

PACKET

DEC 5

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, December 5, 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.

- | | | |
|---------|------|--|
| 7:00 pm | 1.) | Call to Order by Chair <ul style="list-style-type: none">• Review Agenda for the Public; Announcements |
| 7:02 pm | 2.) | Public Comment |
| 7:10 pm | 3.) | FY18 Budget <ul style="list-style-type: none">• New Positions: Fire, Police and Conservation• Information Technology• Facilities |
| 7:30 pm | 4.) | Hearing on Liquor License Violation, The Local Restaurant, 11 Andrew Avenue |
| 7:50 pm | 5.) | FY18 Budget <ul style="list-style-type: none">• Selectmen, Town Office, Legal, Unclassified, Personnel Board, Dog Officer |
| 8:00 pm | 6.) | Committee Interview and Appointments <ul style="list-style-type: none">• Katherine Gardner-Westcott (Historical Commission)• Ann B. Gordon (Historical Commission) |
| 8:15 pm | 7.) | Vote to Approve Renewal of Liquor Licenses, Common Victualler Licenses, Entertainment License, and Used Car Dealer Licenses |
| 8:25 pm | 8.) | Vote to Open Annual Town Meeting and Election Warrants |
| 8:35 pm | 9.) | Minutes: Review and Vote to Approve Minutes of November 7, 2016, and November 15, 2016 |
| 8:40 pm | 10.) | Consent Calendar: Review and Vote to Approve (See Separate Sheet) |
| 8:45 pm | 11.) | Review Correspondence (See Separate Index Sheet) |
| 8:55 pm | 12.) | Report of the Town Administrator |
| 9:05 pm | 13.) | Selectmen's Reports and Concerns |
| 9:15 pm | 14.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |
| 9:20 pm | 15.) | Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel at the Town Center Project |
| 9:35 pm | 16.) | Adjourn |

(3) FY18 BUDGET

DATE: DECEMBER 5, 2016
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: FY 18 BUDGET

REQUESTED ACTION:

RECEIVE FINAL UPDATE ON FY 18 BUDGET PRIOR TO FORWARDING BUDGETS UNDER THE SELECTMEN TO THE FINANCE COMMITTEE ON 12/12:

- 1. New Positions: Police Chief Robert Irving , Fire Chief David Houghton , and Conservation Chair Sherre Greenbaum**
- 2. Facilities Operating and Capital Budget: Ben Keefe:**
- 3. Information Technology operating and Capital : Jorge Pazos**
- 4. Town Office, Selectmen's, Legal and Unclassified Budgets: Elizabeth Doucette**

**Wayland Fire Department
Executive Summary – Staffing Request
Board of Selectmen Meeting – December 5, 2016**

The Wayland Fire Department is requesting the addition of (4) full time firefighter/ EMT – Paramedic positions. This request is being made as a result of the many changes that have impacted the way we deliver emergency services and the increasing call volume, which are challenging our ability to adequately staff and deliver emergency services to the community. We recognize the fiscal challenges facing the town, but we have reached a point where adding staff is a critical priority, and no firefighter/ EMT positions have been added in over 40 years.

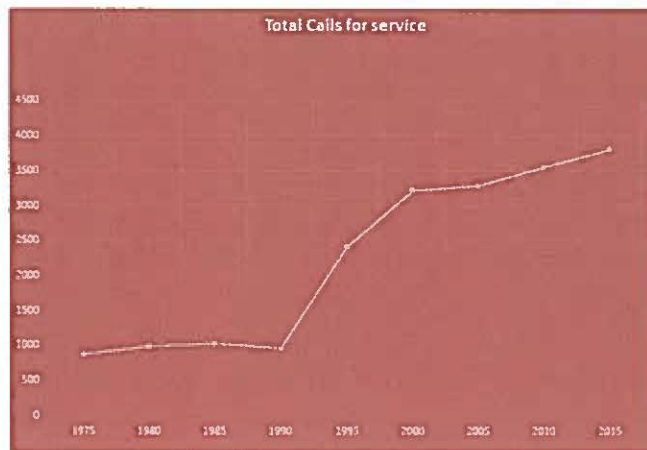
The total call volume handled by the Wayland Fire department has increased 380% since the last time firefighter positions were added in 1974. Calls for the ambulance have accounted for a significant amount of the increase (+250%). This has resulted in an increase in back to back calls (16% of the time) and our reliance on mutual aid resources. In addition to the call volume, significantly more resources are being utilized for state mandated (also unfunded) code compliance and emergency planning. The department also offers a higher level of medical care (EMT – Paramedic) which requires a higher level of training. If these positions are approved, we will be able to provide paramedic coverage on all shifts, compared to 75% of the time with our current full time staff.

It is also important to note that the demographics of the town have changed, which has created additional challenges for the department. Wayland continues to be a highly desirable community and the home prices reflect this appeal. Unfortunately, this has led to the department's inability to maintain a call firefighting staff, and resulted in many of the full time firefighters living a considerable distance from the community. This has reduced the amount of resources available and our ability to effectively utilize full time staff to respond back to the town for coverage and emergency situations

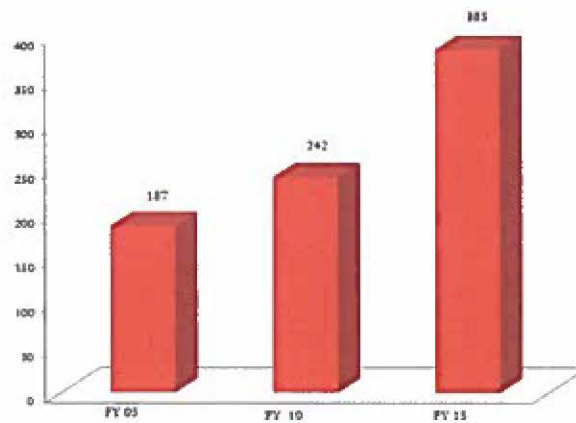
Our department is also facing many other challenges that impact staffing levels. This includes the size, type and complexity of the properties within the community. The average size of a single family home has increased significantly, and the types of buildings in the community are larger and more complex. Some examples include: Town center commercial area; (3) assisted living facilities; and 40B projects (built and proposed). These larger more complex structures require greater equipment and manpower to properly handle emergency situations.

The town of Wayland has changed over the past 40 years and these changes have impacted the fire department and the need for staffing. We have seen a dramatic increase in the number of calls we receive for service, and all indications are that we should expect this trend to continue. The fire department has not increased the level of full time firefighter/EMT staffing for over 40 years. We are asking for your support to fund (4) positions which will enable us to add one person per shift and have the resources to perform our critical mission of life safety and the delivery of fire protection.

Supplemental Information



Back to Back calls (multiple calls received)



Potential Cost and Revenue Impact of adding staff to ambulance coverage and receipts.

	FY 16 Cost	Add 2 Firefighter/EMT's		Add 4 Firefighter/EMT's			
		Expense Reduction	% change	Revenue Enhancement	Expense Reduction	% change	Revenue Enhancement
Reduction in OT from ACB	\$ 79,000	\$ 15,800	20%		\$ 31,600	40%	
Reduction in ALS intercepts	\$ 46,808		40%	\$ 18,723		80%	\$ 37,446
Revenue from additional transports				\$ 29,172			\$ 58,344
Ambulance Billing (cost will increase)				\$ 1,459			\$ 2,917
Totals		\$ 15,800		\$ 46,437	\$ 31,600		\$ 92,873
			\$ 62,237			\$ 124,473	

*These calculations have been made using FY 2016 data and are they are our best estimate of the impact to expenses and revenue. Fluctuations in call volume or other factors will change these numbers. Additionally, they do not factor in long term disabilities due to illness or injuries while on duty.



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

11/30/2016

To: Ms. Nan Balmer, Town Administrator, Mr. John Senchyshyn, Human Resources Director

From: Robert Irving, Chief of Police

Subject: Authorized Strength of Police Department

On November 18th, 2016, a meeting was held with Mark J. Fougere of Fougere Planning and Development. Mr. Fougere is a consultant for the Rivers Edge Project and has been working on determining impacts from the project as it pertains to public safety.

Although preliminary, it is apparent that the project further justifies the need for the addition of the 24th officer for the Wayland Police Department. Mr. Fougere anticipates an increase of 81 calls at a projected cost of \$19,905.00 for the police department. When considered cumulatively with other projects, completed and planned, I believe this furthers the case that the department should be staffed with a three person patrol shift on all day and evening shifts. This can be realized if the department was to increase to 24 sworn officers.

I have attached documentation from Mr. Fougere that may be helpful to the Personnel Board and the Board of Selectmen as they consider this request.

Non-age restricted units – Projected Emergency Calls

Project	Town	Units	Total Police Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Yearly Calls
The Lodge	Foxborough	250	222	74.00	0.296	
Union Place	Franklin	297	220	73.33	0.247	
Fairfield Green	Mansfield	200	437	145.67	0.728	
Pembroke Woods	Pembroke	240	277	92.33	0.385	
Blue Hills	Randolph	274	444	148.00	0.540	
Avalon Oaks	Wilmington	201	375	125.00	0.622	
Avalon Oaks Everg.	Wilmington	120	301	100.33	0.836	
Totals		1582	2276	758.67	0.48	
Baystone		141				67.62
Wood Partners		137				65.70
Project	Town	Units	Total Fire Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Calls
The Lodge	Foxborough	250	79	26.33	0.105	
Union Place	Franklin	297	56	18.67	0.063	
Fairfield Green	Mansfield	200	128	42.67	0.213	
Pembroke Woods	Pembroke	240	26	8.67	0.036	
Blue Hills	Randolph	274	29	9.67	0.035	
Avalon Oaks	Wilmington	201	48	16.00	0.080	
Avalon Oaks Everg.	Wilmington	120	19	6.33	0.053	
Totals		1582	385	128.33	0.081	
Baystone		141				11.44
Wood Partners		137				11.11
Project	Town	Units	Total Amb. Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Calls
The Lodge	Foxborough	250	72	24.00	0.096	
Union Place	Franklin	297	132	44.00	0.148	
Fairfield Green	Mansfield	200	74	24.67	0.123	
Pembroke Woods	Pembroke	240	211	70.33	0.293	
Blue Hills	Randolph	274	83	27.67	0.101	
Avalon Oaks	Wilmington	201	87	29.00	0.144	
Avalon Oaks Everg.	Wilmington	120	54	18.00	0.150	
Totals		1582	713	237.67	0.150	
Baystone		141				21.18
Wood Partners		137				20.58

Age restricted units – Projected Emergency Calls

Project	Town	Units¹	Avg. Call Per Year	Avg. Call Per Unit	Projected Yearly Calls
Totals		200	58.00	0.29	
Baystone		47			13.63
Wood Partners		51			14.79
Project	Town	Units	Avg. Call Per Year	Avg. Call Per Unit	Projected Calls
Totals		287	20.00	0.070	
Baystone		47			3.28
Wood Partners		51			3.55
Project	Town	Units	Avg. Call Per Year	Avg. Call Per Unit	Projected Calls
Totals		287	67.00	0.233	
Baystone		47			10.97
Wood Partners		51			11.91

¹ Based upon three age restricted developments in NH. Fire and Ambulance calls include a project in Acton MA.

Chief,

It was a pleasure to meet you the other day, I appreciated you taking the time to discuss the project.

After reviewing the different methodologies to estimate costs, cost per person or per call, I thought best to relate the cost impact to calls, given that is where pressure is placed on your Department. Given your budget, including benefits, the cost per call averages \$245 which translates into a project impact of \$19,905 a year.

At the meeting you believed that, based upon the projected call volume from the project that increased costs will not necessarily occur to your Department that would equal the \$19,900 figure. But, based upon the cumulative impact of many projects, this project would further support your proposal to add one officer to your force.

One definitive cost that will occur from this project is the loss of the gun range; you were going to look into what increased cost this will have on your Department. If you could follow up, it would be appreciated.

Please let me know if you have any questions or additional comments.

Thank you
Mark Fougere
Happy Thanksgiving.

Department	FY 2017 Budget	Calls	Cost/call	Est. Calls	Annual Cost
Fire	\$3,457,737	3,810	\$907.54	47	\$42,654
Police	\$3,453,879	14,055	\$245.74	81	\$19,905



Mark J. Fougere, AICP

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Milford, NH 03055
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FougerePlanning@comcast.net



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

8/15/2016

To: Ms. Nan Balmer, Town Administrator, Mr. John Senchyshyn, Human Resources Director

From: Robert Irving, Chief of Police

Subject: Authorized Strength of Police Department

In January of 2001, the authorized staffing level for fulltime police officers on the police department was 23. Over the past 15 years the town has grown in both population and in the number of residences and businesses. The most significant development has been the construction of the Town Center, which is now nearly complete. Today, the staffing level for the police department remains at 23 sworn officers, despite a significant increase in call volume. In 2003 there were a total of 10,634 logged incidents. This year that number is projected to increase by 43% to 15,259. In the last fiscal year, 179 incidents were generated from the Town Center alone.

As the attached chart indicates, the Wayland Police Department has fallen behind the state averages, and most area towns of similar size, in the number of officers per one thousand population. Over the past several years, the overall strength in several area towns has increased while Wayland has remained at the same level for more than a decade.

Documentation from consultants for the Town Center project and the town's consultant, state that the department was understaffed as far back as April of 2006 and October of 2007.

"Our estimate of Wayland's current public safety deficit is approximately \$388,865, assuming the state average of 1.9 officers per 1,000 population and 2.1 career (paid) firefighters per 1,000 population. Wayland does not meet either of these standards. The total cost estimate represents 2.8 police officers (plus employee benefits) and an additional police cruiser, and 3.4 firefighters (with benefits), both multiplied by an entry-level salary assumption and a factor for supplies (see below)."

Judith Barrett, Project Manager, Community Opportunities Group Inc.

“In our view the Wayland Police Department and Fire Departments as well as the Dispatch Center, are currently understaffed. They are understaffed when compared to national, regional or statewide standards and in comparison to contiguous communities. The Wayland Town Center project by itself will have no significant impact on public safety services. We recommend that the Town consider the opportunity that is presented by creation of new tax revenue and make appropriate staffing adjustments in the Police and Fire Departments and the Dispatch Center.” Fiscal Benefit and Service Demand Analysis: Wayland Town Center, Wayland, MA Prepared for Twenty Wayland, LLC by Municipal Resources, Inc. October 2007.

