Law Office. Repair and reinforcement of floor and substructure.

**Estimated costs:** **\$28,250**

**Project management** **\$1,000**

Permit \$350  
Refuse \$500  
Sanitation \$150

**Exterior** **\$23,250**

Trim/siding \$7,250  
Roofing \$8,750  
Windows \$3,000  
Paint \$4,250

**Floor** **\$4,000**

**Work scope:**

- **Project management**
  - Secure necessary permits
  - Properly dispose of jobsite refuse
  - Provide for worker sanitation
- **Exterior rehab**
  - Trim and siding
    - Remove existing water table and siding as needed to install proper flashing
      - Trim and siding to be salvaged and re-used where practicable
    - Repair/replace trim and siding as needed
    - New red oak door threshold
    - Material allowances
      - New siding – solid cedar clapboards

- New trim – solid red cedar
- Flashing – 16oz copper
- Roofing
  - Strip and dispose of existing shingles
  - Re-point chimney and install new lead counter-flashing
  - Apply ice and water shield to roof deck
  - Install new red cedar single roofing
    - #1 18" red cedar Perfections, 5" exposure
    - Shingle hip and ridge caps
    - Copper dripedge
- Windows
  - Prep window sashes for paint, reglaze
  - Replace broken panes with antique glass
  - Adjust window sashes and interior wooden shades to make operable
- Paint
  - Prep for paint, spot priming as needed
    - In compliance with EPA RRP lead requirements
  - Paint all exterior, 2 coats
- Floor
  - Remove interior baseboard as needed, saving for re-use
  - Remove existing flooring, saving for re-use
  - Inspect substructure and make necessary repairs or reinforcements
  - Install vapor barrier and concrete vermin slab under floor framing
  - Reinstall floor boards and baseboard

**Exclusions (quoted upon request):**

- Sill repair/replacement
- Front door repair/replacement
- Interior paint

**Variables:**

Any addition or alteration to design, specification or work necessary to comply with building codes, zoning regulations or judgments by inspecting authorities will be paid for by owner as additional work.

Previously undiscovered rot or damage may arise during the course of work. Contractor will inform owner of such conditions and seek approval for recommended additional work.

**Rates and mark-up:**

# Harper ELM

GENERAL CONTRACTOR

Above estimate is based on a 2-man crew billed at \$120/hr.

All materials and sub-contracts included in the project will be subject to 20% mark-up. That mark-up is reflected in the numbers above.

**Insurance:**

\$1,000,000 liability

\$1,000,000 worker's compensation

Certificates available upon request.





# Harper ELM

GENERAL CONTRACTOR



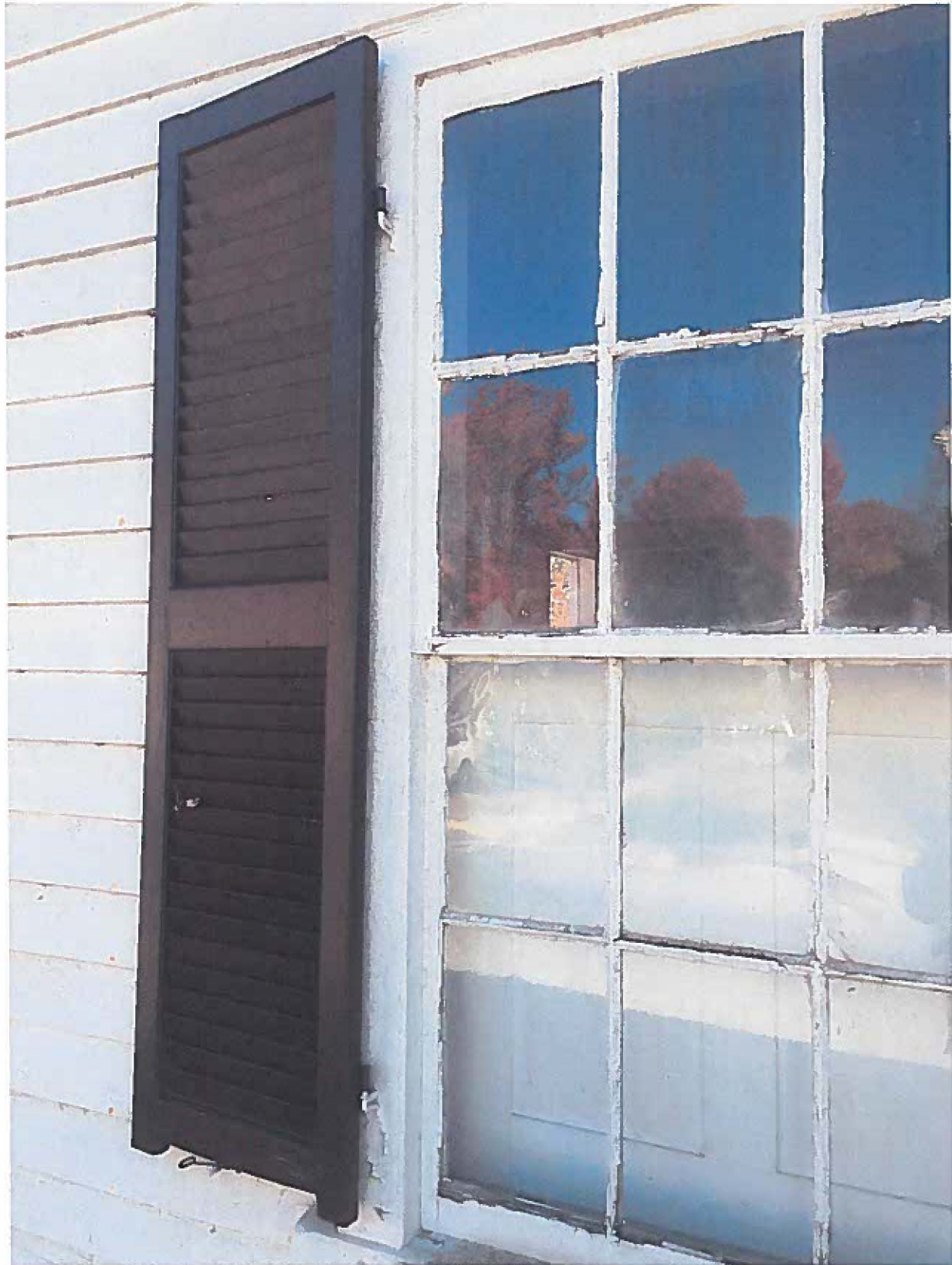
# Harper ELM

GENERAL CONTRACTOR



# Harper ELM

GENERAL CONTRACTOR



# Harper ELM

GENERAL CONTRACTOR





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# TOWN OF WAYLAND

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BOARD OF SELECTMEN  
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## LEGAL NOTICE

### TAX RATE/CLASSIFICATION HEARING TOWN OF WAYLAND MA

The Board of Selectmen will hold a Public Hearing on Monday, November 21, 2016, in the Wayland Town Building, 41 Cochituate Road, Wayland, MA, at 7:15 p.m. The Board of Assessors will present data relative to the setting of the tax rate, including the fiscal effect on taxpayers, for the different classifications of properties in Wayland. In addition, town officials responsible for preparing the tax recapitulation sheet for submission to the State Department of Revenue will review said sheet and answer questions from the public concerning the proposed tax rate. Public comment will follow. If residents are unable to attend the hearing in person, written opinions may be sent to the Board of Selectmen, 41 Cochituate Road, Wayland, MA, 01778, or by email to [selectmen@wayland.ma.us](mailto:selectmen@wayland.ma.us), prior to November 21, 2016.

Cherry C. Karlson  
Chair, Board of Selectmen

/md

dc: Post in Wayland Town Building  
Post in Wayland Public Library  
Town Crier November 10, 2016  
[www.wayland.ma.us](http://www.wayland.ma.us)



# Town of Wayland Fiscal Year 2017 Tax Classification Hearing



**BOARD OF SELECTMEN  
NOVEMBER 21<sup>ST</sup> 2016**

**PREPARED BY:  
BOARD OF ASSESSORS  
SUSAN RUFO, CHAIR  
JAYSON BRODIE, VICE CHAIR  
ZACHARIAH VENTRESS  
CHERYL KANE**

**ELLEN BRIDEAU,  
DIRECTOR OF ASSESSING**

## Purpose of this Hearing

2

- To adopt the Town's Tax Policy by allocating or classifying the tax levy among the property types

## Action Required by Board of Selectmen

3

- The Board of Selectmen will vote tonight on how to adopt the Tax Rate Policy;
  - As a single or uniform tax rate
  - As a multiple or split tax rate
  - To implement a Small Commercial Exemption
  - To implement a Residential Exemption



# Property Assessment Review

4

- Fiscal Year 2017 was an Interim Adjustment Year for the Assessing Department with the Department of Revenue certifying assessed values on October 20<sup>th</sup>, 2016.
- The average residential single family assessment rose from \$676,500 to \$690,700, an increase of 2.10% from the Fiscal Year 2016 assessments.
- This increase was based on sale prices for homes selling in 2015.

## Property Assessment Review (continued)

5

- Commercial, Industrial and Personal Property (CIP) values have not increased at the same rate.
- The average commercial assessment increased from \$992,200 to \$1,010,700; an increase of 1.86%.
- Personal Property total valuation increased by .008%.

# Property Assessment Review (continued)

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- Due to Residential values rising more than Commercial, Industrial and Personal Property, Fiscal Year 2017 values shifted to Residential by .05% from Fiscal Year 2016

	Residential	CIP
Fiscal Year 2016	94.91%	5.09%
Fiscal Year 2017	94.96%	5.04%
Shift	0.05%	-0.05%

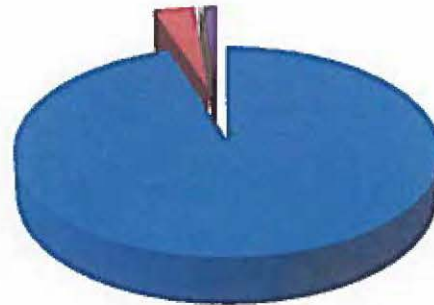
# Property Assessment Review (continued)

7

Assessment Date:	January 1, 2015	January 1, 2016					
Property Class	FY16 Valuation	FY 17 Valuation	\$ Change FY16 to FY17	% Change FY16 to FY17	FY17 % Share	FY16 % Share	FYO7 % Share
Class 1 - Residential	3,195,245,423	3,282,868,662	87,623,239	0.02742301	94.959%	94.913%	95.702%
Class 2 - Open Space	0	0			0.000%	0.000%	0.000%
R/O Subtotal	3,195,245,423	3,282,868,662	87,623,239	0.02742301	94.959%	94.913%	95.702%
Class 3 - Commercial	123,391,777	125,833,138	2,441,361	0.01978544	3.640%	3.665%	2.817%
Class 4 - Industrial	4,573,000	4,275,000	298,000	-0.0651651	0.124%	0.136%	0.851%
Class 5 - Personal Property	43,276,500	44,162,100	885,600	0.02046376	1.277%	1.286%	0.631%
C/I/P Subtotal	171,241,277	174,270,238	3,028,961	0.01768826	5.041%	5.087%	4.298%
Total Taxable Assessed Value	3,366,486,700	3,457,138,900	90,652,200	0.02692784			
Class 9 - Exempt	251,689,600	288,728,600	37,039,000	0.14716142			

# Classification Percentages

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- Residential (RES)
- Commercial (CIP)
- Industrial (CIP)
- Personal Property (CIP)

Class	Value	Percentage by Property Type	Total Percentage by Property Class
Residential (RES)	3,282,868,662	94.9591%	94.9591% (RES)
Open Space	0	0.0000%	
Commercial (CIP)	125,833,138	3.6653%	5.0409% (CIP)
Industrial (CIP)	4,275,000	0.1358%	
Personal Property (CIP)	44,162,100	1.2774%	
<b>Total</b>	<b>3,336,486,700</b>	<b>100.0000%</b>	<b>100.0000%</b>

# New Growth

9

- New Growth is defined by the DOR as a dollar increase in the annual levy limit that reflects additions to the community's tax base since the last fiscal year.
- New Growth was certified on October 20<sup>th</sup>, 2016 at \$ 42,267,880 in Assessed Value, or \$ 802,285 in Tax Levy Growth

# How the Tax Rate is Calculated

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<b>FY 2017 Property Tax Levy</b>	<b>\$62,712,500</b>	
<hr/>	<hr/>	<b>= 0.01814</b>
<b>FY 2017 Town Taxable Valuation</b>	<b>\$3,457,138,900</b>	

or

**\$18.14 per thousand dollars of assessed value  
if a uniform rate is selected tonight**

# Classification Alternatives

11

- The options presented for consideration are:
  - Selection of a Minimum Residential Factor
  - Granting of a Residential and/or Small Commercial Exemption



# Selection of Minimum Residential Factor

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- A residential factor of 1 will result in the taxation of all property at the same rate (single tax rate)
- A residential factor of less than 1 increases the share of the levy raised by commercial, industrial and personal property (CIP) owners and reduces the share paid by residential property owners (split tax rate)
- Since 94.96% of Wayland tax revenue comes from Residential, a slight reduction for the residential properties would put a large increase on CIP properties
- The minimum residential factor for the Town of Wayland for Fiscal Year 2017 is 97.3457, as defined by the Department of Revenue

SOURCE: MA DOR - LA7 – Exhibit A: Minimum Residential Factor

# Potential Impact of Shifting the Residential Factor

CIP SHIFT	Residential Factor	Residential Share Percentage	CIP Share Percentage	Residential Tax Rate per Thousand	CIP Tax Rate Per Thousand
1.00	100.000	94.9591%	5.0409%	\$18.14	\$18.14
1.10	99.4692	94.4550%	5.5450%	\$18.04	\$19.95
1.20	98.9383	93.9509%	6.0491%	\$17.95	\$21.77
1.30	98.4075	93.4469%	6.5531%	\$17.85	\$23.58
1.40	97.8766	92.9428%	7.0572%	\$17.75	\$25.40
1.50	97.3458	92.4387%	7.5613%	\$17.66	\$27.21

Please see Exhibit B What if...Scenario Worksheet for shift options in 1% increments.

SOURCE: Exhibit B = MA DOR – SCENARIO WORKSHEETS

# Fiscal Year 2017 Residential Tax Rate Options

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CIP Shift	CIP Tax Rate	Res Factor	Residential Tax Rate	Example Single Family Assessment \$400,000	Median Single Family Assessment \$603,800	Average Single Family Assessment \$690,700	Example Single Family Assessment \$1,500,000
1	18.14	100	18.14	\$7,256.00	\$10,952.93	\$12,529.30	\$27,210.00
1.1	19.95	99.47	18.04	\$7,216.00	\$10,892.55	\$12,460.23	\$27,060.00
	<u>1.81</u>	\$Diff	<u>-0.10</u>	<u>(\$40.00)</u>	<u>(\$60.38)</u>	<u>(\$69.07)</u>	<u>(\$150.00)</u>
1.2	21.77	98.94	17.96	\$7,184.00	\$10,844.25	\$12,404.97	\$26,940.00
	<u>3.63</u>	\$Diff	<u>-0.18</u>	<u>(\$72.00)</u>	<u>(\$108.68)</u>	<u>(\$124.33)</u>	<u>(\$270.00)</u>
1.3	23.58	98.41	17.85	\$7,140.00	\$10,777.83	\$12,329.00	\$26,775.00
	<u>5.44</u>	\$Diff	<u>-0.29</u>	<u>(\$116.00)</u>	<u>(\$175.10)</u>	<u>(\$200.30)</u>	<u>(\$435.00)</u>
1.4	25.40	97.88	17.76	\$7,104.00	\$10,723.49	\$12,266.83	\$26,640.00
	<u>7.26</u>	\$Diff	<u>-0.38</u>	<u>(\$152.00)</u>	<u>(\$229.44)</u>	<u>(\$262.47)</u>	<u>(\$570.00)</u>
1.5	27.21	97.35	17.66	\$7,064.00	\$10,663.11	\$12,197.76	\$26,490.00
	<u>9.07</u>	\$Diff	<u>-0.48</u>	<u>(\$192.00)</u>	<u>(\$289.82)</u>	<u>(\$331.54)</u>	<u>(\$720.00)</u>

# Fiscal Year 2017 CIP Tax Rate Options

CIP Shift	Residential Tax Rate	CIP Tax Rate	Median Commercial Assessment \$506,000	Example Commercial Assessment \$600,000	Average Commercial Assessment \$1,010,700	Example Commercial Assessment \$1,500,000
1	18.14	18.14	\$9,178.84	\$10,884.00	\$18,334.10	\$27,210.00
1.1	18.04	19.96	\$10,099.76	\$11,976.00	\$20,173.57	\$29,940.00
\$ Difference	<u>-0.10</u>	<u>1.82</u>	<u>\$920.92</u>	<u>\$1,092.00</u>	<u>\$1,839.47</u>	<u>\$2,730.00</u>
1.2	17.96	21.77	\$11,015.62	\$13,062.00	\$22,002.94	\$32,655.00
\$ Difference	<u>-0.18</u>	<u>3.63</u>	<u>\$1,836.78</u>	<u>\$2,178.00</u>	<u>\$3,668.84</u>	<u>\$5,445.00</u>
1.3	17.85	23.58	\$11,931.48	\$14,148.00	\$23,832.31	\$35,370.00
\$ Difference	<u>-0.29</u>	<u>5.44</u>	<u>\$2,752.64</u>	<u>\$3,264.00</u>	<u>\$5,498.21</u>	<u>\$8,160.00</u>
1.4	17.76	25.40	\$12,852.40	\$15,240.00	\$25,671.78	\$38,100.00
\$ Difference	<u>-0.38</u>	<u>7.26</u>	<u>\$3,673.56</u>	<u>\$4,356.00</u>	<u>\$7,337.68</u>	<u>\$10,890.00</u>
1.5	17.66	27.21	\$13,768.26	\$16,326.00	\$27,501.15	\$40,815.00
\$ Difference	<u>-0.48</u>	<u>9.07</u>	<u>\$4,589.42</u>	<u>\$5,442.00</u>	<u>\$9,167.05</u>	<u>\$13,605.00</u>

# Selection of Open Space Discount

16

- There are no parcels in Wayland currently classified as open space
- Open Space is defined in Massachusetts General Law as:  
MGL Chapter 59 Sec 2A(b) "Class two, open-space", Land which is not otherwise classified and which is not taxable under the provisions of chapters sixty-one, sixty-one A or sixty-one B, or taxable under a permanent conservation restriction, and land not held for the production of income but is maintained in an open or natural condition, which contributes significantly to the benefit and enjoyment of the public"
- In Wayland, thirty nine (39) parcels participate in the Chapter Land Program under MGL Chapters 61, 61A and 61B which results in more savings than if they were designated as Open Space
- Under the Chapter Land program the discount ranges from 75% to 98%
- The open space discount has a maximum discount of 25%

# Granting a Residential Exemption

17

- The Board of Selectmen may adopt a maximum residential exemption of 20%
- It would apply to owner occupied residential properties
- A Residential Exemption is a redistribution of the tax levy among residential property owners
- “Exemption” is a misnomer because it is actually a tax shift among residential properties (upper portion have higher tax bill, lower portion have lesser tax bill)
- Typically the intent of the Residential Exemption is to shift the tax burden to rental and vacation properties. Only 13 out of 351 communities in Massachusetts have adopted this exemption

# Granting a Small Commercial Exemption

18

- The Board of Selectmen may adopt a small commercial exemption
- This exemption is for commercial parcels (property class three) occupied by businesses with an average annual employment of not more than ten people during the previous calendar year and with assessed values of less than one million dollars
- The intent of the exemption is to give a tax reduction to small commercial property owners at the expense of the larger commercial and industrial parcels.
- Selectmen can choose an exemption that reduces the taxable valuation of each eligible parcel by a percentage of up to 10%

**MINIMUM RESIDENTIAL FACTOR COMPUTATION**  
**Fiscal Year 2017**

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<b>A</b> <b>Class</b>	<b>B</b> <b>Full and Fair Cash</b> <b>Valuation</b>	<b>C</b> <b>Percentage Share</b>	
1. Residential	3,282,868,662	94.9591%	94.9591%
2. Open Space	0	0.0000%	
3. Commercial	125,833,138	3.6398%	5.0409%
4. Industrial	4,275,000	0.1237%	
5. Personal Property	44,162,100	1.2774%	
<b>TOTALS</b>	<b>3,457,138,900</b>	<b>100.0000%</b>	

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Maximum Share of Levy for Classes Three, Four and Personal Property:  $150\% * 5.0409\%$  (Lines 3C + 4C + 5C) = **7.5614%** (Max % Share)

Minimum Share of Levy for Classes One and Two:  $100\% - 7.5614\%$  (Max % Share) = **92.4386%** (Min % Share)

Minimum Residential Factor (MRF):  $92.4386\%$  (Min % Share) /  $94.9591\%$  (Lines 1C + 2C) = **97.3457%** (Minimum Residential Factor)

**MINIMUM RESIDENTIAL FACTOR LA7 (6-96): 97.3457%**

Chapter 58, Section 1A mandates a minimum residential factor of not less than 65 percent.



FY17 Classification Options

MassDOR - Massachusetts Department of Revenue  
 Division of Local Services  
 What If ... Scenario Worksheet for FY 2017

Wayland - 315

CLASS	VALUE	%	
Residential	3,282,868,662	94.9591	R & O %
Open Space	0	0.0000	94.9591
Commercial	125,833,138	3.6398	
Industrial	4,275,000	0.1237	C I P %
Personal Property	44,162,100	1.2774	5.0409
Total	3,457,138,900	100.0000	

Enter a Levy (estimated if necessary)

Levy	62,712,500
Single TaxRate	18.14

Enter a CIP Shift Rang

Shift Range	1	1.5
Shift Increment %		1
Max Shift Allowed		1.5

Note: This table should be used for planning purposes only.  
 Actual calculations may differ slightly due to rounding. For actual calculations, complete Recap.

CIP Shift	Res Factor	Share Percentages					Levy Amounts					Estimated Tax Rate			
		Res SP	Comm SP	Ind SP	PP SP	Total SP	Res LA	Comm LA	Ind LA	PP LA	Total LA	Res ET	Comm ET	Ind ET	PP ET
1.0000	100.0000	94.9591	3.6398	0.1237	1.2774	100.0000	59,551,238	2,282,613	77,549	801,100	62,712,500	18.14	18.14	18.14	18.14
1.0100	99.9469	94.9087	3.6762	0.1249	1.2902	100.0000	59,519,625	2,305,439	78,324	809,112	62,712,500	18.13	18.32	18.32	18.32
1.0200	99.8938	94.8583	3.7126	0.1261	1.3030	100.0000	59,488,013	2,328,265	79,099	817,123	62,712,500	18.12	18.50	18.50	18.50
1.0300	99.8407	94.8079	3.7490	0.1274	1.3157	100.0000	59,456,400	2,351,092	79,875	825,134	62,712,500	18.11	18.68	18.68	18.68
1.0400	99.7877	94.7575	3.7854	0.1286	1.3285	100.0000	59,424,787	2,373,918	80,650	833,145	62,712,500	18.10	18.87	18.87	18.87
1.0500	99.7346	94.7071	3.8218	0.1298	1.3413	100.0000	59,393,175	2,396,744	81,426	841,156	62,712,500	18.09	19.05	19.05	19.05
1.0600	99.6815	94.6567	3.8582	0.1311	1.3541	100.0000	59,361,562	2,419,570	82,201	849,167	62,712,500	18.08	19.23	19.23	19.23
1.0700	99.6284	94.6063	3.8946	0.1323	1.3668	100.0000	59,329,950	2,442,396	82,977	857,178	62,712,500	18.07	19.41	19.41	19.41
1.0800	99.5753	94.5558	3.9310	0.1335	1.3796	100.0000	59,298,337	2,465,222	83,752	865,189	62,712,500	18.06	19.59	19.59	19.59
1.0900	99.5222	94.5054	3.9674	0.1348	1.3924	100.0000	59,266,724	2,488,048	84,528	873,200	62,712,500	18.05	19.77	19.77	19.77
1.1000	99.4692	94.4550	4.0038	0.1360	1.4052	100.0000	59,235,112	2,510,874	85,303	881,211	62,712,500	18.04	19.95	19.95	19.95
1.1100	99.4161	94.4046	4.0402	0.1373	1.4179	100.0000	59,203,499	2,533,701	86,079	889,222	62,712,500	18.03	20.14	20.14	20.14
1.1200	99.3630	94.3542	4.0766	0.1385	1.4307	100.0000	59,171,886	2,556,527	86,854	897,233	62,712,500	18.02	20.32	20.32	20.32
1.1300	99.3099	94.3038	4.1130	0.1397	1.4435	100.0000	59,140,274	2,579,353	87,630	905,244	62,712,500	18.01	20.50	20.50	20.50
1.1400	99.2568	94.2534	4.1494	0.1410	1.4563	100.0000	59,108,661	2,602,179	88,405	913,255	62,712,500	18.01	20.68	20.68	20.68
1.1500	99.2037	94.2030	4.1858	0.1422	1.4690	100.0000	59,077,049	2,625,005	89,181	921,266	62,712,500	18.00	20.86	20.86	20.86
1.1600	99.1506	94.1526	4.2222	0.1434	1.4818	100.0000	59,045,436	2,647,831	89,956	929,277	62,712,500	17.99	21.04	21.04	21.04

FY17 Classification Options

CIP Shift	Res Factor	Share Percentages					Levy Amounts					Estimated Tax Rate			
		Res SP	Comm SP	Ind SP	PP SP	Total SP	Res LA	Comm LA	Ind LA	PP LA	Total LA	Res ET	Comm ET	Ind ET	PP ET
1.1700	99.0976	94.1022	4.2586	0.1447	1.4946	100.0000	59,013,823	2,670,657	90,732	937,288	62,712,500	17.98	21.22	21.22	21.22
1.1800	99.0445	94.0518	4.2950	0.1459	1.5074	100.0000	58,982,211	2,693,484	91,507	945,299	62,712,500	17.97	21.41	21.41	21.41
1.1900	98.9914	94.0014	4.3314	0.1472	1.5201	100.0000	58,950,598	2,716,310	92,283	953,310	62,712,500	17.96	21.59	21.59	21.59
1.2000	98.9383	93.9509	4.3678	0.1484	1.5329	100.0000	58,918,985	2,739,136	93,058	961,321	62,712,500	17.95	21.77	21.77	21.77
1.2100	98.8852	93.9005	4.4042	0.1496	1.5457	100.0000	58,887,373	2,761,962	93,834	969,332	62,712,500	17.94	21.95	21.95	21.95
1.2200	98.8321	93.8501	4.4406	0.1509	1.5584	100.0000	58,855,760	2,784,788	94,609	977,343	62,712,500	17.93	22.13	22.13	22.13
1.2300	98.7791	93.7997	4.4770	0.1521	1.5712	100.0000	58,824,148	2,807,614	95,385	985,354	62,712,500	17.92	22.31	22.31	22.31
1.2400	98.7260	93.7493	4.5134	0.1533	1.5840	100.0000	58,792,535	2,830,440	96,160	993,365	62,712,500	17.91	22.49	22.49	22.49
1.2500	98.6729	93.6989	4.5498	0.1546	1.5968	100.0000	58,760,922	2,853,266	96,936	1,001,376	62,712,500	17.90	22.68	22.68	22.68
1.2600	98.6198	93.6485	4.5862	0.1558	1.6095	100.0000	58,729,310	2,876,093	97,711	1,009,387	62,712,500	17.89	22.86	22.86	22.86
1.2700	98.5667	93.5981	4.6226	0.1570	1.6223	100.0000	58,697,697	2,898,919	98,487	1,017,398	62,712,500	17.88	23.04	23.04	23.04
1.2800	98.5136	93.5477	4.6590	0.1583	1.6351	100.0000	58,666,084	2,921,745	99,262	1,025,409	62,712,500	17.87	23.22	23.22	23.22
1.2900	98.4605	93.4973	4.6953	0.1595	1.6479	100.0000	58,634,472	2,944,571	100,038	1,033,420	62,712,500	17.86	23.40	23.40	23.40
1.3000	98.4075	93.4469	4.7317	0.1608	1.6606	100.0000	58,602,859	2,967,397	100,813	1,041,431	62,712,500	17.85	23.58	23.58	23.58
1.3100	98.3544	93.3964	4.7681	0.1620	1.6734	100.0000	58,571,247	2,990,223	101,589	1,049,442	62,712,500	17.84	23.76	23.76	23.76
1.3200	98.3013	93.3460	4.8045	0.1632	1.6862	100.0000	58,539,634	3,013,049	102,364	1,057,453	62,712,500	17.83	23.94	23.94	23.94
1.3300	98.2482	93.2956	4.8409	0.1645	1.6990	100.0000	58,508,021	3,035,875	103,140	1,065,464	62,712,500	17.82	24.13	24.13	24.13
1.3400	98.1951	93.2452	4.8773	0.1657	1.7117	100.0000	58,476,409	3,058,702	103,915	1,073,475	62,712,500	17.81	24.31	24.31	24.31
1.3500	98.1420	93.1948	4.9137	0.1669	1.7245	100.0000	58,444,796	3,081,528	104,690	1,081,486	62,712,500	17.80	24.49	24.49	24.49
1.3600	98.0889	93.1444	4.9501	0.1682	1.7373	100.0000	58,413,183	3,104,354	105,466	1,089,497	62,712,500	17.79	24.67	24.67	24.67
1.3700	98.0359	93.0940	4.9865	0.1694	1.7501	100.0000	58,381,571	3,127,180	106,241	1,097,508	62,712,500	17.78	24.85	24.85	24.85
1.3800	97.9828	93.0436	5.0229	0.1706	1.7628	100.0000	58,349,958	3,150,006	107,017	1,105,519	62,712,500	17.77	25.03	25.03	25.03
1.3900	97.9297	92.9932	5.0593	0.1719	1.7756	100.0000	58,318,346	3,172,832	107,792	1,113,530	62,712,500	17.76	25.21	25.21	25.21
1.4000	97.8766	92.9428	5.0957	0.1731	1.7884	100.0000	58,286,733	3,195,658	108,568	1,121,541	62,712,500	17.75	25.40	25.40	25.40
1.4100	97.8235	92.8924	5.1321	0.1744	1.8012	100.0000	58,255,120	3,218,485	109,343	1,129,552	62,712,500	17.75	25.58	25.58	25.58
1.4200	97.7704	92.8419	5.1685	0.1756	1.8139	100.0000	58,223,508	3,241,311	110,119	1,137,563	62,712,500	17.74	25.76	25.76	25.76
1.4300	97.7174	92.7915	5.2049	0.1768	1.8267	100.0000	58,191,895	3,264,137	110,894	1,145,574	62,712,500	17.73	25.94	25.94	25.94
1.4400	97.6643	92.7411	5.2413	0.1781	1.8395	100.0000	58,160,283	3,286,963	111,670	1,153,585	62,712,500	17.72	26.12	26.12	26.12
1.4500	97.6112	92.6907	5.2777	0.1793	1.8523	100.0000	58,128,670	3,309,789	112,445	1,161,596	62,712,500	17.71	26.30	26.30	26.30
1.4600	97.5581	92.6403	5.3141	0.1805	1.8650	100.0000	58,097,057	3,332,615	113,221	1,169,607	62,712,500	17.70	26.48	26.48	26.48
1.4700	97.5050	92.5899	5.3505	0.1818	1.8778	100.0000	58,065,445	3,355,441	113,996	1,177,618	62,712,500	17.69	26.67	26.67	26.67
1.4800	97.4519	92.5395	5.3869	0.1830	1.8906	100.0000	58,033,832	3,378,267	114,772	1,185,629	62,712,500	17.68	26.85	26.85	26.85
1.4900	97.3988	92.4891	5.4233	0.1842	1.9034	100.0000	58,002,219	3,401,094	115,547	1,193,640	62,712,500	17.67	27.03	27.03	27.03
1.5000	97.3458	92.4387	5.4597	0.1855	1.9161	100.0000	57,970,607	3,423,920	116,323	1,201,651	62,712,500	17.66	27.21	27.21	27.21



# 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

## LEGAL NOTICE

The Board of Selectmen will hold a Public Hearing on Monday, November 21, 2016, at 7:15 p.m. at the Wayland Town Building pursuant to M.G.L. Chapter 166, Section 22, regarding a petition from Mobilitie, LLC, for the purpose of obtaining a Grant of Location to install a new utility pole in the right of way west of the intersection of BOSTON POST ROAD and PELHAM ISLAND ROAD with electricity connection (Lat/Long: 42.363024, -71.36257).

Board of Selectmen

/md

dc: Town Crier, October 27, 2016  
Board of Public Works  
Director of Public Works  
Police Chief Robert Irving  
Alf Betry, Town Surveyor  
Beth R. Klein, Town Clerk

MOBILITIE APP.

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK

2016 SEP 12 AM 10:02



August 31, 2016

Beth R. Klein  
Town Clerk  
41 Cochituate Rd  
Wayland, MA 01778  
508-358-363

**RE: Mobilitie, LLC Permit Application Submission – BS90XC577A\_9MAX000393**

Dear Ms. Klein:

Please find Mobilitie, LLC's Petition for Grant of Location Application for the proposed new utility infrastructure facility in your jurisdiction. Along with the attached permit application, you will also find construction drawings and photo simulations for the said facility.

Mobilitie, LLC is a licensed telecommunication carrier regulated by the Massachusetts Department of Public Utilities to provide telephone related services, such as facilities based competitive local exchange and interexchange services. To meet the growing demand for connectivity, Mobilitie, LLC is deploying a hybrid transport network that provides high-speed, high-capacity bandwidth in order to facilitate the next generation of devices and data-driven services. This network can support a variety of technologies and services that require connectivity to the internet, including, but not limited to, driverless and connected vehicles (commercial, personal and agricultural), remote weather stations and mobile service providers. These transport utility poles and facilities are not dedicated to any particular customer, and, to the extent capacity on the structures is available, are available to be used by other entities, including the Town of Wayland.

Mobilitie, LLC plans to construct the applied for utility infrastructure within the next 18 months and formally requests that the Department identify a single point of contact to streamline the communications process, regarding the application, for the benefit of both parties.

Mobilitie, LLC's hybrid transport network is an industry changing approach that seeks to improve backhaul connectivity for Massachusetts' residents. We are excited to work with the Town of Wayland and are available to answer questions. Please do not hesitate to contact James George, Permitting Manager, at 978-998-9795 / [jgeorge@mobilitie.com](mailto:jgeorge@mobilitie.com) or myself at 205-394-9108 / [jhendricks@mobilitie.com](mailto:jhendricks@mobilitie.com).

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Hendricks", written over a horizontal line.

Joseph Hendricks  
Network Real Estate Specialist

\*Enclosures



# Boston Post Road & Pelham Island Rd

Wayland, MA



October 3, 2016

1 inch = 134 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

60203

PETITION FOR GRANT OF LOCATION FOR  
NEW UTILITY POLE

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK  
2016 SEP 12 AM 10:02

Town of Wayland, Massachusetts  
Town Clerk

RESPECTFULLY REPRESENTS MOBILITIE, LLC, (hereinafter known as the PETITIONER), that it desires to construct upon, along, under or across the public way(s) of the Town of Wayland, wires, cables, poles, piers, abutments, conduits or fixtures.

WHEREFORE, the PETITIONER prays that, after due notice and public hearing as provided by law, the Town of Wayland may by Order grant to the PETITIONER permission to construct, in accordance with plan(s) dated August 31, 2016, the following:

*Petitioner proposes to place a new utility pole in the right of way west of the intersection of BOSTON POST RD & PELHAM ISLAND RD with electricity connection (Lat/Long: 42.363024, -71.36257). Location approximately as shown on plan attached as "Exhibit A."*

The PETITIONER understands and agrees that:

1. PETITIONER shall locate and complete all work as specified and approved by the Town.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the Town.

For the PETITIONER:

MOBILITIE, LLC

By   
Joseph Hendricks, NRE Specialist

Date: 8/31/2016

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK  
2016 SEP 12 AM 10:02

**ORDER FOR GRANT OF LOCATION FOR  
NEW UTILITY POLE**

**Town of Wayland, Massachusetts**  
**Town Clerk**

WHEREAS, MOBILITIE, LLC, (hereinafter known as the PETITIONER) has petitioned for permission to construct upon, along, under or across the public way(s) of the Town of Wayland, the following:

*Petitioner proposes to place a new utility pole in the right of way west of the intersection of BOSTON POST RD & PELHAM ISLAND RD with electricity connection (Lat/Long: 42.363024, -71.36257). Location approximately as shown on plan attached as "Exhibit A."*

AND WHEREAS, notice has been given and a hearing held on said petition as provided by law; NOW THEREFORE BE IT ORDERED that the PETITIONER be and hereby is granted permission by the Town of Wayland to complete the construction described above, all in accordance with the following conditions:

1. PETITIONER shall locate and complete all work as specified and approved by the Town.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the Town.

Approved by the Town of Wayland on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

A True Record. Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Town Clerk

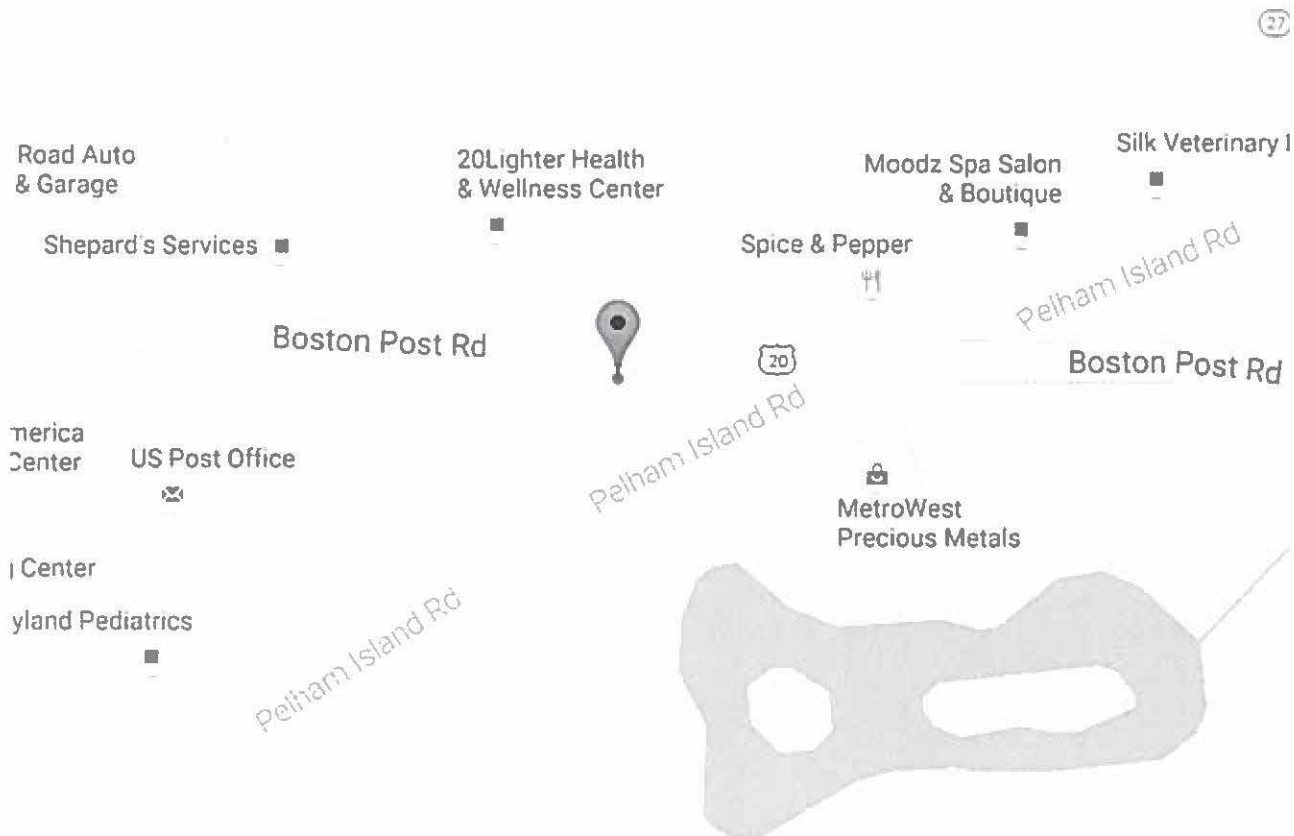
**Certificate**

I hereby certify that the foregoing Order was adopted by the Town of Wayland on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Received and entered in the records of Location Orders of the Town of Wayland, in Book \_\_\_\_\_, Page \_\_\_\_\_.

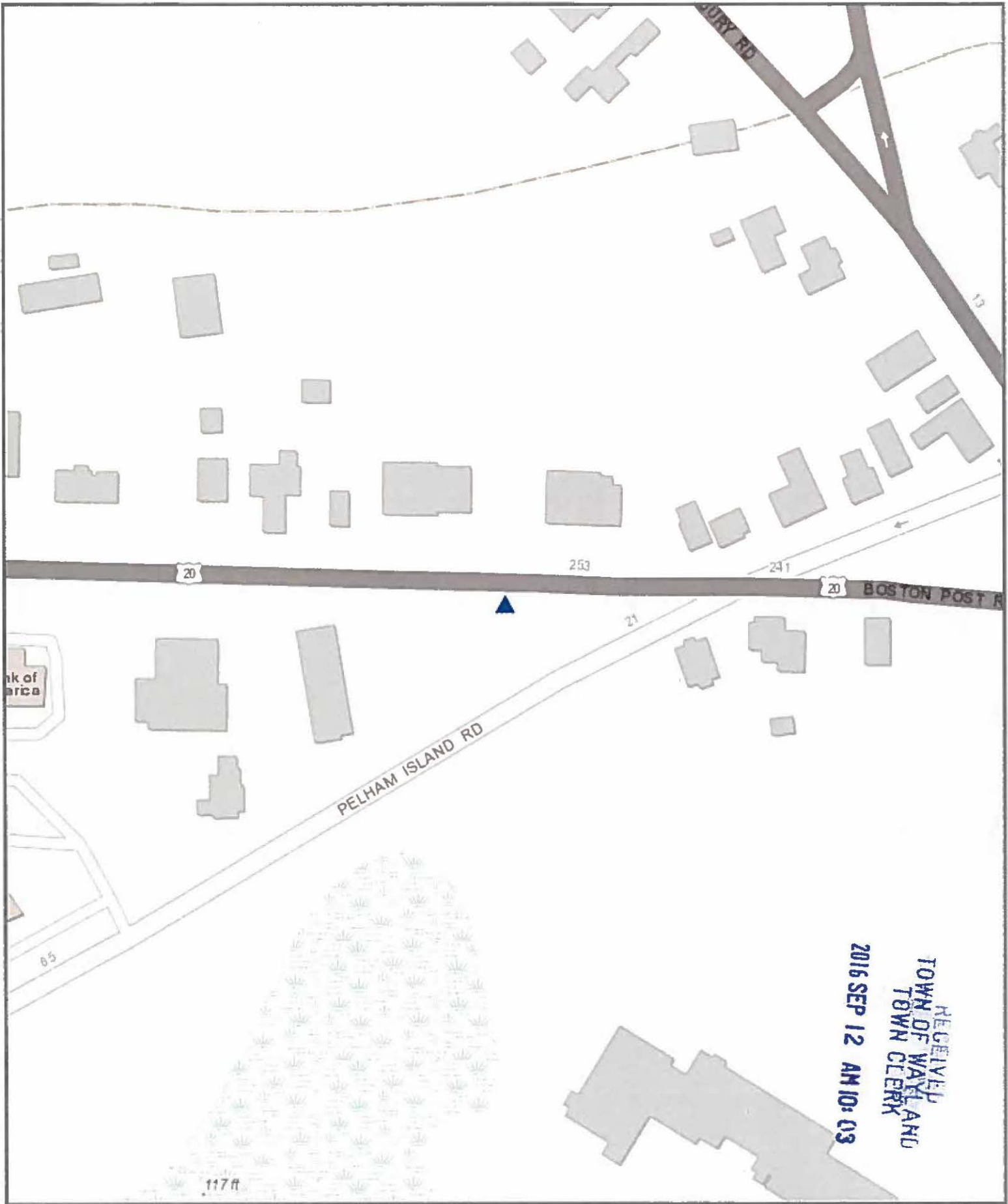
Certified. Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Town Clerk

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK  
2016 SEP 12 AM 10:03

**Exhibit A**  
**Mobilitie: BS90XC577A\_9MAX000393**  
**BOSTON POST RD & PELHAM ISLAND RD, Wayland, MA**  
**(Lat/Long: Lat/Long: 42.363024, -71.36257)**







# Transport Candidate: 9MAX000393





# 100 foot Abutters List Report

Wayland, MA  
October 03, 2016

## Subject Property:

Parcel Number: 23-007  
CAMA Number: 23-007  
Property Address: 24 BOSTON POST RD

Mailing Address: TOWN OF WAYLAND  
41 COCHITUATE ROAD  
WAYLAND, MA 01778

## Abutters:

Parcel Number: 23-002  
CAMA Number: 23-002  
Property Address: 0 PELHAM ISLAND RD

Mailing Address: TOWN OF WAYLAND PARK &  
RECREATION DEPT  
41 COCHITUATE RD  
WAYLAND, MA 01778

Parcel Number: 23-008  
CAMA Number: 23-008  
Property Address: 55 PELHAM ISLAND RD

Mailing Address: TOWN OF WAYLAND  
41 COCHITUATE ROAD  
WAYLAND, MA 01778

Parcel Number: 23-009  
CAMA Number: 23-009  
Property Address: 267 BOSTON POST RD

Mailing Address: MJR INVESTMENTS LLC  
PO BOX 435  
WAYLAND, MA 01778

Parcel Number: 23-031  
CAMA Number: 23-031  
Property Address: 268 BOSTON POST RD

Mailing Address: SHEPARD MARK  
8 PLAIN ROAD  
WAYLAND, MA 01778

Parcel Number: 23-032  
CAMA Number: 23-032  
Property Address: 264 BOSTON POST RD

Mailing Address: ULBRICH RICHARD  
157 OAK ST  
WESTON, MA 02493

Parcel Number: 23-033  
CAMA Number: 23-033  
Property Address: 262 BOSTON POST RD

Mailing Address: WEBSTER, ANN TRUSTEE 262-292  
BOSTON POST RD R T  
PO BOX 702  
SCITUATE, MA 02066

Parcel Number: 23-036A  
CAMA Number: 23-036A  
Property Address: 260 BOSTON POST RD

Mailing Address: PANTAZIS COSRAS  
2 WRIGHT FARM RD  
CONCORD, MA 01742

Parcel Number: 23-036B  
CAMA Number: 23-036B  
Property Address: 260 BOSTON POST RD

Mailing Address: WEGENER, ELAINE & RALPH, TRS R & E  
REALTY TRUST  
20 HICKORY HILL RD  
WAYLAND, MA 01778

Parcel Number: 23-036D  
CAMA Number: 23-036D  
Property Address: 260 BOSTON POST RD

Mailing Address: PANTAZIS COSTAS  
2 WRIGHT FARM RD  
CONCORD, MA 01742

Parcel Number: 23-036E  
CAMA Number: 23-036E  
Property Address: 260 BOSTON POST RD

Mailing Address: PANTAZIS COSTAS  
2 WRIGHT FARM  
CONCORD, MA 01742



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10/3/2016

Page 1 of 2



# 100 foot Abutters List Report

Wayland, MA  
October 03, 2016

Parcel Number: 23-038  
CAMA Number: 23-038  
Property Address: 244 BOSTON POST RD

Mailing Address: N E TELEPHONE COMPANY PROPERTY  
TAX DEPARTMENT  
PO BOX 152206  
IRVING, TX 75015-2206

Parcel Number: 23-116  
CAMA Number: 23-116  
Property Address: 241 BOSTON POST RD

Mailing Address: 241 BOSTON POST RD LLC  
231 BOSTON POST RD  
WAYLAND, MA 01778



[www.cai-tech.com](http://www.cai-tech.com)

10/3/2016

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Page 2 of 2



Sarkis Sarkisian  
Wayland Town Planner

**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**PLANNING DEPARTMENT**

7 POLE HEARING  
COMMENT:  
PLANNING

**TOWN BUILDING**  
41 Cochituate Road  
Telephone: (508) 358-3615  
FAX: (508) 358-4036  
ssarkisian@wayland.ma.us

**DATE:** November 18, 2016  
**TO:** Nan Balmer, Town Administrator  
**FROM:** Sarkis Sarkisian, Town Planner  
**RE:** Mobilite, LLC Permit Application  
Submission-BS90XC577A\_9MAX000393

I spoke to James S. George, Permitting Manager for Mobilite, LLC, and requested additional information regarding this application, including photos and shop drawings of the proposed facility.

Mr. George stated that the full drawing is still being developed and that this location may be able to move to satisfy and minimize visual concerns. This morning Mr. George sent via email several files of photos and drawings of other approved installations.

My recommendation to the Board of Selectmen is that we allow Mr. George to make his presentation and continue the hearing to allow more time to review in order to answer questions and concerns.

7 POLE HEARING  
BoH COMMENT



## TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

TO: Board of Selectmen

From: Julia Junghanns, Director of Public Health

Date: November 17, 2016

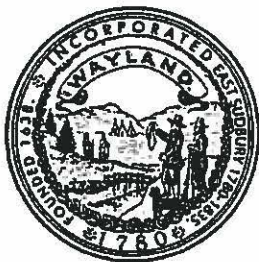
Subject: Utility pole hearing- BoH comment

This memo is in response to the legal notice received via email regarding the BoS hearing scheduled for Monday November 21<sup>st</sup> for a utility pole that will include a "hybrid transport network" or a "mini" cell tower.

Historically the Board of Health has provided comment for cell tower proposals and this proposed utility pole includes a "hybrid transport network" type of technology which can be described as a mini cell tower. In the past the Board of Health has urged town officials and boards to adhere to a 900 foot distance from a cellular tower to residences and/or businesses. The Board has not had the opportunity to discuss this matter but will be meeting on November 28<sup>th</sup> where this topic will likely be discussed further.

Sincerely,

Julia Junghanns  
Director of Public Health



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**WAYLAND HISTORICAL COMMISSION**

7 POLE HEARING  
HISTORICAL COM.  
COMMENT

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-7701

RECEIVED

NOV 16 2016

Board of Selectmen  
Town of Wayland

November 16, 2016

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

Re: Proposed Utility Pole on Blacksmith Green

Dear Ms. Karlson:

The Wayland Historical Commission opposes the installation of a utility pole on Blacksmith Green because it would negatively impact the historic character of this site. The open space at the intersection of Pelham Island Road and Boston Post Road has an historic marker that reads:

**BLACKSMITH GREEN**  
Over the years four blacksmiths  
served Wayland Village  
on or near this sight.

Further, in section 15.6.1 of Wayland's Master Plan, the Blacksmith Green is listed as one of the high priority sites in the town center for improvement and beautification in order to encourage its use and enjoyment. The placement of a utility pole on the Blacksmith Green is not consistent with this goal and moreover would negatively impact the public's enjoyment of the historic character of this site. For these reasons, the Wayland Historical Commission requests that the open space of Blacksmith Green be preserved.

Sincerely,

Elisa Scola  
Wayland Historical Commission, Chair

8. LIBRARY PROJECT:  
TRANSFER CUSTODY  
OF LAND

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

November 17, 2016

Dear Cherry,

The Board of Library Trustees requests that the Board of Selectmen consider and vote to declare the parcel at 193 Main Street, under your jurisdiction, surplus and to vote to transfer it to the Board of Library Trustees and the Recreation Commission. We ask that you vote this transfer at your meeting on Monday, Nov. 21. We need this vote and the certification of your minutes of this vote now.

Members of your Board may need some background for this request. I hope this narrative summary will be sufficient, I am happy to respond to any questions on the evening of November 21 when I understand this request will be before the BoS.

Background:

The Board of Library Trustees have studied the Library use and function on an ongoing basis. In the summer of 2014, then Governor Patrick signed a bond for \$150 million to fund public library expansion and new construction. A grant for a town like ours would cover about 45% of eligible construction costs. When the BoLT became aware of the bond and the potential contribution from the state, the BoLT determined to explore whether or not to apply for a building grant. We established a Library Planning Committee of 21 town residents to assist us to figure out whether we could take advantage of this opportunity.

The LPC read our materials and research, identified locations in Wayland that could be large enough to site a new library, visited libraries around the state and researched library trends and use in the USA and abroad..

In August 2015, they presented us with their report and unanimous recommendation to apply for a State Library Building Grant. With this recommendation, the BoLT presented an article at Special Town Meeting in November 2015 requesting funds for a Library Planning and Design Study from Town Meeting. Our request was resoundingly approved.

We then worked with the Permanent Municipal Building Committee to hire the professionals required by the state process for such a study: an Owner's Project Manager, John Sayre-Scibona of Design Technique, and a design team, Tappe Architects with Chris Blessen and Jeff Hoover.. This state hiring process was completed just after Annual Town Meeting, April 2016.

Annual Town Meeting, April 2016

At Annual Town Meeting we presented three articles to assist the design team in their work.

Article 17 requested the purchase of waste-water capacity for 5 Concord Road to allow an expansion at that site, by removing the septic underground structures, and to allow for the security of the building by having the waste-water needs taken care of into the future.

Article 18 requested that the BoS be authorized to transfer 202 Old Conn Path, a part of the former Paine Estate, to the BoLT if needed for a site for a new library building

Article 19 requested that the BoPW, BoS and School Committee be authorized to transfer 207-195 Main Street to BoLT, Recreation, Schools for their uses.

These were all resoundingly approved .

### Design Team's work:

Since Annual Town Meeting the design team has worked very conscientiously and productively.

They have:

- Updated our Library Building Program, as required by the state grant process
- Conducted a town-wide survey to learn what residents want in an expanded/new library
- Held three community visioning sessions, including one with teens
- Conducted preliminary investigations of three possible sites for expansion, this analysis was reviewed by the PMBC, and these **three sites were then narrowed to two**—our current site at 5 Concord Road and the site of the former Highway Garage at 207-195 Main Street near the Middle School.

The Board of Selectmen has jurisdiction over a piece of that Main Street parcel, 193 Main Street, a 100 foot wide strip running east to west along the southerly border of what we know as 195 Main Street

- Then presented **the two sites in a head to head** comparison at a community forum this summer (July 26)

### One site selected:

On August 2<sup>nd</sup>, after a careful quantitative analysis of many weighted factors, the Main Street site emerged as the clear choice for possible library expansion. The Library Planning Committee and the Trustees presented their recommendation to the PMBC that the Town pursue further study of the site at 207-195 Main Street as the location for building a new public library. The PMBC voted unanimously to accept this recommendation.

### Further work:

Since then, the design team has been developing preliminary designs and working with other town boards, notably the School Committee and Recreation Commission, to explore other town functions that may also be accommodated on the site. Geotechnical testing was also accomplished at the site.

Tappe Architects held another meeting with Wayland residents on a Saturday afternoon at the town beach on September 10 to gather feedback from young families.

### Agreement to share 195 Main Street:

Meanwhile the Trustees began conversations with the Recreation Commission and School Committee. I thank in particular Asa Foster, chair of the Recreation Commission, with Jessica Brodie, and Ellen Grieco chair of the School Committee with Dr Paul Stein, for their flexibility in meeting and being instrumental in communicating with their boards about this process.

You have in your packets the jurisdictional division plan agreed to by the Recreation Commission, School Committee, and the BoLT, the three boards which were authorized to receive a jurisdictional transfer of land from the Board of Public Works and the Board of Selectmen at Annual Town Meeting this year. The parcel at 207 Main Street remains under the jurisdiction of the School Committee and there are no transfers requested concerning this parcel.

What you see on the plan in your packets is the agreement to share 195 Main Street signed and dated by the chairs and vice-chairs of each board. There is space acres on the western portion of 195 Main Street for the development of a library building that meets the Building Program, parking as required, and adjacencies that will allow us to present a very strong building grant application to the state.

To the east, between the proposed library with parking area and the Middle School, you see land



for Recreation use. To the north is the driveway, located on 195 Main Street, which will be under the jurisdiction of the School Committee if either the Library or Recreation projects go forward. Once again, 207 Main Street will remain under the jurisdiction of the School Committee.

Agreements signed:

The plan is prepared by the Wayland Town Surveyor's office and is titled, "Plan of Land in Wayland, Massachusetts Showing Jurisdictional Boundaries at the Highway Garage," dated 10/12/2016.

On October 13, the Recreation Commission agreed to this jurisdictional sharing and signed this jurisdictional division plan with 1.9 acres for recreation purposes.

On October 17, the School Committee agreed to this jurisdictional sharing and signed the same plan with 0.6 acres for the schools which is the area of the current driveway.

On October 19, the Board of Library Trustees signed the same plan with 2.3 acres for library purposes. .

On the evening of October 19, we presented the plan to the BoPW for their consideration to declare their parcel, which is the larger portion of what we have known as 195 Main Street, surplus and vote to transfer the 195 parcel to the 3 of us, which they did. The transfers are conditional to each of us. The transfer to the Library is effective upon the awarding of a grant from the state and upon the town funding the town's portion of the project. The transfer to the Recreation Commission is similarly conditioned. The transfer to the School Committee is conditioned upon either the BoLT or the Recreation Commission projects going forward.

We request the BoS to consider their use and need for the 193 Main Street parcel, declare the parcel surplus and vote to transfer the jurisdiction of the parcel to the BoLT and the Recreation Commission. Once you vote that transfer and approve the minutes reflecting that vote, the BoLT will have what the state requires of us for a state library building grant application: land under our jurisdiction with an address.

Thank you.

Sincerely,

Aida Gennis, Chair  
Board of Library Trustees

**MOTION RE: 193 & 195 MAIN STREET**

**BOARD OF SELECTMEN'S MEETING - NOVEMBER 21, 2016**

I move that the Board of Selectmen:

(1) determine, pursuant to Massachusetts General Laws Chapter 40, Section 15A, that the parcel of Town-owned land on Main Street (Route 27), Wayland, Massachusetts being part of 195 Main Street, Wayland, Massachusetts, containing 1.24 acres, more or less, as described in a deed dated June 15, 1944 and recorded with the Middlesex South Registry of Deeds in Book 6775, Page 355, with the structures thereon, is no longer needed for general municipal purposes; and

(2) pursuant to the vote of the 2016 Annual Town Meeting under Article 17 of the Warrant for said meeting, transfer the care, custody, management and control of: a.) the portion of said parcel of land, with the structures thereon, under the Board of Selectmen's jurisdiction shown as "Area to be Transferred to Care and Custody of the Library Trustees 2.3 Acres +" on the unrecorded plan entitled "Plan of Land in Wayland, Massachusetts Showing Jurisdictional Boundaries At The Highway Garage", dated October 12, 2016, prepared by the Town of Wayland Massachusetts Town Surveyor's Office to the Board of Library Trustees for library purposes, effective upon the receipt of grant award from the Commonwealth of Massachusetts

and a town meeting appropriation for the construction of a new town library on said land so transferred for library purposes; and b.) the portion of said parcel of land, with the structures thereon, under the Board of Selectmen's jurisdiction shown as "Area to be Transferred to Care and Custody of the Recreation Commission 1.9 Acres +" on said plan to the Recreation Commission for recreation purposes, effective upon the receipt of the approval of a plan and a town meeting appropriation for the construction of a recreational facility on said land so transferred for recreation purposes.

MASS. STATE PLANE COORDINATE SYSTEM (MAD 83)



We, the undersigned Boards, agree to the jurisdictional lines for the respective town boards as shown on this Plan.

Date: 10/18/16  
 Board: Recreation  
 Chair: *Clayton Foster*  
 Vice Chair: *T. White*  
 Quantum of Vote: 3-0  
 Amended 10/18/16 4-0-0PK

Date: 10/17/16  
 Board: School committee  
 Chair: *[Signature]*  
 Vice Chair:  
 Quantum of Vote: 5-0-0

Date: 10/17/16  
 Board: School Committee  
 Chair:  
 Vice-Chair: *Barbara Fletcher*  
 Quantum of Vote: 5-0-0

Date: 10/18/2016  
 Board: Board of Library Trustees  
 Chair: *Orla Abbott Genies*  
 Vice-chair: *Sally Catlett*  
 Quantum of Vote: 6-0

General Notes


- ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- UNDERGROUND UTILITIES ARE FROM FIELD LOCATION AND RECORD PLANS. PRIOR TO ANY EXCAVATION, CONTRACTORS SHOULD CALL DIG-SAFE.

LEGEND

- SB STONE BOUND
- CB CONCRETE BOUND
- DH DRILL HOLE
- IP IRON PIPE
- PK PK. REBAR, NAIL, SPIKE
- HUB & TACK
- ESSTICHION PIN/LEAD PLUG
- FND FOUND
- N/F NOW OR FORMERLY
- E PROPERTY LINE
- STONE WALL
- TREE LINE
- BARBED WIRE FENCE
- WOODEN FENCE
- STEEL FENCE
- GUARD RAIL
- CURBING(TYPE)
- BIT CONC BITUMINOUS CONCRETE
- GRAN GRANITE
- WETLAND FLAG
- MARSH MARSH
- GP GUARD POST (BOLLARD)
- FLOOD LIGHT
- SIGN
- FA FIRE ALARM BOX
- MB MAILBOX
- GP GUY POLE
- GW GUY WIRE
- UP UTILITY POLE
- UP# UTILITY POLE/LIGHT POLE
- LP LIGHT POLE
- DM DRAIN MANHOLE
- CB CATCH BASIN
- EM GAS MANHOLE
- EM ELECTRIC MANHOLE
- EM SEWER MANHOLE
- WG WATER GATE
- GM GAS GATE
- GM GAS METER
- HYD HYDRANT
- OW OVERHEAD WIRE
- DI DROP INLET
- RIM
- I INVERT
- CM CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- CP CAST IRON PIPE
- PVC POLYVINYL CHLORIDE
- ES EDGE OF STREAM
- EV EDGE OF VEGETATED WETLAND
- W WATER LINE
- T TELEPHONE LINE
- E ELECTRIC LINE
- D DRAIN LINE
- G GAS LINE
- + ELEV SPOT GRADE
- 100 INDEX CONTOUR
- EXISTING CONTOUR

No.	Revision/Issue	Date

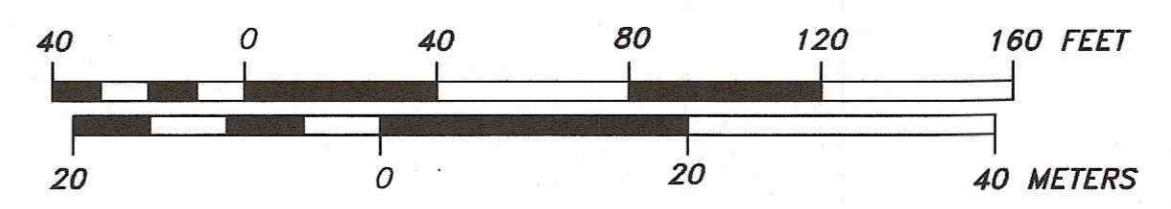
Town of  
**Wayland**  
 Massachusetts



Town Surveyor's Office  
 41 Cochituate Road, Wayland, MA 01978

Plan of Land  
 in  
 Wayland, Massachusetts  
 Showing  
 Jurisdictional Boundaries  
 At The Highway Garage

Project Highway Garage 2016
Date 10/12/2016
Scale 1" = 40'



MASS. STATE PLANE COORDINATE SYSTEM (MAD 83)



General Notes


- ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- UNDERGROUND UTILITIES ARE FROM FIELD LOCATION AND RECORD PLANS. PRIOR TO ANY EXCAVATION, CONTRACTORS SHOULD CALL DIG-SAFE.