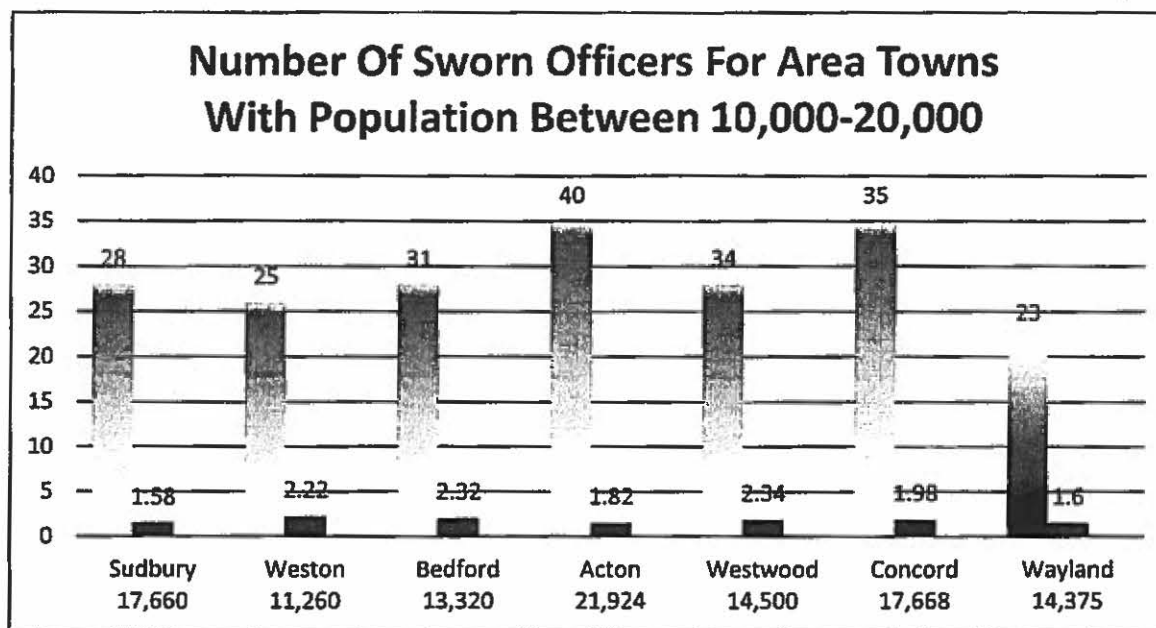
It would be the intention of the police department to use this position as an officer on patrol that would be focused mainly on the many traffic related issues and concerns that the police department deals with on a daily basis. The primary complaint of our citizens is the speed and volume of traffic, especially on residential roads. The addition of the twenty-fourth officer will increase the enforcement of motor vehicle laws and improve the overall safety of both vehicles and pedestrians on our roads.

It is anticipated that the addition of the 24th officer will have an impact in the police department's annual overtime budget. The replacement cost of officers on vacation, sick leave, injured on duty or training assignments is expected to be reduced by approximately \$11,000 per year. At the same time, the cost for overtime associated with the 24th officer will increase by approximately \$5,000 to account for training, court time, late shifts and replacement. I would roughly estimate a \$6,000 savings in overtime cost per year.

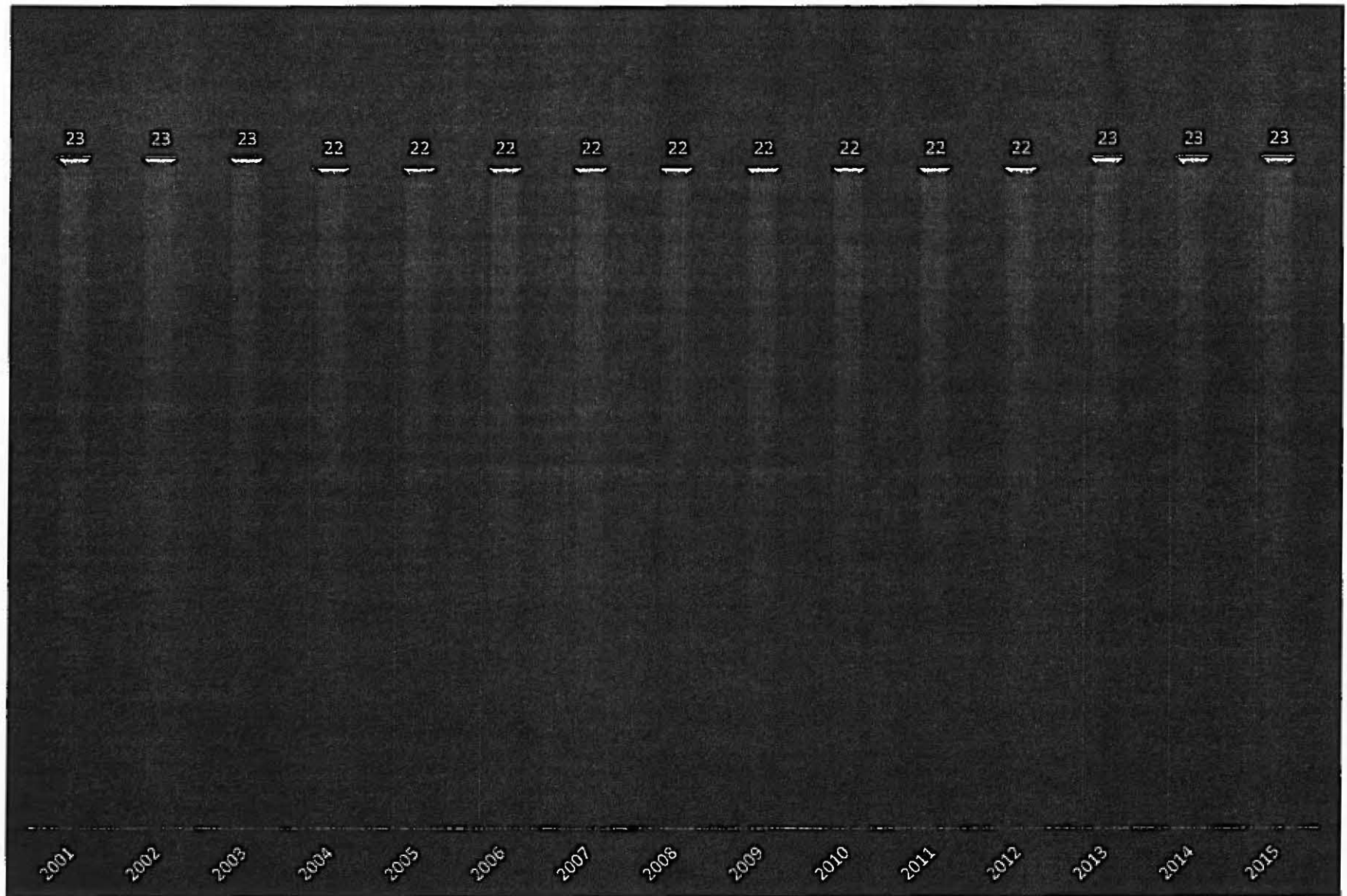
I believe that now is the right time to expand the police force by one position to bring the total authorized strength of the department to twenty-four sworn.

Officers Per Thousand Comparisons

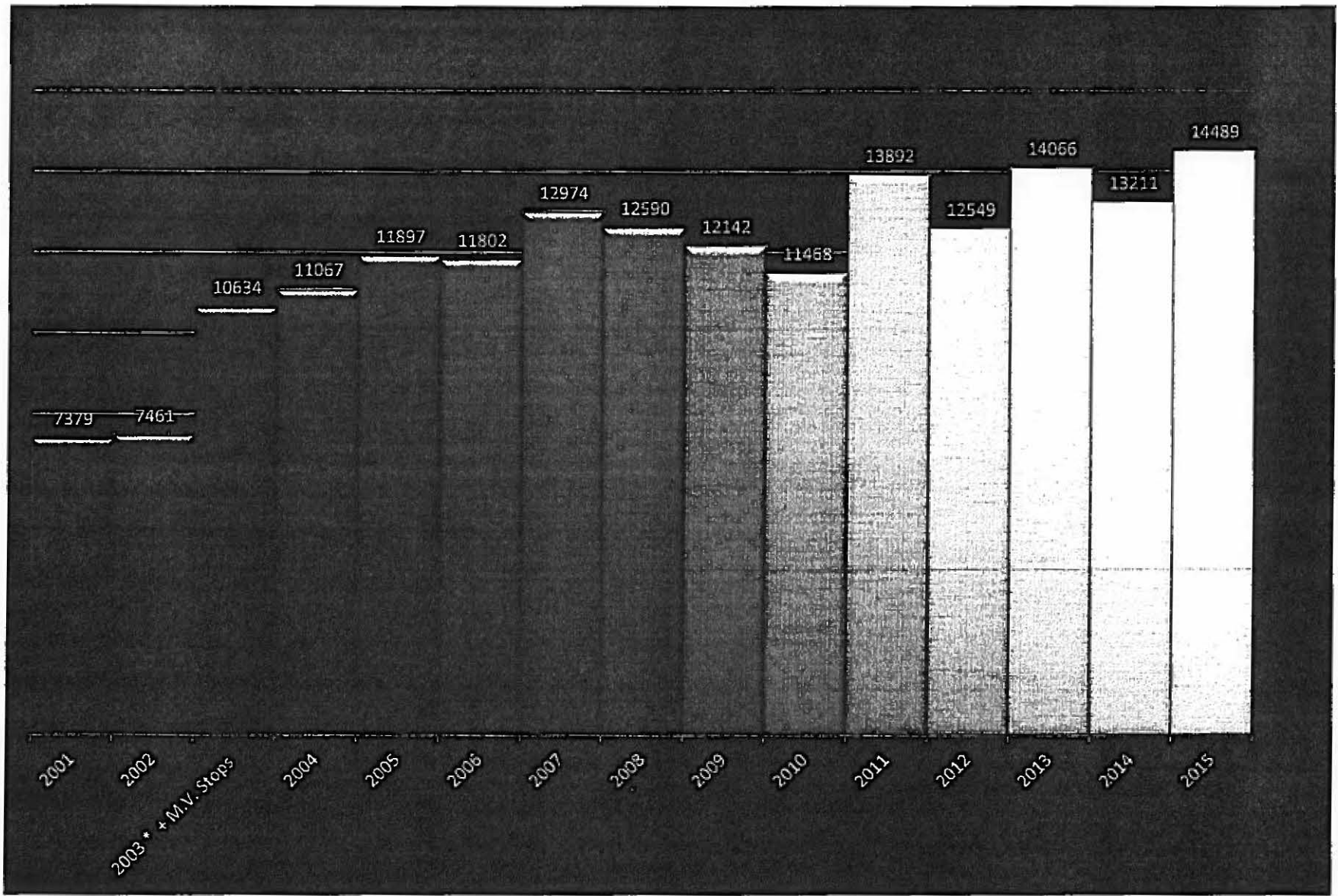
The following is a chart showing the comparative numbers of Sworn Officers for communities similar to the Town of Wayland. The current average for all the Area Cities and Towns with a Population between 10,000 and 20,000 is 1.83 Officer's Per Thousand. The Massachusetts average is 2.18 Officer's Per Thousand. The Town Of Wayland is significantly lower than these averages.



Total Number Of Sworn Officers 2001-2015



Total Police Incidents 2001-2015



POSITION MODIFICATION REQUEST FORM

Department: Conservation

Job Title: Department Assistant

Current Status:

Full-time:

Part-time:

If Part-time; # hours/week: 29

Requested Status:

Full-time:

Part-time:

If Part-time; # hours/week:

Effective Date Requested: ASAP

Change in weekly hours: +6

Section A: Estimated Change in Costs per Fiscal Year:

	Current	Requested	Budget Impact
Base Wages	<u>36,688</u>	<u>44,280</u>	<u>7592</u>
Overtime	<u>3500</u>	<u>3500</u>	<u>-</u>
Stipends	<u>-</u>	<u>-</u>	<u>-</u>
Clothing Allowance	<u>-</u>	<u>-</u>	<u>-</u>
Other (specify)	<u>-</u>	<u>-</u>	<u>-</u>
Additives (Insurances, etc.)	<u>-</u>	<u>-</u>	<u>-</u>
Total Estimated Personnel Related Expenses	<u> </u>	<u> </u>	<u>7592</u>

Section B: Change in Duties to be Performed (attach supplemental page if needed):

Provide support for recently instituted permitting under Stormwater and Land Disturbance Bylaw.

Section C: Justification for the Request (attach supplemental page if needed):

In addition to above, additional hours will allow time to improve customer service. Until recently this position was full-time. With only 24 hours, the Assistant is always playing catch-up.

Department Head: Brian Monahan
SMB

Date: 9/16/16

Oversight Board or
TA Approval: _____

Date: _____

Personnel Board Recommendation:

Recommended: _____ Not Recommended: _____

Vote: _____

Date: _____

NEW POSITION REQUEST FORM

PERSONNEL
FORMS (2)

Department: Conservation

Job Title: Assistant Conservation
Administrator

Full-time: Part-time:

If Part-time; # hours/week: 19

Estimated
Hourly Rate: 29.29

Estimated
Annual Rate: 28,942

Effective Date Requested: ASAP

Section A: Estimated Annual Costs:

Base Wages	<u>28,942</u>	
Overtime	<u> -</u>	
Stipends	<u> -</u>	
Clothing Allowance	<u>350</u>	
Other (specify) <u>training</u>	<u>500</u>	
Subtotal Estimated Personnel Expense		<u>29,792</u>
Additive @ 40% (Insurances, retirement, etc.)	<u> -</u>	
Total Estimated Personnel Related Expenses		<u>29,792</u>
Non Personnel Related Costs (Computer, office furniture, etc.)	<u>1200</u>	
Total Estimated Related Expenses		<u>30,992</u>

Section B: Duties to be Performed (attach supplemental page if needed):

attached

Section C: Justification for the Request (attach supplemental page if needed):

attached

Department Head: Brian Monahan
BMB

Date: 9/16/16

Oversight Board or
TA Approval: _____

Date: _____

Personnel Board Recommendation:

Recommended: _____ Not Recommended: _____

Vote: _____

Date: _____

NEW POSITION REQUEST FORM

Section B.

Assist Conservation Administrator in regulatory review and permitting of projects under the Stormwater and Land Disturbance Bylaw; coordinate Town NPDES Phase II stormwater permit (new permit has to be written in 2017); coordinate drainage among departments; update Bylaw forms, regulations and decision templates; develop baseline inventory reports, annual monitoring program and land management plans for conservation areas, community gardens and farm land; support Conservation Administrator and Commission in assessing potential land donations, purchases and conservation restrictions; research and update existing and negotiate new conservation restrictions, deed restrictions and easements; assist with preparation of Land Management budget; seek out and apply for grants; develop RFPs in coordination with other town departments

Section C.

Stormwater permitting and regulation has exceeded expectations and more help is needed with this. The new NPDES Phase II stormwater permit will require more staff support. Commission chair has spent 10-20 hours/week working on many of these tasks which should be handled by staff.