LEGEND

- |          |                           |
|----------|---------------------------|
| SB       | STONE BOUND               |
| CB       | CONCRETE BOUND            |
| DH       | DRILL HOLE                |
| IP       | IRON PIPE                 |
| PK       | PK. REBAR, NAIL SPIKE     |
| HT       | HUB & TACK                |
| EP/LP    | ESDUTCHED PIN/LEAD PLUG   |
| FND      | FOUND                     |
| N/F      | NOW OR FORMERLY           |
| E        | PROPERTY LINE             |
| -----    | STONE WALL                |
| -----    | TREE LINE                 |
| -----    | BARBED WIRE FENCE         |
| -----    | WOODEN FENCE              |
| -----    | STEEL FENCE               |
| -----    | GUARD RAIL                |
| -----    | CURBING(TYPE)             |
| BIT CONC | BITUMINOUS CONCRETE       |
| GRAN     | GRANITE                   |
| Δ #      | WETLAND FLAG              |
| Δ        | MARSH                     |
| GP       | GUARD POST (BOLLARD)      |
| FL       | FLOOD LIGHT               |
| S        | SIGN                      |
| FA       | FIRE ALARM BOX            |
| MB       | MAILBOX                   |
| GP       | GUY POLE                  |
| GW       | GUY WIRE                  |
| UP       | UTILITY POLE              |
| ULP      | UTILITY POLE/LIGHT POLE   |
| LP       | LIGHT POLE                |
| DM       | DRAIN MANHOLE             |
| CB       | CATCH BASIN               |
| EM       | ELECTRIC MANHOLE          |
| SM       | SEWER MANHOLE             |
| WG       | WATER GATE                |
| GM       | GAS GATE                  |
| GM       | GAS METER                 |
| HP       | HYDRANT                   |
| OW       | OVERHEAD WIRE             |
| DI       | DROP INLET                |
| R        | RIM                       |
| I        | INVERT                    |
| CM       | CORRUGATED METAL PIPE     |
| RC       | REINFORCED CONCRETE PIPE  |
| CI       | CAST IRON PIPE            |
| CP       | POLYVINYL CHLORIDE        |
| PVC      | PVC                       |
| ---      | EDGE OF STREAM            |
| ---      | EDGE OF VEGETATED WETLAND |
| ---      | WATER LINE                |
| ---      | TELEPHONE LINE            |
| ---      | ELECTRIC LINE             |
| ---      | DRAIN LINE                |
| ---      | GAS LINE                  |
| +        | SPOT GRADE                |
| 100      | INDEX CONTOUR             |
| ---      | EXISTING CONTOUR          |

No.	Revision/Issue	Date

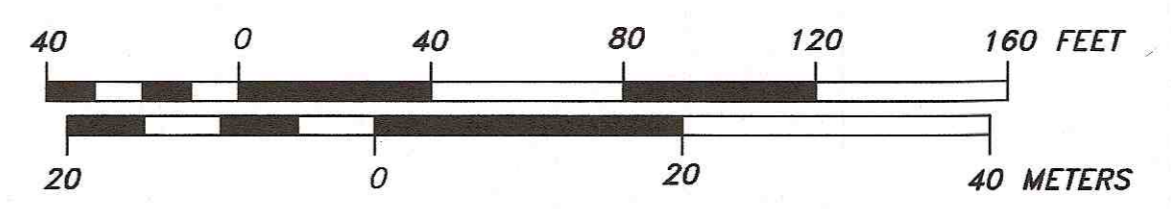
Town of  
**Wayland**  
Massachusetts



Town Surveyor's Office  
41 Chickadee Road, Wayland, MA 01778

Plan of Land  
in  
Wayland, Massachusetts  
Showing  
Jurisdictional Boundaries  
At The Highway Garage

Project	Highway Garage 2016
Date	10/12/2016
Scale	1" = 40'



9. CPA APPLICATION:  
HOUSING

HOUSING: CPA APPLICATION WILL BE PREPARED FOR  
MONDAY'S MEETING

DATE: NOVEMBER 21, 2016  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: FY 18 BUDGET

**RECOMMENDED ACTION:**

- 1. CONSIDER BOARD'S POSITION ON LONG TERM FINANCIAL STRATEGIES**
- 2. COMMENT AND REQUEST INFORMATION ON OPERATING AND CAPITAL BUDGETS UNDER THE BOARD OF SELECTMEN**

**BACKGROUND:**

**TOWN CODE REQUIREMENTS:**

- The Town Code requires the Town Administrator to present the Selectmen with recommendations by mid-November on the capital and operating budgets for departments under the Board of Selectmen.
- The Town Code requires the Board of Selectmen to forward its budgets to the Finance Committee by December 15<sup>th</sup>.
- The Town Administrator is required to recommend long term financial strategies and budget guidelines and provide recommendations to the Board of Selectmen on all town budgets by January 15<sup>th</sup>. These requirements provide the context for the Board to make budget recommendations to the Finance committee.

**RECOMMENDED LONG TERM FINANCIAL STRATEGIES:**

The following are three key strategies the Town Administrator and Finance Director used to prepare the preliminary FY 18 operating and capital budgets:

1. Prepare and monitor accurate departmental budgets with sufficient detail to control spending.
2. Prepare balanced budgets, matching revenues and expenses to reduce or eliminate the use of free cash to fund budget deficits.
3. Fund recurring expenses in the operating budget on a pay as you go basis rather than through debt.

The purpose of these strategies is to adhere to the following goals:

- **Create Fiscal Transparency:** Make it clear to the public how much town services cost and clear to town officials what services and projects town government can afford.

- Stabilize Tax Rate: Make only incremental year to year changes in taxation so that residents can make financial plans.
- Manage Debt Prudently: Manage the use of debt so that borrowing capacity is available and debt can be incurred low rates for necessary community projects such as town and school building projects.

The Finance Team's Budget Planning Document projects the long term impact of adhering to these strategies and is in the Board's Dropbox and posted on-line.

HIGHLIGHTS OF PRELIMINARY FY 18 BUDGET:

My recommendation is that FY 18 be a year to transition to best financial practices regarding the use of free cash and debt. This will require holding the line on any controllable expenses and accurately budgeting revenues.

The first step in the transition is the proposal of a transparent budget model that makes it clear what current levels of town cost the taxpayer without the use of debt for recurring expenses and free cash to fund operating budget deficits. To the extent that this results in an unacceptable rate of taxation, budget cuts will be identified and recommended.

Attached is a preliminary Y 18 budget plan. The purpose of this model is to establish a baseline plan based on best practice which can be adapted as more information is available and decisions are made.

The highlights of the preliminary FY 18 budget model are below:

- Use of free cash to fund operating budget is reduced to \$500,000 from \$1,500,000 in FY 17 and \$4,350,000 in FY 16.
- The Budget funds \$600,000 in new overlay as the Assessors request. As Appellate Tax Board cases settle, this expense may be offset in a future year by a significant reduction in overlay surplus that closes to Free Cash.
- New General Fund debt (to be incurred in FY 19) is recommended at \$3.7 million and only used for non-recurring capital expense. This includes \$2.2 million for the transfer station access road and \$700,000 for school bus parking. To compare, average annual new debt for the last 5 years was \$5.2 million.
- \$925,000 is recommended for appropriation in FY 18 to a multi-year Salary Reserve account to settle labor contracts and fund non-union wage increases.
- Over \$1 million in recurring expense for small equipment and maintenance costs are funded in the general fund operating budget on a "pay as you go" basis. Road projects are recommended at a minimum funding level of \$350,000 to aid in the transition.
- No new town positions are recommended in FY 18 at this time.
- The School budget is assumed at a 2.5% increase before new contractual wage increases and recurring equipment and maintenance expenses previously funded with debt and free cash.



- The FY 18 budget assumes no increase in employee health insurance budget. Initial pension estimates are, luckily, modest this year. It is early in the process and key revenue and expense assumptions may change.
- Significant known changes in expenses for all budgets are:
  - Legal Expense / Rivers Edge: \$25,000
  - Information Technology / Licenses: \$68,000
  - Public Works / Additional Hauling \$150,000
  - Facilities / Utilities (\$60,000)
  - Vocational Education / Tuition: \$116,000
  - Debt Service: \$180,000
  - Retirement: \$75,000
  - Salary (Multi Year - Town School) \$875,000
  - Reserve Fund (\$100,000)

**PROJECTED TAXATION AND TAX RATE:**

Under the assumptions above, taxation would be \$67,027,369, a \$6.7% increase over the prior year. This would result in an FY 18 tax rate of \$18.92. The following table shows the tax rate for prior years, percentage increase in tax rate and the use of free cash to fund the operating budget for each year. Although not shown, debt was used in years prior to FY 18 to pay for recurring expenses.

FISCAL YEAR	RATE PER \$1,000	% INCREASE IN RATE OVER PRIOR YEAR	EST. TAXES ON \$600,000 HOME	FREE CASH USED TO FUND BUDGET DEFICIT
FY 18 BASED ON MODEL	\$18.92	4.3%	\$11,352	\$500,000
FY 17	\$18.14	4.6%	\$10,884	\$1,500,000
FY 16	\$17.34	-5.7%	\$10,404	\$4,350,000
FY 15	\$18.39	.3%	\$11,034	\$1,000,000
FY 14	\$18.33	\$2.5%	\$10,998	\$2,500,000

**FY 18 OPERATING BUDGETS PROPOSED TO THE SELECTMEN:**

The following summarizes expense changes for budgets under the Board of Selectmen. Personnel costs are not included because these are fixed by contract. No new positions are recommended at this time.

DEPARTMENT	EXPENSE	CHANGE IN BUDGET FY 17 TO FY 18
FINANCE	CLEAR GOV	\$6,500
TREASURER	BORROWING COSTS	\$10,300
LEGAL	RIVERS EDGE	\$25,000
INFORMATION TECHNOLOGY	LICENSING	\$68,000
CONSERVATION	SIGNS, TREE REMOVAL	\$10,000
FACILITIES	UTILITIES	(\$60,000)

POLICE	FUEL	(\$8,000)
FIRE	FUEL	(\$4,000)

**FY 18 CAPITAL BUDGETS PROPOSED TO THE SELECTMEN:**

The Selectmen reviewed the proposed FY 18 capital budget at a prior meeting. The following are projects under the Selectmen:

DEPARTMENT	PROJECT	ESTIMATED COST	FUNDING SOURCE
FACILITIES	FIRE STATION 2 RENOVATION	\$75,000	AMBULANCE FUND
FACILITIES	TOWN BUILDING WINDOWS	\$100,000	DEBT
FACILITIES	TOWN BUILDING RENOVATION	\$375,000	DEBT
FACILITIES	TOWN BUILDING MECHANICAL / ELECTRICAL	\$218,000	DEBT
FACILITIES	VEHICLES - MOTOR POOL	\$50,000	GRANT
SURVEYOR	HYBRID ROBOTIC STATION	\$30,000	FREE CASH
FIRE	CHIEF'S CAR	\$65,000	AMBULANCE FUND
FIRE	AMBULANCE	\$305,000	AMBULANCE FUND
INFORMATION TECHNOLOGY	DATA CENTER UPGRADE	\$215,000	FREE CASH

**NEXT STEPS:**

1. Town Administrator and Financial Analyst will create detailed budgets for all departments. This will allow us to determine any areas that are over funded and develop a chart of accounts to provide a tool to control spending. If possible, detailed budgets will be provided to the Board 12/5.
2. The Board of Selectmen may provide the Town Administrator with agreed upon guidance about the town's long term financial practices.
3. The Board may review at the meetings of 12/5 and 12/12 departmental budgets under its jurisdiction. The Board may also review the following:
  - a. Capital Projects (Facilities, Fire and IT)
  - b. Energy Budget (Natural Gas, Electricity / Solar, Vehicle Fuels)
4. The Board will be asked to forward operating and capital budgets to the Finance Committee on 12/12.
5. A future project will include development of a comprehensive departmental fee and revenue schedule.

**ATTACHED:** 1) DRAFT RECAP OF FY 18 BUDGET REQUESTS, 2) TOWN ADMINISTRATOR'S DRAFT FISCAL 18 BUDGET, 3) TOWN ADMINISTRATOR'S RECOMMENDED CAPITAL BUDGET , 4) FY 18: BOARD OF SELECTMEN DRAFT DEPARTMENTAL BUDGETS, 5) FY 18 BUDGET PLANNING DOCUMENT (DROPBOX)

1. DRAFT FY18 BUDGET RECAP  
11/18/16

DRAFT- RECAP OF FY 18 BUDGET REQUESTS				
REVENUE AND EXPENDITURES				
11/18/2016	DRAFT ONLY			
EXPENDITURES	Payroll	Expenses	Omnibus Total	All Budgets
Town	12,104,428.00	4,469,709.00	16,574,137.00	16,574,137.00
School	31,825,150.00	6,840,753.00	38,665,903.00	38,665,903.00
Debt	-	7,686,560.00	7,686,560.00	7,686,560.00
Retirement	-	4,310,088.00	4,310,088.00	4,310,088.00
Unclassified-Other	-	2,833,000.00	2,833,000.00	2,833,000.00
Health Insurance	-	7,165,000.00	7,165,000.00	7,165,000.00
Capital Projects-DPW	-	145,000.00	145,000.00	145,000.00
Capital Projects-School	-	216,000.00	216,000.00	216,000.00
<b>Total Departmental</b>	<b>43,929,578.00</b>	<b>33,666,110.00</b>	<b>77,595,688.00</b>	<b>77,595,688.00</b>
Water Enterprise	778,470.00	3,180,596.00	3,959,066.00	3,959,066.00
Wastewater Enterprise	-	708,582.00	708,582.00	708,582.00
Septage Enterprise	-	52,708.00	52,708.00	52,708.00
<b>Total Enterprise</b>	<b>-</b>	<b>3,941,886.00</b>	<b>4,720,356.00</b>	<b>4,720,356.00</b>
<b>Total-Omnibus Budget</b>	<b>43,929,578.00</b>	<b>37,607,996.00</b>	<b>82,316,044.00</b>	<b>82,316,044.00</b>
Unappropriated				
Overlay	-	-	-	600,000.00
State Assessments	-	-	-	181,000.00
Cherry Sheet Offset	-	-	-	17,145.00
Other Appropriations				
Cash Capital - Capital Projects	-	-	-	685,000.00
Free Cash - Capital Projects	-	-	-	437,000.00
OPEB Transfer	-	-	-	215,000.00
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,135,145.00</b>
<b>Total</b>	<b>43,929,578.00</b>	<b>37,607,996.00</b>	<b>82,316,044.00</b>	<b>84,451,189.00</b>
<b>REVENUES</b>				
Taxation	-	-	65,561,369.00	67,027,369.00
Tax Increase FY 17 to FY 18				6.70%
Projected Tax Rate				18.92%
Projected Full Valuation				3,543,566,000
State Aid	-	-	5,011,949.00	5,029,094.00
Local Receipts	-	-	4,500,000.00	4,500,000.00
Free Cash - Operating	-	-	500,000.00	500,000.00
Free Cash - Capital	-	-	-	437,000.00
Free Cash - OPEB	-	-	-	215,000.00
Transfers from other funds	-	-	-	-
Ambulance Fund	-	-	474,000.00	474,000.00
Overlay	-	-	200,000.00	200,000.00
Bond Premium	-	-	85,245.00	85,245.00
Council on Aging	-	-	1,373.00	1,373.00
Water Fund	-	-	338,601.00	338,601.00
Septage Fund	-	-	52,708.00	52,708.00
Wastewater Fund	-	-	24,669.00	24,669.00
Recreation Revolving	-	-	15,687.00	15,687.00
Transfer Station	-	-	71,961.00	71,961.00
BASE	-	-	220,101.00	220,101.00
Childrens Way	-	-	233,506.00	233,506.00
Food Service	-	-	270,401.00	270,401.00
Full Day Kindergarden	-	-	34,118.00	34,118.00
Water Enterprise Revenues	-	-	3,959,066.00	3,959,066.00
Wastewater Revenues	-	-	708,582.00	708,582.00
Septage Retained Earnings	-	-	52,708.00	52,708.00
<b>Total</b>			<b>82,316,044.00</b>	<b>84,451,189.26</b>

Town Administrators Draft Fiscal 2018 Budget					
11/18/2016					
Town of Wayland, Massachusetts FY2018 Annual Operating Budget Expenditure Estimate	FY2016 Expended	FY2017 Budget	FY2018 Requested	\$ Variance FY 18 / FY 17	% Change FY 18 / FY 17
Selectmen	21,832	30,000	28,000	-2,000	-6.67%
Town Office	523,700	516,500	553,900	37,400	7.24%
Personnel Board	8,135	15,000	15,000	0	0.00%
Finance	390,884	395,318	409,946	14,628	3.70%
Assessor	300,386	311,876	309,541	-2,335	-0.75%
Treasurer	287,655	290,204	301,848	11,644	4.01%
Town Counsel / Legal Services	160,817	175,000	200,000	25,000	14.29%
Information Technology	460,781	797,273	865,286	68,013	8.53%
Town Clerk	138,231	143,111	147,024	3,913	2.73%
Elections	29,328	48,078	16,422	-31,656	-65.84%
Registrar	3,950	5,275	5,700	425	8.06%
Facilities	994,123	1,158,432	1,099,130	-59,302	-5.12%
Miscellaneous Committees	46,481	47,275	47,275	0	0.00%
<b>General Government</b>	<b>3,366,303</b>	<b>3,933,342</b>	<b>3,999,072</b>	<b>65,730</b>	<b>1.67%</b>
Police	2,536,522	2,666,803	2,769,570	102,767	3.85%
Joint Communications Center	505,682	523,775	534,145	10,370	1.98%
Emergency Management	22,622	23,000	23,000	0	0.00%
Dog Officer	21,652	21,500	21,500	0	0.00%
Fire	2,484,087	2,751,321	2,758,921	7,600	0.28%
<b>Public Safety</b>	<b>5,570,565</b>	<b>5,986,399</b>	<b>6,107,136</b>	<b>120,737</b>	<b>2.02%</b>
Conservation	182,798	219,102	201,596	-17,506	-7.99%
Planning	109,309	109,500	109,500	0	0.00%
Surveyor	181,933	195,268	195,368	100	0.05%
Building & Zoning	304,438	325,998	328,941	2,943	0.90%
<b>Land Planning and Use</b>	<b>778,478</b>	<b>849,868</b>	<b>835,405</b>	<b>-14,463</b>	<b>-1.70%</b>
Schools	36,462,311	37,722,833	38,881,903	1,159,070	3.07%
Regional Vocational Schools	109,056	68,618	185,000	116,382	169.61%
Public Works	1,956,905	2,247,348	2,639,238	391,890	17.44%
Snow Removal	421,319	450,000	450,000	0	0.00%
<b>Public Works</b>	<b>2,378,224</b>	<b>2,697,348</b>	<b>3,089,238</b>	<b>391,890</b>	<b>14.53%</b>
Board of Health	805,334	856,240	883,579	27,339	3.19%
Veteran's Services	42,418	48,000	48,000	0	0.00%
Council on Aging	246,764	263,486	266,882	3,396	1.29%
Youth Services	221,878	226,475	228,625	2,150	0.95%
Library	1,034,126	1,056,200	1,086,200	30,000	2.84%
Recreation	163,184	172,000	175,000	3,000	1.74%
<b>Human Services</b>	<b>2,513,704</b>	<b>2,622,401</b>	<b>2,688,286</b>	<b>65,885</b>	<b>2.51%</b>
Debt and Interest	7,653,109	7,507,251	7,686,560	179,309	2.39%
Retirement	3,971,988	4,235,414	4,310,088	74,674	1.76%
<b>Unclassified</b>	<b>8,761,753</b>	<b>9,028,000</b>	<b>9,813,000</b>	<b>785,000</b>	<b>8.70%</b>
Insurance General	576,157	615,000	615,000	0	0.00%
Insurance 32B	6,587,478	7,165,000	7,165,000	0	0.00%
Medicare	595,336	580,000	590,000	10,000	1.72%
Unemployment Compensation	61,326	50,000	50,000	0	0.00%
Police/Fire Disability	10,171	15,000	15,000	0	0.00%
Reserve for Salary Settlements	374,000	50,000	925,000	875,000	1750.00%
Occupational Health	6,046	8,000	8,000	0	0.00%
Non Contributory Retirement	225	-	-	0	0.00%
Sick Leave Buyback	23,740	-40,000	-40,000	0	0.00%
Town Meeting	105,853	100,000	100,000	0	0.00%
Street Lighting	121,421	130,000	130,000	0	0.00%
Reserve Fund	300,000	275,000	175,000	-100,000	-36.36%
<b>TOTAL - GENERAL FUND</b>	<b>71,565,491</b>	<b>74,651,474</b>	<b>77,595,688</b>	<b>2,944,214</b>	<b>3.94%</b>

Wayland Budget-Draft FY 2018 11/18/2016	Expenses				Personnel Services				Comparison- Fiscal 2018 / Fiscal 2017			
	Fiscal	Fiscal	\$ Variance	%	Fiscal	Fiscal	\$ Variance	%	Total	Total	Total	%
	2018	2017	FY 18 / FY 17	CHG	2018	2017	FY 18 / FY 17	CHG	2018	2017	FY 18 / FY 17	CHG
Departmental												
Selectmen	28,000.00	30,000.00	(2,000.00)	-7.14%	-	-	-	-	28,000.00	30,000.00	(2,000.00)	-6.67%
Town Office	76,000.00	81,500.00	(5,500.00)	-7.24%	477,900.00	435,000.00	42,900.00	8.98%	553,900.00	516,500.00	37,400.00	7.24%
Personnel Board	10,000.00	10,000.00	-	0.00%	5,000.00	5,000.00	-	0.00%	15,000.00	15,000.00	-	0.00%
Finance	63,200.00	56,700.00	6,500.00	10.28%	346,746.00	338,618.00	8,128.00	2.34%	409,946.00	395,318.00	14,628.00	3.70%
Assessor	49,150.00	52,250.00	(3,100.00)	-6.31%	260,391.00	259,626.00	765.00	0.29%	309,541.00	311,876.00	(2,335.00)	-0.75%
Treasurer	110,400.00	100,100.00	10,300.00	9.33%	191,448.00	190,104.00	1,344.00	0.70%	301,848.00	290,204.00	11,644.00	4.01%
Legal	200,000.00	175,000.00	25,000.00	12.50%	-	-	-	-	200,000.00	175,000.00	25,000.00	14.29%
Information Technology	577,617.00	509,604.00	68,013.00	11.77%	287,669.00	287,669.00	-	0.00%	865,286.00	797,273.00	68,013.00	8.53%
Town Clerk	20,540.00	17,330.00	3,210.00	15.63%	126,484.00	125,781.00	703.00	0.56%	147,024.00	143,111.00	3,913.00	2.73%
Elections	5,730.00	10,170.00	(4,440.00)	-77.49%	10,692.00	37,908.00	(27,216.00)	-254.55%	16,422.00	48,078.00	(31,656.00)	-65.84%
Registrar	4,625.00	5,000.00	(375.00)	-8.11%	1,075.00	275.00	800.00	74.42%	5,700.00	5,275.00	425.00	8.06%
Conservation	47,400.00	41,200.00	6,200.00	13.08%	154,196.00	177,902.00	(23,706.00)	-15.37%	201,596.00	219,102.00	(17,506.00)	-7.99%
Planning	4,500.00	4,500.00	-	0.00%	105,000.00	105,000.00	-	0.00%	109,500.00	109,500.00	-	0.00%
Surveyor	27,250.00	27,150.00	100.00	0.37%	168,118.00	168,118.00	-	0.00%	195,368.00	195,268.00	100.00	0.05%
Facilities	820,000.00	880,500.00	(60,500.00)	-7.38%	279,130.00	277,932.00	1,198.00	0.43%	1,099,130.00	1,158,432.00	(59,302.00)	-5.12%
Misc Committees	47,275.00	47,275.00	-	0.00%	-	-	-	-	47,275.00	47,275.00	-	0.00%
Police	302,110.00	310,110.00	(8,000.00)	-2.65%	2,467,460.00	2,356,693.00	110,767.00	4.49%	2,769,570.00	2,666,803.00	102,767.00	3.85%
Joint Communications	29,100.00	27,100.00	2,000.00	6.87%	505,045.00	496,675.00	8,370.00	1.66%	534,145.00	523,775.00	10,370.00	1.98%
Emergency Management	23,000.00	23,000.00	-	0.00%	-	-	-	-	23,000.00	23,000.00	-	0.00%
Dog Officer	21,500.00	21,500.00	-	0.00%	-	-	-	-	21,500.00	21,500.00	-	0.00%
Fire Department	266,000.00	258,400.00	7,600.00	2.86%	2,492,921.00	2,492,921.00	-	0.00%	2,758,921.00	2,751,321.00	7,600.00	0.28%
Building & Zoning	14,501.00	14,501.00	-	0.00%	314,440.00	311,497.00	2,943.00	0.94%	328,941.00	325,998.00	2,943.00	0.90%
Highway	454,500.00	302,500.00	152,000.00	33.44%	1,050,739.00	1,030,407.00	20,332.00	1.94%	1,505,239.00	1,332,907.00	172,332.00	12.93%
DPW- Capital	145,000.00	-	145,000.00	-	-	-	-	-	145,000.00	-	145,000.00	0.00%
Snow and Ice	325,000.00	325,000.00	-	0.00%	125,000.00	125,000.00	-	0.00%	450,000.00	450,000.00	-	0.00%
Transfer Station	65,000.00	65,000.00	-	0.00%	-	-	-	-	65,000.00	65,000.00	-	0.00%
Parks	327,000.00	293,000.00	34,000.00	10.40%	596,999.00	556,441.00	40,558.00	6.79%	923,999.00	849,441.00	74,558.00	8.78%
Board of Health	188,036.00	183,356.00	4,680.00	2.49%	695,543.00	672,884.00	22,659.00	3.26%	883,579.00	856,240.00	27,339.00	3.19%
Veterans	48,000.00	48,000.00	-	0.00%	-	-	-	-	48,000.00	48,000.00	-	0.00%
Council on Aging	58,600.00	56,000.00	2,600.00	4.44%	208,282.00	207,486.00	796.00	0.38%	266,882.00	263,486.00	3,396.00	1.29%
Youth Services	5,475.00	4,075.00	1,400.00	25.57%	223,150.00	222,400.00	750.00	0.34%	228,625.00	226,475.00	2,150.00	0.95%
Library	250,200.00	233,200.00	17,000.00	6.79%	836,000.00	823,000.00	13,000.00	1.56%	1,086,200.00	1,056,200.00	30,000.00	2.84%
Recreation	-	-	-	-	175,000.00	172,000.00	3,000.00	1.71%	175,000.00	172,000.00	3,000.00	1.74%
<b>Total Town Budgets</b>	<b>4,614,709.00</b>	<b>4,213,021.00</b>	<b>401,688.00</b>	<b>8.70%</b>	<b>12,104,428.00</b>	<b>11,876,337.00</b>	<b>228,091.00</b>	<b>1.88%</b>	<b>16,719,137.00</b>	<b>16,089,358.00</b>	<b>629,779.00</b>	<b>3.91%</b>
<b>Other Expenses</b>												
Debt Service	7,686,560.00	7,507,251.00	179,309.00	2.33%	-	-	-	0.00%	7,686,560.00	7,507,251.00	179,309.00	2.39%
Retirement	4,310,088.00	4,235,414.00	74,674.00	1.73%	-	-	-	0.00%	4,310,088.00	4,235,414.00	74,674.00	1.76%
Minuteman Regional	185,000.00	68,618.00	116,382.00	62.91%	-	-	-	-	185,000.00	68,618.00	116,382.00	169.61%
<b>Unclassified:</b>												
General Insurance	615,000.00	615,000.00	-	0.00%	-	-	-	0.00%	615,000.00	615,000.00	-	0.00%
Insurance 32B	7,165,000.00	7,165,000.00	-	0.00%	-	-	-	0.00%	7,165,000.00	7,165,000.00	-	0.00%
Medicare Tax	590,000.00	580,000.00	10,000.00	1.69%	-	-	-	0.00%	590,000.00	580,000.00	10,000.00	1.72%
Unemployment	50,000.00	50,000.00	-	0.00%	-	-	-	0.00%	50,000.00	50,000.00	-	0.00%
Public Disability	15,000.00	15,000.00	-	0.00%	-	-	-	0.00%	15,000.00	15,000.00	-	0.00%
Reserve for Salary	925,000.00	50,000.00	875,000.00	94.59%	-	-	-	0.00%	925,000.00	50,000.00	875,000.00	1750.00%
Occupational Health	8,000.00	8,000.00	-	0.00%	-	-	-	0.00%	8,000.00	8,000.00	-	0.00%
Buyback	40,000.00	40,000.00	-	0.00%	-	-	-	0.00%	40,000.00	40,000.00	-	0.00%
Town Meeting	100,000.00	100,000.00	-	0.00%	-	-	-	0.00%	100,000.00	100,000.00	-	0.00%
Street Light	130,000.00	130,000.00	-	0.00%	-	-	-	0.00%	130,000.00	130,000.00	-	0.00%
Reserve Fund	175,000.00	275,000.00	(100,000.00)	-57.14%	-	-	-	0.00%	175,000.00	275,000.00	(100,000.00)	-36.36%
<b>Total Other / Unclass</b>	<b>21,994,648.00</b>	<b>20,839,283.00</b>	<b>1,155,365.00</b>	<b>5.25%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b>21,994,648.00</b>	<b>20,839,283.00</b>	<b>1,155,365.00</b>	<b>5.54%</b>
<b>Subtotal Town Depts / other</b>	<b>26,609,357.00</b>	<b>36,794,969.00</b>	<b>1,811,036.00</b>	<b>6.81%</b>	<b>12,104,428.00</b>	<b>11,876,337.00</b>	<b>228,091.00</b>	<b>1.88%</b>	<b>38,713,785.00</b>	<b>36,928,641.00</b>	<b>1,785,144.00</b>	<b>4.83%</b>
<b>Expenses plus Capital</b>												
School Department	7,056,753.00	6,840,753.00	216,000.00	3.06%	31,825,150.00	30,882,080.00	943,070.00	2.96%	38,881,903.00	37,722,833.00	1,159,070.00	3.07%
School Capital	216,000.00	-	216,000.00	-	-	-	-	-	-	-	-	-
<b>Total Town / School</b>	<b>33,666,110.00</b>	<b>43,635,722.00</b>	<b>2,027,036.00</b>	<b>6.02%</b>	<b>43,929,578.00</b>	<b>42,758,417.00</b>	<b>1,171,161.00</b>	<b>2.67%</b>	<b>77,595,688.00</b>	<b>74,651,474.00</b>	<b>2,944,214.00</b>	<b>3.94%</b>