INFORMATION TECHNOLOGY - 1550

		FY16	FY17	FY17 YTD	FY18	FY18 TA
		ACTUAL	BUDGET	11/30/2016	PROPOSED	PROPOSED
10155001	51:PERSONNEL SERVICES					
	51001 SALARIES	\$86,451	\$287,669	\$87,362	\$287,669	\$291,024
	PERSONNEL SERVICES TOTAL	\$86,451	\$287,669	\$87,362	\$287,669	\$291,024
TOWN						
10155002	52:EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	\$120,883	\$2,510	\$0	\$2,510	\$2,510
	52101 PROFESSIONAL SERVICES	\$0	\$10,000	\$2,504	\$10,000	\$10,000
	52112 TRAINING & EDUCATION	\$3,250	\$30,780	\$9,315	\$30,780	\$30,780
	52113 TRAVEL	\$0	\$500	\$0	\$500	\$500
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS	\$0	\$3,000	\$0	\$3,000	\$3,000
	SUBTOTAL	\$124,133	\$46,790	\$11,819	\$46,790	\$46,790
	54:EXPENSES:SUPPLIES					
	54100 SUPPLIES	\$0	\$500	\$0	\$500	\$500
	54102 COMPUTER SUPPLIES	\$0	\$1,000	\$4,888	\$1,000	\$1,000
	54124 SOFTWARE	\$4,026	\$0	\$0	\$0	\$0
	54125 HARDWARE	\$15,681	\$35,000	\$25,981	\$35,000	\$35,000
	54126 HARDWARE AGREE & MAINT	\$217	\$7,487	\$0	\$7,500	\$7,500
	54500 SMALL EQUIPMENT	\$2,669	\$15,000	\$1,686	\$15,000	\$15,000
	SUBTOTAL	\$22,593	\$58,987	\$32,555	\$59,000	\$59,000
	55:EXPENSES:OTHER					
	55535 COMPUTER ACCESSORIES	\$74	\$500	\$40	\$500	\$500
	55536 SOFTWARE LICENSING	\$40,200	\$87,000	\$55,588	\$87,000	\$78,000
	SUBTOTAL	\$40,274	\$87,500	\$55,628	\$87,500	\$78,500
	TOWN EXPENSES TOTAL	\$187,000	\$193,277	\$100,002	\$193,290	\$184,290
DATA CENTER						
10155003	52:EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	\$68,277	\$72,827	\$0	\$72,827	\$72,827

	52112 TRAINING & EDUCATION	\$2,986	\$0	\$0	\$0	\$0
	SUBTOTAL	\$71,263	\$72,827	\$0	\$72,827	\$72,827
	54:EXPENSES:SUPPLIES					
	54124 SOFTWARE	\$8,336	\$12,000	\$0	\$12,000	\$12,000
	54125 HARDWARE	\$562	\$90,000	\$103,274	\$100,000	\$100,000
	54126 HARDWARE AGREE & MAINT	\$7,268	\$22,000	\$0	\$50,000	\$57,000
	SUBTOTAL	\$16,165	\$124,000	\$103,274	\$162,000	\$169,000
	55:EXPENSES:OTHER					
	55536 SOFTWARE LICENSING	\$57,770	\$119,500	\$38,770	\$149,500	\$151,500
	SUBTOTAL	\$57,770	\$119,500	\$38,770	\$149,500	\$151,500
	DATA CENTER EXPENSES TOTAL	\$145,198	\$316,327	\$142,044	\$384,327	\$393,327
	DEPARTMENT TOTAL	\$418,648	\$797,273	\$329,409	\$865,286	\$868,641

INFORMATION TECHNOLOGY - 1550

FY18 BUDGET DETAIL

(Based on 52.2 weeks)

10155001	51:PERSONNEL SERVICES								
	51001 SALARIES								\$291,023.93
	PAZOS, JORGE			IT DIRECTOR				\$122,710	
	N13	10	67.1647	HRLY					
	SAMS-LYNCH, GWENDOLYN			IT MANAGER				\$88,006	
	G8	10	48.1699	HRLY					
	VACANT			BUS SYS ANALYST				\$80,308	
		10	43.9560	HRLY					
	PERSONNEL SERVICES TOTAL								\$291,024
<u>TOWN</u>									
10155002	52:EXPENSES:PURCHASE OF SERVICES								\$46,790
	52100 CONTRACTUAL SERVICES					\$2,510			
	e-Fax Service								
	52101 PROFESSIONAL SERVICES					\$10,000			
	Application support								
	52112 TRAINING & EDUCATION					\$30,780			
	Town Staff Security Training				\$2,380				
	Town Staff General Training				\$3,400				
	Town & IT Staff Technical Training				\$25,000				
	(includes VMWare, NetApp, Munis, FireWall)								
	52113 TRAVEL					\$500			
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS					\$3,000			
	54:EXPENSES:SUPPLIES								\$59,000
	54100 SUPPLIES					\$500			
	54102 COMPUTER SUPPLIES					\$1,000			
	54124 SOFTWARE					\$0			
	54125 HARDWARE					\$35,000			
	Various department replacements								
	54126 HARDWARE AGREE & MAINT					\$7,500			
	Support renewals (DPW, Lib, Public Safety, Town Building)								
	54500 SMALL EQUIPMENT					\$15,000			

	55:EXPENSES:OTHER					\$78,500		
	55535	COMPUTER ACCESSORIES		\$500				
	55536	SOFTWARE LICENSING		\$78,000				
		Assessor		\$14,000				
		Business Systems		\$15,000				
		Clerk		\$1,200				
		COA		\$1,800				
		Finance Fixed Assets		\$1,000				
		Library Useful		\$2,000				
		Office 365		\$17,000				
		Surveyor		\$4,000				
		Treasurer		\$15,000				
		Website		\$4,000				
		Windows		\$1,000				
		Youth & Family Services		\$2,000				
	TOWN EXPENSES TOTAL						\$184,290	
DATA CENTER								
10155003	52:EXPENSES:PURCHASE OF SERVICES					\$72,827		
	52100	CONTRACTUAL SERVICES		\$72,827				
		Managed Services, Network Testing						
	54:EXPENSES:SUPPLIES					\$169,000		
	54124	SOFTWARE		\$12,000				
		Server Management Tool						
	54125	HARDWARE		\$100,000				
		Data Center Hardware, Server Infrastructure & Hardware						
	54126	HARDWARE AGREE & MAINT		\$57,000				
		Firewall		\$27,000				
		Heat LANREV		\$30,000				
	55:EXPENSES:OTHER					\$151,500		
	55536	SOFTWARE LICENSING		\$151,500				
		Munis		\$99,992				
		VMWare		\$14,900				
		Antivirus		\$6,490				
		ONTap (Data Management)		\$8,992				
		Server Software Support (5-yr)		\$21,126				
	DATA CENTER EXPENSES TOTAL						\$393,327	
DEPARTMENT TOTAL							\$868,641	

FACILITIES

FACILITIES UTILITIES - 1918							
			FY16	FY17	FY17 YTD	FY18	FY18 TA
			ACTUAL	BUDGET	11/30/2016	PROPOSED	PROPOSED
10191802	53:EXPENSES:UTILITIES						
	53101 HEAT OIL		\$3,176	\$0	\$0	\$0	\$0
	53102 NATURAL GAS		\$91,080	\$138,500	\$12,168	\$105,000	\$105,000
	53103 ELECTRICITY		\$251,327	\$271,000	\$114,345	\$243,000	\$243,000
	53104 PHONE		\$69,578	\$92,000	\$29,533	\$85,000	\$69,000
	53114 MOBILE						\$16,000
	53105 WATER		\$11,609	\$18,000	\$5,813	\$18,000	\$18,000
	53106 WASTEWATER		\$19,014	\$41,000	\$14,000	\$36,000	\$36,000
	SUBTOTAL		\$445,784	\$560,500	\$175,860	\$487,000	\$487,000
	EXPENSES TOTAL		\$445,784	\$560,500	\$175,860	\$487,000	\$487,000
	DEPARTMENT TOTAL		\$445,784	\$560,500	\$175,860	\$487,000	\$487,000

FACILITIES UTILITIES - 1918

FY18 BUDGET DETAIL

10191802	53:EXPENSES:UTILITIES								\$487,000.00
	53101 HEAT OIL				\$0.00				
	53102 NATURAL GAS				\$105,000.00				
	53103 ELECTRICITY				\$243,000				
	53104 PHONE				\$69,000				
	53114 MOBILE				\$16,000				
	53105 WATER				\$18,000				
	53106 WASTEWATER				\$36,000				
	EXPENSES TOTAL								\$487,000
DEPARTMENT TOTAL									\$487,000

FACILITIES SUPPLIES - 1919

			FY16	FY17	FY17 YTD	FY18	FY18 TA
			ACTUAL	BUDGET	11/30/2016	PROPOSED	PROPOSED
10191902	54:EXPENSES:SUPPLIES						
	54105	CUSTODIAL SUPPLIES	\$12,425	\$25,000	\$7,495	\$25,000	\$20,000
	54111	VEHICLE GASOLINE	\$2,529	\$8,000	\$988	\$8,000	\$5,000
	54500	SMALL EQUIPMENT	\$7,533	\$10,000	\$0	\$10,000	\$8,000
	SUBTOTAL		\$22,487	\$43,000	\$8,484	\$43,000	\$33,000
	EXPENSES TOTAL		\$22,487	\$43,000	\$8,484	\$43,000	\$33,000
DEPARTMENT TOTAL			\$22,487	\$43,000	\$8,484	\$43,000	\$33,000

FACILITIES - 1920

		FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10192001	51:PERSONNEL SERVICES					
	51001 SALARIES	\$263,340	\$270,932	\$103,678	\$274,130	\$254,198
	51140 OVERTIME	\$2,265	\$7,000	\$1,268	\$5,000	\$12,000
	PERSONNEL SERVICES TOTAL	\$265,606	\$277,932	\$104,945	\$279,130	\$266,198
10192002	52:EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	\$89,946	\$80,000	\$54,142	\$90,000	\$37,000
	52101 PROFESSIONAL SERVICES					\$3,000
	52112 TRAINING & EDUCATION	\$2,420	\$3,000	\$0	\$3,000	\$3,000
	52113 TRAVEL	\$183	\$2,000	\$26	\$2,000	\$1,000
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS					\$0
	52115 BUILDING REPAIR	\$78,373	\$75,000	\$7,278	\$75,000	\$75,000
	52117 VEHICLE REPAIR	\$6,208	\$4,500	\$1,848	\$4,500	\$3,000
	52121 DISPOSAL	\$15,860	\$18,500	\$7,501	\$18,500	\$16,500
	52131 ELEVATOR REPAIR	\$5,088	\$10,000	\$2,008	\$10,000	\$9,000
	52132 ELECTRICAL REPAIR	\$23,354	\$42,000	\$10,677	\$42,000	\$25,000
	52133 HVAC REPAIR	\$36,573	\$42,000	\$34,897	\$45,000	\$45,000
	SUBTOTAL	\$258,004	\$277,000	\$118,377	\$290,000	\$217,500
	54:EXPENSES:SUPPLIES					
	54100 SUPPLIES					\$3,000
	54121 POSTAGE					\$100
	SUBTOTAL					\$3,100
	55:EXPENSES:OTHER					
	55431 COPIER LEASE					\$51,000
	55536 SOFTWARE LICENSING					\$7,800
	55602 ADVERTISING LEGAL					\$1,000
	55676 MEETINGS & CONFERENCES					\$500
	SUBTOTAL					\$60,300
	EXPENSES TOTAL	\$258,004	\$277,000	\$118,377	\$290,000	\$280,900
DEPARTMENT TOTAL		\$523,610	\$554,932	\$223,322	\$569,130	\$547,098

FACILITIES - 1920

FY18 BUDGET DETAIL

(Based on 52.2 weeks)

10192001	51:PERSONNEL SERVICES								
	51001	SALARIES							
		KEEFE, KENNETH			PUBLIC BUILDINGS DIRECTOR	\$111,447			
		N11-STEP	10	60.9999	HRLY				
		WINKLEMAN, JOHN			CUSTODIAN	\$53,294			
				25.5240	40 Hrs/Wk				
		SLAVIN, SEAN			CUSTODIAN	\$27,723			
				22.1290	40 Hrs/Wk (60% Town)				
		FLORISVAL, GONCALVES			CUSTODIAN (LIB)	\$44,110			
				24.1434	35 Hrs/Wk				
		LONGEVITY (2 employees)				\$1,200			
	51003	P/T SALARIES							
		LUZ, JOSE			CUSTODIAN (PSB)	\$16,424			
				16.5600	19 Hrs/Wk				
	51140	OVERTIME				\$12,000			
		PERSONNEL SERVICES TOTAL							\$266,198
10192002	52:EXPENSES:PURCHASE OF SERVICES								\$217,500
	52100	CONTRACTUAL SERVICES				\$37,000			
		Cleaning, Pest Control, Maint & Service, Repairs, Keys/Locks							
	52101	PROFESSIONAL SERVICES				\$3,000			
		Alarm services, Boiler & Fire Inspections							
	52112	TRAINING & EDUCATION				\$3,000			
	52113	TRAVEL				\$1,000			
	52114	DUES, SUBSCRIPTIONS, MEMBERSHIPS				\$0			
	52115	BUILDING REPAIR				\$75,000			

	52117	VEHICLE REPAIR		\$3,000			
	52121	DISPOSAL		\$16,500			
		Town Buildings/Waste & Recycling					
	52131	ELEVATOR REPAIR		\$9,000			
	52132	ELECTRICAL REPAIR		\$25,000			
	52133	HVAC REPAIR		\$45,000			
		HVAC, Plumbing, Boiler					
	54:EXPENSES:SUPPLIES					\$3,100	
	54100	SUPPLIES		\$3,000			
	54121	POSTAGE (shipping)		\$100			
	55:EXPENSES:OTHER					\$60,300	
	55431	COPIER LEASE		\$51,000			
	55536	SOFTWARE LICENSING		\$7,800			
	55602	ADVERTISING LEGAL		\$1,000			
	55676	MEETINGS & CONFERENCES		\$500			
	EXPENSES TOTAL					\$280,900	
	DEPARTMENT TOTAL						\$547,098

PROCEDURE FOR LIQUOR LICENSE HEARING

1. Open the hearing by declaration of the Chair
2. Read the Notice of Hearing sent by the Town Administrator to the Licensee.
3. a.) Explain the order of presentation of evidence (see steps 4 through 11 below).
b.) State that the Rules of Evidence will not be applied during the hearing but the Board expects that the Police Department and the Licensee will present credible and reliable evidence in a clear and concise manner. Objections are discouraged.
c.) State that at the close of the hearing, the Board will either take the matter under advisement and make a decision at a later meeting or it will deliberate and make a decision tonight.
4. Ask the Police Chief to present any evidence he has relative to the alleged violations.
5. Allow the licensee or its counsel to question the Chief and any of his officers about the evidence they presented.
6. Allow the Selectmen to question the Chief and any of his officers about the evidence they presented.
7. Allow the licensee or its counsel to present evidence in rebuttal to the evidence presented by the Chief and any of his officers.
8. Allow the Chief to question the licensee or any of its witnesses about the rebuttal evidence presented.
9. Allow the Selectmen to question the licensee or any of its witnesses about the rebuttal evidence presented.
10. Ask the licensee or its counsel to summarize the licensee's case.
11. Ask the Chief to summarize his case and make a recommendation.
12. Upon motion, close the hearing.
13. Deliberate, consult with the Town Administrator and Town Counsel and vote on a decision.



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

November 14, 2016

Mr. Frank A. Santo Jr., Manager
The Local Restaurant
11 Andrew Avenue
Wayland MA 01778

NOTICE OF HEARING

Please be advised that you are requested to attend a hearing for a Liquor License Violation scheduled for Monday, December 5, 2016 at 7:15 P.M. at the Town Building (Selectmen's Meeting Room) located at 41 Cochituate Road, Wayland.

The hearing is for violation of Massachusetts General Law, Chapter 138, Section 34, regarding: Sale of Liquor to Underage Persons. This violation is alleged to have occurred on October 21, 2016.

Please contact my office at (508) 358-3621 to confirm availability.

Sincerely,

Nan Balmer
Town Administrator

Wayland Police Department

**38 Cochituate Road
Wayland, MA 01778
(508) 358-4721
Incident Report**



**Incident Number: 2016000012153
File No: N/A
Dispatch Incident Number: 2016000013870
Print Date: October 24, 2016
Printed By: jberger**

Incident Information

Occurred On/From	Day of Week	Date	Time	Occurred To	Day of Week	Date	Time	Reported On	Date	Time	
	Fri	10/21/2016	4:28:51PM		Fri	10/21/2016	4:28:51PM	→	10/21/2016	4:28:51PM	
Reported As			Incident Type - Primary			Arresting Officer					
PD-Compliance Check P:012153			PD-Compliance Check								
Incident Address						Reporting Officer					
38 COCHITUATE ROAD, WAYLAND, MA 01778						Det. Sergeant Jamie Berger (71JB)					
Sector		Stat. Area		Sub Stat. Area		Census Tract		Landmark			
NORTH											
Business Name				Incident Types - Other				Action Taken			
N/A								Logged			

Related Incident Summary

Incident No.	Date	Nature	Notes
No Related Incidents reported for Incident #: 2016000012153			

Wayland Police Department

38 Cochituate Road
Wayland, MA 01778
(508) 358-4721
Incident Report



Incident Number: 2016000012153
File No: N/A
Dispatch Incident Number: 2016000013870
Print Date: October 24, 2016
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Associated Businesses Summary

Type	Name	Primary Phone #	Secondary Phone #
Other	SPERRY'S LIQUORS Address: 87 ANDREW AVENUE, WAYLAND, MA 01778	N/A	N/A
Other	110 GRILL Address: 175 COMMONWEALTH ROAD, WAYLAND, MA 01778	N/A	N/A
Other	DONELAN'S MARKET Address: 177 COMMONWEALTH ROAD, WAYLAND, MA 01778	(508) 653-5881	N/A
Other	VILLA RESTAURANT Address: 124 EAST PLAIN STREET, WAYLAND, MA 01778	(508) 653-8570	N/A
Other	WAYLAND WINE + SPIRITS Address: 302 COMMONWEALTH ROAD, WAYLAND, MA 01778	(508) 545-1815	N/A
Other	China Rose Restaurant Address: 15 EAST PLAIN STREET, WAYLAND, MA 01778	(508) 975-4953	N/A
Other	LAVIN'S LIQUOR STORE Address: 330 OLD CONNECTICUT PATH, WAYLAND, MA 01778	(508) 653-8771	N/A
Other	POST ROAD LIQUORS Address: 44 BOSTON POST ROAD, WAYLAND, MA 01778	(508) 358-4300	N/A
Other	WAYLAND VARIETY AND DELI Address: 70 BOSTON POST ROAD, WAYLAND, MA 01778	(508) 358-7790	N/A
Other	COACH GRILL RESTAURANT Address: 55 BOSTON POST ROAD, WAYLAND, MA 01778	(508) 358-5900	N/A
Other	PRIME BAR & GRILL Address: 131 BOSTON POST ROAD, WAYLAND, MA 01778	(508) 358-2400	N/A
Other	WATER LILY Address: 309 BOSTON POST ROAD, WAYLAND, MA 01778	(508) 358-2288	N/A
Other	BERTUCCI'S Address: 14 ELISSA AVENUE, Wayland, MA 01778	N/A	N/A
Other	TAKARA RESTAURANT Address: 15 ELISSA AVENUE, Wayland, MA 01778	N/A	N/A
Other	Dudley Chateau Address: 20 CREST ROAD, Wayland, MA 01778	(508) 655-0100	N/A
Offender	The Local Address: 1 ANDREW AVENUE, WAYLAND, MA 01778	(508) 276-8263	N/A

Involved Officers

Officer Title	Officer Name	Officer Type	Division
Det. Sergeant	Jamie Berger	Reporting Officer	Detective Division
Det. Sergeant	Jamie Berger	Responding Officer	Detective Division

IBR/UCR Offenses

Offense Number	IBR Type	Chapter	Section	Statute ID / IBR Type Description
No Incident Offenses Recorded for Incident #: 2016000012153				

Wayland Police Department

38 Cochituate Road
Wayland, MA 01778
(508) 358-4721

Incident Report



Incident Number: 2016000012153

File No: N/A

Dispatch Incident Number: 2016000013870

Print Date: October 24, 2016

Printed By: jberger

Complaint Charges

Seq #	Chapter	Section	Name (Last, First, MI)	Description of Offense
No Complaint Offenses Recorded for Incident #: 2016000012153				

Vehicle Info

Reg Plate - State (Year)	Vehicle Year, Make, Model	VIN	Primary Color	Second Color	Insurance Co.
No Vehicle Info Recorded for Incident #: 2016000012153					

Property

No Property Info reported for Incident #: 2016000012153

Citations

Citation No	Code	Date	Status	Statute	Description
No Citations reported for Incident #: 2016000012153					

Permits

Permit No	Type	Issue Date	Expire Date	Status	Issued To/Notes
No Permits recorded for Incident #: 2016000012153					

Wayland Police Department

38 Cochituate Road
Wayland, MA 01778
(508) 358-4721

Incident Report



Incident Number: 2016000012153

File No: N/A

Dispatch Incident Number: 2016000013870

Print Date: October 24, 2016

Printed By: jberger

Narratives for Incident Number 2016000012153 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Det. Sergeant Jamie Berger (71JB) Division: Detective Division

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
10/24/2016 06:40	Alcohol Compliance	Det. Sergeant Jamie Berger (71JB)	Open	Det. Sergeant Jamie Berger	10/24/2016

On Friday, October 21, 2016, I conducted underage alcohol compliance checks of all licensed liquor establishments within the Town of Wayland with the exception of Sandy Burr Country Club and Wayland Country Club.

During these compliance checks, I sent an individual(s) under 21 years of age into each establishment where they attempted to purchase alcohol without showing identification.

These individuals, both female were ages 18 and 20. During these compliance checks the following establishments did not sell alcohol to the underage individual(s):

- China Rose Restaurant
- Dudley Chateau
- Wayland Wine & Spirits
- The Villa Restaurant
- Donelan's Supermarket
- Lavin's Liquors
- Wayland Variety & Deli
- Prime Bar & Grill
- Sperry's Liquors
- Bertucci's
- Takara Restaurant
- Water Lily
- The Coach Grill
- Post Road Liquors
- 110 Grill

At approximately 1744 hrs, I sent both individuals into The Local to purchase alcohol without presenting identification. Both individuals went into the restaurant and were seated at a "high top" near the bar area. The individuals ordered "2 Island Getaways" alcohol drinks from the restaurants menu. The waitress asked for thier identification, and the individuals responded that they did not have any on them. The waitress said, "that's ok" and returned with the drinks they ordered.

I then went into the restaurant and spoke with the waitress who was identified as [redacted] I advised [redacted] that she had served two underage individuals alcohol without showing identification, she stated that "they looked of age". I told [redacted] that they were 18 and 20 years old. She then said "it is totally my fault". I asked [redacted] find the Manager for me.

I then spoke with Assistant Manager Justin Muto and Assistant Manager James Ferola regarding the incident. One of the managers stated that he saw the two individuals come into the restaurant and he had the hostess move them from the bar area to a high top, because he thought they looked young.

I asked the managers to show me [redacted] TIPS certification. They stated that it was not on file but that she was certified as she came from Papparazzi's Restaurant and has been working there for about two months. They further stated that she had the certification but it was not printed out.

I advised the managers that this was a violation as well and that anyone who is TIPS certified needs to have their certification on file within the restaurant.

Wayland Police Department

38 Cochituate Road
Wayland, MA 01778
(508) 358-4721
Incident Report



Incident Number: 2016000012153
File No: N/A
Dispatch Incident Number: 2016000013870
Print Date: October 24, 2016
Printed By: jberger

Narrative by: Det. Sergeant Jamie Berger (71JB) Division: Detective Division (continued)

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
10/24/2016 06:40	Alcohol Compliance	Det. Sergeant Jamie Berger (71JB)	Open	Det. Sergeant Jamie Berger	10/24/2016

I advised the managers that a copy of this report would be forwarded to Chief Robert Irving and then to the Board of Selectmen for a hearing at an upcoming Board of Selectmen's meeting for the violation.

Later that night, at 1907 hrs, I recieved an email from Assistant Manager Justin Muto that contained certification, that expires 4/23/2019. TIPS

Respectfully Submitted,
Detective Sergeant Jamie D. Berger
Wayland Police Department

Signature - Reporting Officer

Signature - Reviewing Officer

(5) FY18 BUDGET: SELECTMEN

SELECTMEN - 1220						
		FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10122002	52:EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	-\$1,388	\$5,000	\$8,620	\$8,000	\$5,000
	52112 TRAINING & EDUCATION	\$5,718	\$8,000	\$55	\$8,000	\$2,000
	52113 TRAVEL					\$1,000
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS	\$10,377	\$11,000	\$4,061	\$12,000	\$12,000
	SUBTOTAL	\$14,708	\$24,000	\$12,736	\$28,000	\$20,000
	54:EXPENSES:SUPPLIES					
	54100 SUPPLIES	-\$3,976	\$3,000	\$0	\$0	
	54116 BEAUTIFICATION	\$256	\$3,000	\$0	\$0	
	SUBTOTAL	-\$3,720	\$6,000	\$0	\$0	
	55:EXPENSES:OTHER					
	55676 MEETINGS & CONFERENCES					\$1,000
	SUBTOTAL					\$1,000
	EXPENSES TOTAL	\$10,988	\$30,000	\$12,736	\$28,000	\$21,000
	DEPARTMENT TOTAL	\$10,988	\$30,000	\$12,736	\$28,000	\$21,000

SELECTMEN - 1220
FY18 BUDGET DETAIL

10122002	52:EXPENSES:PURCHASE OF SERVICES							
	52100 CONTRACTUAL SERVICES				\$5,000			
	52112 TRAINING & EDUCATION				\$2,000			
	52113 TRAVEL				\$1,000			
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS				\$12,000			
	MMA, MMMA, ICMA, METROPOLITAN							
	SUBTOTAL					\$20,000		
	55:EXPENSES:OTHER							
	55676 MEETINGS & CONFERENCES				\$1,000			
	SUBTOTAL					\$1,000		
	EXPENSES TOTAL						\$21,000	
	DEPARTMENT TOTAL							\$21,000

TOWN OFFICE - 1230

		FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10123001	51:PERSONNEL SERVICES					
	51001 SALARIES	\$452,833	\$435,000	\$187,341	\$477,900	\$467,977
	51200 STIPEND					\$9,875
	PERSONNEL SERVICES TOTAL	\$452,833	\$435,000	\$187,341	\$477,900	\$477,852
10123002	52: EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	\$6,829	\$5,000	\$3,076	\$5,000	\$5,000
	52112 TRAINING & EDUCATION	\$75				\$1,500
	52113 TRAVEL					\$1,000
	52116 EQUIPMENT REPAIR	\$0	\$0	\$98	\$0	\$0
	52130 PRINTING	\$5,158	\$5,000	\$35	\$6,000	\$3,000
	52114 DUES,SUBSCRIPTIONS,MEMBERSHIPS					\$3,000
	SUBTOTAL	\$12,062	\$10,000	\$3,209	\$11,000	\$13,500
	54:EXPENSES:SUPPLIES					
	54100 SUPPLIES	\$32,143	\$38,500	\$12,900	\$35,000	\$1,000
	54118 OFFICE SUPPLIES					\$26,000
	54121 POSTAGE	\$26,263	\$33,000	\$12,812	\$30,000	\$26,000
	SUBTOTAL	\$58,407	\$71,500	\$25,712	\$65,000	\$53,000
	55:EXPENSES:OTHER					
	55600 ADVERTISING CLASSIFIED					\$500
	55602 ADVERTISING LEGAL					\$1,000
	55676 MEETINGS & CONFERENCES					\$2,000
	SUBTOTAL					\$3,500
	EXPENSES TOTAL	\$70,469	\$81,500	\$28,922	\$76,000	\$70,000
	DEPARTMENT TOTAL	\$523,302	\$516,500	\$216,263	\$553,900	\$547,852

LEGAL - 1510							
			FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10151002	52:EXPENSES:PURCHASE OF SERVICES						
	52108	LEGAL SERVICES TOWN COUNSEL	\$172,589	\$175,000	\$38,517	\$200,000	\$140,000
		KPLaw Retainer					\$65,000
		KPLaw General					\$75,000
	52145	LEGAL SERVICES SPECIAL COUNSEL					\$40,000
		River's Edge					\$20,000
		Other projects					\$20,000
	52146	LEGAL SERVICES LABOR COUNSEL					\$20,000
	SUBTOTAL		\$172,589	\$175,000	\$38,517	\$200,000	\$200,000
	EXPENSES TOTAL		\$172,589	\$175,000	\$38,517	\$200,000	\$200,000
DEPARTMENT TOTAL			\$172,589	\$175,000	\$38,517	\$200,000	\$200,000

UNCLASSIFIED - 9450

		FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10945002	51: PERSONNEL SERVICES					
	51901 INSURANCE GENERAL	\$576,157	\$615,000	\$688,580	\$615,000	\$615,000
	** Property, Casualty, Liability					
	51903 INSURANCE 32B	\$6,589,403	\$7,165,000	\$3,447,518	\$7,165,000	\$7,165,000
	Health					
	51907 MEDICARE	\$595,337	\$580,000	\$213,818	\$590,000	\$590,000
	51908 UNEMPLOYMENT	\$61,327	\$50,000	\$13,034	\$50,000	\$50,000
	51909 NONCONTRIB RETIREMENT	\$225	\$0	\$0	\$0	\$0
	51910 POLICE/FIRE DISABILITY	\$9,967	\$15,000	\$504	\$15,000	\$15,000
	51912 SALARY RESERVE	\$0	\$50,000	\$0	\$925,000	\$925,000
	51916 OCCUPATIONAL HEALTH	\$5,391	\$8,000	\$2,950	\$8,000	\$8,000
	Pre-empl Physicals, Drug & CDL Tests, 11F					
	51920 RETIREMENT BUYBACK	\$23,740	\$40,000	\$22,500	\$40,000	\$37,500
	PERSONNEL SERVICES TOTAL	\$7,861,547	\$8,523,000	\$4,388,904	\$9,408,000	\$9,405,500
	52: EXPENSES: PURCHASE OF SERVICES					
	52138 TOWN MEETING	\$105,853	\$100,000	\$11,743	\$100,000	
	52101 PROFESSIONAL SERVICES					\$79,000
	Electronic Voting					\$60,000
	Audio Visual					\$19,000
	52118 EQUIPMENT RENTAL					\$3,500
	52130 PRINTING					\$14,000
	54100 SUPPLIES					\$0
	54121 POSTAGE					\$3,000
	55602 ADVERTISING LEGAL					\$500
	SUBTOTAL					\$100,000
	53: EXPENSES: UTILITIES					
	53109 STREET LIGHTS	\$119,917	\$130,000	\$45,976	\$130,000	\$120,000
	SUBTOTAL					\$120,000
	54: EXPENSES: SUPPLIES					
	54598 RESERVE FUND	\$0	\$275,000	\$0	\$275,000	\$175,000
	SUBTOTAL	\$0	\$275,000	\$0	\$275,000	\$175,000
	EXPENSES TOTAL	\$225,770	\$505,000	\$57,719	\$505,000	\$395,000
	DEPARTMENT TOTAL	\$8,087,318	\$9,028,000	\$4,446,623	\$9,913,000	\$9,800,500
	** Insurance reimbursements are anticipated					