Town Administrator Recommended Capital Budget- Revised 11/18/16				Borrowing	Cash Capital	Free Cash	Ambulance Fund	Green Comm Grant	School GF Budget	DPW Budget	Water Capital	Surplus Cap CC or FC	Surplus Bonds Closed Funds	CPA Funds	Recreation 53E 1/2 & 53D	Recreation Stabilization	
<b>GENERAL FUND</b>																	
Department	Description	Requested Projects	Recommended Projects	Funding Sources													
DPW	Town wide road reconstruction	1,610,000.00	350,000.00	Cash Capital	-	350,000.00	-	-	-	-	-	-	-	-	-	-	
DPW	Cemetery road construction	185,000.00	185,000.00	Free Cash / Closeouts	-	-	132,128.00	-	-	-	-	-	-	-	-	-	
DPW	Transfer Station Road Mitigation	2,300,000.00	2,200,000.00	Borrow / Bond Premium	2,200,000.00	-	-	-	-	-	-	-	-	-	-	-	
DPW	Equipment Replacement- Tractor H-6	190,000.00	190,000.00	Cash Capital	-	190,000.00	-	-	-	-	-	-	-	-	-	-	
DPW	Equipment Replacement- Dump H-13	250,000.00	-	Not Recommended	-	-	-	-	-	-	-	-	-	-	-	-	
DPW	Equipment Replacement- Dump Truck H-4	95,000.00	95,000.00	Cash Capital	-	95,000.00	-	-	-	-	-	-	-	-	-	-	
DPW	Equipment Replacement- Light Dump Truck	95,000.00	-	Not Recommended	-	-	-	-	-	-	-	-	-	-	-	-	
DPW	Equipment Replacement- Snow Melter	-	-	Not Recommended	-	-	-	-	-	-	-	-	-	-	-	-	
DPW	Small Equipment-schedule	70,000.00	70,000.00	DPW FY 18 budget	-	-	-	-	-	70,000.00	-	-	-	-	-	-	
DPW	DPW / Rec- Field Renovation / Irrigation	100,000.00	100,000.00	Recreation 53E 1/2-FY 18	-	-	-	-	-	-	-	-	-	-	100,000.00	-	
DPW	DPW / Rec- HS JV Baseball	50,000.00	50,000.00	Cash Capital	-	-	-	-	-	-	-	-	-	-	50,000.00	-	
DPW	DPW / Rec- MOU Capital Maintenance	75,000.00	75,000.00	DPW FY 18 budget	-	-	-	-	-	75,000.00	-	-	-	-	-	-	
Surveyor	Hybrid robotic total station	30,000.00	30,000.00	Cash Capital	-	-	30,000.00	-	-	-	-	-	-	-	-	-	
Facilities	Fire Station # 2 Renovations	75,000.00	75,000.00	Ambulance Fund	-	-	-	75,000.00	-	-	-	-	-	-	-	-	
Facilities	Town Building New Windows	100,000.00	100,000.00	Borrow	100,000.00	-	-	-	-	-	-	-	-	-	-	-	
Facilities	Interior Renovation of Town Building	375,000.00	375,000.00	Borrow	233,723.00	-	-	-	-	-	-	-	141,277.00	-	-	-	
Facilities	TB mechanical / electrical improvement	218,000.00	218,000.00	Borrow	218,000.00	-	-	-	-	-	-	-	-	-	-	-	
Facilities	Vehicles - Motor pool	50,000.00	50,000.00	Green Communities Grant	-	-	-	-	50,000.00	-	-	-	-	-	-	-	
Fire	Fire Vehicle	65,000.00	65,000.00	Ambulance Fund	-	-	-	65,000.00	-	-	-	-	-	-	-	-	
Fire	Ambulance	305,000.00	305,000.00	Ambulance Fund	-	-	-	305,000.00	-	-	-	-	-	-	-	-	
Recreation	Oxbow Meadows Site Construction	300,000.00	300,000.00	CPA	-	-	-	-	-	-	-	-	-	300,000.00	-	-	
Recreation	Dudley Woods Walking Trails	50,000.00	50,000.00	CPA	-	-	-	-	-	-	-	-	-	50,000.00	-	-	
Recreation	Town Beach Improvements	40,000.00	40,000.00	FY17 Beach Account	-	-	-	-	-	-	-	-	-	-	40,000.00	-	
Recreation	Alpine Field Design and Bids	25,000.00	25,000.00	Recreation Stabilization	-	-	-	-	-	-	-	-	-	-	-	25,000.00	
Recreation	Greenways Study	30,000.00	30,000.00	Recreation Stabilization	-	-	-	-	-	-	-	-	-	-	-	30,000.00	
Recreation	Middle School 207 / 195 Study	150,000.00	150,000.00	Recreation Stabilization	-	-	-	-	-	-	-	-	-	-	-	150,000.00	
Town IT	Data Center Upgrade	215,000.00	215,000.00	Free Cash	-	-	215,000.00	-	-	-	-	-	-	-	-	-	
Transportation	School Bus Relocation	700,000.00	700,000.00	Borrow	700,000.00	-	-	-	-	-	-	-	-	-	-	-	
Various schools	School- Audio Visual Equipment	120,000.00	120,000.00	School Budget	-	-	-	-	120,000.00	-	-	-	-	-	-	-	
Happy Hollow	Floor Tile	35,000.00	-	Move to FY 19 / Sch Op	-	-	-	-	-	-	-	-	-	-	-	-	
Claypit School	Phone upgrade	50,000.00	50,000.00	School Budget	-	-	-	-	50,000.00	-	-	-	-	-	-	-	
Middle School	Tile Replacement	150,000.00	150,000.00	Borrow	100,991.00	-	-	-	-	-	-	49,009.00	-	-	-	-	
Loker School	Tile Replacement	50,000.00	-	Move to FY 19 / Sch Op	-	-	-	-	-	-	-	-	-	-	-	-	
High School	Stadium Repairs	150,000.00	150,000.00	Borrow	150,000.00	-	-	-	-	-	-	-	-	-	-	-	
High School	Tennis Court Renovation	180,000.00	180,000.00	CPA	-	-	-	-	-	-	-	-	-	180,000.00	-	-	
Happy Hollow	Food Service Equipment	60,000.00	60,000.00	Free Cash	-	-	60,000.00	-	-	-	-	-	-	-	-	-	
Various locations	Custodian Equipment	30,000.00	30,000.00	School Budget	-	-	-	-	30,000.00	-	-	-	-	-	-	-	
Middle School	Furniture Replacement	35,000.00	35,000.00	School Budget	-	-	-	-	16,466.00	-	-	-	18,534.00	-	-	-	
<b>Total General Fund</b>		<b>8,608,000.00</b>	<b>6,818,000.00</b>		<b>3,702,714.00</b>	<b>635,000.00</b>	<b>437,128.00</b>	<b>445,000.00</b>	<b>50,000.00</b>	<b>216,466.00</b>	<b>145,000.00</b>	<b>-</b>	<b>49,009.00</b>	<b>212,683.00</b>	<b>530,000.00</b>	<b>190,000.00</b>	<b>205,000.00</b>
<b>WATER FUND</b>																	
Department	Description	Budget		Funding Sources													
Water Fund	Water Meter Replacement & Reading System	1,150,000.00	1,150,000.00	Borrow	1,150,000.00	-	-	-	-	-	-	-	-	-	-	-	
Water Fund	Water Mains	700,000.00	700,000.00	Borrow	700,000.00	-	-	-	-	-	-	-	-	-	-	-	
Water Fund	Well Cleaning	65,000.00	65,000.00	Water Capital	-	-	-	-	-	65,000.00	-	-	-	-	-	-	
Water Fund	Water Tank Study	50,000.00	50,000.00	Water Capital	-	-	-	-	-	50,000.00	-	-	-	-	-	-	
Water Fund	Pilot Study Manganese- Campbell Well	110,000.00	110,000.00	Water Capital	-	-	-	-	-	110,000.00	-	-	-	-	-	-	
<b>Total Water Fund</b>		<b>2,075,000.00</b>	<b>2,075,000.00</b>		<b>1,850,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>225,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Total Fiscal 2018 requested budget</b>		<b>10,683,000.00</b>	<b>8,893,000.00</b>		<b>5,552,714.00</b>	<b>635,000.00</b>	<b>437,128.00</b>	<b>445,000.00</b>	<b>50,000.00</b>	<b>216,466.00</b>	<b>145,000.00</b>	<b>225,000.00</b>	<b>49,009.00</b>	<b>212,683.00</b>	<b>530,000.00</b>	<b>190,000.00</b>	<b>205,000.00</b>

4. DRAFT FY 18 SELECTMEN'S  
BUDGETS 11-21-16

Board of Selectmen Departments 11/18/2016	2015 ACTUAL	2016 ACTUAL	2017 Actual-4-Months	2017 APPROVED	2018 REQUESTED	\$ Variance FY 18 / FY 17	% Variance FY 18 / FY 17
<b>SELECTMAN</b>							
TOTAL PURCHASE SERVICE	20,760	25,662	10,485	24,000	28,000	4,000	16.67%
TOTAL SUPPLIES	3,015	-3,830	-256	6,000	0	-6,000	-100.00%
<b>TOTAL SELECTMEN</b>	<b>23,775</b>	<b>21,832</b>	<b>10,229</b>	<b>30,000</b>	<b>28,000</b>	<b>-2,000</b>	<b>-6.67%</b>
<b>TOWN OFFICE</b>							
TOTAL PERSONNEL SERVICES	468,323	452,832	153,548	435,000	477,900	42,900	9.86%
TOTAL PURCHASE SERVICE	14,843	12,369	2,204	10,000	11,000	1,000	10.00%
TOTAL SUPPLIES	66,139	58,499	23,317	71,500	65,000	-6,500	-9.09%
<b>TOTAL TOWN OFFICE</b>	<b>549,305</b>	<b>523,700</b>	<b>179,069</b>	<b>516,500</b>	<b>553,900</b>	<b>37,400</b>	<b>7.24%</b>
<b>PERSONNEL BOARD</b>							
TOTAL PERSONNEL SERVICES	2,100	2,578	1,971	5,000	5,000	0	0.00%
TOTAL PURCHASE SERVICE	8,540	5,557	0	10,000	10,000	0	0.00%
<b>TOTAL PERSONNEL BOARD</b>	<b>10,640</b>	<b>8,135</b>	<b>1,971</b>	<b>15,000</b>	<b>15,000</b>	<b>0</b>	<b>0.00%</b>
<b>FINANCE OFFICE</b>							
TOTAL PERSONNEL SERVICES	296,257	322,273	114,026	338,618	346,746	8,128	2.40%
TOTAL PURCHASE SERVICE	60,910	68,548	33,318	53,700	60,200	6,500	12.10%
TOTAL SUPPLIES	1,563	63	0	3,000	3,000	0	0.00%
<b>TOTAL FINANCE OFFICE</b>	<b>358,731</b>	<b>390,884</b>	<b>147,344</b>	<b>395,318</b>	<b>409,946</b>	<b>14,628</b>	<b>3.70%</b>
<b>TREASURER</b>							
TOTAL PERSONNEL SERVICES	208,555	167,806	61,392	190,104	191,448	1,344	0.71%
TOTAL PURCHASE SERVICE	72,609	119,743	9,184	99,900	110,200	10,300	10.31%
TOTAL SUPPLIES	0	106	51	200	200	0	0.00%
<b>TOTAL TREASURER</b>	<b>281,164</b>	<b>287,655</b>	<b>70,627</b>	<b>290,204</b>	<b>301,848</b>	<b>11,644</b>	<b>4.01%</b>
<b>LEGAL</b>							
TOTAL PURCHASE SERVICE	142,089	160,817	24,844	175,000	200,000	25,000	14.29%
<b>TOTAL LEGAL</b>	<b>142,089</b>	<b>160,817</b>	<b>24,844</b>	<b>175,000</b>	<b>200,000</b>	<b>25,000</b>	<b>14.29%</b>
<b>INFORMATION TECHNOLOGY</b>							
TOTAL PERSONNEL SERVICES	84,694	86,450	71,215	287,669	287,669	0	0.00%
TOTAL PURCHASE SERVICE	250,015	140,951	9,298	43,790	312,117	268,327	612.76%
TOTAL SUPPLIES		233,380	154,448	465,814	265,500	-200,314	-43.00%
<b>TOTAL INFORMATION TECHNOLOGY</b>	<b>334,709</b>	<b>460,781</b>	<b>234,961</b>	<b>797,273</b>	<b>865,286</b>	<b>68,013</b>	<b>8.53%</b>

Board of Selectmen Departments 11/18/2016	2015 ACTUAL	2016 ACTUAL	2017 Actual-4-Months	2017 REQUEST	2018 REQUESTED	\$ Variance FY 18 / FY 17	% Variance FY 18 / FY 17
<b>CONSERVATION</b>							
TOTAL PERSONNEL SERVICES	132,862	158,188	50,628	177,902	154,196	-23,706	-13.33%
TOTAL PURCHASE SERVICE	7,942	13,245	652	23,000	33,000	10,000	43.48%
TOTAL SUPPLIES	6,767	11,365	2,656	18,200	14,400	-3,800	-20.88%
<b>TOTAL CONSERVATION</b>	<b>147,571</b>	<b>182,798</b>	<b>53,936</b>	<b>219,102</b>	<b>201,596</b>	<b>-17,506</b>	<b>-7.99%</b>
<b>SURVEYOR</b>							
TOTAL PERSONNEL SERVICES	162,411	165,319	55,885	168,118	168,118	0	0.00%
TOTAL PURCHASE SERVICE	21,521	14,584	7,093	23,000	23,000	0	0.00%
TOTAL SUPPLIES	1,137	2,030	0	4,150	4,250	100	2.41%
<b>TOTAL SURVEYOR</b>	<b>185,069</b>	<b>181,933</b>	<b>62,978</b>	<b>195,268</b>	<b>195,368</b>	<b>100</b>	<b>0.05%</b>
<b>FACILITIES</b>							
TOTAL PERSONNEL SERVICES	263,107	265,605	85,104	277,932	279,130	1,198	0.43%
TOTAL PURCHASE SERVICE	669,866	702,105	217,064	837,500	777,000	-60,500	-7.22%
TOTAL SUPPLIES	31,415	26,413	5,859	43,000	43,000	0	0.00%
<b>TOTAL FACILITIES</b>	<b>964,388</b>	<b>994,123</b>	<b>308,027</b>	<b>1,158,432</b>	<b>1,099,130</b>	<b>-59,302</b>	<b>-5.12%</b>
<b>POLICE</b>							
TOTAL PERSONNEL SERVICES	2,192,172	2,260,188	721,423	2,356,693	2,467,460	110,767	4.70%
TOTAL PURCHASE SERVICE	138,689	149,093	33,358	140,710	140,710	0	0.00%
TOTAL SUPPLIES	167,962	127,241	14,358	169,400	161,400	-8,000	-4.72%
<b>TOTAL POLICE</b>	<b>2,498,823</b>	<b>2,536,522</b>	<b>769,139</b>	<b>2,666,803</b>	<b>2,769,570</b>	<b>102,767</b>	<b>3.85%</b>
<b>JCC COMMUNICATION</b>							
TOTAL PERSONNEL SERVICES	449,984	478,809	169,506	496,675	505,045	8,370	1.69%
TOTAL PURCHASE SERVICE	11,775	22,416	11,284	21,600	23,600	2,000	9.26%
TOTAL SUPPLIES	4,363	4,457	2,714	5,500	5,500	0	0.00%
<b>TOTAL JCC COMMUNICATIONS</b>	<b>466,121</b>	<b>505,682</b>	<b>183,504</b>	<b>523,775</b>	<b>534,145</b>	<b>10,370</b>	<b>1.98%</b>
<b>EMERGENCY MANAGEMENT</b>							
TOTAL PURCHASE SERVICE	15,203	15,384	4,415	16,000	16,000	0	0.00%
TOTAL SUPPLIES	7,002	7,238	2,604	7,000	7,000	0	0.00%
<b>TOTAL EMERGENCY MANAGEMENT</b>	<b>22,204</b>	<b>22,622</b>	<b>7,019</b>	<b>23,000</b>	<b>23,000</b>	<b>0</b>	<b>0.00%</b>



Board of Selectmen Departments 11/18/2016	2015 ACTUAL	2016 ACTUAL	2017 Actual-4-Months	2017 REQUEST	2018 REQUESTED	\$ Variance FY 18 / FY 17	% Variance FY 18 / FY 17
DOG OFFICER							
TOTAL PURCHASE SERVICE	21,228	21,652	7,325	21,500	21,500	0	0.00%
TOTAL DOG OFFICER	21,228	21,652	7,325	21,500	21,500	0	0.00%
FIRE							
TOTAL PERSONNEL SERVICES	2,122,359	2,251,212	788,780	2,492,921	2,492,921	0	0.00%
TOTAL PURCHASE SERVICE	39,073	65,297	26,679	76,900	72,500	-4,400	-5.72%
TOTAL SUPPLIES	188,058	167,578	65,248	181,500	193,500	12,000	6.61%
TOTAL FIRE	2,349,490	2,484,087	880,707	2,751,321	2,758,921	7,600	0.28%
BUILDING & ZONING							
TOTAL PERSONNEL SERVICES	278,200	294,236	97,311	311,497	314,440	2,943	0.94%
TOTAL PURCHASE SERVICE	7,875	1,067	2,671	12,000	12,000	0	0.00%
TOTAL SUPPLIES	1,367	135	386	2,501	2,501	0	0.00%
TOTAL BUILDING & ZONING	287,442	295,438	100,368	325,998	328,941	2,943	0.90%
VETERANS SERVICES							
TOTAL PURCHASE SERVICE	37,004	39,419	32,033	44,000	44,000	0	0.00%
TOTAL SUPPLIES	4,939	2,999	0	4,000	4,000	0	0.00%
TOTAL VETERANS SERVICES	41,943	42,418	32,033	48,000	48,000	0	0.00%
COUNCIL ON AGING							
TOTAL PERSONNEL SERVICES	172,253	200,989	67,216	207,486	208,282	796	0.38%
TOTAL PURCHASE SERVICE	43,753	36,100	5,323	46,700	51,300	4,600	9.85%
TOTAL SUPPLIES	7,763	9,675	1,141	9,300	7,300	-2,000	-21.51%
TOTAL COUNCIL ON AGING	223,768	246,764	73,680	263,486	266,882	3,396	1.29%
YOUTH SERVICES							
TOTAL PERSONNEL SERVICES	167,101	217,977	70,955	222,400	223,150	750	0.34%
TOTAL PURCHASE SERVICE	2,808	2,786	54	2,850	3,850	1,000	35.09%
TOTAL SUPPLIES	789	1,115	100	1,225	1,625	400	32.65%
TOTAL YOUTH SERVICES	170,698	221,878	71,109	226,475	228,625	2,150	0.95%

Board of Selectmen Departments 11/18/2016	2015 ACTUAL	2016 ACTUAL	2017 Actual-4-Months	2017 REQUEST	2018 REQUESTED	\$ Variance FY 18 / FY 17	% Variance FY 18 / FY 17
<b>DEBT SERVICE</b>							
<b>TOTAL DEBT SERVICE</b>	<b>7,692,911</b>	<b>7,653,109</b>	<b>1,729,160</b>	<b>7,507,251</b>	<b>7,686,560</b>	<b>179,309</b>	<b>2.39%</b>
<b>RETIREMENT</b>							
<b>TOTAL RETIREMENT</b>	<b>3,740,468</b>	<b>3,971,988</b>	<b>4,235,414</b>	<b>4,235,414</b>	<b>4,310,088</b>	<b>74,674</b>	<b>1.76%</b>
<b>UNCLASSIFIED</b>							
INSURANCE GENERAL	573,611	576,157	688,579	615,000	615,000	0	0.00%
INSURANCE 32B	6,057,649	6,587,478	2,290,495	7,165,000	7,165,000	0	0.00%
MEDICARE	561,962	595,336	165,356	580,000	590,000	10,000	1.72%
UNEMPLOYMENT	32,465	61,326	7,141	50,000	50,000	0	0.00%
NON-CONTRIBUTORY RETIREMENT	17,537	225	-	-	-	0	#DIV/0!
POLICE/FIRE DISABILITY	3,083	10,171	100	15,000	15,000	0	0.00%
RESERVE FOR SAL ADJUSTMENTS	-	374,000	-	50,000	925,000	875,000	1750.00%
OCCUPATIONAL HEALTH	1,919	6,046	1,435	8,000	8,000	0	0.00%
RETIREMENT/BUYBACK	7,500	23,740	40,974	40,000	40,000	0	0.00%
TOWN MEETING	65,289	105,853	5,395	100,000	100,000	0	0.00%
STREET LIGHTING	122,538	121,421	29,307	130,000	130,000	0	0.00%
RESERVE FUND	0	300,000	-	275,000	175,000	-100,000	-36.36%
<b>TOTAL UNCLASSIFIED</b>	<b>7,443,554</b>	<b>8,761,753</b>	<b>3,228,782</b>	<b>9,028,000</b>	<b>9,813,000</b>	<b>785,000</b>	<b>8.70%</b>



## **TOWN OF WAYLAND CONSIDERATIONS FOR FY 18 BUDGET PLANNING**

PRESENTED BY  
TOWN ADMINISTRATOR AND FINANCE DIRECTOR

WITH FINANCE TEAM: TREASURER, DIRECTOR OF ASSESSING, HUMAN  
RESOURCES DIRECTOR / ASSISTANT TOWN ADMINISTRATOR, SCHOOL  
BUSINESS MANAGER AND FINANCIAL ANALYST, FINANCE DIRECTOR AND  
TOWN ADMINISTRATOR

AUGUST 29, 2016

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### **ESTABLISHING A BUDGET GUIDELINE FOR FY 18**

- The Town Administrator works with the Finance Committee and Finance Director to establish the annual Budget Guideline and long term financial strategies. The Town Administrator recommends all department budgets to the Board of Selectmen and monitors the town's financial performance.
- The purpose of the annual Budget Guideline is to provide a tool for the Finance Committee to recommend a budget to Town Meeting that funds high quality municipal and school services considering affordability to taxpayers and based on a sustainable multi-year financial plan.
- See Town Code Chapters 19 (Finance) and 60 (Town Administrator) at: <http://www.ecode360.com/WA1635>

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## WHAT WAS THE FY 17 BUDGET GUIDELINE?

The purpose of this presentation is to provide a framework for consideration of a Budget Guideline for a FY 18 Revenue and Expense Budget. The framework is based on an increase of 2.5% of operating budget to provide a starting point for discussion.

- In FY 17 the Finance Committee established a budget guideline with the goal that the FY 17 General Fund operating budget be increased up to 2.5%. The guideline did not address the funding of capital projects which is covered by the Debt Policy. *(Note – the 2.5% guideline is unrelated to prop. 2.5)*
- The recommended FY 17 General Fund operating budget increased to \$74,651,474 or a 2.77% increase ( \$2.269 million) over FY 16.
- To understand the effect of achieving the 2.5% budget guideline into future years, the Finance Director developed five year projections and historical schedules which are provided to the Finance Committee and accompany this presentation as reference and for discussion.

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## REVENUE CONSIDERATIONS: PROPERTY TAXES

- Property taxes comprised 83% of general fund budget revenue in FY 16 and are the source of funding over which the Town exerts the most control.
- The property tax revenue needed to balance the budget is calculated by deducting from the planned general fund expenditure budget non-property tax revenue from:
  - 1) local receipts – such as motor vehicle excise, permit fees and interest,
  - 2) state aid
  - 3) transfers from other funds —such as indirect costs from revolving and enterprise funds, and
  - 4) any free cash used to balance the budget.
- For FY 17, the unused property tax levy capacity is estimated at \$7.8 million. For reference, \$7.8 million is 12.4% of the the tax revenue budgeted in FY 17.

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## **REVENUE:**

### **FY 18 VARIABLES – PROPERTY TAX**

- **Negative:**
  - Acquisition by the Carroll School of a Waltham Road property will result in a net decrease of \$150,000 in FY 17 and future years. (Based on FY 16, this equates to \$.03 on the tax rate. )
- **Positive:**
  - Aggressive tax title collection of \$2,000,000 in outstanding property tax revenue could positively affect free cash and future year collections.
  - New growth in FY 18 property tax is estimated at \$600,000 from increases attributable to new construction. The Town is experiencing stable growth increases.

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## **PROPERTY TAX:**

### **AVERAGE SINGLE FAMILY TAX BILL**

The Town of Wayland ranks sixth among eight neighboring towns comprising the real estate market.

- Wayland's average single family home 2016 tax bill was \$11,730. The median tax bill is \$1,000 lower.
- Average tax bills in 8 neighbor towns ranged from \$6,000 in Framingham to over \$18,000 in Weston.
- The average single family home assessed value in 2016 was \$676,477.
- Wayland's average 2016 single family home tax bill is ranked 11<sup>th</sup> statewide.

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## **PROPERTY TAX: LEVY LIMIT**

Wayland has significant tax levy capacity:

- The levy limit is the most that the Town can tax, up to a tax rate of \$25.00 without requiring an override vote under Proposition 2.5.
- The estimated unused taxing capacity in FY 18 is \$8.1 million.

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## **PROPERTY TAX: FY 17 LEVY LIMIT AND UNUSED CAPACITY**

2016 levy limit	\$ 64,104,000
2.5% increase	1,603,000
New growth est.	600,000
Levy limit	<b>66,306,000</b>
Debt exclusion	4,325,000
Maximum levy limit	<b>70,631,000</b>
Actual tax Levy	(62,821,000)
<u>FY 17 unused levy</u>	<u><b>7,810,000</b></u>
<u>FY 18 projected unused levy</u>	<u><b>\$ 8,147,000</b></u>

\* Based on growth assumption in supporting documents.

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**REVENUE:****NON PROPERTY TAX SOURCES OF GENERAL FUND SUPPORT**

The Town has little control over non-property tax revenue.

- Categories of non- property tax general fund revenue and key sources include:
  - State Aid: Chapter 70 School Aid and Unrestricted Local Aid
  - Local Receipts: Motor Vehicle Excise, Fees, Licenses, Interest
  - Transfer from Other Funds: Indirect costs such as employee health insurance paid from revolving and enterprise funds to general fund
  - Free Cash

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**REVENUE:****FY 18 OUTLOOK FOR NON-TAX REVENUE SOURCES**

Significant increases in state aid and local receipts are not expected or easily predictable.

- State Aid (\$5 m gross state aid) is budgeted to increase \$300,000 in FY 17. State aid is subject to positive and negative fluctuation. State Aid is offset by Cherry Sheet expenses carried in the operating budget.
- Projected Local Receipts (\$4.4 m FY 17 budget / \$4.65 FY 16 actual) are budgeted to increase in FY 17 due to growth in motor vehicle excise and meals tax and licenses and permits. Additional revenue can be made available after a stable pattern of increased collection is established.

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### FY 18: USE OF FREE CASH

- Over the past five years, the Town used varying amounts of free cash to cover operating budget deficits in amounts ranging from \$1,000,000 in FY 15 to \$4.8 M in FY 13 and a range of \$2.7 to \$6.1 m for all purposes including capital, articles and OPEB.
- The varying use of free cash in support of the operating budget has resulted in a fluctuating tax rate and declining reserves.
- Moody's Credit rating service advises the Town to build cash reserves and avoid budget deficits by using Wayland's unused levy capacity over the next few years.
- In Moody's 2016 Credit Opinion, the Town was informed:  
*"A continued trend in reducing reserves could lead to downward rating pressure."*

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### REVENUE: USE OF FREE CASH: FY 13 – FY 17 BUDGETS

USE	FY 13	FY 14	FY 15	FY 16	FY 17
Current Year Transfer	29,585	165,000	451,348	523,193	NA
Operating Budget	4,800,000	2,500,000	1,000,000	4,350,000	1,500,000
Capital Budget	945,000	180,000	415,000	300,000	410,000
Articles	300,000	100	0	519,903	538,619
OPEB	0	0	249,094	209,114	215,285
<b>Total</b>	<b>6,074,585</b>	<b>2,845,100</b>	<b>2,115,442</b>	<b>5,901,810</b>	<b>2,663,904</b>

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## FREE CASH CERTIFICATION FY 13 – FY 18

	FY 13	FY 14	FY 15	FY 16	FY 17 (EST.)	FY 18 (EST.)
FREE CASH BALANCE 1/1	10,304,704	6,023,697	4,091,958	6,384,312	4,786,000	5,185,000
% GF BUDGET	8.07	8.86	5.49	5.92	6.61	6.06

*Certified free cash is on low side of the acceptable range under town policy and the Moody's benchmark:*

- *The Board of Selectmen / Finance Committee's Free Cash Policy is to maintain Certified Free Cash at an amount between 5% and 10% of the next year's general fund budget.*
- *The Moody's benchmark is to maintain the general fund balance at 20% of revenues. The year end FY 15 statement shows 23%. (See Moody's Credit Opinion dated 1/25/16 notes downward trend )*
- *Note: The Finance Director's 2.5% FY 18 budget projection assumes use of free cash as follows: \$1.5 M to support operating budget, \$215,000 in OPEB funding, and \$200,000 in capital project funding. The Finance Committee will recommend how much free cash to use which will affect the tax rate.*

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## FY 18: KNOWN OPERATING EXPENSE CHANGES

The following expense changes are expected in FY 18, but are as yet unquantified:

**Potential Savings:**

1. **Energy:** Energy and natural gas supply costs will remain flat or decline, distribution costs will increase resulting in modest increases. Vehicle fuel costs will decline.
2. **Health Insurance:** Discussions to find savings in employee health insurance are ongoing.

**Potential Expense:**

1. **Building Maintenance and Public Works Infrastructure:** More comprehensive capital plans are requested to identify and quantify deferred maintenance.
2. **Technology:** IT upgrades begun last year will continue.
3. **Personnel:** Requests for new Town and School personnel and school initiatives are expected.
4. **School Transportation:** Costs will be bid for FY 18 and will likely increase.
5. **Rivers Edge:** There may be additional costs in the School budget and DPW budget associated with moving school buses and providing a laydown area for DPW as these functions move to make way for the Rivers Edge project which may be a source of new property tax revenue in future years.
6. **Labor contracts:** All town school and town collective bargaining agreements expire 6/30/17. The timing of settlement with the unions is unknown but will affect budgets in the FY 18 – 21 period.

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### **FY 17 BUDGET STRUCTURE**

The distribution of appropriations to Town, School and Unclassified Expenses in FY 17 is typical for Wayland and may be used as a guideline for how new resources could be appropriated:

- Town Departments	22%	\$ 16,159,000
- School Department	50 %	37,722 ,000
- Unclassified Expense		
• Debt	10%	7,507,000
• Retirement	6%	4,235,000
• Health Insurance	10%	7,165,000
• Other	2%	<u>1,863,000</u>
 TOTAL		 \$ 74,651,000

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### **EXPENDITURES: RATE OF INCREASE – OPERATING BUDGET**

Development of a budget plan meeting the 2.5% goal requires an understanding of expected increases in health insurance and school costs.

- **Average Rate of Increase in Operating Budget:** The rate of increase for the General Fund operating budget averaged 2% over the 5 year period beginning FY 13 and 3.27% over the 3 year period beginning FY 15. Each budget year presents unique challenges.
- **Cost of Health Insurance is Major Uncertainty:** Unclassified expenses, driven by health insurance, are variable. To determine actual funds available in FY 18, unclassified expenses driven by health insurance costs must be determined. The cost of insurance is 10% of the operating budget, or \$7.1 M, in FY 17.
- **A 2.5% Operating Budget increase means Town and School Operating Budgets increase less than 2.5% due to unclassified expenses.** Based on the typical distribution of appropriations from prior years, a 2.5% operating budget increase would provide \$1,800,000 in new funding and a 1.37% (\$222,000) operating budget increase for the Town and a 1.69% (\$615 ,000) operating budget increase for the schools.

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## **FY 17 EXPENDITURES: CAPITAL BUDGET**

In Wayland, the Budget Guideline addresses the general fund operating budget. The Finance Committee also prepares an annual and five year capital budget and plan which has a significant impact on cash reserves, new debt, future year operating budgets and property taxes.

- The recommended FY 17 Capital Budget was \$8.974 million including \$595,000 from free cash and cash capital, \$4.5 million in new general fund debt and \$3.879 from other funds and fund borrowing.
- The costs of the \$4.5 million in General Fund debt authorized by the 2016 Town Meeting will be included in the operating budget beginning in FY 18. The cost of the \$2 million in recommended FY 16 General Fund debt is included beginning in FY 17.
- In FY 16, the Finance Committee reviewed total capital requests of \$17.6 million. In FY 17, total capital requests were \$9 million.

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## **DEBT POLICY**

- Capital purchases must be at least \$25,000 to issue debt for no longer than the useful life of the asset. *(Note – Adopted policy states \$10,000)*
- Debt should be within 5-10% of operating expenditures annually.
- The debt policy specifies categories of capital acquisition subject to debt exclusion.
- Police cruisers are funded in the operating budget. Other passenger vehicles and small equipment are funded with cash capital and not financed through debt.
- The Debt Policy should be updated.

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**DEBT:  
MANAGING CAPITAL PROJECTS  
WITHIN THE DEBT POLICY**

Debt can be managed to remain under the 10% Debt Policy:

- Assuming the Town's operating budget increases 2.5% annually through 2025 and the Town borrowed an average of \$5 million annually, it is estimated an average of \$500,000 in new debt service would be added annually and debt could remain under the 10% of operating budget debt policy.
- For FY 17, principal and interest payments were \$7.5 million or about 10% of the Town's \$74,651,000 operating budget.

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**DEBT: BORROWING HISTORY**

Over the last 5 years the town has incurred the following General Fund Debt:

1. 2012	\$ 2,010,000
2. 2013	2,555,000
3. 2014	12,858,000
4. 2015	5,917,000
5. <u>2016</u>	<u>2,401,000</u>
<b>AVERAGE:</b>	<b>\$ 5,183,200</b>

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## **RECOMMENDED FY 18 BUDGET GUIDELINE**

The Finance Committee, Town Departments and School Committee will work collaboratively to develop an FY 18 budget that:

1. Funds high quality municipal and educational services.
2. Maintains Wayland's competitive ranking within the area real estate market.
3. Maintains the Town's favorable credit rating by limiting the use of free cash and building cash reserves, aggressively funding OPEB and maintaining debt below 10% of operating budget.