**UNCLASSIFIED - 9450
FY18 BUDGET DETAIL**

10945002	51: PERSONNEL SERVICES					\$9,405,500	
	51901 INSURANCE GENERAL				\$615,000		
		Property, Casualty, Liability					
	51903 INSURANCE 32B				\$7,165,000		
		Health					
	51907 MEDICARE				\$590,000		
	51908 UNEMPLOYMENT				\$50,000		
	51909 NONCONTRIB RETIREMENT				\$0		
	51910 POLICE/FIRE DISABILITY				\$15,000		
	51912 SALARY RESERVE				\$925,000		
	51916 OCCUPATIONAL HEALTH				\$8,000		
		Pre-empl Physicals, Drug & CDL Test, 11F					
	51920 RETIREMENT BUYBACK				\$37,500		
	PERSONNEL SERVICES TOTAL						\$9,405,500
	52: EXPENSES: PURCHASE OF SERVICES					\$100,000	
	52138 TOWN MEETING						
	52101 Professional Services			\$79,000			
		Electronic Voting	\$60,000				
		Audio/Visual	\$19,000				
	52118 Equipment Rental			\$3,500			
	52130 Printing			\$14,000			
	54100 Supplies			\$0			
	54121 Postage			\$3,000			
	55602 Legal Ads			\$500			
	53: EXPENSES: UTILITIES					\$120,000	
	53109 STREET LIGHTS				\$120,000		
	54: EXPENSES: SUPPLIES					\$175,000	
	54598 RESERVE FUND				\$175,000		
	EXPENSES TOTAL						\$395,000
	DEPARTMENT TOTAL						\$9,800,500

PERSONNEL BOARD

PERSONNEL BOARD - 1240

		FY16 ACTUAL	FY17 BUDGET	FY17 YTD 11/30/2016	FY18 PROPOSED	FY18 TA PROPOSED
10124001	51:PERSONNEL SERVICES					
	51922 ADJ FUND	\$2,579	\$5,000	\$0	\$5,000	\$5,000
	PERSONNEL SERVICES TOTAL	\$2,579	\$5,000	\$0	\$5,000	\$5,000
10124002	52:EXPENSES:PURCHASE OF SERVICES					
	52100 CONTRACTUAL SERVICES	\$3,131	\$5,000	\$765	\$5,000	\$2,000
	52112 TRAINING & EDUCATION	\$2,322	\$5,000	\$1,806	\$5,000	\$1,000
	52113 TRAVEL					\$500
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS					\$250
	SUBTOTAL					\$3,750
	55:EXPENSES:OTHER					
	55600 ADVERTISING CLASSIFIED					\$5,650
	55676 MEETINGS & CONFERENCES					\$600
	SUBTOTAL					\$6,250
	EXPENSES TOTAL	\$5,453	\$10,000	\$2,571	\$10,000	\$10,000
TOTAL		\$8,031	\$15,000	\$2,571	\$15,000	\$15,000

PERSONNEL BOARD - 1240

FY18 BUDGET DETAIL

10124001	51:PERSONNEL SERVICES				\$5,000	
	51922 ADJ FUND			\$5,000		
	PERSONNEL SERVICES TOTAL					\$5,000
10124002	52:EXPENSES:PURCHASE OF SERVICES				\$3,750.00	
	52100 CONTRACTUAL SERVICES			\$2,000		
	52112 TRAINING & EDUCATION			\$1,000		
	52113 TRAVEL			\$500		
	52114 DUES, SUBSCRIPTIONS, MEMBERSHIPS			\$250		
		MMPA DUES		\$250		
	55:EXPENSES:OTHER				\$6,250.00	
	55600 ADVERTISING CLASSIFIED			\$5,650		
	55676 MEETINGS & CONFERENCES			\$600		
	EXPENSES TOTAL					\$10,000
DEPARTMENT TOTAL						\$15,000

(6) APPOINTMENT HISTORICAL
COMMISSION

DATE: DECEMBER 2, 2016

TO: BOARD OF SELECTMEN

RE: APPOINTMENT TO HISTORICAL COMMISSION

There are three vacancies on the Historical Commission: One vacancy is for a term to expire on June 30, 2017, and two vacancies are for terms to expire on June 30, 2019.

Attached are the letters of interest from Katherine (Kay) Gardner-Westcott, and Ann Gordon. They have both attended Historical Commission meetings, and the Chair, Elisa Scola, has advised that the Commission has no objections to their appointment.

VOTE: TO APPOINT KATHERINE GARDNER-WESTCOTT TO THE HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY, FOR A TERM TO EXPIRE ON JUNE 30, (2017 or 2019).

VOTE: TO APPOINT ANN GORDON TO THE HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY, FOR A TERM TO EXPIRE ON JUNE 30, (2017 or 2019).

5 Richard Road
Wayland, MA 01778
November 14, 2016

Office of the Board of Selectmen
41 Cochituate Road
Wayland, MA 01778

Dear Cherry Karlson,

I would like to introduce myself. I am Katherine Gardner-Westcott and I am a history nerd. I would like to apply for a position on the Historical Commission Board. My professional and personal background matches the mission statement of the Historical Commission, "Provide educational opportunities to understand the history of the town and the historic context of important assets" which incorporates the need to "Create and maintain an inventory of historic assets."

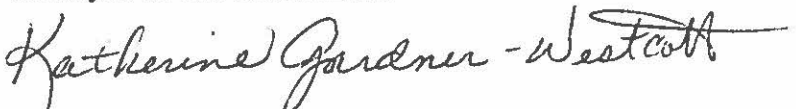
My interest in history started when I was a child when I started working on my own genealogy. One cannot study genealogy without history nor can one do history without genealogy. I have been president of the Genealogical Society of Massachusetts, Massachusetts Society of Genealogists, (and Librarian of Massachusetts Society of Genealogists), and the New England Regional Genealogical Conference. I have recently retired from Watertown Free Public Library as the Local History/Genealogy Librarian. I am the only local history librarian that Watertown has ever had. I inventoried and organized the entire local history collection. When I was a librarian assistant at the Framingham Public Library, I worked in the Framingham Room, organizing and researching the Framingham history.

My family moved to Wayland in 1963 so I am a graduate of the Wayland School system. I have always had an interest in Wayland history. This has been a benefit working at Watertown as I was sharing much of Wayland's history to the descendants of Watertown settlers. Lydia Maria Child lived in Watertown and was the sister of Convers Francis, famous minister of Watertown and father of Unitarianism. The First Parish was considered a daughter church of Watertown. Watertown originally included Weston (known as Watertown Farms) and Wayland (then Sudbury) was considered the frontier. Neighboring town of Danforth Farm (Framingham) and Sudbury (Wayland) has had many interchanges that continue into the twenty-first century.

I graduated with a BA in education and a master's degree in Library and Information Science. I have also participated in a Citizen Advisory Board for the Massachusetts Health and Human Services Department and Volunteer Case Review Program for the Department of Children and Families. My husband and I established Andrew Charles Respite Services was a program in honor of our first born and to help other parents with children with disabilities. I am currently volunteering for the Wayland Free Public Library by creating finding aids to their local history collection.

I have attended the last two meetings of the Historical Commission where Richard Conard inspired me to be concerned about the railroad preservation and the Eversource right-of-way. John Dyer's historical marker project interests me. Of course, the preservation of North Cemetery Stoney section is paramount to personal and community history. Stone Bridge is one of the historical sites I share with visitors. In Watertown, I worked with their Historical Commission to document historical buildings. I embrace the importance of being a steward of the unique heritage of Wayland. I am hoping you will consider adding my research skills and enthusiasm to the Wayland Historical Commission.

Thank you for this consideration.



DiNapoli, MaryAnn

From: Ann Gordon <annbgordon@comcast.net>
Sent: Monday, November 14, 2016 3:27 PM
To: Selectmen
Cc: Elisa Scola; Balmer, Nan
Subject: Re: Filling a seat on the Historical Commission

Hi MaryAnn,

I've actually already attended a meeting and spoken with Elisa and other members of the Commission.

Thanks,

Ann

Ann B. Gordon, *writer*
One Trinity Place
Wayland, MA 01778
508-561-3084
Please visit my website: www.annbgordon.com

On Nov 14, 2016, at 3:23 PM, Selectmen <selectmen@wayland.ma.us> wrote:

Hi Ann. Thank you for volunteering! The Board asks that applicants attend at least one meeting of the commission to which they seek appointment, and that they discuss and understand the commission's function and responsibilities with the current chair.

The Chair of the Historical Commission is Elisa Scola, and I am copying her on this email. Once you contact her and attend a meeting, we will schedule you for a brief interview with the Board of Selectmen.

Again, thank you, and please feel free to contact me if you have any questions.

MaryAnn

From: Ann Gordon [<mailto:annbgordon@comcast.net>]
Sent: Monday, November 14, 2016 2:39 PM
To: Selectmen
Subject: Filling a seat on the Historical Commission

Hello Selectpersons,

I would like to be considered for one of the three-year seats on Wayland's Historical Commission.

As a 20-year resident of Wayland, I have a general interest in preserving our history and historical landmarks. I have a specific interest in and affection for the South Cemetery, because I live directly next to it. I cherish the view out my windows and the stories that each gravestone represents.

I am a professional writer and editor, with a focus on health policy. In 2015, I decided to re-balance my work life, and accepted a part-time job at Wayland's Council on Aging as the Volunteer Coordinator. (I have been a COA volunteer for about 15 years, delivering Meals on Wheels.) I continue to write and edit for several clients, and the balance of the two jobs is just about right most of the time.

I can't claim any expertise in history, archeology or other fields relevant to the Commission's work, but I'm willing to learn and to help in whatever ways I can. Please let me know what further information you would like from me.

Thank you for your consideration,

Ann Gordon

Ann B. Gordon, *writer*
One Trinity Place
Wayland, MA 01778
508-561-3084
Please visit my website: www.annbgordon.com

MEMORANDUM

To: Board of Selectmen
From: MaryAnn DiNapoli
Date: December 5, 2016
Re: 2017 Licensing

The following is the list of licenses that are ready for approval for 2017.

Three liquor licenses have been held until the December 12, 2016 Board of Selectmen meeting because the required fire and building code conditions have not yet been met. The Fire Chief and the Building Commissioner have advised me that the licensees are working to correct the issues and should be ready to be approved by next week. They are the Coach Grill, China Rose, and the Takara Japanese Restaurant.

VOTE: TO APPROVE THE 2017 RENEWAL OF THE LIQUOR LICENSES, COMMON VICTUALLERS' LICENSES, ENTERTAINMENT LICENSES, AND AUTO DEALER LICENSES AS PRESENTED IN THE DECEMBER 5, 2016, MEMORANDUM TO THE BOARD OF SELECTMEN ENTITLED "2017 LICENSING"

The following liquor licenses are ready for approval for 2017:

110 Grill CW Wayland LLC	175 Commonwealth Avenue	Liquor License On Premise All Alcoholic
Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Liquor License On Premise All Alcoholic
Broomstones Inc.	1 Curling Lane	Liquor License, Club, All Alcoholic
Donelan's Supermarkets Inc.	177 Commonwealth Road	Liquor License Package Store Wine & Malt

Dudley Chateau of Cochituate Inc.	20 Crest Road	Liquor License On Premise All Alcoholic
Lavins Inc. of Wayland	330 Old Connecticut Path	Liquor License Package Store All Alcoholic
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Liquor License On Premise All Alcoholic
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Liquor License On Premise Wine & Malt
New Sandy Burr Inc.	103 Cochituate Road	Liquor License On Premise All Alcoholic
Post Road Liquors Inc.	44 Boston Post Road	Liquor License Package Store All Alcoholic
Prime 131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Liquor License On Premise All Alcoholic
Sperry's Liquors (Eastbrook Inc.)	87 Andrew Avenue	Liquor License Package Store Wine & Malt
The Villa Inc.	48 East Plain Road	Liquor License On Premise All Alcoholic
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Liquor License On Premise Wine & Malt
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Liquor License On Premise All Alcoholic
Wayland Variety and Deli Corporation	70 Boston Post Road	Liquor License Package Store Wine & Malt
Wayland Wine and Spirits (P & P Liquors Inc.)	302 East Commonwealth Rd	Liquor License Package Store All Alcoholic

The following Common Victuallers Licenses are ready for approval for 2017:

110 Grill CW Wayland LLC	175 Commonwealth Avenue	Victualler License
Baypath Elder Services (Meals on Wheels)	33 Boston Post Road Marlborough MA	Victualler License
Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Victualler License
Dudley Chateau of Cochituate Inc.	20 Crest Road	Victualler License
Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Victualler License
Liberty Pizza (MC&G Pizza Inc.)	116 Main Street	Victualler License
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Victualler License
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Victualler License
New Sandy Burr Inc.	103 Cochituate Road	Victualler License
Panera Bread Bakery-Café (PR Restaurants LLC)	21 Andrew Avenue	Victualler License
Prime 131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Victualler License
Starbucks Coffee Company	44 Main Street	Victualler License
Spice 'n Pepper (Aprileileen Corporation)	236 Boston Post Road	Victualler License
The Villa Inc.	48 East Plain Road	Victualler License

Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Victualler License
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Victualler License
Wayland Pizza House	336 Boston Post Road	Victualler License

The following Entertainment Licenses are ready for approval for 2017:

110 Grill CW Wayland LLC	175 Commonwealth Avenue	Entertainment License
Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Entertainment License
The Local Restaurant of Wayland dba The Local	11 Andrew Avenue	Entertainment License
Prime 131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Entertainment License
Starbucks Coffee Company	44 Main Street	Entertainment License
The Villa Inc.	48 East Plain Road	Entertainment License

The following Sale of Second-Hand Articles Licenses are ready for approval for 2017:

Almaari Jewelers	65 Andrew Avenue	Sale of Second Hand Articles
MetroWest Precious Metals LLC	241 Boston Post Road Suite 5	Sale of Second Hand Articles

The following Auto Dealer Licenses are ready for approval for 2017:

Cook's Automotive (Lloyd J. Cook, President)	338 Boston Post Road	Sale of Used Vehicles II
Herb Chambers of Wayland Inc. dba Aston Martin Boston, dba Bentley Boston, dba Rolls-Royce Motor Cars of New England, dba Herb Chambers Lamborghini of Boston, and dba Herb Chambers Maserati, and dba Herb Chambers Alfa Romeo of Boston	533 Boston Post Road	Sale of Used Vehicles I
International Auto Works Inc.	118 Main Street	Sale of Used Vehicles II
Shepard's Service (Mark Shepard)	268 Boston Post Road	Sale of Used Vehicles II
State Road Auto Body (Stephen Jones)	292 Boston Post Road	Sale of Used Vehicles II
Wayland Automotive Sales (Richard Devlin)	322 Commonwealth Avenue	Sale of Used Vehicles II
Wayland Foreign Motors (Tim and Tom Cornu)	356 Boston Post Road	Sale of Used Vehicles II
Wayland Imports (Glenn B. Schwartz)	70 Boston Post Road	Sale of Used Vehicles II
Wayland Mobil (E & J Service Station LLC)	315 Commonwealth Road	Sale of Used Vehicles II

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, December 01, 2016 4:14 PM
To: DiNapoli, MaryAnn
Subject: Fwd: Used Car Dealer's License-Class II, zoning review updates

Please attach to license info
Thanks

Sent from my iPhone

Begin forwarded message:

From: "Larsen, Geoffrey" <glarsen@wayland.ma.us>
Date: December 1, 2016 at 4:07:40 PM EST
To: "Balmer, Nan" <nbalmer@wayland.ma.us>
Cc: "Reef, Elizabeth" <ereef@wayland.ma.us>
Subject: Used Car Dealer's License-Class II, zoning review updates

Good afternoon Nan,

As you requested; this e-mail is intended to provide an update (as it relates to zoning) regarding the Town's licensed used car dealers.

At this time; and as it relates to zoning, the Building Department has no cause to object to the renewal of the 8 licenses that the Department has on file.

Please be advised that currently there is 1 active request for zoning enforcement though a determination that a zoning violation actually exists has not been made. I note that the holder of this specific license is currently in the process of providing information to the Building Department in order to determine if next steps are warranted.

Respectfully,

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



Memorandum

To: All Boards, Committees, Commissions, Departments and Staff
From: Board of Selectmen
Date: December 5, 2016
Re: 2017 Annual Town Meeting and Annual Town Election

The Board of Selectmen voted on Monday, December 5, 2016, to open the Warrant for the Annual Town Meeting to begin on Sunday, April 2, 2017, at 1:00 p.m. in the Wayland High School Field House, and the Annual Election to be held on Tuesday, March 28, 2017, at designated polling places. The warrant for said Annual Town Meeting will be open from Thursday, December 15, 2016, at 8:30 a.m., through Tuesday, January 17, 2017, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Tuesday, January 17, 2017.

 Cherry C. Karlson, Chair

 Lea T. Anderson, Vice Chair

 Mary M. Antes

 Louis M. Jurist

 Joseph F. Nolan



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

**Board of Selectmen
Meeting Minutes
November 7, 2016
Wayland Town Building, Selectmen's Meeting Room
41 Cochituate Road, Wayland**

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

A1. Call to Order by Chair Vice Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room in the Wayland Town Building, 41 Cochituate Road and reviewed the agenda.

M. Antes announced that the groundbreaking for the rail trail is scheduled for Tuesday. L. Anderson announced that tomorrow is Election Day and polls will be open from 7 am to 8 pm.

A2. Public Comment Molly Upton, 23B Bayfield Road, addressed the Board and stated that she was excited about the town's progress with the Town Counsel search. She reminded the Board that the hearing on 150 Main Street appeals with the ZBA is approaching. Board of Public Works member M. Lowery stated that he received a notice from the Board for a public hearing regarding the installation of a utility pole. He expressed concern about the possibility of proposed cell antennae outside of the area zoned for cell towers. Chairman of the Public Ceremonies Committee R. Turner invited a representative from the Board to the Veterans Day event. He also stated that he is concerned about the Rivers Edge project.

A3. Special Town Meeting Warrant Hearing and Review Motions The Board opened the STM Warrant Hearing and was joined by Town Moderator D. Berry. L. Anderson led a page by page walk-through of the warrant and asked if there were any changes. It was noted that Article 6 (LAND Grant for Mainstone Farm), on page 18, the word "affect" should be changed to "effect." M. Lowery stated that in Article 9 (Appropriate Funds to Purchase 8 Glezen Lane) it states that the septic system has failed Title 5 inspection. M. Lowery said there wasn't a failure and that the engineer has submitted a repair plan to the Board of Health. He stated that technically the system is in failure because it's in Zone 1. M. Lowery said the BOPW will make that clear on the floor at STM.

D. Berry noted that they have changed the time allotment for speaking in favor of or against a motion to 2 minutes. If the speaker asks for more time, then the limit is 3 minutes. D. Berry stated that he will mention the correction on page 44 at STM. Finance Committee member G. Cliff noted that the language on page 48 sounds archaic and suggested that it be changed for the next meeting to represent the Finance Committee's role. M. Lowery inquired about the additional language added to the BOPW motions regarding bond premiums. N. Balmer stated that it was a change under the Municipal Modernization Act that allows a bond premium to reduce the borrowing, a choice we have today that we did not have before. N. Balmer stated that if there were any changes to the language there would be copies of the motions for everyone. N. Balmer then suggested that the language be removed since it may be confusing to people.

A4. Town Counsel Evaluation Committee Recommendation: Interview Attorneys Carolyn Murray, Amy Kwesell and Lauren Goldberg of KP Law, Potential Vote to Appoint N. Balmer reviewed the process of the Town Counsel Evaluation Committee leading to this recommendation. N. Balmer made a recommendation on behalf of the Town Counsel Evaluation Committee to select KP Law, Head Counsel Attorney Carolyn Murray. L. Anderson asked Attorney C. Murray to introduce herself and the firm. Attorney C. Murray stated she has been involved in municipal law for 22 years and discussed her extensive municipal and legal background.

J. Nolan entered the room at 7:55 pm.

Attorney Lauren Goldberg discussed her background in election law and stressed that KP Law is structured to serve municipalities. Attorney Amy Kwesell stated that she also has a long history of serving on public boards. L. Jurist asked C. Murray how many towns she is the primary contact for. She said 2 towns. She stated that if an attorney asked another associate for input, there isn't an additional charge to the town. M. Antes is interested in summaries of the Open Meeting Law and asked if that is something they specialize in. C. Murray said that it is something they do and hold training sessions. M. Antes asked how sensitive they are to a town changing a long-serving town counsel. C. Murray stated that she has had experience with situations like these and that you have to be sensitive. She said that you have to meet with staff, department heads, and committees to establish relationships. She stated that KP Law represents 125 communities of the Commonwealth at any one given time. J. Nolan stated that he expects KP Law to be responsive and to follow the correct process. J. Nolan also stated that he expects the new Public Records Law to bring up new queries. M. Antes moved, seconded by J. Nolan to appoint KP Law as Town Counsel subject to approval of the terms of engagement. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

A5. River's Edge:

Meet with Representatives of River's Edge Advisory Committee to Discuss Questions on Proposals

The Board welcomed members of the REAC for more discussion. N. Balmer stated that she has compiled questions from public comment and residents and forwarded them to the REAC. L. Anderson thanked R. Stanizzi for answering the questions so quickly. J. Nolan stated that he has had more time to look at the proposals and he is not in the business of questioning the board who has spent years in the weeds studying this. His one concern was the rent issue but he understands it better and is not concerned. N. Balmer stated that Anderson & Kreiger suggested that the Board hold discussion about environmental issues until it decides what part of that will be in executive session. R. Stanizzi stated that the rent is higher in one proposal because it offers better services and is built better with underground parking. R. Stanizzi stated that the proposal meets all the requirements from 2014. She reminded the Board that the buses have nothing to do with this project. J. Nolan stated that the town has never had a good place for the buses and the work on the road to the landfill is being done for environmental reasons as part of the DPW building project. J. Nolan stated that he sees River's Edge as the same project that was approved at town meeting in 2014.

Update from Town Administrator on DPW Issues and Updated Economic Impact Analysis N.

Balmer stated that DPW will not be able to move the laydown area to the old DPW site until the new site is prepared. She said that they are already beginning to haul materials away and segregate the area. She said that the BOPW would like the Board to know they are not certain the new smaller area can serve them long term and that they will not spend money on the triangle area until the Board of Selectmen vote for the BOPW to do so. She stated that there is a potential plan for a water loop. Water Superintendent D. Millette has been communicating with Sudbury; Wayland might be able to interconnect for fire flows and redundancy only.

Cost is not yet known. N. Balmer said the school bus issue is still a work in progress and she hopes to have more news on that in a week or two.

Discussion and Potential Vote to Request Extension of RFP Date for Notice of Award to February 1, 2017 J. Nolan moved, seconded by L. Jurist to request an extension of the RFP Date for Notice of Award to February 1, 2017. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

A6. Discuss Special Town Meeting Articles The Board noted that it has not taken positions on the “8 Glezen Lane,” “107 Old Sudbury Road,” the “Home Occupation Zoning bylaw Amendment” articles yet.

A7. Minutes: Review and Vote to Approve Minutes of October 17, 2016 M. Antes moved, seconded by L. Jurist, to approve the amended minutes of October 17, 2016. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

A8. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Jurist to approve the consent calendar. YEA: J. Nolan, L. Anderson, M. Antes, L. Jurist NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

A9. Review Correspondence (See Separate Index Sheet) The Board reviewed the week’s correspondence. M. Antes mentioned the winter stroll event. L. Anderson stated that representatives of Camp Chickami would like to meet with a representative from the Board. M. Antes said she would be happy to attend.

A10. Report of the Town Administrator N. Balmer reported that the BOPW is taking the appraisals for 107 Old Sudbury Road and 8 Glezen Lane under advisement. She also said that the Planning Board decided not to amend Article 11 (Home Occupation) to remove the language regarding the number of trips per day. She stated that there isn’t a way for the town to provide snow removal for Habitat for Humanity. She also said that the Holiday lights will happen again. N. Balmer stated that the Finance Committee provided notification of potential increases in expenses for school nurses and legal services. She said the financial advisor provided clear guidance to staff and the Finance Committee about what’s required to maintain a triple A bond rating. There have been many calls about the construction on Route 27 and 30 and the town has contacted DOT who has said the worst is almost over. There will be continued parking issues with the rail trail and library drainage project. She said the groundbreaking for rail trail is a week from tomorrow. The event for the solar project will happen in December.

A11. Selectmen’s Reports and Concerns M. Antes and L. Anderson stated that they attended Massachusetts Municipal Association event for selectmen. M. Antes stated that she also went to an MAPC meeting. L. Anderson stated that she will be at the Veteran’s Day event on behalf of the Board.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Vice Chair said, “I know of none.”

A13. Adjourn There being no further business before the Board, L. Jurist moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:10 p.m. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

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

1. Memorandum of 11/3/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Town Counsel Recommendation, Résumé of Carolyn Murray, and Draft Contract
2. Draft Minutes of October 17, 2016
3. Report of the Town Administrator, November 4, 2016



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

**Board of Selectmen
Meeting Minutes
Wayland High School Field House
264 Old Connecticut Path
November 15, 2016**

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist (arrived 6:34 p.m.), Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 6:20 p.m. in the Field House of the Wayland High School, 264 Old Connecticut Path. C. Karlson said there will be a Raytheon PIP (Public Involvement Plan) meeting at the Wayland Town Building on Thursday, November 17, at 6:30 p.m. J. Nolan said the MWRTA will hold an unveiling for the new Vietnam Veterans Monument on Sunday, November 27, 2016 at 12:00 p.m. at 15 Blandin Avenue in Framingham.

A2. Public Comment Linda Segal, 9 Aqueduct Road, said the Town Planner had asked if the FY18 budget included funds for Zoning Bylaw preparation by Town Counsel.

A3. 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 At 6:23 p.m., C. Karlson moved, seconded by L. Anderson, 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. The Chair declared that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invited attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Finance Committee member Nancy Funkhouser, Police Chief Robert Irving, and Police Lieutenant Patrick Swanick. The Board will reconvene in open session in approximately fifteen minutes.

The Board returned to open session at 6:41 p.m.

A4. Potential Vote to Approve Memorandum of Agreement with the Police Union L. Anderson moved, seconded by M. Antes, to approve the Memorandum of Agreement between the Town of Wayland and the Wayland Police Officers Union dated November 15, 2016, and to authorize John Senchyshyn, Human Resources Director/Assistant Town Administrator, to sign the agreement on behalf of the Selectmen. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Discuss Any Special Town Meeting Business and Potential Vote of Position on Articles The Board discussed the articles for Special Town Meeting on which the Board had taken no previous position. L. Jurist said he is opposed to the article from the Board of Public Works to purchase 107 Old Sudbury Road because there is no plan as to what properties will be bought. J. Nolan moved, seconded by L. Anderson, to recommend to Special Town Meeting approval of Article 8, "Appropriate Funds to Purchase 107 Old Sudbury Road to Water Resource Protection." YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: L. Jurist. ABSENT: none. ABSTAIN: none. Adopted 4-1.

The Board discussed their concerns regarding the Planning Board article to amend the Home Occupation zoning bylaw, noting the confusion regarding the definition of vehicle trips. L. Anderson moved, seconded by J. Nolan, to recommend to Special Town Meeting approval of Article 11, "Home Occupation Zoning Bylaw." YEA: none. NAY: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. ABSENT: none. ABSTAIN: none. Motion fails, 0-5.

The Board discussed the concerns of Anette Lewis, 33 Claypit Hill Road, that the process for adopting amendments to the Zoning Bylaws was not followed.

A6. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A8. Recess to Join Special Town Meeting There being no further business before the Board, M. Antes moved, seconded by J. Nolan, to recess to join the Special Town Meeting at 6:51 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 November 15, 2016

1. None

Items Included as Part of Agenda Packet for Discussion During the November 15, 2016 Board of Selectmen's Meeting

1. None

(12) TOWN ADMINISTRATOR REPORT

TOWN ADMINISTRATOR'S REPORT

WEEK ENDING DECEMBER 2, 2016

BOARD OF SELECTMEN MEETING SCHEDULE

The Board is scheduled to meet December 12th and 19th and then break until Tuesday January 3, 2017. Attached is a schedule of proposed meeting dates from January 3, 2017 through April 30, 2017

TOWN COUNSEL TRANSITION

Town Counsel Carolyn Murray will meet with Department Heads and Board and Committee Chairs on December 7th and 8th.

ANNUAL TOWN MEETING ARTICLES

Attached is the current list or potential Annual Town meeting articles.

SCHOOL BUS PARKING

See attached letters to School Business Manager regarding bus parking.

WRAP COMMITTEE

Attached is an update form the WRAP Committee.