Strategies to fulfill this guideline include:

1. Maintain the goal of a 2.5% maximum increase in the total General Fund operating budget. Aim to stay close to the 2.5% goal annually and remain under the goal on average over 5 years.
2. Provide an alternative, comprehensive FY 18 budget projection showing full picture of all general fund revenues and operating and capital expenses.
3. Continue to review and improve the process for capital planning and funding to insure prudent debt management through a comprehensive, credible, consistent and continuous forward plan.
4. Limit the use of free cash for all purposes to an amount that will increase cash reserves to an amount in excess of the Moody's benchmark.
5. Maintain debt service under 10% of the operating budget and adhere to the debt policy.

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## **FY 18 BUDGET PROCESS: ADMINISTRATIVE ROLE**

- 1) Request that town department operating budgets be based on what is required to maintain services at current levels.
- 2) Identify and plan for any fixed new expenses in the Town departmental and unclassified budgets.
- 3) Identify and plan for any discretionary new personnel and programs that will improve town departmental services.
- 4) Identify and incorporate new or increased sources of revenue, efficiencies and cuts in expenditures through the budget process.
- 5) Continue to review and improve the process for capital planning and funding to insure prudent debt management through a comprehensive, credible, consistent and continuous forward plan.
- 6) Maintain communication with the School Superintendent and Finance Committee about budget challenges and opportunities for the FY 18 school budget. An initial discussion is planned with School Superintendent, School Committee representatives, Town Administrator and Finance Committee liaison on September 7<sup>th</sup>.
- 7) Manage a process with department heads to make budget cuts if required.

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## **GOING FORWARD, WORKING TOGETHER**

- ✓ The Town Administrator and Finance Director's recommended FY 18 Budget Guideline and fiscal management strategies are offered to the Finance Committee for consideration in establishing town fiscal policy for FY 18 and future years.
- ✓ The Finance Committee is asked to advise the Town Administrator and School Superintendent of its final adopted FY 18 Operating Budget Guideline.
- ✓ The Finance Director will provide ongoing staff support and financial analysis to the Finance Committee and act as the Committee's liaison to the Town Administrator and Department Heads.
- ✓ The Town Administrator and Financial Analyst will work together to manage the departmental process to develop recommended operating and capital budgets for the Finance Committee's review.
- ✓ The Finance Team will continue to work altogether with the Town Administrator to respond to the Finance Committee's information requests to develop the FY 18 Budget.

***MANY THANKS TO BRIAN KEVENY, JOHN SENCHYSHYN, ELLEN BRIDEAU, ZOE PIERCE, ELIZABETH DOUCETTE AND SUSAN BOTTAN FOR THE EXCELLENT WORK THIS SUMMER IN ANALYZING THE TOWN'S FINANCIAL POSITION AND PLANNING THE FY 18 BUDGET PROCESS!***

**2016 ANNUAL TOWN MEETING  
POTENTIAL ARTICLES AS OF NOVEMBER 21, 2016**

**STANDARD ARTICLES**

1. RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN
2. PAY PREVIOUS FISCAL YEAR UNPAID BILLS
3. CURRENT YEAR TRANSFERS
4. OPEB FUNDING
5. FY 2016 OMNIBUS BUDGET
6. COMPENSATION FOR TOWN CLERK
7. PERSONNEL BYLAW AND WAGE & CLASSIFICATION PLAN
8. CHOOSE TOWN OFFICERS
9. ACCEPT GIFTS OF LAND
10. SELL OR TRADE VEHICLES AND EQUIPMENT
11. RESCIND AUTHORIZED BUT UNISSUED DEBT
12. HEAR REPORTS
13. CPC: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

**PLANNING BOARD ARTICLES/ZONING BY-LAW CHANGES**

14. TEAR DOWN
15. NONCONFORMING STRUCTURE AND USES
16. FLOOR AREA/UNDERSIZED LOTS
17. BUILDING HEIGHT
18. SIDEWALKS
19. ACCEPT PRIVATE ROADS

**POTENTIAL BOARD OF SELECTMEN ARTICLES**

20. MUNICIPAL MODERNIZATION ACT: OPEB: ACCEPT MGL 32b SECTION 20
21. MUNICIPAL MODERNIZATION ACT: REVOLVING FUNDS
22. FUND CONSTRUCTION OF PERMANENT TURN RESTRICTIONS ON GLEZEN LANE
23. BY-LAW CHANGES REGARDING TOWN BUDGET PROCESS AND TOWN ORGANIZATION
24. AMEND BY-LAW TO REQUIRE TAXPAYERS TO BE IN GOOD STANDING AS CONDITION OF APPLICATION FOR LICENSES AND PERMITS

**POTENTIAL ARTICLES FROM OTHER PUBLIC BODIES**

25. CONSERVATION COMMISSION: CONFIRMATORY TAKING: WAYLAND COMMONS
26. LIBRARY: FUND CONSTRUCTION AND ACCEPT MBLC GRANT
27. COA: FUND NEXT STEP IN PROJECT
28. HISTORICAL COMMISSION: DEMOLITION DELAY BYLAW
29. BOPW: ACQUIRE ACCESS EASEMENT FROM HABITAT FOR HUMANITY
30. ASSESSORS: REQUIRE DEADLINE FOR CIRCUIT BREAKER APPLICATIONS TO BE SAME AS ALL EXEMPTION APPLICATIONS
- 31 – 35. CPC PROJECTS:
  - MELLEN LAW OFFICE RENOVATIONS
  - HOUSING CONSULTANT
  - TENNIS COURT
  - OXBOW MEADOWS SITE CONSTRUCTION,
  - DUDLEY WOODS WALKING TRAILS

2017

**ANNUAL TOWN ELECTION/ANNUAL TOWN MEETING SCHEDULE****2016**

- Mon Nov 21** Tax Classification Hearing
- Mon Dec 5** Board of Selectmen vote to open warrants for Annual Town Meeting and Election
- Mon Dec 5** Planning Board has preliminary meeting with Board of Selectman on Zoning and Planning Board articles, if required.
- Wed Dec 7** Notice of the opening of the warrant shall be sent to all Town boards and committees and as required by Town Code Section 36-2, shall be published in a newspaper of general circulation and posted at public library in Wayland Center, at the Cochituate Fire Station or Cochituate Post Office and at the Happy Hollow School.
- Mon Dec 12** Board of Selectmen and Finance committee meet with Audit Committee to hear FY 17 presentation from Auditors

**2017**

- Mon Jan 5** Nomination papers available from Town Clerk for Town Election
- Mon Jan 9** Petitioners' Workshop with Selectmen
- Mon Jan 9** Planning Board Public Hearing on Zoning Articles; Hearing to be continued or closed - Vote before Jan 17.
- Mon Jan 9** Selectmen vote any remaining warrant articles it will propose.
- Mon Jan 16** **Martin Luther King Jr, Day**
- Tues Jan 17** Deadline for submission of warrant articles at 4:30 p.m. (per Town Code Sec. 36-3) No article, other than one submitted by the Moderator, Town Clerk, or the requisite number of petitioners, shall be inserted in the warrant for any Town meeting unless so voted by a board, commission, committee, or other governmental body of the Town of Wayland by 4:30 p.m. on the date fixed by the Board of Selectmen for closing of the warrant for such meeting. (Town Code 36-3C)
- Tues Jan 17** Articles are draft ordered (A,B,C) by Town Administrator and distributed to Moderator, Finance Committee, Selectmen, Town Counsel and Town Clerk. Conveyance of submitted zoning by-law articles to the Planning Board, (Town Clerk per MGL c. 40A s.5)
- Tues Jan 17** Finance Committee approves letter to Board of Selectmen requesting debt exclusion ballot question, if any. (Earliest expected date of action.)

Except for Town Meeting and Election, dates required by Town Code / State Law and dates for final submission of warrant articles, this schedule is subject to change.



<b>Thurs Jan 19</b>	Town Counsel, Town Planner, Building Commissioner, Town Clerk and Town Administrator meet to review zoning articles, if needed
<b>Mon Jan 23</b>	Finance Committee ATM Article Hearing (Earliest expected date of action.)
<b>Mon Jan 30</b>	Finance Committee presents debt exclusion recommendation to Selectmen (if any proposed – N/A) (Earliest expected date of action.)
<b>Mon Jan 30</b>	Selectmen meeting with Planning Board on Town Meeting articles, if necessary
<b>Fri Feb 3 Noon</b>	Deadline for submission of sponsor’s report and petitioners’ comments to Finance Committee
<b>Mon Feb 6</b>	Board considers opening of STM Warrant (within annual) from Tuesday 2/7 through Tuesday 2/14 at 4:30 pm and sets all related dates at that time. Last date to set STM within annual is 45 days before or 2/16/16. The warrant for any Special Town Meeting shall remain open for at least seven days after it is called by the Board of Selectmen. Within 48 hours after calling any Town Meeting, the Selectmen shall post notice of the warrant closing date at the locations specified in § 36-2.
<b>Tues Feb 7</b>	Last day for submission of nomination papers to Town Clerk for Town Election (49 days before Election) GL c53, sec. 7
<b>Mon Feb 13</b>	Selectmen determine final (numbered) order of ATM warrant articles
<b>Tues Feb 14</b>	Planning Board discusses, votes reports on zoning articles (May be earlier)
<b>Thurs Feb 16</b>	Articles put in final form by Town Counsel.
<b>Mon Feb 20 – 24</b>	<b>President’s Day and School Vacation week</b>
<b>Tues Feb 21</b>	Selectmen accept public comment; discuss wording and vote on ballot questions (if any)
<b>Tues Feb 21</b>	Last day for Selectmen to submit ballot question to Town Clerk (35 days before election)
<b>Wed Feb 22</b>	Last date for Vehicle descriptions (valued at least \$10,000 from Parks, Recreation, Highway and Water only) prepared by procurement officer to be filed with Town Clerk per Town Code Sec. 19-7
<b>Wed Feb 22</b>	<b>Deadline: Finance Committee article comments (with supporting charts and appendices) and Planning Board articles due to Board of Selectmen Town Administrator and Executive Secretary – <u>No changes accepted after this date.</u></b>
<b>Tues Feb 23</b>	Last day to withdraw nomination papers for Town Election (35 days) GL c 53, sec. 11

Except for Town Meeting and Election, dates required by Town Code / State Law and dates for final submission of warrant articles, this schedule is subject to change.

<i>Thurs Feb 23</i>	Town Clerk sends ballot to printer
<i>Thurs March 2</i>	Compilation of warrant completed and all changes made; Warrant to printer
<i>Wed March 8</i>	Last day to register to vote prior to Town Election / Town Meeting (20 days prior) GL c 39 sec 26, 28
<i>Mon March 13</i>	Motions for articles completed by Town Counsel and provided to Moderator and Town Clerk; Pre-Town Meeting to Review Motions this week.
<i>Mon March 13</i>	Final copy of Warrant delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director
<i>Mon March 13</i>	Selectmen vote and sign warrants for posting
<i>Thurs March 16</i>	Postal delivery of warrants (Town Code 36-2A, MGL c. 39, s10)
<i>Thurs March 16</i>	Motions for articles are posted at Town Building and Library
<i>Thurs March 16</i>	Town Clerk post warrants (Town Building, Library, Happy Hollow School, Cochituate Post Office) per Town Code Sec. 36-2A (at least 7 days prior to Annual Town Election and 14 days prior to Special Election) and under 36-1, posts on town sign boards no later than 2 weeks before election and town meeting
<i>TBD</i>	Candidates Night - League of Women Voters
<i>Wed March 22</i>	Moderator's Forum (Tentative Date)
<i>Mon March 27</i>	Selectmen conduct ATM Warrant Hearing at 7:00 p.m.; Finance Committee make presentation on any debt exclusion ballot questions
<i>Mon March 27</i>	Last day for Selectmen to review proposed motions and vote positions on Annual Town Meeting Warrant articles
<i>Tues March 28</i>	<b>ANNUAL TOWN ELECTION</b>
<i>Fri March 31</i>	Prepare and print final errata sheets, Moderator's instructions to Town Clerk, tellers, and Planning Board reports (if necessary) for distribution at Town Meeting
<i>Fri March 31</i>	Warrants and lists delivered to Town Meeting site. List of non-resident employees provided to Moderator and Town Clerk
<i>Sun Apr 2</i>	<b>ANNUAL TOWN MEETING (Sunday at 1:00 p.m.)</b>
<i>April 3, 5, 6 (M &amp; W, TH)</i>	Adjourned sessions of Annual Town Meeting (Monday, Wednesday and Thursday at 7:00 p.m. as necessary)

Except for Town Meeting and Election, dates required by Town Code / State Law and dates for final submission of warrant articles, this schedule is subject to change.

DATE: NOVEMBER 21, 2016  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: RIVERS EDGE PROJECT

**RECOMMENDED ACTION:**

**VOTE TO AMEND THE SCHEDULE FOR THE RIVERS EDGE REQUEST FOR PROPOSAL TO EXTEND THE DATES FOR 1) ISSUANCE OF A NOTICE OF AWARD TO FEBRUARY 1, 2017, 2) EXECUTION OF A LAND DISPOSITION AGREEMENT BY MARCH 3, 2017, 3) COMPLETION OF DUE DILIGENCE PERIOD BY JUNE 1, 2017, AND 4) COMPLETION OF LOCAL AND STATE PERMITTING AND CLOSING BY MARCH 1, 2018.**

UPDATE:

**1. EXTENSION OF RFP SCHEDULE**

- Based on legal advice, the Board voted on November 7<sup>th</sup> to request the respondents to the Rivers Edge RFP agree to an extension of the RFP schedule.
- Since that time, it was determined by Special Counsel that the Board can unilaterally extend the date for the Notice of Award to February 1<sup>st</sup> because the proposals remain open for one year from the dates of receipt by the town. The expiration date, by which a Land Disposition Agreement must be signed, unless there is an extension agreement is July 5, 2017 for Wood Partners and July 4, 2017 for Baystone.

**2. ECONOMIC IMPACT ANALYSIS**

- Fougere Planning plans to complete the update on the 2013 Rivers Edge economic analysis by early January 2017. The project is funded with \$5,000 in remaining funds appropriated for Rivers Edge.

**3. DPW LAYDOWN AREA AND WATER / SCHOOL BUS PARKING**

- The Chair of the Board of Public Works provided the attached additional detail on the project.
  - BOPW requests that the Selectmen communicate with the Board when BOPW should begin to spend funds to implement its plan to develop a new laydown area.
  - The next step to move forward on an agreement with the Sudbury Water District for an interconnection for water fire service and redundancy is preparation of a design.
- The School Business Manager provided the attached update regarding creation of a permanent parking place and dispatch area for school buses.
  - The School Department requests permission to remain parked at Rivers Edge until June 30, 2016.

## River's Edge FAQ – Responses from River's Edge Advisory Committee (REAC)

### DPW Comments in **BOLD**

#### Department of Public Works

*[\*\*This is REAC's current understanding of these topics but should be confirmed with Board of Public Works and/or DPW]*

- Why does the DPW need a laydown area for its daily work? What is it used for?
  - To facilitate temporary dirt piles and materials storage for roadwork or other projects in process around Town.
  - **It is important to note that in addition to the above answer, some materials storage is done on a permanent basis. The Town needs clean gravel, fill, loam and other similar materials to always be available for various planned and unplanned work that comes up. An example would be the catch basin cleanings that are done each spring. We historically let those sit and dry out for a year or so before paying to have them hauled away (they are considered "hazardous" material due to oil that may be mixed in with the material). If we have to have this hauled away immediately, when wet, it will cost 5X to have it removed due to the extra weight.**
  - **Another example is what is happening currently with 195 Main St. (old DPW building). Machinery and materials for water projects, the Villa intersection, Five Paths, and 27/30 intersection are being stored at 195 Main St. through until the end of the projects. If these items were needed to be stored out of Town the projects would take longer due to the time to bring in/bring out everything each day, as well as adding at least 10% to the price of each project.**
- If they have to move from River's Edge, where will the laydown area be located?
  - A 3/4 acre area was identified two years ago behind the new DPW building for a new laydown area. Since an award for River's Edge is pending, DPW is pursuing final Con Comm approval for this area so it can be put into service.
  - **It should be noted that the 3/4 acre site is not sufficient for the long-term needs of the DPW, and use of 195 Main St as a supplemental laydown area is likely.**
- What size area is needed for a laydown area?
  - DPW has estimated two acres total. Between the 3/4 acre area, and areas near the salt shed at the DPW, a large portion of required space is accommodated. Future space, if needed, could potentially occur at the transfer station or other town sites to get up to the estimated 2 total acres.
  - **DPW needs two acres on one site due to trucks needing space to back up, turn around, have room for piles of material, etc. Having tiny parcels that add up to two acres is not sufficient. DPW is trying to do everything they can to find space where they can (like at the Transfer Station), but this is the DPW being proactive and doing the best they can with what they have available. They are, at best, temporary solutions and should not be considered long-term options.**
- Are there any additional annual costs associated with a new laydown area?
  - Geographically, the new vs old laydown areas are very close. The new laydown area is further from Rt 20, but closer to DPW equipment, so should provide similar utility. Additional costs may arise if a significant amount of road work (like this year) were completed all at once, and costs may be incurred from those projects for temporary staging, if other areas are not identified. It should be noted that permanent dirt storage should not be Town protocol going forward, as it only creates a removal headache and cost for another day (like River's Edge)

- **DPW agrees that historically permanent material storage was mishandled and we should have never accumulated as much material as is there today. However, that does not mean that moving forward we will not have the need to store *any* material. As noted above, we need various materials available to us for planned and unplanned activities. Examples are the new Happy Hollow school playground required loam to be brought in to level the site. Water main breaks are an example of unplanned activities.**
- When would the DPW need to move its operations from the River's Edge site?
  - DPW would need to move once the Land Disposition Agreement is signed with the Developer, as the Developer would then begin due diligence then and would require unencumbered access to the site, and no further changes to site conditions.
  - **Per special counsel, DPW would need to move out upon Land Disposition Agreement.**
- For the proposed "triangle" laydown area, what is the approval process? And the estimated timeframe for approval and to meet any order of conditions?
  - DPW has advised 3-6 months. In this time frame, DPW anticipates that the old DPW lot could be used for interim use until this triangle is ready in the spring.
  - **Conservation has advised DPW that it would take six months from September. DPW is not aware of how quickly this is moving through the Conservation process given the fact that currently there is no Conservation Administrator. Even assuming the triangle is ready, DPW anticipates needing to use 195 Main St. on an on-going basis.**
- Is there a need for an industrial zone which could also include a laydown area?
  - This is not related to River's Edge as no industrial materials are held at River's Edge
  - **DPW strongly feels that every town needs to have an "industrial area" which would include a laydown area. Just like every house needs a machine room, typically in the basement, every town needs an industrial area where the infrastructure of the Town's activities occurs. These areas are typically not in residential areas and near the Town's border. This is precisely why the current lay down area makes for an excellent choice for the Town's "industrial area" and why DPW cannot find a suitable replacement. All other parcels in town are either in residential areas or have conservation or other issues.**
- Is the proposed road to the Transfer Station (estimated at \$2.3 million) related to River's Edge?
  - The Water Department suggested, after RFP bids were received, that a water loop be installed to connect River Road, the DPW, the Transfer Station, River's Edge and back to Town Center, thereby creating loop redundancy for all parties. At the time, the Water Department was not aware of the sensitivity of the outstanding work required on the transfer station access road. Since then, regardless of the access road, it has been determined that a better loop mechanism is to tie the Rt 20 line into Sudbury's line rather than route through a roadway that may or may not be there in the future. This connection to Sudbury for emergency purposes has been reviewed with Sudbury Water and conceptually agreed.
  - **The proposed improvements to the Transfer Station access road are not related to Rivers Edge.**
- What is a water loop and why does the BoPW require them?
  - A loop provides redundancy from another direction in the case of a water main failure, and to provide flowing water and no "dead-ends" that need to be monitored or serviced for water quality. It is recommended as good practice "when feasible".
- Some have mentioned other costs related to moving DPW operations from River's Edge. What are the cost estimates related to River's Edge for the following items?
  - Water loop

- With the water connection now only to Sudbury along Rt 20, it would not trigger any landfill station access road work, and would be paid by the developer.
- **Our Water Superintendent has worked with Sudbury to provide a connection which would dramatically lower the cost of a water loop within Wayland. However, a formal agreement has not been reached, nor has a cost been estimated. It will cost less to tie in with Sudbury than to create a loop, however there is still a cost to this which is not known. It is not safe to assume that the developer would simply absorb this cost.**
- Construct new laydown area
  - Costs are estimated at \$200,000 to remove prior soils left over from the DPW and create bins/areas. Funds remain (\$250k) from the under-budget DPW facility to complete this work.
  - **It is estimated that the cost to construct the new laydown area will be \$250k and there is approximately \$300k of borrowed funds left over from the DPW construction. However, even though the funds are available, there still is a cost here. It is still \$250,000.**
- Annual increase in DPW operation budget
  - Ideally, this will be \$0. If additional spaces are consistently needed, these can be identified, with the goal that there is no permanent increase. NOTE the Town history of storing soils permanently should no longer be accommodated as good operating practice, so there may be increased costs there, but it avoids major restoration later, so overall this would be a wash to the Town.
  - **As stated before, poor historical management of storing material is acknowledged. However, there is absolutely a cost to the ongoing operational needs of the DPW should we be moved off the site. These have been \$161,500 every year, with costs increasing every year as construction costs increase. Construction costs typically increase at a faster/higher rate than inflation. It should also be noted that this \$161,500 annual cost does not include “what we don’t know”. We have done our best to estimate costs of not having a sufficient lay down area, but since we’ve never done it, we won’t know “what else” until we go through a few years. There could be additional costs on top of this escalating \$161,500 each year.**

**School Bus Parking [Again, this is REAC's current understanding, but should be confirmed with School Committee]**

- Why have the school buses been parked at the River's Edge site?
  - These were moved here upon construction of the new high school, and to remove them from a Zone 1 area. The septage facility was decommissioned, so this was a temporary location until another use was found for the site.
- The School Committee has heard from a landscape architect about parking the buses to the north of the Middle School driveway.
  - Is this a Zone 2 area? If so, what are the limitations?
  - If the buses are parked here, what is the potential impact on water quality, neighbors and potential abatement filings, bus traffic flow, and traffic?
  - **DPW Note: The Superintendent of Schools has requested if it would be possible to park the busses at 195 Main St. He has also provided an estimate for the amount of space which would be needed (one acre). We are currently waiting for the Town Surveyor to provide a map and one acre overlay so we can officially determine if there is enough room for the busses as well as the DPW laydown area. Although not our final conclusion, it does not appear that there is sufficient**

**space for both bus and laydown needs. It should be noted that even if there was sufficient space, 195 Main St. is possibly only available for two more years if a Library and recreational field are built on the site. This plan would simply “kick the can down the road” until a permanent solution is found.**

## Proposed Rivers Edge Site

Updated 11/17/16

The DPW currently uses the approximate 4 acres parcel of land where the Rivers Edge Site is proposed. The area has been used for many years for a variety of uses from snow storage, to the staging area of materials for the day to day operations. On the North side of the property there are several Police agencies including Wayland which use the site as a gun practice range for training purposes. If the DPW was to lose the current site the additional costs and labor would increase dramatically. Below we have calculated some cost estimates and uses

Wood chips:

We currently generate over 1500 cubic yards of wood chips yearly. These wood chips are stored and used on roadside projects as needed.

**\*We can dump wood chips at Cavicchios in Sudbury at no dumping cost, But the cost of labor and trucking. @ \$43. Truck, \$23. Driver x 2 \$ 132.00 per trip, 1500CY, 8CY per trip.**

**\$24816.00 As of 11/1/16 There has been a dumping fee for wood chips \$1 per yard. So we have added an additional \$ 1500. \$24816.00 New Figure \$26316.00**

Minus trucking & Labor \$1,500

Road Millings:

Currently Road Millings are stock piles during road construction to be removed at later dates which allows the DPW to have cost savings from the contractors.

**\*Costs of hauling millings during construction, time and trucking. Costs upward of 10% of**

**Road Construction Reclamation Millings Contracts \$15,000.00**

Actual cost \$15,000

Bituminous berm & bituminous asphalt:

During road construction all berm is removed and trucked to DPW site, as well as all asphalt removed during catch basin or manhole rebuilds, and during any cutting of the roads. We estimate we accumulate @ 200-300 cubic yards a year.

For Contractual services we allow them to use our facility to save on the contract, added possible costs of contract without storage @ 300CY



**\*We have priced the removal of Bituminous asphalt \$10.00 per cubic yard, Cost of trucking and labor \$43.00 truck \$23.00 Driver x 2**

**300CY      \$9600**  
**Minus trucking & Labor \$3,000**

### Concrete:

Currently generate @ 100 – 250 cubic yards of concrete yearly, from Catch basin, Manhole rebuilds and repairs, also many other Park division and Highway projects within town.

**\*Cost of removal of Clean concrete no rebar \$10.00 per CY. Cost of trucking and labor \$43.00**

**truck \$23.00 driver      200cu yrd      \$6182**

**Minus trucking & Labor \$2,000**

### Road reclaim materials:

Full depth reclamation during road construction generates upwards of 2000 cubic yards of usable materials which we store towards future construction of sidewalks, roads and other projects. This is a large savings to the town do to the limited need for purchasing processed gravel. If we were not able to store this material we would have to incur the higher cost of contractual services for reclamation. Also we would have to purchase processed gravel as needed

**Approximate contractual cost of removal of onsite materials      \$30,000.00**

**\*Processed gravel \$15.00 CY      \$30,000.00**

**Actual cost \$60,000**

### Snow Storage:

During Winter months after a large snow storm or the accumulation of several storms it is necessary to remove road side snow in the business districts and along certain intersections and sidewalk areas as needed. Also limited snow storage areas at the High School require us to remove the snow from there as well. If we lose the snow storage area at the current garage 195 Main Street due to the move and take away the front pit areas we will have no snow storage areas available.

**\*Rent a snow melter unit to melt and filter accumulated snow that would have been moved. This would require approval from the Conservation Commission for discharge of the water. Rental for season, average time used and fuel use. \$150,000.00 plus fuel usage at the rate of 100 gallons per hour.**

**Purchase \$ 450,000.00**

**Average fuel \$ 64 hours, usage 100 gallons per hour 6400gal. x \$3. \$ 19200.00**

Future Area Requirements:

All the information in this document still doesn't answer the question what to do with the accumulation of earth spoils that derive from daily work, projects and water breaks. The DPW would still need a lay down area for the materials even if we were to screen and separate in house. There is also a severe need for several hundred yards of processed gravel that is available at all times for backfilling emergency water breaks and dry fill as needed. We feel as if a parcel of land at a minimum of 2 acres would be the least area we could utilize productively.

Yearly additional Operational and Capital Costs

Wood Chips	\$ 26316.00	\$1,500
Road Millings	\$ 15000.00	\$15,000
Bituminous asphalt products	\$ 9600.00	\$3,000
Bituminous asphalt products Contract	\$ 30,000.00	\$30,000
Concrete products	\$ 6182.00	\$2,000
Purchase processed gravel	\$30,000.00	\$30,000
Street sweeping	\$ 50,000.00	\$50,000
Catch basin cleaning debris	\$ 30,000.00	\$30,000
<b>Total</b>	<b><u>\$ 197098.00</u></b>	<b><u>\$161,500</u></b>

Snow Melter \$ 19,200.00 removed

Snow Melter will have a Capital cost \$ 450,000.00 removed

DATE: November 14, 2016  
TO: BOARD OF SELECTMEN  
CC: Wayland School Committee  
Paul Stein, Superintendent of Schools  
FROM: Susan Bottan, School Business Administrator  
RE: School Bus Parking

**REQUESTED ACTION:**

Vote to allow the Wayland Public School Committee's bus contractor, First Student, to continue to park twenty-one school buses, twenty-three bus drivers' cars and a work trailer at the current parking location at 490 Boston Post Road in Wayland through June 30, 2017.

**BACKGROUND:**

This year, Wayland School Committee contracts with First Student to transport 1,300 students who reside in Wayland and Boston and attend the Wayland Public Schools. Twenty-one buses are used to transport students to and from Wayland Public Schools, athletic events, field trips and extracurricular activities throughout the school year.

At present, a total of approximately .65 acre is used to park the twenty-one buses and work trailer. An additional .35 acre is used to park bus drivers' cars.

Work is underway by the Town of Wayland's Facilities and School Department to identify suitable sites for permanent bus parking with information provided by the WRAP Committee and consultation from an outside engineering firm.

FY17 Town Manager Salary Survey															
TOWN	TITLE	Length of Contract	YEARS	2010 Actual US Census Population	FY17 base pay	DEFERRED COMP	LIFE/DISAB. Insurance Reimbursement	SUBTOTAL	Auto Allowance or Town Car or mileage reimbursement*	OTHER, see notes	TOTAL	Municipal Contribution to Health Insurance	FY17 Tufts Navigator GIC Family Plan	Total with health insurance	Notes
CONCORD	Town Manager	3	21	17,668	189,174	15,000	0	204,174	10,000	0	214,174	60%	0	214,174	FY 17 review pending
WESTON	Town Manager	3	10	11,261	166,907	13,002	1750	181,659	5,234	4700	191,593	80%	0	191,593	Receives: \$700 phone reimbursement / \$4000 Insurance Opt Out
BEDFORD*	Town Manager	5	28	13,320	180,423	0	3200	183,623	5,500	0	189,123	100%	19,315	208,438	FY16 Salary - due for an increase for FY17
ACTON	Town Manager	3	8	21,924	171,817	9,628	1300	182,745		4000	186,745	75%	0	186,745	Receives \$4k as insurance opt out/ 50% of \$15,000 life ins coverage pd
WESTFORD	Town Manager	5	8	21,951	179,136	0	3800	182,936		2700	185,636	65%	12,555	198,191	FY17 salary 179,136 plus \$2700 bonus not in base, car allowance added to base
SHARON	Town Administrator	3	3	18,027	173,540	5,206	0	178,746	4,500	600	183,846	70%	14,456	198,302	Cell Phone - \$50/mo
ASHLAND	Town Manager	3	1	16,593	160,000	0	1000	161,000	7,200	600	168,800	75%	0	168,800	\$600 is for cell phone; \$3,000 bonus payment upon successful review each year; \$7200 "retention payment" at the end of each contract year; option for 2% COLA or 1-year contract extension after successful review
HOPKINTON	Town Manager	3	5	14,925	150,000	10,400	0	160,400	mileage	0	160,400	85%	0	160,400	
SUDBURY	Town Manager	3	1	17,659	150,000	0	2000	152,000	5,500		157,500	65%	0	157,500	
WAYLAND	Town Administrator	3	2	13,916	143,500	0	0	143,500	3,000	0	146,500	64%	16,919	163,419	FY 17 review pending
WILMINGTON	Town Manager	3	1.5	22,325	139,443	0	0	139,443	5,500		144,943	75%	0	144,943	

DATE: NOVEMBER 21, 2016  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: APPROVE CONTRACT WITH KP LAW TO SERVE AS WAYLAND TOWN COUNSEL  
APPOINT MARK LANZA SPECIAL COUNSEL

**REQUESTED ACTION**

1. VOTE TO APPROVE AND SIGN A CONTRACT EFFECTIVE DECEMBER 5, 2016 WITH KP LAW TO SERVE AS TOWN COUNSEL FOR THE TOWN OF WAYLAND; AND
2. VOTE TO APPOINT MARK LANZA EFFECTIVE DECEMBER 5, 2016 TO SERVE AS SPECIAL COUNSEL FOR THE SPECIFIC CASES BELOW AND AS AUTHORIZED BY THE TOWN ADMINISTRATOR ON A CASE BY CASE BASIS TO ASSIST WITH THE TRANSITION TO KP LAW AS NEW TOWN COUNSEL.

**BACKGROUND:**

On November 7<sup>th</sup> the Board of Selectmen voted to appoint KP law as Town Counsel subject to approval and execution of an acceptable contract. Attached please find draft contract.