365 January 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	1	2	3	4	5	6	7
2	8	9	10	11	12	13	14
3	15	16	17	18	19	20	21
4	22	23	24	25	26	27	28
5	29	30	31				

365 February 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
5				1	2	3	4
6	5	6	7	8	9	10	11
7	12	13	14	15	16	17	18
8	19	20	21	22	23	24	25
9	26	27	28				

365 March 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
9				1	2	3	4
10	5	6	7	8	9	10	11
11	12	13	14	15	16	17	18
12	19	20	21	22	23	24	25
13	26	27	28	29	30	31	

365 April 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
13							1
14	2	3	4	5	6	7	8
15	9	10	11	12	13	14	15
16	16	17	18	19	20	21	22
17	23	24	25	26	27	28	29
18	30						

365 May 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
18		1	2	3	4	5	6
19	7	8	9	10	11	12	13
20	14	15	16	17	18	19	20
21	21	22	23	24	25	26	27
22	28	29	30	31			

365 June 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
22					1	2	3
23	4	5	6	7	8	9	10
24	11	12	13	14	15	16	17
25	18	19	20	21	22	23	24
26	25	26	27	28	29	30	

365 July 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
26							1
27	2	3	4	5	6	7	8
28	9	10	11	12	13	14	15
29	16	17	18	19	20	21	22
30	23	24	25	26	27	28	29
31	30	31					

365 August 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
31			1	2	3	4	5
32	6	7	8	9	10	11	12
33	13	14	15	16	17	18	19
34	20	21	22	23	24	25	26
35	27	28	29	30	31		

365 September 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
35						1	2
36	3	4	5	6	7	8	9
37	10	11	12	13	14	15	16
38	17	18	19	20	21	22	23
39	24	25	26	27	28	29	30

365 October 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
40	1	2	3	4	5	6	7
41	8	9	10	11	12	13	14
42	15	16	17	18	19	20	21
43	22	23	24	25	26	27	28
44	29	30	31				

365 November 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
44				1	2	3	4
45	5	6	7	8	9	10	11
46	12	13	14	15	16	17	18
47	19	20	21	22	23	24	25
48	26	27	28	29	30		

365 December 2017

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
48						1	2
49	3	4	5	6	7	8	9
50	10	11	12	13	14	15	16
51	17	18	19	20	21	22	23
52	24	25	26	27	28	29	30
1	31						

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

- 17 Mar St. Patrick's Day
- 1 Apr April Fool's Day
- 14 Apr Good Friday
- 16 Apr Easter
- 17 Apr Easter Monday
- 5 May Cinco de Mayo
- 14 May Mother's Day

- 20 May Armed Forces Day
- 29 May Memorial Day
- 4 Jun Pentecost
- 5 Jun Pentecost Monday
- 14 Jun Flag Day
- 18 Jun Father's Day
- 4 Jul Independence Day

- 4 Sep Labor Day
- 11 Sep September 11th
- 17 Sep Citizenship Day
- 22 Sep Native American Day
- 9 Oct Columbus Day
- 16 Oct Boss's Day
- 21 Oct Sweetest Day

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

4/11, 4/12, 4/17, 4/18 PASSIVE 9/12, 9/22 Rosh Hashana 9/30 YOM KIPPUR

**2017 ANNUAL TOWN MEETING
POTENTIAL ARTICLES AS OF DECEMBER 5, 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. BUILDING HEIGHT
16. LIMITED SITE PLAN REVIEW
17. ACCEPT PRIVATE ROADS
18. WIRELESS
19. FUNDING FOR ZONING BY-LAW UPDATE (UNCERTAIN)

POTENTIAL BOARD OF SELECTMEN ARTICLES

20. CREATE APPOINTED RATHER THAN ELECTED TOWN CLERK POSITION
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
25. BLANKET LANGUAGE TO REDUCE THE AMOUNT BORROWED OR SET ASIDE THE BOND
PREMIUM FOR A FUTURE CAPITAL PROJECT (MUNICIPAL MODERNIZATION ACT)

POTENTIAL ARTICLES FROM OTHER PUBLIC BODIES

26. CONSERVATION COMMISSION: CONFIRMATORY TAKING: WAYLAND COMMONS
27. LIBRARY PROJECT / GRANT ACCEPTANCE
28. COA: FUND NEXT STEP IN PROJECT
29. HISTORICAL COMMISSION: DEMOLITION DELAY BYLAW
30. BOPW: ACQUIRE ACCESS EASEMENT FROM HABITAT FOR HUMANITY
31. ASSESSORS: REQUIRE DEADLINE FOR CIRCUIT BREAKER APPLICATIONS TO BE SAME AS
ALL EXEMPTION APPLICATIONS
32. BY-LAW TO ENACT LOCAL CONTROL OF RECREATIONAL MARIJUANA
- 33 – 37. CPC PROJECTS:
 - a. BOS: MELLEN LAW OFFICE RENOVATIONS
 - b. BOS: HOUSING CONSULTANT
 - c. SC: TENNIS COURT
 - d. REC: OXBOW MEADOWS SITE CONSTRUCTION
 - e. REC: DUDLEY WOODS WALKING TRAILS

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, December 01, 2016 11:47 AM
To: DiNapoli, MaryAnn
Subject: Fwd: Planning Board Articles and Town Counsel request following meeting on November 29th.

Please put behind article list attached to my report
Thanks

Sent from my iPhone

Begin forwarded message:

From: "Sarkisian, Sarkis" <ssarkisian@wayland.ma.us>
Date: December 1, 2016 at 11:24:15 AM EST
To: "Balmer, Nan" <nbalmer@wayland.ma.us>
Cc: "dhill@danhilllaw.com" <dhill@danhilllaw.com>, "Karlson, Cherry" <ckarlson@wayland.ma.us>
Subject: Planning Board Articles and Town Counsel request following meeting on November 29th.

Nan,

Thank you for meeting with me yesterday to go over the potential Zoning Articles for the Spring 2017 Town Meeting. As stated yesterday, the Planning board will not be bringing back the Articles regarding 10' buffer and Home Occupation. Instead, the Board will be working on the following Articles for the Spring 2017 Town Meeting.

1. Tear downs- provide a better way to regulate the process under special circumstances.
2. New definition of Building Height.
3. Limited Site Plan Review – this bylaw would regulate applications for Site Plan Review for Dover Amendment Uses. This Article will provide additional explanation regarding the requirements and scope of review for site plan applications and hearings held by the Planning Board.
4. Wireless Communications bylaw and possibly expanding the district. This relates to the request of Mobilite's issue that was recently before the BOS. The Planning board request legal counsel from KP Law before we take any action.
5. Street Acceptance article for the following roads Dylan Circle, Summer Lane, Greenways and Spencer Circle. Dan Hill and I plan on attending the board of public works meeting on December 6, 2016 to outline a process. We will also discuss the complete streets program.

Other requests:

The Planning Board would like to request KP Law counsel assistance in a matter that will be coming before the Planning Board in the next few weeks involving the legal status of a Subdivision (209 Old Conn Path) that was approved 18 years ago.

The Planning Board also requests that funds be allocated to study the Route 20 corridor as it relates to sewer and future redevelopment. We understand that this would involve working closely with the BOS, EDC and the Waste Water Commission.

Sarki

Sarkis Sarkisian
Director of Planning
Town of Wayland
41 Cochituate Road
Wayland, MA 01778
508-358-3778

DATE: NOVEMBER 30, 2016
TO: SUSAN BOTTAN, SCHOOL BUSINESS MANAGER
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: SCHOOL BUS PARKING

The Board of Selectmen reviewed your request of November 14, 2016 regarding school bus parking.

Although the Board believes it is unlikely school buses will need to move before June 30, 2017, the Board cannot guarantee at this time guarantee that school bus parking will be allowed by the selected developer.

We understand and appreciate that you are working hard to make alternative arrangements for school bus parking and will keep you informed about this issue over the coming weeks as the project unfolds.

Thank you.

MEMORANDUM

TO: Nan Balmer, Town Administrator

cc: Planning Board, Board of Selectmen

FROM: Anette Lewis for the Wayland Real Asset Planning Committee (WRAP)

DATE: December 1, 2016

RE: Update on WRAP Progress

Following the two community forums in May, WRAP Committee members held a similar, interactive daytime meeting for department heads in June and received positive and useful feedback. The Committee has researched nine of the largest parcels in Town. A synopsis of pertinent information – size, location, accessibility, utilities, environmental restrictions, deed restrictions, etc. – is posted on its web page along with an aerial photo of each site. The Committee continues its research on another 40 parcels -- size, title and deed restrictions.

As part of WRAP's charge, over the summer, the Town Administrator, Finance Director, and Public Buildings Director discussed with WRAP how best to improve upon the long-range planning process for major capital projects \$500,000 and above. The WRAP Committee then worked on the overall concepts, developed them further and prepared a draft of its thoughts on how to approach long-term planning and funding of large capital expenditures. The WRAP Committee is awaiting feedback from the Finance Committee.

In order to guide its work to completion, the Committee developed a timeline of activities through June 30, 2017 (copy attached) and has a draft outline for its final report. The Committee is aiming to issue and solicit public comment on a draft final report in mid-February. It plans to hold community forums in March/April.

WRAP Activities through June 30, 2017

Activity	Description	July	August	September	October	November	December	January	February	March	April	May	June
1	Determine final list of GIS Inventory Parcels				Complete 10/30								
2	Complete GIS Inventory of the Selected Parcels												
3	Determine Properties with Deed Restrictions to Further Review				Mid October								
4	Complete Reconciliation of GIS Inconsistencies												
5	Analyze Adjacent Parcels to Look at Potential Combinations for Future Use												
6	Catalog Identified and Foreseeable Capital Facilities Needs			Get List from Ben Keefe	Draft by October 15	Finalize 11/30							
7	Capital Funding Process leading to Capital funding Plan		Discussion with Staff		Sent to FinCom	Request Feedback from FinCom			Capital Funding Plan			Edit	Final
8	Work With Other Boards/Committees/Groups to Forecast Long-term Planning Needs												
9	Compile List of the Long-term Planning Needs extended to 10 Years/20 years												
10	Finalize Evaluation Criteria and Rankings Procedure					Finalize Site Selection	Finalize Project Selection						
11	Apply Evaluation Criteria												
12	Draft & Finalize Long Range Plan (work in progress) with recommendations of future use of Town-Owned Land and Buildings												
13	Final Report Outline					Finalize by 11/30							
14	Issue Draft Final Report for Comment								Feb 15				
15	Gather Comments from Boards / Commissions / Committees and Hold Community Forums												
16	Issue Final Report												
17	End Date for WRAP Committee												30 June



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, December 5, 2016
Selectmen's Meeting Room
Wayland Town Building
41 Cochituate Road Wayland

REVISED CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Town Counsel Mark J. Lanza for Services through October 31, 2016: \$4,347.25
3. Vote the Question of Approving the Invoice for Town Counsel Mark J. Lanza for Services through November 30, 2016: \$7,829.56
4. Vote the Question of Authorizing the Establishment of the Health Reimbursement Arrangement (HRA) Plan for Qualifying Employees and Non-Medicare Retirees Dated January 1, 2017 and Continuing Through June 30, 2019
5. Vote the Question of Authorizing Inter-Fund Borrowing by the Treasurer from the General Fund to the Water Enterprise Fund in the Amount of \$500,000 to Purchase 107 Old Sudbury Road as Authorized by Special Town Meeting Article 8, and to Execute Advance of Funds in Lieu of Borrowing Report
6. Vote the Question of Approving Letters of Commendation for the Following New Eagle Scouts in the Troop 1 Cochituate Boy Scouts:
 - John Henry Broderick IV
 - Matthew Anthony Ludwig
 - Henry Mitchell Rice
 - Richard Sabbatino Ravosa III
 - Alexander Valente Torres

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

INVOICE - TOWN OF WAYLAND - 10/31/2016

SUMMARY

FEE CALCULATION: 27.0 HOURS X \$160.00 PER HOUR =	\$ 4,320.00
DISBURSEMENTS (See below for detail)	27.25
TOTAL 10/31/16 INVOICE.....	<u>\$4,347.25</u>
AMOUNT PAYABLE FROM GENERAL FUND LEGAL BUDGET.....	<u>\$ 4,347.25</u>
AMOUNT PAYABLE FROM GENERAL FUND ECONOMIC DEVELOPMENT COMM. PROFESSIONAL SERVICES ACC'T	<u>0.00</u>

DISBURSEMENTS

10/2016	Postage	18.75
10/2016	FAXing (978) 369-9916 & (978) 261-5034	0.00
10/2016	Copying	8.50
	Total Disbursements	<u>\$27.25</u>

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

INVOICE - TOWN OF WAYLAND - 11/30/2016

SUMMARY

FEE CALCULATION: 46.4 HOURS X \$160.00 PER HOUR = \$ 7,424.00
DISBURSEMENTS (See below for detail) 405.56
TOTAL 11/30/16 INVOICE.....\$7,829.56
AMOUNT PAYABLE FROM GENERAL FUND LEGAL BUDGET.....\$ 7,829.56
AMOUNT PAYABLE FROM GENERAL FUND ECONOMIC
DEVELOPMENT COMM. PROFESSIONAL SERVICES ACC'T0.00

DISBURSEMENTS

11/2016	Postage	24.66
11/2016	FAXing (978) 369-9916 & (978) 261-5034	0.00
11/2016	Copying	11.50
11/28/16	Mass. App. Ct. Entry Fee	300.00
11/28/16	Courier Serv. Fee.	69.40
	Total Disbursements	<u>\$405.56</u>

DATE: December 5, 2016
TO: Board of Selectmen
FROM: John Senchyshyn, Asst. TA/HR Director
RE: HRA Plan

REQUESTED MOTION:

I MOVE THAT THE BOARD OF SELECTMEN VOTE TO ESTABLISH THE HEALTH REIMBURSEMENT ARRANGEMENT (HRA) PLAN FOR QUALIFYING EMPLOYEES AND NON-MEDICARE RETIREES DATED JANUARY 1, 2017 AND CONTINUING THROUGH JUNE 30, 2019.

BACKGROUND:

The Town recently entered into an agreement with the Public Employees Committee (PEC) to change health insurance plans January 1, 2017. As stipulated in the agreement, a portion of the mitigation funds will be set aside to provide eligible participants with a pre-paid "Debit Card" through a Health Reimbursement Arrangement (HRA) Plan.

The Town identified a vendor, Sentinel Benefits, in compliance with the applicable Massachusetts Procurement Laws to serve as the Third Party Administrator (TPA). Sentinel served as the Town's TPA during an earlier HRA Plan period.

To provide for the "Debit Card" benefit structure, Wayland needs to adopt a new HRA Plan document. The previous HRA Plan served as the template for new HRA Plan. The new HRA Plan, which incorporates the provisions of the PEC agreement, becomes effective on January 1, 2017 and continues through June 30, 2019. Both Labor Counsel and the TPA have reviewed the updates to the Plan.

I request the Board to approve the HRA Plan dated January 1, 2017.

TOWN OF WAYLAND
HEALTH REIMBURSEMENT ARRANGEMENT
(HRA) PLAN

EFFECTIVE

January 1, 2017

ARTICLE 1 INTRODUCTION

1.1 Establishment of Plan

Having established the Town of Wayland Health Reimbursement Arrangement (HRA) Plan (the “Plan”) by act of the Board of Selectmen on December 5, 2016 the Town of Wayland, Massachusetts (the “Employer”) makes the plan effective January 1, 2017 (the “Effective Date”) and continuing through June 30, 2019 (the “Termination Date”). Capitalized terms used in this Plan that are not otherwise defined shall have the meanings set forth in Article 2.

This Plan is designed to permit an Eligible Employee and Eligible non-Medicare Retirees to obtain reimbursement of Medical Care Expenses on a nontaxable basis from the HRA Account.

1.2 Legal Status

This Plan is intended to qualify as an employer-provided medical reimbursement plan under Code § § 105 and 106 and regulations issued thereunder, and as a health reimbursement arrangement as defined under IRS Notice 2002-45, and shall be interpreted to accomplish that objective. The Medical Care reimbursed under the plan are intended to be eligible for exclusion from participating Employees’ gross income under Code § 105(b).

ARTICLE 2 DEFINITIONS

2.1 Definitions

“**Administrator**” means the Town of Wayland, MA. The contact person is the Assistant Town Administrator/HR Director for the Town of Wayland who has the full authority to act on behalf of the Administrator, except with respect to appeals, for which the Plan’s Third Party Administrator (TPA) has the full authority to act on behalf of the Administrator, as described in Section 7.1.

“**Benefits**” means the reimbursement benefits for Medical Care Expenses described under Article 6.