Current Town Counsel Mark Lanza will retire effective December 5, 2016 and will provide the Town with all of its legal files which exist in either paper or electronic form. After a review of continuing legal matters it is recommended that Mr. Lanza be appointed as Special Counsel and retained for the legal matters specified below:

1. West Beit Olam Cemetery Corp Appellate Tax Board Case
2. Bernstein, et al v. Wayland Planning Board, et al
  - Special Counsel through the evidentiary hearing December 1, 2016 or as such hearing is continued by the Court.
3. 150 Main Street, LLC v. ZBA
  - Special Counsel through the conclusion of the November 29, 2016 Zoning Board of Appeals Hearing if continued, after which this case will be assigned to KP Law after hearing.
4. Halliwell, et al v. Greenaways & Planning Board
  - Special Counsel to serve until the motion to dismiss is decided.
5. Tax Title Foreclosure Cases
  - a. 127 Dudley Road
  - b. 28 Barney Hill Road
  - c. 30 Old Connecticut Path – Sold; taxes paid; to be withdrawn
  - d. 36 Bayfield Road
  - e. 13 King Street
  - f. 215 Lakeshore Drive

## TOWN OF WAYLAND, MASSACHUSETTS

### AGREEMENT FOR TOWN COUNSEL SERVICES

THIS AGREEMENT made this 21<sup>st</sup> day of November, 2016 by and between the Town of Wayland having a usual place of business at 41 Cochituate Road, Wayland, Massachusetts, 01778, hereinafter referred to as the "TOWN", and KP Law, P.C., having a usual place of business at 101 Arch Street, Boston, Massachusetts, hereinafter referred to as the "FIRM".

#### WITNESSETH:

Whereas, the TOWN issued a Request for Proposals for Town Counsel Services; and

WHEREAS, the FIRM submitted a response to such request offering to perform the requested legal services on behalf of the TOWN and additional information as requested by the TOWN; and

WHEREAS, the Board of Selectmen of the TOWN voted to appoint the FIRM as Town Counsel for a period beginning December 5, 2016 and has decided to enter into an agreement with the FIRM to memorialize the terms and conditions governing the same.

NOW, THEREFORE, the TOWN and the FIRM agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of this Agreement, the TOWN's Request for Proposals for Town Counsel Services (RFP), and the FIRM's September 24, 2016 Response to the RFP, as well as additional information provided to the TOWN on October 11, 2016, October 26, 2016, and October 31, 2016 at its request and in connection with the proposal, all of which are included herein by reference. The Contract Documents constitute the entire Agreement between the parties concerning the work, and all are as fully a part of this Agreement as if attached hereto.
2. THE WORK. The FIRM shall perform legal services for the TOWN as requested and needed and at the direction of the Town Administrator and Board of Selectmen.
3. TERM OF CONTRACT. This Agreement shall be in effect from December 5, 2016 and shall expire on June 30, 2019, unless terminated earlier pursuant to the terms hereof.
4. COMPENSATION.

#### Basic Town Counsel Services

The Firm will provide all basic and ordinary Town Counsel services to the TOWN for a yearly fixed fee of \$65,000, pro-rated, for fiscal year 2017; \$65,000 for fiscal year 2018; and \$70,000 for fiscal year 2019, which services shall be referred to as Basic Town Counsel Services, plus out of pocket expenses at cost.

The fixed annual fee for Basic Town Counsel Services covers typical town counsel services, including the following (so long as the service is not part of an excluded matter)\*:

- consultation with town officials at Town hall during office hours or at our offices;
- up to three one-half days per month of office hours at Town hall;
- telephone conferences with Town officials;
- research and writing of opinion letters;
- review, interpretation, and drafting of Town bylaws;
- review and drafting of Town meeting warrant articles;
- review and drafting of Town meeting motions;
- attendance at all sessions of the annual Town meeting;
- review of contracts;
- drafting of contracts;
- review of subdivision documents, such as covenants (to the extent not paid for by the developer);
- review and drafting of planning board, board of appeals, or other town board or committee decisions;
- the first three hours of the review or drafting of routine legal instruments such as restrictive covenants, conservation restrictions, releases, and easements.

The list of services covered within Basic Town Counsel Services is not intended to be exhaustive, but merely illustrative of the Basic Town Counsel Services covered by the fixed annual fee. The fixed fee per fiscal year for Basic Town Counsel Services shall be billed in equal monthly increments, at a monthly rate of one-twelfth the yearly fixed fee. Basic Town Counsel Services would also include two free on-site seminars annually.

\*Legal services described above, but paid for by third parties, including but not limited to permitting matters for which the applicant pays for legal services, street acceptances for which the developer pays for legal services, tax title matters where the property owner pays for the same, or insured claims for which fees are paid by the insurer, shall be excluded from the definition of Basic Town Counsel Services and shall be billed as Hourly Legal Services.

#### Hourly Legal Services

Matters outside of the retainer provided for Basic Town Counsel Services, to include litigation, real estate transactions, real estate drafting requiring more than three hours of work, Chapter 40B comprehensive permit matters including hearings, construction and building committee issues, and all adversarial matters, including those before an administrative agency are not included within the Basic Town Counsel Services, and matters for which costs for legal services are paid for by third parties, will be billed separately at the hourly rate set forth above, and are referred to herein as "Hourly Legal Services." Hourly Legal Services will be billed at the rate of \$185/hour for Fiscal Year 2017 and \$190/hour for Fiscal Years 2018 and 2019.

Hourly Legal Services not within Basic Town Counsel Services include:

- work on litigation and adversarial matters, including appeals to administrative agencies such as the ABCC and the Appellate Tax Board;

- real estate transactions, i.e. acquisition or disposal by the town of a parcel of real estate, and any real estate-related legal services requiring more than three hours of work;
  - real estate drafting requiring more than three hours of work;
  - comprehensive permit matters, including hearings;
  - comprehensive general or zoning bylaw revision or review and charter adoption;
  - construction and building committee issues and litigation; and
  - labor and employment matters.
5. INVOICES. Invoices for services shall be provided in a form acceptable to the TOWN.
  6. PAYMENT OF COMPENSATION. The TOWN shall make payments within thirty (30) days after its receipt of invoices.
  7. LIABILITY OF THE TOWN. The TOWN's liability hereunder shall be to make all payments when they shall become due, and the TOWN shall be under no further obligation or liability. Nothing in this Agreement shall be construed to render the TOWN or any elected or appointed official or employee of the TOWN, or their successors in office, personally liable for any obligation under this Agreement.
  8. INDEPENDENT CONTRACTOR. FIRM work and services rendered pursuant to this Agreement, and shall not be considered an employee or agent of the TOWN for any purpose, or entitled any benefits.
  9. ASSIGNMENT. FIRM shall not assign, or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the TOWN.
  10. CONFLICTS. TOWN is aware that the FIRM represents other public entities. The FIRM will not undertake to represent any client in a matter in which the TOWN has a direct and substantial interest without first seeking and obtaining the appropriate conflict waivers and consent from the TOWN and any other relevant parties, as required by and in accordance with the Rules of Professional Responsibility. If such a potential conflict is identified the FIRM will advise the TOWN immediately and if deemed necessary by the TOWN, an appropriate mechanism to address the potential conflict will be implemented.
  11. TERMINATION FOR CONVENIENCE. The TOWN may terminate this Agreement at any time at its will and pleasure by providing the FIRM written notice specifying therein the termination date. Upon receipt of said notice, the FIRM shall cease to incur additional expenses in connection with this Agreement. Upon such termination, the FIRM shall be entitled to compensation for all work completed prior to the termination date, and any work required or requested by the TOWN thereafter. The FIRM, at the request of the TOWN, shall stay on until a successor counsel is appointed.
  12. SEVERABILITY. If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent



jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby.

13. GOVERNING LAW. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts.

14. ENTIRE AGREEMENT. This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

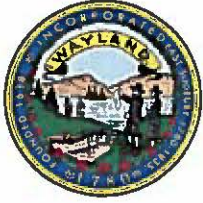
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

WAYLAND, by its  
BOARD OF SELECTMEN

KP Law, P.C.

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\_\_\_\_\_

\_\_\_\_\_



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

October 24, 2016

Wayland Town Building, Senior Center  
41 Cochituate Road, Wayland

**Attendance:** Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer, 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 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 and Release the Following Executive Session Minutes, 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: APPROVE October 5, 2016, and APPROVE WITH REDACTIONS: September 26, 2016, and October 17, 2016**

At 6:30 p.m., C. Karlson opened the meeting of the Board of Selectmen in the Senior Center of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. 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 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 and release the following executive session minutes, 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: APPROVE October 5, 2016, and APPROVE WITH REDACTIONS: September 26, 2016, and October 17, 2016; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to conduct strategy with non-union personnel, contract negotiations with the Town Administrator. 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, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Human Resources Assistant Katelyn O'Brien, and Lieutenant Patrick Swanick. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:02 p.m.

**A2. Call to Order by Chair** Chair C. Karlson reopened the open session of the Board of Selectmen at 7:02 p.m. in the Senior Center of the Wayland Town Building.

M. Antes announced that WayCam is having an open house. M. Antes also stated that early voting is happening now and is operating during normal business hours plus one Saturday. C. Karlson stated that the warrants have arrived for Special Town Meeting. L. Anderson stated that Wednesday is the final day for the flu clinic.

**A3. Public Comment** Gordon Cliff, Highfields Road, discussed his letter to the Board regarding the River's Edge project that urges them not to enter into agreement to sell the land. He stated that he believes the income is going to be lower and the one time costs are going to be a lot higher. He said the Board would be on very dangerous legal ground to sell the property under the Annual Meeting vote in 2014. He stated that the benefits of the real estate project may not outweigh the costs.

**A4. Housing: Hear Report of Housing Consultant Karen Sunnarborg on Organization of Wayland Housing Programs and Initiatives** Housing Consultant Karen Sunnarborg addressed the Board and discussed her housing report. The report looks at the town's organizational structure for housing and has two components: the role of the various entities in town that have some role in affordable housing and recommendations for tweaking the existing structure to promote a more proactive agenda for housing. K. Sunnarborg found that Wayland has inclination towards collaboration and consensus building. She discussed recommendations to the Board to clarify responsibilities, for example determining who is accountable when issues come up, and also recommended that everything be put in writing to clarify accountability. The Board thanked K. Sunnarborg for her work and received the report for future consideration and action.

**A5. Legislative Update: Meet with Senator Richard Ross, Representative Carmine Gentile, and Representative Alice Peisch**

Wayland's legislative delegation joined the meeting and each gave a brief update. Rep. Carmine Gentile discussed local aid and Chapter 70 increases, the earmark for Mainstone Farm and testing water quality on the river. C. Karlson stated that if there is anything the Board can do to help to let her know. Rep. Alice Peisch is reviewing state revenues in light of the Governor's discussion of budget reductions.. She stated that they passed legislation concerning the structure of OPEB and once the town reaches a decision on whether to adopt the new legislation to let her know. J. Nolan asked about other changes from the Municipal Modernization Act. A. Peisch said there are many changes for assessors and other internal functions such as the ability to expend insurance proceeds without town meeting authority. A. Peisch will send the Board information on the new changes. Sen. Richard Ross discussed local infrastructure, public safety, education, and art programs. He also discussed the Veterans Home Act. R. Ross stated that the Public Records law got a much needed amendment and he hopes it will find a balance for both transparency and government efficiency. J. Nolan brought up the local issue of gas infrastructure leaking and asked the Senator and Representatives for help. J. Nolan also brought up the issue of toll equity. He stated that now the structures are down there is no reason other than political, for the burden not to be more spread out. He stated that constituents would appreciate that. A. Peisch stated that taking down the toll booths is a step in that direction and it will take a tremendous effort. The Board asked why Route 20 in Weston is being paved but Wayland has been bumped to next year. C. Gentile told the Board that Wayland is on the list and will be addressed soon. C. Karlson stated that Wayland is underway identifying public records officers but it would be helpful if there was some guidance from the legislature or the MMA on the new Public Records Law.

**A6. River's Edge: Discuss Next Steps on River's Edge Project** The Board stated that they need to decide how to communicate with the recommended developer and discuss pre-contract matters. N. Balmer stated she is in communication with Wood Partners and they are looking into framing the next steps and appointing an agent for the project. N. Balmer said they asked to discuss a timetable. N. Balmer suggests going forward with legal counsel. She received a proposal from Anderson & Kreiger and they would provide service for a

fixed fee. N. Balmer suggested looking for a planning consultant if the Board wishes to update the economic analysis. She stated that Superintendent P. Stein provided a report about the bus parking. Board of Public Works Chair C. Brown provided a detailed report on the lay down area. N. Balmer stated that the transfer station road work is a project the town is required to do separate from River's Edge. She stated that staff are currently doing a cost breakdown of the water line that would have to be constructed. C. Karlson asked N. Balmer if the consultant she contacted would be available to do this work immediately. N. Balmer said yes. L. Jurist and J. Nolan expressed concern about the costs and proposed rents. L. Jurist would like to look into it more. The Board agreed that they trust the work the River's Edge Advisory Committee has done for over two years and would like them to come back to ask them what went into their recommendations. J. Nolan stated he is disappointed a member of the Finance Committee is making a statement so early in the process. The Board stated they would like to go forward with an economic analysis.

**A7. Special Town Meeting: Review Articles** N. Balmer stated that there was one RFP response for perperites in the Zone 1 area (8 Glezen Lane) and she sent it off to the Board of Public Works Chair.

**A8. FY18 Budget: Review Town Administrator's Recommended FY18 Capital Program and Five-Year Capital Funding Plan** N. Balmer discussed her recommended FY18 Capital Program and Five Year Capital Funding Plan. She stated that she and B. Keveny met with the town's financial advisor. N. Balmer stated that the town shouldn't use one time money to balance the budget. B. Keveny stated that the new advisor stressed the issue of the town's use of free cash, Moody's rating and how Moody determines the town's rate. There is some concern that the Town's bond rating may be reduced. B. Keveny stated that the financial advisor addressed these issues with the Finance Committee and offered some solutions including limiting the use of free cash to balance the budget. B. Keveny stated that the goal is to listen to what Moody's and Unibank are telling the town and how the town can change. B. Keveny suggested assigning funding sources to different things. The town has the ability to raise taxes which is good because it will allow the town to stop using free cash to balance the budget. B. Keveny stated that although this approach is different from what the town has traditionally done, it's time to take a different approach. B. Keveny stated that they need to work on a way to communicate these changes for Town Meeting.

**A9. Special Town Meeting Warrant: Vote to Sign** M. Antes moved, seconded by L. Anderson, to sign the warrant for Special Town Meeting on Tuesday, November 15, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Town Administrator Review: Deliver Final Evaluation Document to Town Administrator** The Board delivered the final evaluation with each member making comments. L. Jurist asked N. Balmer if they should address organizational structure. N. Balmer stated that the town has already started it in a way, with the Collins Center study. She said when the Board is ready they can consider a charter commission. L. Jurist asked how the MOU with Recreation, DPW, and Schools is working out. N. Balmer said it has reduced the chaos and staff has appreciated it. L. Jurist also said that he would appreciate guidance from her when it comes to which correspondence the Board should prioritize for the upcoming meeting. N. Balmer said she will work on it but it's difficult for her as well. M. Antes has been impressed with N. Balmer's ability to take on huge projects and her financial expertise. J. Nolan said there was a learning curve and he thinks she's doing great. He said he appreciates her ability to look at the town code and apply it. J. Nolan asked her if she's comfortable with the new IT systems? N. Balmer said she is but it takes time. L. Anderson stated that N. Balmer has paid attention to the basics of good government. She has pulled together teams to address complicated issues like the budget and the IT problem. C. Karlson stated that N. Balmer has a strong work ethic and has learned to work in the existing structure this year. C. Karlson said she would like to see some

projects closed out, like Twenty Wayland. C. Karlson stated that N. Balmer has the right to respond to her evaluation. N. Balmer said her response will be in a form of setting goals for next year.

**A11. Minutes: Review and Vote to Approve Minutes of October 5, 2016, and Vote to Approve and Release Executive Session Minutes of October 5, 2016; and Review and Vote to Approve and Release with Redactions the Executive Session Minutes of September 26, 2016, and October 17, 2016**

L. Jurist moved, seconded by L. Anderson, to approve the minutes of October 5, 2016 as amended 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 J. Nolan, to release the executive session minutes of October 5, 2016 as amended. 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 release with redactions the executive session minutes of September 26, 2016, and October 17, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A12. 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.

**A13. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. The Board discussed emails from Molly Upton, Kathleen Watson and the public comment from Gordon Cliff all related to River's Edge. The Board suggested that N. Balmer keep a list of questions and or concerns that residents make regarding the project. The Board discussed the email from F. Knight about the wastewater spill and how the well the staff responded to it. F. Knight would like to discuss future plans on how to respond to emergencies. The Board also mentioned the email sent by Linda Segal about the next Raytheon PIP meeting.

**A14. Report of the Town Administrator** N. Balmer discussed the updated governance handbook that included edits in the board packet. L. Anderson stated that it was excellent. C. Karlson said she wants to run it by town counsel. C. Karlson suggested that the Board look at it and send comments to N. Balmer.

**A15. Selectmen's Reports and Concerns** C. Karlson said that N. Balmer and J. Senchyshyn are working on how minutes will be handled going forward with K. O'Brien's departure. N. Balmer has no updates on new hires.

**A16. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** The Chair said, "I know of none." C. Karlson stated that the Board may meet Nov 28 only to receive the Collins Center report.

**A17. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Conduct Strategy with Non-Union Personnel, Contract Negotiations with the Town Administrator** At 10:02 p.m., C. Karlson stated that the Board did not close its earlier executive session. C. Karlson moved, seconded by M. Antes, to re-enter into executive session under the same motion as earlier in the meeting. The Chair declares that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the town. J. Nolan clarified that this would be the same executive session as earlier in the evening with one set of minutes. Roll call vote: YEA: L. Anderson, M. Antes,

L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board will reconvene in open session only to adjourn.

The Board returned to open session at 10:23 p.m.

**A18. Adjourn** There being no further business before the Board, L Anderson moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:24 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 October 24, 2016**

1. Press Release, 10/24/16, from MassDOT re: Massachusetts to Activate All Electronic Tolling October 28, Toll plaza Demolitions will Begin this Weekend

**Items Included as Part of Agenda Packet for Discussion During the October 24, 2016 Board of Selectmen's Meeting**

1. Town of Wayland Housing Organizational Structure, October 3, 2016, Karen Sunnarborg Consulting
2. Memorandum of 10/24/16 from Nan Balmer, Town Administrator, to Board of Selectmen re: Rivers Edge: Update
3. Memorandum of 10/24/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Town Administrator's Preliminary Recommendation on FY18 Capital Budget Program and Finance Director's Model for Capital Funding: FY 18 – FY 25
4. Town Administrator Evaluation, October 2016
5. Draft Minutes of October 5, 2016
6. Report of the Town Administrator, October 21, 2016

**TOWN ADMINISTRATOR'S REPORT**

**WEEK ENDING NOVEMBER 18, 2016**

**COLLINS CENTER REPORT**

The final version of the Collins Center Report on Town finance procedures is in Selectmen's Dropbox and posted on-line. The Finance Team will meet Monday to begin discussion of a collaborative plan to implement the recommendations.

**TOWN AWARDED TWO BEST PRACTICES GRANTS**

The MA Division of Local Services awarded the town a grant to study and make recommendations on the town's management structure, particularly as it relates to financial management / budget development and human resources. The Division also awarded the Town a grant to develop agreed upon financial policies. Because the Town's Finance Team has already worked to develop the Collins Center report, the Division is offering the town cash grants with the condition that the grants be used to further the work started with the Collins Report.

**TOWN COUNSEL TRANSITION**

The Chair and Vice Chair of the Board and I met with Attorney Murray, Attorney Kwesell and Attorney Lanza to develop a transition plan for legal services. New Town Counsel will meet with all Department Heads on Wednesday December 7<sup>th</sup>. Individual meetings with Department Heads and Board Chairs will follow on December 7<sup>th</sup> in the afternoon and continue over the next two weeks. Office hours will continue on Thursdays twice a month.

**SOLAR SIGN**

Please see attached for potential approval at a future meeting.

**CHILDREN'S WAY SIGN**

Please see attached update.

**LIBRARY: 5 CONCORD ROAD**

Please see attached from Special Counsel Jeffery Ontell.

SPECIAL COUNSEL: 5-CONCORD RD

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

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MICHAEL D. BUONICONTI  
COURTNEY D. HILLIARD

*OF COUNSEL*  
JOSEPH T. RUBINSTEIN

† ALSO ADMITTED IN NEW HAMPSHIRE

By FIRST CLASS MAIL AND  
EMAIL

October 24, 2016

Town of Wayland  
Attn: Nan Balmer, Town Administrator  
41 Cochituate Road  
Wayland, Massachusetts 01778

Re: Town Library Site Use Restrictions  
5 Concord Road, Wayland, Massachusetts

Dear Ms. Balmer:

You have retained this firm to provide a legal opinion as to whether the land now owned by the Town of Wayland (the "Town") situated at 5 Concord Road, Wayland (the "Site") is subject to restriction which requires the land to be used as a library in perpetuity. This letter is intended to provide you with our opinion regarding this matter, and a summary of the research upon which that opinion is based.

To assist with our task, we were provided with a copy of a letter from Mark J. Lanza, Esq. to Aida A. Gennis, Chair of the Board of Library Trustees dated March 30, 2016. We have assumed as true the facts set forth in the "Factual Background" portion that letter. Specifically, those facts include the following:

The Town's title to the Site is derived from three separate grants.

The first grant is evidenced by the deed from Cynthia C. Roby, Executrix of the Estate of Warren Gould Roby dated September 4, 1899 and recorded with the Middlesex South Registry of Deeds in Book 2764, Page 141 (the "Roby Grant"). The land conveyed therein is described as "Library Lot ½ acre" as shown on a plan entitled "Plan of a Portion of the Warren G. Roby Estate as set off for the Wayland Public Library," dated June 29,



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

Town of Wayland  
October 24, 2016

1899, prepared by W.A. Mason & Son Surveyors, and recorded as Plan No. 7 in Plan Book 119. The Will of Warren Gould Roby, who died in 1897, provides, in part, as follows: "I give to the Town of Wayland ...[the above described land]. And to erect a building thereon for use as a public library ... I give to the Town of Wayland the sum of twenty-eight thousand dollars." At the 1898 Annual Town Meeting held on March 28, 1898, the Town voted to accept the gift under the will of Roby, "to be devoted to the erection of a building thereon to be used as a Public Library."

The second grant, also a gift to the Town, is evidenced by a deed from Amos I. Hadley and Alfred W. Cutting to the Town of Wayland, dated March 20, 1923 recorded in Book 4598, Page 82 (the "Hadley & Cutting Grant"). The deed does not reference a plan and no purpose for the grant is stated in the deed. In the Report of the Library Trustees in the 1922 Annual Town Report, the Trustees reported that the land would provide sufficient additional land to protect the library. At the 1923 Annual Town Meeting, held on March 5, 1923, the Town voted to accept the gift of "about 16,000 square feet of land adjoining the library lot ... to enlarge and protect the property."

The third grant is evidenced by a deed from Mary A. Clifford f/k/a Mary A. Brackett to the Town dated February 7, 1955 and recorded in Book 8412, Page 490 (the "Clifford Grant"). The consideration for the deed is less than one hundred dollars. No purpose or use is stated in the deed. The deed describes the property as Lot A on a plan entitled "Plan of Land in Wayland, Mass. of Land (sic) to be acquired by the Wayland Public Library" dated January 24, 1955, prepared by Everett M. Brooks Co. Civil Engineers. The plan is recorded as Plan No. 235 of 1955. At the 1955 Annual Town Meeting held on March 9, 1955, the Town voted to accept the gift. The vote references the recorded deed and plan, and describes the land as being "adjacent to the Wayland Public Library."

As further discussed below, it is our opinion that a Court would be more likely than not to conclude that the Roby Grant is restricted in use in perpetuity, and that the Hadley & Cutting Grant and the Clifford Grant are not restricted.

Sections 23 and 26 through 30 of G.L. c. 184 concern the limitation and enforcement of conditions or restrictions affecting the title or use of real property. Section 23 provides that conditions or restrictions unlimited as to time shall be limited to a term of 30 years. This section is not applicable in the instant case, as it excludes gifts or devises for public purposes.

Section 28 provides that ancient restrictions (imposed prior to January 1, 1962) are not enforceable 50 years after imposition, unless certain statutory requirements regarding the recording of a notice of restriction are met. G.L. c. 184, § 28. Unlike Section 23, Section 28 makes no explicit exception for gifts or devises for public purposes. However, Section 28 is not applicable when a gift or devise creates a public charitable trust. See [Dunphy v. Commonwealth](#), 368 Mass. 376, 384 (1975). Such public charitable trusts must be "sacredly observed." See

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

Town of Wayland  
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Newburyport Redevelopment Authority v. Commonwealth, 9 Mass. App. Ct. 206, 229 (1980) (quoting MacDonald v. Street Commrs. of Boston, 268 Mass. 188 (1929)).

Property conveyed to a governmental body for a particular purpose may be subject to an enforceable general public obligation or trust to use the property for that purpose. Nickols v. Commissioners of Middlesex County, 341 Mass. 13, 18 (1960). Whether or not an enforceable general public obligation or trust to use property for a particular purpose is created is to be ascertained by looking at the grantor's intent, as determined from the interpretation of each instrument as a whole in light of the attendant facts and circumstances. Id. at 19. "A mere statement in a grant of the use to which the grantee contemplates putting the granted premises or of the purpose for which the grant is made is insufficient to create an enforceable trust." See Newburyport Redevelopment Authority, 9 Mass. App. Ct. at 229.

In applying these principals, Courts have found that instruments stating that land is to be used "forever" or "only" for a particular purpose or containing language of similar import have established public charitable trusts. E.g., Opinion of the Justices to the Senate, 369 Mass. 979, 985 (1975) (property to used "forever" for a public park and playground); Dunphy v. Commonwealth, 368 Mass. at 383 (property to be used "in perpetuity for the public good") ; Nickols v. Commissioners of Middlesex County, 341 Mass. at 18-23 (property to be used for "sole and exclusive purpose"); Cohen v. City of Lynn, 33 Mass. App. Ct. 271 (1992) (property to be used as a park "forever"); Board of Selectmen of Provincetown v. Attorney General, 15 Mass. App. Ct. 639, 642-643 (1982) (property to be used "for purposes of a public library" but if, on a certain date, the town had other property that was or could be used for such purpose or did not accept the gift, then the sale proceeds were to be added to the residue of the decedent's estate); Town of Chelmsford v. Greater Lowell Council, Inc.-Boy Scouts of America, Land Court Department, Misc. Case No. 261762, Decision on Cross Motions for Summary Judgment (April 26, 2001) (property never to be sold by grantee Boy Scouts to anyone other than grantor).

On the other hand, instruments stating the intended or contemplated use or purpose of a grant do not necessarily create a trust. A more definite expression of intention in the way of the granting language or attendant circumstances will generally be required. E.g., Opinion of the Justices, 369 Mass. at 985 (property to be used as a public park and playground now in development); Loomis v. City of Boston, 331 Mass. 129 (1954) (property to be used "for the purposes of a public park"); MacDonald, 268 Mass. at 294-296 (grantors are "desirous that" property be put to a specified use); Hillman v. Roman Catholic Bishop of Fall River, 24 Mass. App. Ct. 241 (1987) (property to be used by parish for educational, religious or recreational purposes); Town of Arlington v. Pierce, Land Court Department, Reg. Case No. 547-S, Decision (February 4, 1981) (property given in memory of another to be used as a playground for children in a particular school district).

In determining if a public charitable trust has been created, Courts also look to the circumstances surrounding the grant, to determine if there is a general plan or an expression of a consistent and

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

Town of Wayland  
October 24, 2016

harmonious purpose. Nickols, 341 Mass. at 19 (and cases cited). For example, in finding that a public charitable trust had been created, one court relied not only upon the language of the deed, but also upon the park commissioner's report, which stated that the owners of the land were willing to sell for a reasonable price if the land was dedicated to public use and discussed less desirable alternatives to the town's acquisition, and upon the town's annual report, which stated that the land was to be secured for public enjoyment "forever." Cohen, 33 Mass. App. Ct. at 274-277.

Significantly, a more recent Land Court case also finds a general plan in support of a public charitable trust, even though the deed does contain the term "forever" or language of similar import. In that case, a deed conveys a way to a city, stating that the granted premises "are to be used by said grantee as a public highway". 20 Seyon Street LLC v. City of Waltham, 2008 WL 4262290, Land Court Department, Case No. 07 PS 350586, Order Allowing Plaintiff's Motion for Summary Judgment (September 17, 2008). The Court determined that the way is held in trust for use as a public way. Id. Although the Court found the language of the deed to be clear and unambiguous, it also relied upon the fact that the deed gave the Town certain grading rights, that the vote authorizing the conveyance by the grantor referenced the private way and noted that the only consideration was an abatement of certain assessments made by the town, that the way connected two other streets, and that the grantor of the way must have intended the way to remain public because he held land on both sides of it. Id.

In looking at the particular grants which together comprise the Site in light of these court decisions, I find the Roby Grant to be most problematic for the Town. The fact that the donor's Will explicitly states that a library is to be erected on the land, and that money is provided by the donor to do so, seems to be evidence of a consistent and harmonious plan sufficient to establish a public charitable trust. I believe, therefore, that a Court is more likely than not to find this grant to be restricted in perpetuity. The other two grants are less problematic. The deed by which the Town acquired the Hadley & Cutting Grant does not make any statement of intended use and does not reference a plan. And although the Library Trustees report that the grant would "protect" the library and the Town voted to accept the gift "to enlarge and protect" it, neither of these facts constitute direct evidence of the donor's intent. If the Court were to decide that the Hadley & Cutting Grant is held in trust, it would have to extrapolate from the Town's actions that the donors must have intended that result. Although not outside the realm of possibility given that the grantors' deed is dated just 15 days after the annual town meeting, I do not consider it likely that a court would reach that result. The deed by which the Town acquired the Clifford Grant also makes no statement of intended use or purpose. It references only the plan of land to be acquired by the library. It is my opinion that a Court is more likely than not to find that the Hadley & Cutting Grant and the Clifford Grant are not held in trust, and that any restriction on the Town's use of these parcels has expired.

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

Town of Wayland  
October 24, 2016

Please note, however, that the question of whether or not a public charitable trust has been created, thereby restricting use of the land in perpetuity, is a question of fact. If the Town is facing any opposition to its plan to relocate the library from the Site, and the parties cannot come to an agreement, more likely than not litigation will be necessary to determine the matter unless the parties agree to mediation or arbitration.

Please advise if you have any questions or concerns, or if I can be of further assistance with this matter.

Very truly yours,



Jeffrey L. Ontell

cc: Mark J. Lanza, Esq.

G:\CJ\51474\Ltr Town 102416

**Balmer, Nan**

---

**Subject:** FW: Wayland

---

**From:** Jeffrey Ontell [<mailto:jontell@mmoglaw.com>]  
**Sent:** Wednesday, November 02, 2016 3:53 PM  
**To:** Balmer, Nan  
**Cc:** [mjlanza@comcast.net](mailto:mjlanza@comcast.net)  
**Subject:** RE: Wayland

Nan,

There is a doctrine called "cy pres" and there are other similar doctrines which if applicable could allow the Town to either use the library site for another purpose or to sell the land and use the sale proceeds for acquisition and construction of a new library site.

We have not researched these doctrines. Let me know if you want us to do so. If the answer is in the affirmative, the conference call should wait until the research is accomplished and I provide a letter with my analysis.

Jeff  
Jeffrey L. Ontell, Esq.  
Marsh, Moriarty, Ontell & Golder, P.C.  
18 Tremont Street, Suite 900  
Boston, MA 02108

---

**From:** Balmer, Nan [<mailto:nbalmer@wayland.ma.us>]  
**Sent:** Wednesday, November 02, 2016 2:54 PM  
**To:** [jontell@mmoglaw.com](mailto:jontell@mmoglaw.com)  
**Subject:** Wayland

Hi Jeff

I was unable to schedule a conference with the Chair of the Library Trustees. I will get back to you when I have more information about when the Chair is available. There is interest in hearing anything you might say about the "Roby" paragraph as it relates to the possibility of selling the library to a developer or using it for another municipal purpose.

Thanks,

Nan  
Nan Balmer, Town Administrator  
Town of Wayland



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

Kenneth Keefe  
PUBLIC BUILDINGS DIRECTOR  
TEL. (508) 358-3786  
[www.wayland.ma.us](http://www.wayland.ma.us)

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

DATE: November 17, 2016  
TO: Nan Balmer, Town Administrator  
FROM: Kenneth "Ben" Keefe, Public Buildings Director  
RE: Signage at Solar Photo Voltaic Panel Installations

## **REQUESTED ACTION:**

**Guidance on proposed signage to be installed at Town Building Solar Photo Voltaic Panel Project Site.**

## **BACKGROUND:**

The Energy Initiatives Advisory Committee is proposing signage be placed at the Solar Photo Voltaic Panel sites. The signs are intended to recognize the benefit to the community and the shared commitment of the Town of Wayland and Ameresco in completing this project.

The signage at Town Building would consist of a single two sided sign mounted approximately 8 feet above the ground on the support pole closest to the building's rear entrance door.

It is also proposed that identical signage be placed on the structures at the High School, Middle School, and at the Pool. Those signs will require approval by the appropriate Boards and Committees.

A full scale mockup will be available for your inspection.



Dedicated December 2016

This site is 1 of 4  
Wayland solar facilities

Collectively they have over 4,200  
photovoltaic panels generating  
over 1.5 million kWh of  
renewable energy annually

Carbon offset equivalent of  
113 homes annual electricity use

Owned and operated by

**AMERESCO**   
Green • Clean • Sustainable

*CHILDREN'S WAY  
SIGN AT TOWN  
BUILDING*

DATE: November 21, 2016  
TO: Board of Selectmen  
FROM: John Senchyshyn, Asst. TA/HR Director  
RE: **The Children's Way (TCW) Sign Request**

**REQUESTED MOTION:**

**NONE**

**BACKGROUND:**

Katy Merrell, Director of TCW is researching the feasibility of placing a sign near the beginning of the driveway entering Town Building from Rt.27. Katy previously submitted an application for the sign to the Historic District Commission.

As you turn into the Town Building driveway from Rt.27, there are currently 6 signs of varying sizes. On the left side is a Rt27/126 sign, a No Left Turn sign and a post with a small non-descript green and white sign affixed. On the right side is a Town Building/Veterans' Memorial sign, a small sponsored by "The Longfellow Club" sign and a No Parking sign. In addition, to the right of the driveway where the guardrail ends, temporary signs are often placed for special events.

I recently met with Public Buildings Director Ben Keefe and Police Chief Bob Irving to discuss the current driveway signage and the proposal to add a TCW sign. The three of us share a concern that there are already numerous signs at the entrance to the driveway. We also understand TCW's desire to identify their location.

We propose re-engineering the existing Town Building/Veterans' Memorial sign to add a section for the TCW. This will likely necessitate raising the height of the existing sign, but we do not believe doing so will cause any site-line obstructions. In that the sign is in the historic district, the Historic District Commission will need to review the design and color scheme. We believe adding a TCW component with a white background with black letters would be consistent with existing signs. White with black lettering will also match recently replaced signs along side Town Building

If the Board is agreeable with the aforementioned approach, we can move forward in securing cost estimates for the redesign of the Town Building/Veterans' Memorial sign to add a TCW component.





NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
[www.wayland.ma.us](http://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, November 21, 2016**  
**Selectmen's Meeting Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## 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 October 31, 2016, Invoice 183, Account 5673-01M: \$2,697.40
3. Vote the Question of Approving the Invoice of November 10, 2016, for Special Town Counsel Anderson & Kreiger LLP for Legal Services in Reference to River's Edge Special Counsel, Reference #119172/5415-001: \$655.36
4. Vote the Question of Approving a Petition to the State Legislature to Remove all Police Personnel from Provisions of Civil Service without Affecting the Civil Service Rights of Incumbents

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

NOV 16 2016

Board of Selectmen  
Town of Wayland

\*\*\*\*\*

INVOICE FOR LEGAL SERVICES

\*\*\*\*\*

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

Page 1  
11/11/2016  
Account No. 5673-01M  
Invoice No. 183

Attn: Town Administrator

Labor

TOTAL CURRENT INVOICE 2,697.40

BALANCE DUE \$2,697.40

# ANDERSON KREIGER

Anderson & Kreiger LLP  
50 Milk Street, 21st Floor  
Boston, MA 02109  
(617)621-6500

November 10, 2016

Town of Wayland  
Attn: Nan Balmer  
Town Administrator  
1st Floor, Selectmen's Office  
41 Cochituate Road, Wayland, MA 01778

Reference # 119172 / 5415-001

In Reference To: River's Edge Special Counsel

Total Current Billing: 655.36  
Previous Balance Due: ~~2,697.50~~  
Total Now Due: ~~3,252.86~~

EW

PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
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### **LIST OF PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM NOVEMBER 4, 2016, THROUGH AND INCLUDING NOVEMBER 17, 2016, OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR NOVEMBER 21, 2016**

#### **Items Distributed To the Board of Selectmen –November 4-17, 2016**

1. Email of 11/7/16 from Office of the Board of Selectmen to the Board of Selectmen  
re: Motions for Special Town Meeting

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

1. Draft Motions for November 15, 2016 Special Town Meeting
2. Request for Proposals Response for Town of Wayland Town Counsel Services #17-10 from  
Lauren F. Goldberg, PC, KP Law P.C.

#### **Items Distributed for Information and Use by the Board of Selectmen at the Meeting of November 15, 2016**

1. List of Articles with Positions of Board of Selectmen and Finance Committee
2. Motions for November 15, 2016 Special Town Meeting

#### **Items Included as Part of Agenda Packet for Discussion During the November 21, 2016 Board of Selectmen's Meeting**

1. Memorandum of 11/15/16 from Gretchen Schuler, Chair, Community Preservation  
Committee, to Nan Balmer, Town Administrator, re: Mainstone P&S Agreement
2. Community Preservation Act Project Application for Mellen Law Office
3. Backup Materials for Tax Classification and Recapitulation Hearing
4. Memorandum of 11/18/16 from Sarkis Sarkisian, Town Planner, to Board of Selectmen  
re: Mobilitie Pole Hearing and Application
5. Motion for Library Project
6. Memorandum of 11/18/16 from Nan Balmer, Town Administrator, to Board of  
Selectmen, re: Housing Application to Community Preservation Committee
7. Memorandum of 11/18/16 from Nan Balmer, Town Administrator, to Board of  
Selectmen, re: Fiscal Year 18 Operating Budget and Financial Plan
8. List of Potential Articles for the 2017 Annual Town Meeting as of November 21, 2016,  
and Draft Schedule
9. Memorandum of 11/21/16 from Nan Balmer, Town Administrator, to Board of Selectmen  
re: River's Edge Project
10. FY17 Town Manager Salary Survey
11. Memorandum of 11/21/16 from Nan Balmer, Town Administrator, to Board of  
Selectmen, re: Contract with KP Law PC
12. Draft Minutes of October 24, 2016
13. Report of the Town Administrator, November 18, 2016



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
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**BOARD OF SELECTMEN**  
**Monday, November 21, 2016**  
**Selectmen's Meeting Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## CORRESPONDENCE

### Selectmen

1. Letter of 10/24/16 from Marsh, Moriarty, Ontell & Golder PC to Nan Balmer, Town Administrator, re: Town Library Site Use Restrictions, 5 Concord Road
2. Letter of 11/1/16 from Environmental Resources Management to Board of Selectmen re: PIP Meeting, Former Raytheon Facility, November 17, 2016
3. Letter of 11/2/16 from Carroll School to Board of Selectmen re: Thanks to the Town of Wayland and Update on Status
4. Email of 11/4/16 from Keenan Brinn, Kinder Morgan, to Nan Balmer, Town Administrator, re: Tennessee Gas Pipeline Tree Trimming
5. Letter of 11/8/16 from Mark D. Abrahams, President, The Abrahams Group, to Wastewater Management District Commission, re: Analysis of Finances
6. Email of 11/14/15 from Linda Segal to Board of Selectmen re: Raytheon PIP Meeting on November 17, 2016, Information on Hamlen Parcel
7. Letter of 11/16/16 from Wayland Historical Commission to Board of Selectmen re: Proposed Utility Pole on Blacksmith Green
8. Monthly Report, Police Department, October 2016

### Conservation Commission

9. Determination of Applicability and Chapter 194 Permit, 11/7/16, from Brian Monahan, Conservation Administrator (Ret.), re: 35 Brooks Road

### Minutes

10. Electronic Voting Implementation Subcommittee, May 26, 2016
11. Municipal Affordable Housing Trust Fund Board, September 7, 2016
12. Public Ceremonies Committee, October 26, 2016
13. River's Edge Advisory Committee, September 28, 2016

### Region

14. Letter of 11/10/16 from MetroWest Visitors Bureau to Nan Balmer, Town Administrator, re: Invitation to Fifth Anniversary Regional Breakfast on January 13, 2017, Westborough

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

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

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

EDWARD A. ACTON  
LAURA L. FITZGERALD  
LAURA J. NEWCOMB  
MICHAEL D. BUONICONTI  
COURTNEY D. HILLIARD

*OF COUNSEL*  
JOSEPH T. RUBINSTEIN

† ALSO ADMITTED IN NEW HAMPSHIRE

By FIRST CLASS MAIL AND  
EMAIL

October 24, 2016

Town of Wayland  
Attn: Nan Balmer, Town Administrator  
41 Cochituate Road  
Wayland, Massachusetts 01778

Re: Town Library Site Use Restrictions  
5 Concord Road, Wayland, Massachusetts

Dear Ms. Balmer:

You have retained this firm to provide a legal opinion as to whether the land now owned by the Town of Wayland (the "Town") situated at 5 Concord Road, Wayland (the "Site") is subject to restriction which requires the land to be used as a library in perpetuity. This letter is intended to provide you with our opinion regarding this matter, and a summary of the research upon which that opinion is based.

To assist with our task, we were provided with a copy of a letter from Mark J. Lanza, Esq. to Aida A. Gennis, Chair of the Board of Library Trustees dated March 30, 2016. We have assumed as true the facts set forth in the "Factual Background" portion that letter. Specifically, those facts include the following:

The Town's title to the Site is derived from three separate grants.

The first grant is evidenced by the deed from Cynthia C. Roby, Executrix of the Estate of Warren Gould Roby dated September 4, 1899 and recorded with the Middlesex South Registry of Deeds in Book 2764, Page 141 (the "Roby Grant"). The land conveyed therein is described as "Library Lot ½ acre" as shown on a plan entitled "Plan of a Portion of the Warren G. Roby Estate as set off for the Wayland Public Library," dated June 29,

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

Town of Wayland  
October 24, 2016

1899, prepared by W.A. Mason & Son Surveyors, and recorded as Plan No. 7 in Plan Book 119. The Will of Warren Gould Roby, who died in 1897, provides, in part, as follows: "I give to the Town of Wayland ...[the above described land]. And to erect a building thereon for use as a public library ... I give to the Town of Wayland the sum of twenty-eight thousand dollars." At the 1898 Annual Town Meeting held on March 28, 1898, the Town voted to accept the gift under the will of Roby, "to be devoted to the erection of a building thereon to be used as a Public Library."

The second grant, also a gift to the Town, is evidenced by a deed from Amos I. Hadley and Alfred W. Cutting to the Town of Wayland, dated March 20, 1923 recorded in Book 4598, Page 82 (the "Hadley & Cutting Grant"). The deed does not reference a plan and no purpose for the grant is stated in the deed. In the Report of the Library Trustees in the 1922 Annual Town Report, the Trustees reported that the land would provide sufficient additional land to protect the library. At the 1923 Annual Town Meeting, held on March 5, 1923, the Town voted to accept the gift of "about 16,000 square feet of land adjoining the library lot ... to enlarge and protect the property."

The third grant is evidenced by a deed from Mary A. Clifford f/k/a Mary A. Brackett to the Town dated February 7, 1955 and recorded in Book 8412, Page 490 (the "Clifford Grant"). The consideration for the deed is less than one hundred dollars. No purpose or use is stated in the deed. The deed describes the property as Lot A on a plan entitled "Plan of Land in Wayland, Mass. of Land (sic) to be acquired by the Wayland Public Library" dated January 24, 1955, prepared by Everett M. Brooks Co. Civil Engineers. The plan is recorded as Plan No. 235 of 1955. At the 1955 Annual Town Meeting held on March 9, 1955, the Town voted to accept the gift. The vote references the recorded deed and plan, and describes the land as being "adjacent to the Wayland Public Library.

As further discussed below, it is our opinion that a Court would be more likely than not to conclude that the Roby Grant is restricted in use in perpetuity, and that the Hadley & Cutting Grant and the Clifford Grant are not restricted.

Sections 23 and 26 through 30 of G.L. c. 184 concern the limitation and enforcement of conditions or restrictions affecting the title or use of real property. Section 23 provides that conditions or restrictions unlimited as to time shall be limited to a term of 30 years. This section is not applicable in the instant case, as it excludes gifts or devises for public purposes.

Section 28 provides that ancient restrictions (imposed prior to January 1, 1962) are not enforceable 50 years after imposition, unless certain statutory requirements regarding the recording of a notice of restriction are met. G.L. c. 184, § 28. Unlike Section 23, Section 28 makes no explicit exception for gifts or devises for public purposes. However, Section 28 is not applicable when a gift or devise creates a public charitable trust. See [Dunphy v. Commonwealth](#), 368 Mass. 376, 384 (1975). Such public charitable trusts must be "sacredly observed." See

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

Town of Wayland  
October 24, 2016

[Newburyport Redevelopment Authority v. Commonwealth](#), 9 Mass. App. Ct. 206, 229 (1980) (quoting [MacDonald v. Street Commrs. of Boston](#), 268 Mass. 188 (1929)).

Property conveyed to a governmental body for a particular purpose may be subject to an enforceable general public obligation or trust to use the property for that purpose. [Nickols v. Commissioners of Middlesex County](#), 341 Mass. 13, 18 (1960). Whether or not an enforceable general public obligation or trust to use property for a particular purpose is created is to be ascertained by looking at the grantor's intent, as determined from the interpretation of each instrument as a whole in light of the attendant facts and circumstances. *Id.* at 19. "A mere statement in a grant of the use to which the grantee contemplates putting the granted premises or of the purpose for which the grant is made is insufficient to create an enforceable trust." See [Newburyport Redevelopment Authority](#), 9 Mass. App. Ct. at 229.

In applying these principals, Courts have found that instruments stating that land is to be used "forever" or "only" for a particular purpose or containing language of similar import have established public charitable trusts. E.g., [Opinion of the Justices to the Senate](#), 369 Mass. 979, 985 (1975) (property to used "forever" for a public park and playground); [Dunphy v. Commonwealth](#), 368 Mass. at 383 (property to be used "in perpetuity for the public good") ; [Nickols v. Commissioners of Middlesex County](#), 341 Mass. at 18-23 (property to be used for "sole and exclusive purpose"); [Cohen v. City of Lynn](#), 33 Mass. App. Ct. 271 (1992) (property to be used as a park "forever"); [Board of Selectmen of Provincetown v. Attorney General](#), 15 Mass. App. Ct. 639, 642-643 (1982) (property to be used "for purposes of a public library" but if, on a certain date, the town had other property that was or could be used for such purpose or did not accept the gift, then the sale proceeds were to be added to the residue of the decedent's estate); [Town of Chelmsford v. Greater Lowell Council, Inc.-Boy Scouts of America](#), Land Court Department, Misc. Case No. 261762, Decision on Cross Motions for Summary Judgment (April 26, 2001) (property never to be sold by grantee Boy Scouts to anyone other than grantor).

On the other hand, instruments stating the intended or contemplated use or purpose of a grant do not necessarily create a trust. A more definite expression of intention in the way of the granting language or attendant circumstances will generally be required. E.g., [Opinion of the Justices](#), 369 Mass. at 985 (property to be used as a public park and playground now in development); [Loomis v. City of Boston](#), 331 Mass. 129 (1954) (property to be used "for the purposes of a public park"); [MacDonald](#), 268 Mass. at 294-296 (grantors are "desirous that" property be put to a specified use); [Hillman v. Roman Catholic Bishop of Fall River](#), 24 Mass. App. Ct. 241 (1987) (property to be used by parish for educational, religious or recreational purposes); [Town of Arlington v. Pierce](#), Land Court Department, Reg. Case No. 547-S, Decision (February 4, 1981) (property given in memory of another to be used as a playground for children in a particular school district).

In determining if a public charitable trust has been created, Courts also look to the circumstances surrounding the grant, to determine if there is a general plan or an expression of a consistent and



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

Town of Wayland  
October 24, 2016

harmonious purpose. Nickols, 341 Mass. at 19 (and cases cited). For example, in finding that a public charitable trust had been created, one court relied not only upon the language of the deed, but also upon the park commissioner's report, which stated that the owners of the land were willing to sell for a reasonable price if the land was dedicated to public use and discussed less desirable alternatives to the town's acquisition, and upon the town's annual report, which stated that the land was to be secured for public enjoyment "forever." Cohen, 33 Mass. App. Ct. at 274-277.

Significantly, a more recent Land Court case also finds a general plan in support of a public charitable trust, even though the deed does contain the term "forever" or language of similar import. In that case, a deed conveys a way to a city, stating that the granted premises "are to be used by said grantee as a public highway". 20 Seyon Street LLC v. City of Waltham, 2008 WL 4262290, Land Court Department, Case No. 07 PS 350586, Order Allowing Plaintiff's Motion for Summary Judgment (September 17, 2008). The Court determined that the way is held in trust for use as a public way. Id. Although the Court found the language of the deed to be clear and unambiguous, it also relied upon the fact that the deed gave the Town certain grading rights, that the vote authorizing the conveyance by the grantor referenced the private way and noted that the only consideration was an abatement of certain assessments made by the town, that the way connected two other streets, and that the grantor of the way must have intended the way to remain public because he held land on both sides of it. Id.

In looking at the particular grants which together comprise the Site in light of these court decisions, I find the Roby Grant to be most problematic for the Town. The fact that the donor's Will explicitly states that a library is to be erected on the land, and that money is provided by the donor to do so, seems to be evidence of a consistent and harmonious plan sufficient to establish a public charitable trust. I believe, therefore, that a Court is more likely than not to find this grant to be restricted in perpetuity. The other two grants are less problematic. The deed by which the Town acquired the Hadley & Cutting Grant does not make any statement of intended use and does not reference a plan. And although the Library Trustees report that the grant would "protect" the library and the Town voted to accept the gift "to enlarge and protect" it, neither of these facts constitute direct evidence of the donor's intent. If the Court were to decide that the Hadley & Cutting Grant is held in trust, it would have to extrapolate from the Town's actions that the donors must have intended that result. Although not outside the realm of possibility given that the grantors' deed is dated just 15 days after the annual town meeting, I do not consider it likely that a court would reach that result. The deed by which the Town acquired the Clifford Grant also makes no statement of intended use or purpose. It references only the plan of land to be acquired by the library. It is my opinion that a Court is more likely than not to find that the Hadley & Cutting Grant and the Clifford Grant are not held in trust, and that any restriction on the Town's use of these parcels has expired.

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

Town of Wayland  
October 24, 2016

Please note, however, that the question of whether or not a public charitable trust has been created, thereby restricting use of the land in perpetuity, is a question of fact. If the Town is facing any opposition to its plan to relocate the library from the Site, and the parties cannot come to an agreement, more likely than not litigation will be necessary to determine the matter unless the parties agree to mediation or arbitration.

Please advise if you have any questions or concerns, or if I can be of further assistance with this matter.

Very truly yours,



Jeffrey L. Ontell

cc: Mark J. Lanza, Esq.

G:\C1\51474\Lit Town 102416

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Environmental Resources Management

RECEIVED

NOV - 7 2016

Board of Selectmen  
Town of Wayland

One Beacon Street, 5<sup>th</sup> Floor  
Boston, MA 02108  
+1 617 646 7800  
+1 617 267 6447 (fax)

<http://www.erm.com>



1 November 2016  
Reference: 0321744

Sir or Madam  
Board of Selectman / Wayland Town Hall  
41 Cochituate Road  
Wayland, MA 01778

Re: Notice of Upcoming PIP Meeting on 17 November 2016  
Former Raytheon Facility  
430 Boston Post Road  
Wayland, Massachusetts

Dear Sir or Madam :

On behalf of Raytheon Company (Raytheon), Environmental Resources Management (ERM) has prepared this letter to inform members of the Public Involvement Plan (PIP) group of the upcoming PIP meeting to be held 17 November 2016 concerning the Former Raytheon Facility at 430 Boston Post Road in Wayland, Massachusetts (Site) as part of ongoing Response Actions under the Massachusetts Contingency Plan (310 CMR 40.0000). A summary of the document to be presented at the meeting is enclosed.

Raytheon will continue to make copies of pertinent reports and correspondence available to the public at the Wayland Board of Health Office Repository and on the Extranet Webpage <http://raytheon.erm.com/home.htm>).

If you have any questions or comments, please contact Jonathan Hone of Raytheon at (978) 858-4784.

Sincerely,

John C. Drobinski, P.G., LSP  
Principal-in-Charge

Lyndsey Colburn, P.G.  
Principal Consultant

enclosure

cc: Louis Burkhardt, Raytheon Company  
Jonathan Hone, Raytheon Company  
Public Repository  
PIP Participants

**NOTICE OF A  
PUBLIC INVOLVEMENT PLAN MEETING  
Former Raytheon Facility, Wayland MA**

**Subject:** Public Meeting to Present Public Comment Draft Partial Permanent Solution with Conditions  
(Release Tracking Number 3-13302)  
**Date:** November 17, 2016  
**Time:** 6:30 pm  
**Location:** Large Hearing Room, Wayland Town Building

**Overview**

This meeting will be held to present a Public Comment Draft document prepared for a portion of RTN 3-13302. The Former Hamlen Property is a parcel located within the larger property identified as the Former Raytheon Facility. Raytheon completed remediation activities in 2008 at this Property and a Partial Permanent Solution Statement with Conditions was prepared to document the closure of this parcel under the Massachusetts Contingency Plan. Remedial activities on the property were documented in reports previously reviewed by the PIP group. These reports are located on the DEP website under the RTN 3-13302. No additional remedial activities are presented in the current report.

**The Meeting**

Raytheon will hold this public meeting to present the draft report (Partial Permanent Solution with Conditions) outlining the response actions historically conducted at the Former Hamlen Property under RTN 3-13302 as well as the applicability of the Permanent Solution and Activity and Use Limitation (AUL). This presentation will provide an opportunity for the community to hear about and to comment on the status of the Site.

Raytheon is holding this meeting as part of the "Public Information Plan Process" requested by town residents to involve the community in decisions regarding the site. Thus, this meeting is part of a series of meetings regarding the investigation and cleanup of contamination at the site to provide you with an opportunity to understand and have input into this work.

The Site addressed in the report to be presented is tracked by the Massachusetts Department of Environmental Protection (MassDEP) under Release Tracking Number (RTN) 3-13302.

**At the hearing, Raytheon Company will:**

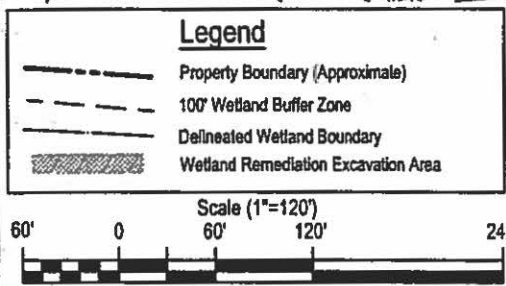
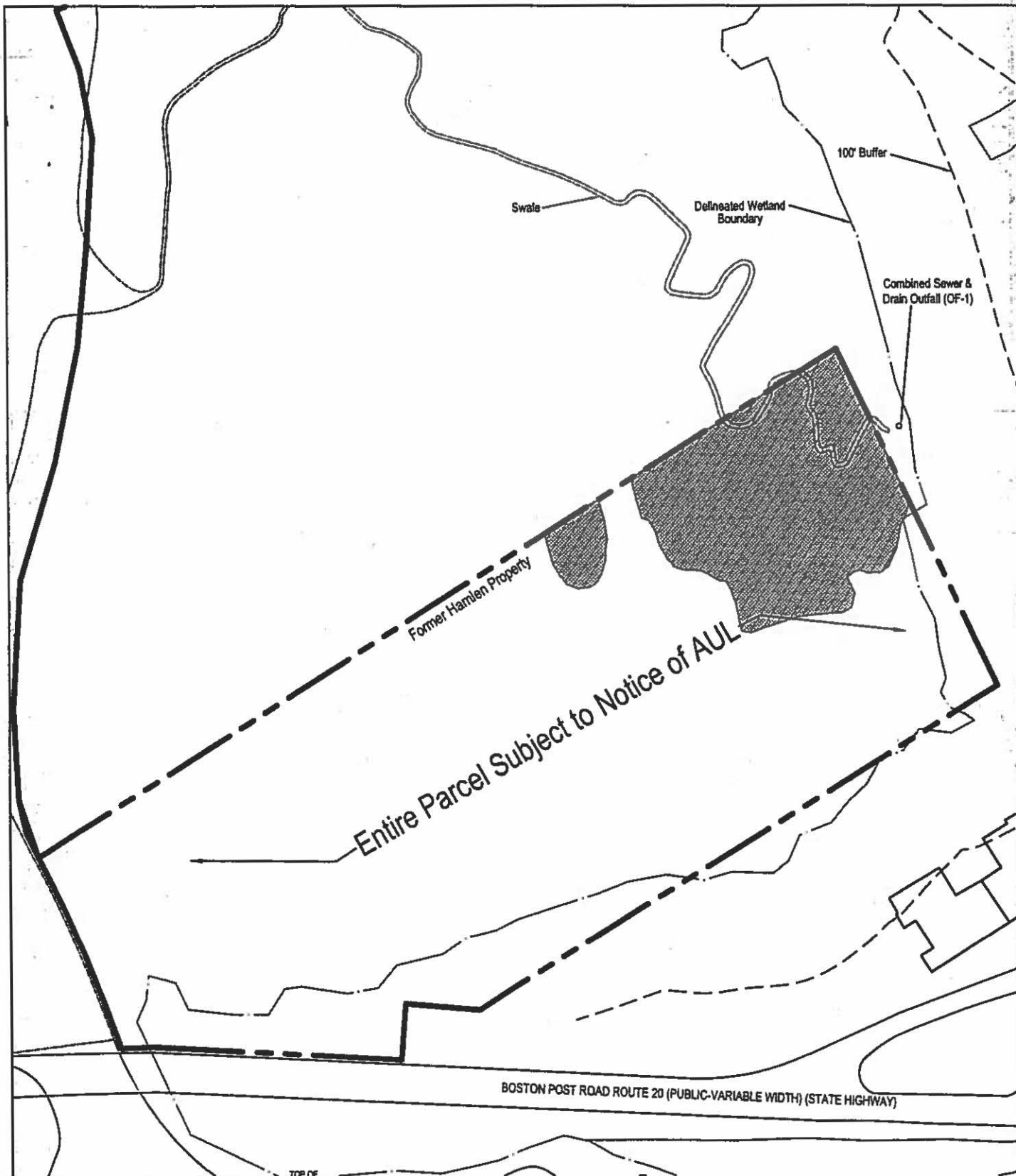
1. Present the draft Partial Permanent Solution with Conditions for the former Hamlen Property;
2. Answer questions regarding this draft report;
3. Solicit your comments on the document; and
4. Provide information about site conditions and future site activities.

**Copies of the draft report** will be made available at the meeting, or the documents may be reviewed at the online public repository (<http://raytheon.erm.com/home.htm>), at the town document repository, or by contacting Raytheon Company at the number below.

**Any questions regarding this meeting or the report should be directed to:**

Louis Burkhardt, Raytheon Company, 50 Apple Hill Drive, Tewksbury, MA 01876, (978) 858-1885.

**Copies of the Site File:** The entire site file can also be reviewed at MassDEP, Northeast Regional office during business hours and on the DEP website under the RTN 3-13302. To find the documents on the MassDEP website, go to <http://public.dep.state.ma.us/SearchableSites2/Search.aspx>, and type in the RTN.



**Figure 6 - Parcel Subject to AUL**  
 Total PCB Concentrations - Sediment  
 Former Hamlen Property, 433 Boston Post Road - Wayland, MA



R:\p\hamlen\wayland - 1922\old\Resub\cont\B&W Hamlen Parcel\fig 1 (12/17/2005 - 5:07 pm Boston)



# Carroll School

November 2, 2016

Dear Members of the Wayland Board of Selectmen

First, we would like to thank all of the Town of Wayland officials as well as members of the community who have welcomed the Carroll School to the town of Wayland. Over the course of the summer, we met with many of the folks who contribute to the smooth running of the town. Volunteers and town officials have been willing and able to guide us successfully through the regulatory process as we sought site plan approval and permits. The Carroll School is delighted to join the Wayland community and is looking forward to positive relationships with all community members.

Though we understand that the loss of tax revenue from a private residence has impact on the Town, we also know that you understand that Carroll School is a non-profit entity not subject to taxation. Nonprofits exist as organizations that contribute socially valuable programs to society; as such, they have been given exempt status in our communities. Carroll School has not made any PILOT payments to date in either Lincoln or Waltham, and it does not intend to change that practice. However, the School has always been a good neighbor and it will work with the Town in appropriate ways for the common good. As an example of this, Carroll School responded to neighbors' concerns about traffic and has agreed to pay up to \$5,000 towards a traffic study of existing conditions along Waltham Road and at major intersections along the Waltham Road corridor. Furthermore, in the event that traffic calming measures are proposed as a result of such study, we agreed to contribute up to an additional \$5,000 towards any such improvements.

The red barn on the property was a subject of much discussion during the site plan approval process. The cost to relocate the barn on the property was prohibitive for the School to undertake. Though we and others on our behalf did significant outreach to find a new home for the barn, no one was able to commit the resources to relocate the barn. We were pleased to donate farm equipment to a local nonprofit. We also offered the barn as a training tool to the Wayland fire department. Our fields construction project is underway and we are making good progress. We will begin the permitting process for the interior work very soon.

We are happy to speak with you at one of your upcoming meetings if that would be helpful to you.

Regards,

Stephen M. Wilkins, Head of School

Judi B. Seldin, Assistant Head of School

**DiNapoli, MaryAnn**

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**From:** Balmer, Nan  
**Sent:** Friday, November 04, 2016 8:10 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Tennessee Gas Pipeline tree trimming

Correspondence

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**From:** Brinn, Keenan (Contractor) [[mailto:Keenan\\_Brinn@kindermorgan.com](mailto:Keenan_Brinn@kindermorgan.com)]  
**Sent:** Friday, November 04, 2016 8:00 AM  
**To:** Balmer, Nan  
**Subject:** Tennessee Gas Pipeline tree trimming

Good morning Ms. Balmer –

As I mentioned briefly to you yesterday Tennessee Gas will be trimming and maintaining its 30' easement through Wayland. We are starting at 226 Concord Rd. and heading south to the Sudbury Town line. This should take about three weeks. I attempt to notify all parties through the mail and in person.

If you have any questions please do not hesitate to call.

Regards,

Keenan Brinn  
617-680-5464

**THE ABRAHAMS GROUP**

*FOR BETTER GOVERNMENTS*

November 8, 2016

Wastewater Management District Commission  
Wayland DPW Building  
66 River Road  
Wayland, MA 01778

Dear Commissioners:

I have completed my work to analyze the Wayland Wastewater Management District Commission's (WWMDC or Commission) finances to determine if projected revenues are sufficient to meet your projected obligations in the near future. This letter describes the project's background and scope and my findings and recommendations.

**BACKGROUND AND SCOPE**

The Commission would like to verify that sufficient funds will be available to make bond payments over the next 18 years for the Wastewater Treatment Facility (WWTF) using betterment payments, both up-front payments and installments and related committed interest.

Our scope included two analyses.

The first looked at the existing long-term debt service and related betterment apportionments and committed interest cash flows to see if the revenue stream matches the related debt service expenditure needs. This would include an analysis of about 130 accounts that have betterment assessments through the life of the betterment. The short answer is that the betterment revenue stream (estimated sources) is sufficient to meet the long-term bonds and interest payable associated with the wastewater betterment debt. Refer to the related summary on the next page.

The second analysis looked at the Commission's balance sheet and income statement to develop a more detailed format that ties to the Town's MUNIS balance sheet and income statement and includes long-term debt and assets not included in the MUNIS balance sheet. Draft balance sheet and income statement formats were previously submitted to the Commission which were accepted by the Commission.

Thus this letter focuses on the betterment revenue and expenditure cash flows. This letter is accompanied by a Wastewater Workbook consisting of Excel spreadsheets. This workbook contains the following tabs/spreadsheets.

- **1. Balance Sheet and Summary** – This spreadsheet presents the WW balance sheet as of June 30, 2016 with adjustments to the unapportioned betterments and deferred revenue accounts posted in September 2016 and a summary of the WWMDC's unapportioned betterments at June 30, 2016. The balance sheet is the Town's MUNIS balance sheet, adjusted for long-term principal and interest liabilities.



- **2. New Betterment** – This spreadsheet presents the new betterment from the WWMDC’s records. It provides the detail for the apportioned and unapportioned principal and interest for the new betterment. As of June 30, 2016, new betterments estimated balances to apportioned at or after June 30, 2016 are:

Description	Amount
Principal	\$ 3,472,542.14
Interest	\$ 1,637,969.60
Total	<u>\$ 5,110,511.75</u>

- **3. Old Betterment** – This spreadsheet presents the old betterment from the WWMDC’s records. It provides the detail for the apportioned and unapportioned principal and interest for the old betterment. As of June 30, 2016, old betterments estimated balances to apportioned at or after June 30, 2016 are:

Description	Amount
Principal	\$ 94,644.44
Interest	\$ 11,830.56
Total	<u>\$ 106,475.00</u>

- **4. Outstanding WW Debt Service** – This spreadsheet presents the long-term principal and interest payments outstanding at June 30, 2016 provided by the Town Treasurer. At June 30, bonds and interest payables for the WW debt are:

Description	Amount
Interest Payable	\$1,664,861.79
Principal Payable	\$4,736,623.98
Total Uses	\$ 6,401,485.77

- **5. WW Capital Projects** – This spreadsheet presents the balance at June 30, 2016 of the WW capital projects fund. It is the MUNIS WW capital projects fund balance sheet. The balance in this fund is \$221,284.
- **6. Estimated Sources and Uses** – This spreadsheet summarizes the estimated sources (betterment principal and interest to be apportioned, undesignated retained earnings, and balance sheet accounts receivables) and the long-term bonds and interest payables at June 30, 2016.
- **7. Betterment Cash Flows** – This spreadsheet compares the sources (available balances at June 30, 2016 plus unapportioned principal and interest) to the uses (debt service) by fiscal year from FY 2017 through FY 2034.

**Findings and Recommendations**

- There is a variance of about \$62 between the WWMDC records and the general ledger balances for the unapportioned betterment to be apportioned, once the September adjustment is made. There is a need for a periodic reconciliation of the WW betterment accounts. The Treasurer’s office utilizes the VADAR receivable system. The Finance office uses the MUNIS financial system. The two systems do not talk to each other. Treasury receipts are entered into the VADAR system and re-entered into MUNIS. This is susceptible to errors and requires reconciliation. Further, the responsibilities between the Treasurer, Accounting, and Wastewater staff are not clearly defined.

The Town should consider one integrated software system for Treasurer’s receipts. This would reduce duplicate entries, enhance reconciliations, and expedite the processing. In addition, Commission staff should be responsible to reconcile the WWMDC and general ledger WW records by accessing VADAR and MUNIS reports, reviewing commitments, receipts, abatements, refunds, adjustments and the like and to work with Treasury and Accounting staff to reconcile. This should be done monthly but at least quarterly. A procedures manually documenting tasks should also be considered. The Town is dealing with over \$6 million dollars of remaining betterment principal and interest and needs clearer responsibilities and procedures going forward.

- There is sufficient sources of funds to meet the long-term obligations of the WW system related to the betterment receipts and debt. The estimated excess of betterment sources over betterment uses is over \$127,000 from FY 2017 through the duration of the bonds, FY 2034.

Description	Amount
<b>Estimated Sources</b>	
Total Principal to be Apportioned	\$ 3,567,186.58
Total Interest to be Apportioned	\$ 1,649,800.16
Retained Earnings	1,303,230.54
'WW BETTERMENT TC	3,379.01
'WW BETTERMENT TC INTEREST	5,020.18
<b>Total Estimated Sources</b>	<b>\$ 6,528,616.47</b>
<b>Estimated Uses</b>	
Long-Term Principal Bonds Payable	1,664,861.79
Long-Term Interest Payable	4,736,623.98
<b>Total Estimated Uses</b>	<b>6,401,485.77</b>
<b>Estimated Excess of Sources over Uses</b>	<b>\$ 127,130.70</b>

Refer to the betterment cash flows schedule to view the cash flow by fiscal year, Tab 7. Total sources exceed uses over the period; however FY 2029 through FY 2033 is projected

Wastewater Management District Commission  
Wayland DPW Building  
November 8, 2016  
Page 4

to have negative cash flows which will need to be addressed. This projection does not include the potential sources from the WW capital fund.

- The disposition of the WW capital fund balance was the subject of a previous discussion with the Commission. The Town is currently reviewing this matter with the Town's financial advisor.

\* \* \* \* \*

I will be pleased to discuss this with the Commissioners at your earliest convenience.

Sincerely yours,

A handwritten signature in cursive script that reads "Mark D. Abrahams". The signature is written in dark ink and includes a long horizontal flourish at the end.

Mark D. Abrahams, CPA  
President

Attachment

6

**DiNapoli, MaryAnn**

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**From:** Balmer, Nan  
**Sent:** Monday, November 14, 2016 10:17 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Raytheon PIP meeting this Thursday  
**Attachments:** RaytheonPIPmeeting17Nov2016.pdf

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**From:** Linda Segal [<mailto:lmsegal@comcast.net>]  
**Sent:** Monday, November 14, 2016 9:52 AM  
**To:** Karlson, Cherry; Anderson, Lea; Antes, Mary; Jurist, Louis; Nolan, Joseph F.  
**Cc:** Selectmen; Balmer, Nan; Doucette, Elizabeth; Senchyshyn, John; DiNapoli, MaryAnn; Linda L. Segal  
**Subject:** Raytheon PIP meeting this Thursday

Good morning.

This Thursday, **Nov. 17, 2016 at 6:30 p.m.**, the Raytheon Company and consultants will hold their annual PIP (public information) meeting in the **Large Hearing Room** in Wayland Town Building.

The focus of the presentation will be 5.5 acres known as the "**Hamlen Parcel**," 433 Boston Post Road, located between the western edge of the Wayland Town Center property and the Sudbury River. See the attached detailed explanation in Raytheon's recent mailing.

Raytheon is engaging in certain regulatory steps in preparation for donating these wetlands for permanent conservation protection, part of the 3000-acre floodplain in the Great Meadows National Wildlife Refuge along our Wild and Scenic River.

Raytheon has published a draft Report for public review and comment describing prior cleanup activities in this area. An "Activities and Use Limitation" also covers the parcel. Here is the link to that Report, which includes several maps (pages 67-72):

<http://raytheon.erm.com/documents/01.RTN%20-13302/13.%20Partial%20Permanent%20Solution%20With%20Conditions/1.%20Public%20Comment%20Draft%20Partial%20Permanent%20Solution%203-Nov-16.pdf>

Raytheon has been hosting these information meetings in our community for the last 16 years as part of a DEP PIP Plan for their overall cleanup activities. The public is always encouraged to attend and participate. Feel free to share this email with others. Thank you.

Regards,

Linda L. Segal, PIP Citizen Representative



7

**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**WAYLAND HISTORICAL COMMISSION**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-7701

**RECEIVED**

NOV 16 2016

Board of Selectmen  
Town of Wayland

November 16, 2016

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

Re: Proposed Utility Pole on Blacksmith Green

Dear Ms. Karlson:

The Wayland Historical Commission opposes the installation of a utility pole on Blacksmith Green because it would negatively impact the historic character of this site. The open space at the intersection of Pelham Island Road and Boston Post Road has an historic marker that reads:

**BLACKSMITH GREEN**  
Over the years four blacksmiths  
served Wayland Village  
on or near this sight.

Further, in section 15.6.1 of Wayland's Master Plan, the Blacksmith Green is listed as one of the high priority sites in the town center for improvement and beautification in order to encourage its use and enjoyment. The placement of a utility pole on the Blacksmith Green is not consistent with this goal and moreover would negatively impact the public's enjoyment of the historic character of this site. For these reasons, the Wayland Historical Commission requests that the open space of Blacksmith Green be preserved.

Sincerely,

Elisa Scola  
Wayland Historical Commission, Chair



# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Monthly Update

### October 2016

On October 7<sup>th</sup>, at approximately 6:10 P.M., the T.D. Bank on Boston Post Road was robbed by a lone, masked man. The man displayed an apparent handgun and left the bank on foot with an undisclosed amount of cash. The man's face was completely covered, limiting the description of the man by bank employees. This case remains under investigation by Wayland detectives and members of the Joint Bank Robbery Task Force. The robbery was similar to other bank robberies that have occurred in eastern Massachusetts over the past several months.

Also on October 7<sup>th</sup>, a thirty-five year old Wayland woman was struck by a vehicle on Main Street near School Street while attempting to cross the street. A southbound vehicle struck the woman who was not in a crosswalk. The woman sustained serious but non-life threatening injuries and she was transported by MedFlight to Beth Israel hospital in Boston. No charges have been filed as a result of the accident.

On October 13<sup>th</sup>, a thirty-two year old Framingham man was arrested and charged with possession of heroin after police responded to the Stop & Shop on Andrew Avenue on a report of a disturbance. The man was booked and transported to Framingham District Court.

On October 28<sup>th</sup>, officers responded to a motor vehicle crash on Old Connecticut Path. Officers discovered that a vehicle operated by a 25 year old Milton man had left the roadway striking a fence. The man was observed throwing beer cans into the woods after the accident. Officers conducted field sobriety tests and then charged the man with Operating Under the Influence of Alcohol, Operating to Endanger and Open Container. The man refused to take a breathalyzer exam. He was booked and later released on a Promise to Appear at Framingham District Court.

The department had its annual department meeting on October 27<sup>th</sup>. Guest speakers included Donna Lemoyne from the Finance Department to answer questions concerning the new health insurance plans; new W.H.S. Vice Principal Jim Nocito and Principal Allyson Mizoguchi, to discuss the police school partnership; Noha Ragab the liaison for the Islamic Center of Boston along with

Dr. John Robbins, the Executive Director of the Council on American Islamic Relations who discussed policing in the Islamic community.

On Halloween, the Wayland Police Department increased patrols by having two bike officers ride in residential neighborhoods during the early evening hours. No problems were reported to police during the night.



Robert Irving  
Chief of Police

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

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

**Interview & Interrogation**

NESPIN and Law-Tech Consultants  
Franklin, MA

Tyler Castagno

October 5-7, 2016

**Search Warrant Preparation**

M.P.I. –Massachusetts Police Institute  
Grafton, MA

Christopher Cohen

October 12-13, 2016

**Breaking Entering Evidence Recovery**

M.P.I. –Massachusetts Police Institute  
Acton, MA

Lynnet Sloan

October 17-18, 2016

**Firearms Law Update Seminar**

M.P.I. –Massachusetts Police Institute  
Marlboro, MA

Patrick Swanick

October 12, 2016

**In-Service**

MPTC  
Boylston Academy

Jennifer Ordway

October 31-Nov.3, 2016



**Wayland Police Department Detective Division Report for October 2016**

**INVESTIGATIONS**

Vandalism – Concord Road  
Found property – Pelham Island Road  
Residential Break & Entering, Larceny – Sherman Bridge Road  
Bank Robbery – Boston Post Road  
Larceny/Flim Flam – Andrew Avenue  
Offensive Phone Call – Cochituate Road  
Larceny – Oxbow Road  
Larceny – Boston Post Road  
Larceny – Andrew Avenue  
Found Bone – Cochituate Road

**MEETINGS/TRAININGS**

Search Warrant Training  
Forensic statement analysis  
Youth Advisory Committee  
Toddler Loving Care Community Event  
School Safety Summit  
Wayland Cares

**MISCELLANEOUS**

National Drug Take Back day  
Walden Pond Middle School Bike trip  
Bullet Proof Vest grant  
Citizen Police Academy  
Intruder Drill – Goddard School

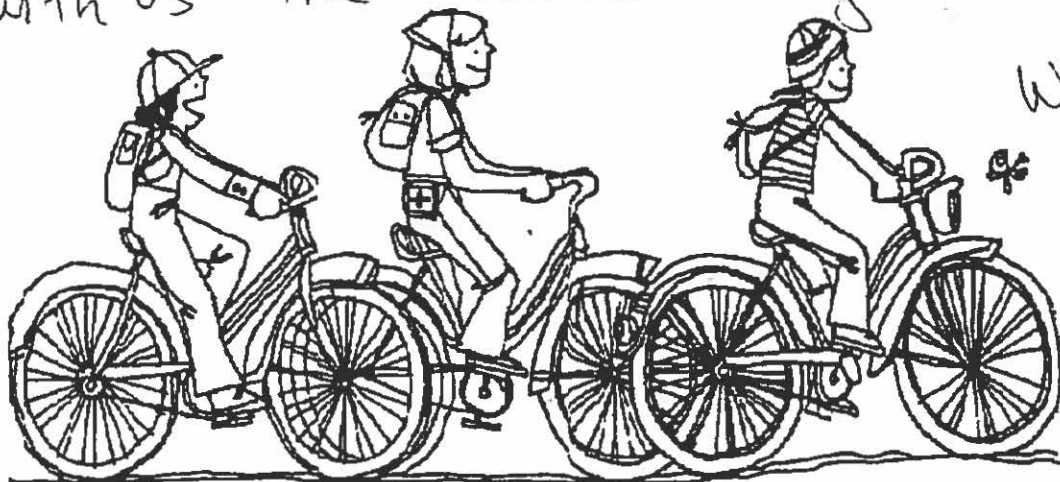
# SIMPLIFY.

# Thoreau

10/6/16

Dear Sean,

Thanks so much for accompanying us on our Walden bike trip. We so appreciated all that you did - helping Tatiana as she struggled with her newly learned biking skills, crossing us at the various intersections, and being right there when Barbara had her accident(s). We could not have done this bike trip without parent volunteers and most importantly, police officers such as you! I know I felt calmer knowing you were with us the entire way!



Wishing you  
our best  
MAURA

# WAYLAND POLICE DEPARTMENT



## DETECTIVE BUREAU



38 COCHITUATE ROAD WAYLAND, MA 01778

508-358-4721(MAIN)

508-358-1724(FAX)



On Friday, October 07, 2016, at approximately 6:10pm, the Wayland Police Department responded to #54 Boston Post Road, TD Bank Wayland for a reported Robbery. The above Male individual committed the Robbery.

Anyone with information should contact the Wayland Police Department Detective Division at 508-358-4721, or if you would like to remain anonymous, you may contact the Wayland Police Department's Anonymous Crime Tip Line at 508-358-1726.

No other information is available at this time.



9

**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

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

November 7, 2016

Lawrence K. and Carol S. Glick  
35 Brook Road  
Wayland, MA 01778

Re: DETERMINATION OF APPLICABILITY [D-888] - Chapter 194 Permit - 35 Brooks Road,  
Wayland

Dear Mr. and Mrs. Glick:

Enclosed please find the original Wetlands and Water Resources Protection Bylaw Permit (Chapter 194) and Determination of Applicability issued by the Wayland Conservation Commission regarding the proposed work at 35 Brooks Road in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit. No other work is permitted by this decision.

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

Sincerely,

Brian J. Monahan  
Conservation Administrator, (Ret.)

Enclosure

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

**RECEIVED**

NOV - 7 2016

Board of Selectmen  
Town of Wayland

Minutes of the Electronic Voting Implementation Subcommittee Meeting of 2016-05-26

1. The meeting was called to order by Dave Bernstein at 7:00 pm with Larry Krakauer, Alan Reiss, and Don Schuler in attendance.
2. Dave Bernstein was appointed Secretary pro tem
3. Public Comment
  - o Moderator Dennis Berry reported that in his discussions with the Massachusetts Moderators Association, Wayland is viewed as the leader in electronic voting, but that some towns considers themselves "too small" to afford the technology
  - o Alan Reiss commented that though it is relatively small, Wayland's citizens have seen value in the accurate private votes that electronic voting provides
4. Minutes from our 2016-04-07 meeting were approved by unanimous vote.

5. Alan Reiss described a situation that occurred during the April Town Meeting in which a citizen was issued a handset and then attempted to vote from within the check-in area, but received a "can't vote yet" message on their handset and was not offered a paper ballot.

The mechanics of the "roster transfer" process, which can prevent a citizen who is issued a handset just before a vote from being able to participate in that vote, were reviewed. OTI cannot make this process incremental because doing so would require enhancing the handset firmware, which its manufacturer (Fleetwood) is unwilling to undertake. OTI may be able to make the "roster transfer" process faster by reducing the number of actions the electronic voting system operator must take; during an earlier phone conversation, OTI President Mark Fite said they would investigate this possibility.

During the discussion, it was noted that had this citizen voted from the floor of Town Meeting, they could have raised their hand during the vote to indicate a handset problem, and would have been provided with a paper ballot by Help Desk personnel. The consensus reached was to update the "How to Vote Electronically" document to inform citizens that they must check-in at least 5 minutes before a vote to be certain that their handset can be used in that vote, and should quickly seek assistance from the Help Desk if the "can't vote yet" message appears on their handset.

6. Public Comment: none
7. The meeting was adjourned at 7:23 PM



**Municipal Affordable Housing Trust Fund (MAHTF)  
Meeting Minutes – September 7, 2016**

**Attendance:** Mary Antes; Stephen Greenbaum; Kevin Murphy (arrived at 7:40 PM); Brian O’Herlihy; Michael Staiti; Jennifer Steel; and Susan Weinstein.

**Others in attendance:** Nan Balmer, Town Administrator – Town of Wayland.

**Open Meeting:** M. Antes called the meeting to order at 7:30 P.M. at the Wayland Town Building. B. O’Herlihy agreed to keep the minutes of the meeting.

**Public Comment:** None.

**Previous Minutes:** July 6, 2016.

**Materials Discussed/Distributed:** MAHTF financial statements (unaudited) as of August 31, 2016; MAHTF draft audited annual financial statements for the fiscal years ended June 30, 2016 and 2015; draft insert for the Town’s Annual Report; email from the Massachusetts Housing Partnership regarding recent changes to the Municipal Affordable Housing Trust statute; Town assessment information for property on Old Sudbury Road; affordable housing strategy brochure produced by the City of Newton.

**Notes:**

- 1) N. Balmer, Town Administrator – Town of Wayland, attended the meeting to follow up on the matters discussed in her memo dated 7/6/16 (which was read to the Trustees at its meeting on 7/6/16). N. Balmer provided more details on her recommendation for the evaluation of planning and administration of the Town’s affordable housing programs and updated the Trustees on K. Sunnarborg’s review of the administration of affordable housing matters in Wayland, including interviews that had taken place in connection with her review. A report is expected to be delivered in October 2016 and N. Balmer indicated she would share the report with the various Town housing boards and committees. N. Balmer indicated that among the areas being reviewed by the consultant are the appropriate roles for the Housing Partnership and Trust and recommended staffing to ensure proper coordination of affordable housing related matters. J. Steel suggested that public input be sought prior to any significant structural changes to the various Town boards and committees with responsibilities for affordable housing.
- 2) M. Antes provided the Trustees with Town assessment information for a property located on Old Sudbury Road which is being evaluated for acquisition by the Town’s Department of Public Works given its proximity to one of the Town’s water wells and pumping station and suggested the Trustees might want to evaluate whether or not the existing house, or a portion of the site, could be used for affordable housing. M. Staiti indicated that he had evaluated the site for development of a new single family house and determined it would be difficult given proximity to wetlands, lack of upland and need for new septic system and also indicated the existing house was in significant disrepair. He agreed to evaluate the financial feasibility of using a portion of the site for the construction of a cluster of affordable housing units in the event the Conservation Commission were open to issuing set back and other variances needed to build on the site and install a new septic system. He wasn’t overly optimistic that this site was a viable location for new affordable housing.

- 3) The Trustees also had a brief discussion regarding tax title properties and asked N. Balmer to have the Town's Treasurer/Collector keep the Trustees informed of properties that the Town planned to institute foreclosure proceedings on so that the properties might be evaluated for affordable housing uses.
- 4) The Trustees reviewed the draft minutes for the meeting held on July 6, 2016. S. Weinstein moved approval of the minutes. S. Greenbaum seconded. Motion approved 6-0-1. M. Antes asked the Trustees if anyone wanted to volunteer to be Secretary of the Trust and, if not, indicated that future minutes could be kept by the Trustees on a rotating basis. The Trustees agreed to take up the issue at the Trust's next meeting.
- 5) B. O'Herlihy provided the report of the Treasurer which included a review of the MAHTF financial statements (unaudited) as of August 31, 2016 and a review of the draft annual audited financial statements for the fiscal years ended June 30, 2016 and 2015. After a brief discussion, S. Weinstein moved that the Trustees approve the draft audited financial statements for the fiscal years ended June 30, 2016 and 2015, as presented by the Treasurer, for issuance. J. Steel seconded. Motion approved 7-0.
- 6) S. Weinstein provided an update on the status of the Trust's web site design and the Trustees discussed whether or not the Trust should maintain its own web site or to use the Town's web site. After a brief discussion, the Trustees decided that for now it made sense to use the Town's web site. S. Weinstein will talk to M. DiNapoli, who maintains the Town's web site, to see what latitude the Trust has to make changes to its web page on the Town's web site and will report back at the Trust's next meeting.
- 7) M. Antes provided the Trustees with a draft insert for the Town's Annual Report and indicated that it needed to be submitted to M. DiNapoli on or before September 30, 2016. The Trustees agreed to review and provide any proposed edits to M. Antes prior to the filing deadline.
- 8) M. Antes indicated the next scheduled meeting is on October 5, 2016 at 7:30 P.M. at the Wayland Town Building. The Trustees discussed the tentative agenda, including having update on and the River's Edge project and the election of Trust officers.

Adjourn: S. Weinstein moved to adjourn the meeting at approximately 9:05 P.M. S. Greenbaum seconded. Motion approved 7-0.

Respectfully submitted,

Brian T. O'Herlihy

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

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

	Current Month	Prior Month	Variance
<b>ASSETS</b>			
Cash and cash equivalents	\$ 702,734.94	\$ 702,615.60	\$ 119.34
Investments <sup>1</sup>	403,836.86	403,326.46	510.40
Inclusionary housing payments receivable	0.00	0.00	-
Total assets	<u>\$ 1,106,571.80</u>	<u>\$ 1,105,942.06</u>	<u>\$ 629.74</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Liabilities	\$ 0.00	\$ 0.00	\$ -
Total liabilities	<u>0.00</u>	<u>0.00</u>	<u>-</u>
<b>FUND BALANCE</b>			
Nonspendable	0.00	0.00	-
Restricted	1,106,571.80	1,105,942.06	629.74
Committed	0.00	0.00	-
Assigned	0.00	0.00	-
Unassigned	0.00	0.00	-
Total fund balance	<u>1,106,571.80</u>	<u>1,105,942.06</u>	<u>629.74</u>
Total liabilities and fund balance	<u>\$ 1,106,571.80</u>	<u>\$ 1,105,942.06</u>	<u>\$ 629.74</u>

<sup>1</sup> Represents \$400,000 deposited in 18-month certificates of deposit at The Village Bank - maturity date of July 11, 2017; interest rate of 1.49% (subject to prepayment penalty on any portion withdrawn prior to maturity date). The amount shown above includes accrued unpaid interest.



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

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

	<u>Committed</u>	<u>Restricted</u>	<u>Current Month Total</u>	<u>Prior Month Total</u>	<u>Variance</u>
<b>REVENUES</b>					
Investment income	\$ 0.00	1,257.96	\$ 1,257.96	\$ 628.22	\$ 629.74
Total revenues	0.00	1,257.96	1,257.96	628.22	629.74
<b>EXPENDITURES</b>					
Other expense	(0.00)	(0.00)	(0.00)	(0.00)	-
Total expenditures	(0.00)	(0.00)	(0.00)	(0.00)	-
Excess of revenues over expenditures	0.00	1,257.96	1,257.96	628.22	629.74
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfers in - Town of Wayland	0.00	0.00	0.00	0.00	-
Total other financing sources (uses)	0.00	0.00	0.00	0.00	-
NET CHANGE IN FUND BALANCE	0.00	1,257.96	1,257.96	628.22	629.74
FUND BALANCE, AT JULY 1, 2016	0.00	1,105,313.84	1,105,313.84	1,105,313.84	-
FUND BALANCE, AT AUGUST 31, 2016	\$ 0.00	\$ 1,106,571.80	\$ 1,106,571.80	\$ 1,105,942.06	\$ 629.74

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

**STATEMENT OF CASH FLOWS  
(Unaudited)**

**For the Period July 1, 2016 to August 31, 2016**

**CASH FLOWS FROM OPERATING ACTIVITIES:**

Change in fund balances \$ 1,257.96

Adjustments to reconcile change in net assets to net cash  
provided by operating activities:

Unrealized investment income - certificate of deposits (1,020.14)

Change in:

Inclusionary housing payments receivable 25,582.86

Net cash provided by operating activities 25,820.68

**NET CHANGE IN CASH AND CASH EQUIVALENTS 25,820.68**

**CASH AND CASH EQUIVALENTS, AT JULY 1, 2016 676,914.26**

**CASH AND CASH EQUIVALENTS, AT AUGUST 31, 2016 \$ 702,734.94**

PUBLIC CEREMONIES COMMITTEE  
Council of Aging Conference Room  
Wayland Town Building  
41 Cochituate Road  
Wayland, Mass 01778  
October 26, 2016

- 
- 1) The committee meeting was called to order at 7:00 P.M.  
In attendance: Richard Turner (RT), Carl Bernardo (CB), George Bernard (GB), Steve Streeter (SS) & Dennis Berry (DB). Not Present: John Dyer (JD).
  - 2) Public Comment: No Public Comment
  - 3) Old Business Minutes from September 14, 2016 were reviewed and approved.
  - 4) New Business:
    - Carl called Martin Cox in Holliston in October to discuss having military vehicles in the Memorial Day, 2017. However, Mr. Cox was not responsive and Carl will try again.
    - Veterans Day, November 11, 2016 at 11:00 A.M. Ceremony to take place at Veterans Memorial. RT to have Town of Wayland tent put up for event and sixty chairs set up by custodian. RT to notify and ask participation of Town Selectmen and possible State Senator or Representative. RT to take care of extension cord for electricity. RT to contact Wayland Town Crier for publication of event. RT to contact Boy Scouts to read names of fallen Wayland Veterans. RT to be Master of Ceremonies (MC). SS to set up speaker system for Veterans Day and take care of tarps if needed due to weather.
    - Committee authorized SS to spend up to \$100.00 for gooseneck microphone stand. SS to purchase stand before Veterans Day.
    - SS to check with Nan Balmer on who will put the flags up in Cochituate and Wayland Center prior to the Memorial Day, 2017 parade in November. The bucket truck used for putting the flags on telephone poles is being transferred from the fire department to DPW. There are 75 poles and flags put on utility poles for Memorial Day.
    - Route of Memorial Day parade in 2017 to be monitored due to construction at Rt. 30 and Rt. 27. Any road changes will be made in 2017.
    - The committee again suggested having subcommittees to address having different event procedures in writing should members leave and be replaced. This will allow for key milestones of events such as Memorial Day or the Freedom Prize to be in writing and be accessible to new members.
    - DB stated that even subcommittees are responsible to the open meeting law requirements. Therefore, a notice must be posted to the public if a subcommittee meeting is to take place. The committee agreed to this requirement.

- Potential subcommittees include: Freedom Prize, Memorial Day Parade, Veterans Day program, Lydia Childs Award, Applications/Parade directions for Memorial Day.
- GB stated that JD has yet to get back to him with a date to put in writing the steps involved in running the Freedom prize.
- Discussed plaques to be displayed at Town Hall for the Lydia Childs award and the Freedom Prize at Wayland High School with the name of the first-place finishers only. This requires further discussion.

Meeting adjourned at 8:40 P.M.

- The next WPC meeting is scheduled for Wednesday, November 9, 7:00 P.M. at the Town building.

Respectfully submitted  
George Bernard 11/2/2016



# Town of Wayland Massachusetts

13

River's Edge Advisory Committee ("the Committee")  
Meeting Minutes of September 28, 2016  
Wayland Town Building  
Board of Selectmen Meeting Room  
41 Cochituate Road  
Wayland, MA

In attendance: Jerome Heller (Chair), Rebecca Stanizzi, Daniel Hill, William Steinberg, William Sterling, Michael Ellenbogen, Christine DiBona.

Absent: Michael Wegerbauer

6:35 PM, meeting called to order by the Chair. It was announced that the meeting was being videotaped.

- I **Public Comment** - The Chair asked for public comment, none offered.
  
- II **Meeting Minutes** - The Committee reviewed the minutes of its meeting of September 21, 2016. Minor wording changes/typographical corrections were made.  
  
Mr. Sterling made a motion to approve the minutes as amended and Mr. Steinberg seconded. Minutes were approved by a vote of 7-0.
  
- III **Motion to enter into Executive Session** - at 7:50 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. Steinberg seconded the motion, and it was approved by a roll call vote: Ellenbogen (yes); Stanizzi (yes); Heller (yes); Hill (yes); Sterling (yes); Steinberg (yes); DiBona (yes). The Chair noted that the Committee would exit from executive session in approximately one hour.
  
- IV **Adjournment** - at approximately 8:00 PM, the Committee returned from executive session and Mr. Steinberg moved that the meeting be adjourned. Ms. Stanizzi seconded. The meeting was adjourned by a vote of 7-0.

Respectfully submitted,  
Jerome Heller

RECEIVED

NOV 14 2016

Board of Selectmen  
Town of Wayland

14  
More To Explore



**MetroWest  
Visitors Bureau**

November 10, 2016

Ms. Nan Balmer  
Town Administrator  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

Dear Ms. Balmer:

In 2015, visitors to MetroWest spent **\$966 million** on retail, dining, transportation, recreation, events, accommodations, and services ranging from car washes to opticians in our region (including Wayland)! (That's almost \$100 million more than spending just two years earlier.) Those expenditures directly supported 7735 jobs--right here--with a combined payroll of \$247 million. Not only did visitor spending support our residents' livelihoods, but it supported our municipalities, too, by bringing in \$23.7 million in local taxes, on top of \$52 million in state taxes.



And those numbers don't include the economic impact of MetroWest residents' spending at attractions, restaurants, retailers, recreation, services, and events in their own backyards.

Our job at the MetroWest Visitors Bureau is to keep that number at \$960 million--and RAISE it--in partnership with municipalities, retailers, hotels, arts venues, recreational sites, and other services. It's a privilege for us to market the tremendous assets of MetroWest to visitors and residents alike.

**PLEASE JOIN US** at the MetroWest Visitors Bureau's **5th anniversary regional breakfast** on January 13, 2017, in Westborough, where we'll celebrate the many venues, businesses, and qualities that make our region a great place to live, work, and visit. The anniversary breakfast takes place 7:45-9:30am at the DoubleTree by Hilton Westborough. If your schedule permits you to attend this regional gathering, please simply send an email to me; we'd love to have you as our guest.

We hope to see you on January 13 to celebrate the economic strength of the region!

Best regards,

Susan Nicholl  
Executive Director  
susan@metrowestvisitors.org

15 Blandin Avenue, Room 105  
Framingham, MA 01702  
508-361-9881

[www.metrowestvisitors.org](http://www.metrowestvisitors.org)