“**COBRA**” means the Consolidated Omnibus Reconciliation Act of 1985, as amended.

“**Code**” means the Internal Revenue Code of 1986, as amended.

“**Committee**” means the HRA Benefits Committee, or designated individual, if any, as may be appointed by the Board of Selectmen of the Town of Wayland.

“**Compensation**” means the wages or salary paid to an Employee by the Employer.

“**Dependent**” means an individual who is a child enrolled in the Participant’s Family coverage in a Benchmark Plan and who is eligible for tax-free employer-sponsored health coverage under the applicable requirements Section § 152 of the IRC.

Notwithstanding the foregoing, the HRA Account will provide benefits in accordance with the applicable requirements of any QMCSO, even if the child does not meet the definition of “Dependent.”

“**Effective Date**” of this Plan has the meaning described in Section 1.1.

“**Eligible Employee**” means an Employee eligible to participate in this plan, as provided in Section 3.1.

“**Eligible non-Medicare Retiree**” means a former Employee retired from the Town of Wayland eligible to participate in this plan, as provided in Section 3.1.

“**Employee**” means an individual that the Employer classifies as a common-law employee and who is on the Employer’s W-2 payroll, but does not include the following:

- a) Any employee (including but not limited to those individuals defined as leased employees in Code § 414(n)) or an individual classified by the Employer as a contract worker, independent contractor, temporary employee or seasonal employee for the period during which such individual is so classified, whether or not any such individual is on the Employer’s W-2 payroll or is determined by the IRS or others to be a common-law employee of the Employer;
- b) Any individual who performs services for the Employer but who is paid by a temporary or other employment agency for the period during which such individual is paid by such agency, whether or not such individual is determined by the IRS or others to be a common-law employee of the Employer;
- c) Any self-employed individual;
- d) Any partner in a partnership;
- e) Any more-than-2% shareholder in a Subchapter S corporation, including those deemed to be a more-than-2% shareholder by virtue of the Code #318 ownership attribution rules.

“**Employer**” means the Town of Wayland, MA.

“**Employment Commencement Date**” means the first regularly-scheduled working day on which the Employee first performs an hour of service for the Employer for Compensation.

“**Enrollment Form**” means the form provided by the Administrator or its designee for the purpose of allowing an eligible Employee to participate in the Plan.

“**FMLA**” means the Family and Medical Leave Act of 1993, as amended.

“**Health FSA**” means a flexible spending arrangement as defined in Prop. Treas. Reg. § 1.125-5.

“**Highly Compensated Individual**” means an individual defined under Code §105(h), as amended, as a “highly compensated individual” or “highly compensated employee.”

“HIPAA” means the Health Insurance Portability and Accountability Act of 1996, as amended.

“HRA” means a health reimbursement arrangement as defined in IRS Notice 2002-45.

“HRA Account” means the HRA Account described in Section 6.4.

“Medical Care Expenses” has the meaning defined in Section 6.2.

“Open Enrollment Period” with respect to a Plan Year means a period of time, usually in the month of May in the year preceding the Plan Year, or such other period as prescribed by the Administrator.

“Participant” means a person who is an Eligible Employee who is participating in this Plan in accordance with the provisions of Article 3.

“Period of Coverage” means the Plan Year, with the following exceptions:

- a) For Employees who first become eligible to participate, it shall mean the portion of the Plan Year following the date participation commences, as described in Section 3.1; and
- b) For Employees who terminate participation, it shall mean the portion of the Plan Year prior to the date participation terminates, as described in Section 3.2. A different Period of Coverage (e.g., monthly) may be established by the Administrator and communicated to Participants.

“Plan” means the Town of Wayland HRA Plan set forth herein and as amended from time to time.

“Plan Year” means the Town of Wayland’s partial fiscal year or fiscal year defined as the 6-month period commencing on January 1, 2017 and ending on June 30, 2017 and thereafter the 12-month period commencing on July 1 and ending on June 30.

“Qualified Medical Child Support Order (QMCSO)” means a qualified medical child support order, as defined in ERISA § 609(a).

“Benchmark Plan” means the following group of health plans that the Employer maintains for its Employees and non-Medicare Retirees (and for their Spouses and Dependents that may be eligible under the terms of such plans):

- Harvard Pilgrim HMO
- Network Blue New England
- Tufts Health Plan Navigator
- Fallon Community Health Plan Direct Care
- Fallon Community Health Plan Select

“Spouse” means an individual who is legally married to a Participant as determined under applicable state law and who is treated as a spouse for tax purposes under the Code.

“Termination Date” of this Plan has the meaning described in Section 1.1.

“Third Party Administrator” (“TPA”) means the independent third party the Administrator has hired to provide necessary administrative services to the HRA Plan, including, but not limited to claims processing and payment.

“USERRA” means the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended.

ARTICLE 3 ELIGIBILITY AND PARTICIPATION

3.1 Eligibility to Participate

An individual is eligible to participate in the Plan if the individual:

- a) is a Wayland Employee or a Wayland non-Medicare Retiree;
- b) is eligible for the Town’s group insurance program pursuant to the provisions of M.G.L. Chapter 32B;
- c) is enrolled in a West Suburban Health Group Rate Saver Plan on December 31, 2016 and moves to a West Suburban Health Group Benchmark Plan effective January 1, 2017; and
- d) is actively at work, provided however, that any Employee on leave under the FMLA, or who is otherwise on an approved paid or unpaid leave, and who is continuing to make premium contribution payments in accordance with Town policies, due to his or her own health condition, shall be considered to be “actively at work for purposes of this paragraph or is a Wayland retiree enrolled in a non-Medicare Benchmark Plan..

3.2 Termination of Participation

A Participant will cease to be a Participant in this Plan upon the earlier of:

- a) the termination of this Plan on June 30, 2019;
- b) the date on which the Employee ceases to be enrolled in a Benchmark Plan;
- c) the date a Retiree or surviving spouse ceases to be enrolled in a Benchmark Plan;
- d) transition items identified in #7 through #12 of Appendix A of the Agreement between the Town of Wayland and Public Employees Committee dated September 26, 2016; or
- e) the date on which an individual ceases because of termination of employment without retiring, layoff, reduction in hours for benefits eligibility, or any other reason to be an Eligible Employee, provided however, eligibility for Employees may continue beyond

such date for purposes of COBRA coverage, as may be permitted by the Administrator on a uniform and consistent basis under Section 6.7.

Reimbursements under the HRA Account after termination of participation will be made pursuant to Sections 6.7 and 6.8 (relating to a run-out period for submitting claims incurred prior to termination and relating to COBRA).

3.3 Participation Following Termination of Employment or Loss of Eligibility

If an Employee's employment ends due to a retirement and the Employee was a Plan Participant and then remains enrolled in a Benchmark Plan, then the Employee/Retiree may continue participation as a non-Medicare Retiree.

3.4 FMLA and USERRA Leaves of Absence

Notwithstanding any provision to the contrary in this plan, if an Employee goes on a qualifying leave under FMLA or USERRA, then to the extent required by the FMLA or USERRA, as applicable, the Employer will continue to maintain the Employee's Benefit's on the same terms and conditions as if the Employee were still an active employee, to the extent required by law or regulation.

3.5 Non-FMLA and Non-USERRA Leaves of Absence

If an Employee goes on a leave of absence that is not subject to the FMLA or USERRA, the Employee will be treated as having terminated participation, as described above under Section 3.2. Should the employee return to work within the same Plan Year, participation in the Plan shall resume upon the Employee's return to work. Any reimbursements approved in that Plan Year prior to the approved non-FMLA and non-USERRA leave, when added to reimbursements received upon reinstatement in the Plan during the same Plan Year, shall not exceed the total HRA benefit for that Plan Year.

ARTICLE 4 METHOD OF TIMING AND ENROLLMENT

4.1 Enrollment When First Eligible

An Employee or a non-Medicare Retiree who becomes eligible to participate in this Plan by moving from a Rate Saver Plan to a Benchmark Plan on January 1, 2017 will commence participation in the HRA Plan effective January 1, 2017. Once enrolled, the Employee's participation will continue from month-to-month and year-to-year until the Employee's participation ceases pursuant to Section 3.2 or until the Plan ceases on June 30, 2019. The Enrollment Form shall identify the Spouse and Dependents whose medical expenses may be submitted to the HRA.

ARTICLE 5 BENEFITS OFFERED AND METHOD OF FUNDING

5.1 Benefits Offered

When an Eligible Employee or Eligible non-Medicare Retiree becomes a participant in accordance with Articles 3 and 4, an HRA Account will be established for such a Participant to receive Benefits in the form of reimbursements for Medical Care Expenses, as described in Article 6. In no event shall Benefits be provided in the form of cash or any other taxable or nontaxable benefit other than reimbursement for Medical Care Expenses.

5.2 Employer and Participant Contributions

- a) Employer Contributions – The Employer funds the full costs of the HRA Accounts.
- b) Participant Contributions – There are no Participant contributions for Benefits under the Plan.
- c) No Funding Under Cafeteria Plan – Under no circumstances will the Benefits be funded with salary reduction contributions, employee contributions to FSA accounts or otherwise under a cafeteria plan, nor will salary reduction contributions or employee contributions be treated as Employer contributions to the Plan.

5.3 Funding the Plan

All of the amounts payable under this Plan shall be paid from the general assets of the Employer. Nothing herein will be construed to require the Employer or the Administrator to maintain any fund or segregate any amount for the benefit of any Participant, and no Participant or other person shall have any claim against, right to, or security or other interest in any fund, account or asset of the Employer from which any payment under this Plan may be made. There is no trust or other fund from which Benefits are paid.

ARTICLE 6 HEALTH REIMBURSEMENT BENEFITS

6.1 Benefits

The Plan will reimburse Participants for Medical Care Expenses up to the unused amount in the Participant's HRA Account, as set forth and adjusted under Section 6.3.

6.2 Medical Care Expenses

Under the HRA Account, a Participant may receive reimbursement for Medical Care expenses incurred during a Period of Coverage.

- a) Incurred – A Medical Care Expense is incurred at the time the medical care or service giving rise to the expense is furnished, and not when the individual incurring the expense is formally billed for, is charged for, or pays for the medical care. Medical Care Expenses incurred before a Participant first becomes covered by the plan are not eligible.

Also, a Medical Care Expense incurred during one Period of Coverage may not be paid during a later Period of Coverage.

- b) Medical Care Expenses – For purposes of this HRA Plan, “Medical Care Expenses” eligible for reimbursement means expenses incurred by a Participant or his or her Spouse or Dependent (but not by a Domestic Partner or Civil Union Partner) for out-of-pocket expenses paid solely for a Benchmark Plan’s copayments and deductibles. Reimbursement will be made in accordance with the following schedule:

FOR PLAN YEARS OF FY 17, FY 18 AND FY 19

TYPE OF MEDICAL EXPENSE	REIMBURSEABLE CO-PAY/DEDUCTIBLE AMOUNT
All out-of-pocket expenses under the plan documents which are applicable to the plan deductible	Deductibles per plan documents
All office visit co-pays and other Medical Care Expenses subject to the primary care co-pay under the terms of the RSP plan documents	Co-pay per plan documents
Office visit – Specialist Care	Co-pay per plan documents
Emergency Room Visit (not admitted)	Co-pay per plan documents
In-patient Services	Co-pay per plan documents
Skilled Nursing Facility	Co-pay per plan documents
Out-patient Surgery	Co-pay per plan documents
Diagnostic Imaging	Co-pay per plan documents
Rx – Retail or Mail Order	
Tier 1	Co-pay per plan documents
Tier 2	
Tier 3	

- c) No other expenses shall be considered Medical Expenses, regardless of whether they may be considered expenses for medical care under IRC Code § 105 and 213(d). Examples of ineligible expenses are described in subsection (d), below. Reimbursements due for Medical Care Expenses incurred by the Participant or the Participant’s Spouse or Dependents shall be charged against the Participant’s HRA Account.
- d) Medical Care Expenses Exclusions – “Medical Care Expenses” shall not include (1) any other medical care expenses defined in Code § 105 and 213 (d) (including, for example, amounts paid for hospitals bills, doctor bills, dental bills, prescription drugs, laboratory

tests, etc.) unless such amounts are in the form of co-payments or deductibles incurred for the specific types of medical care expenses listed in subsection (b) above, and paid under a Benchmark Plan; (2) health insurance premiums, including but not limited to COBRA premiums, or premiums for individual policies or for any other group health plan (including a plan sponsored by the employer); (3) any other expenses not specifically included in subsection (b) above.

- e) **Cannot Be Reimbursed or Reimbursable from Another Source** –Medical Care Expenses can only be reimbursed to the extent that the Participant or other person incurring the expense is not reimbursed for the expense (nor is the expense reimbursable) through the Benchmark Plan, other insurance, or any other accident or health plan. If only a portion of a Medical Care Expense has been reimbursed elsewhere, the HRA Account can reimburse the remaining portion of such Expense if it otherwise meets the requirements of this Article 6.

6.3 Maximum Benefits

- a) **Annual Maximum Benefits**

- i. **Eligible Employees and Eligible non-Medicare Retirees** – The maximum dollar amount that may be credited annually to an HRA Account for an Eligible Employee or Eligible non-Medicare Retiree having individual coverage in a Benchmark Plan is \$55.00 for the Plan Year from January 1, 2017 through June 30, 2017 and \$110.00 for each of the Plan Years from July 1, 2017 through June 30, 2019. The maximum dollar amount that may be credited annually to an HRA Account for an Eligible Employee or Eligible non-Medicare Retiree having family coverage in a Benchmark Plan is \$165.00 for the Plan Year from January 1, 2017 through June 30, 2017 and \$330.00 for each of the Plan Years from July 1, 2017 through June 30, 2019.

- b) **Supplemental HRA Benefits** – The Employer may make Supplemental HRA Benefits available to eligible participants for the period of July 1, 2017 through June 30, 2019.

- i. **Individual subscribers:** if an individual Plan Participant spends more than \$1,300 out of pocket, including for the deductible and all copays including prescriptions, s/he shall be eligible for up to \$700 reimbursement based on required documents submitted as directed by the Employer by no later than August 31, 2019 for the July 1, 2017 through June 30, 2018 plan year and by August 31, 2019 for the July 1, 2017 through June 30, 2018 plan year.
- ii. **Family subscribers:** if a family Plan Participant spends more than \$2,600 out of pocket, including for the deductible and all copays including prescriptions, s/he shall be eligible for up to \$1,400 reimbursement based on required documents submitted as directed by the Employer by no later than August 31, 2019 for the July 1, 2017 through June 30, 2018 plan year and by August 31, 2019 for the July 1, 2017 through June 30, 2018 plan year.

All such claims shall be submitted in accordance with the procedures and timing requirements outlined in Section 6.6(c).

Reimbursement amounts paid as Supplemental HRA Benefits shall be calculated based on an equitable distribution of available funds and shall be made available to all eligible Participants who submit qualified claim requests in a timely manner. Supplemental HRA Benefits will be paid in a single lump sum following the close of the grace period for filing Plan Year claims, after all other Benefit requests are considered and adjudicated.

- c) No Interest – The HRA Accounts shall not accrue interest.
- f) Nondiscrimination – Reimbursements to Highly Compensated Individuals may be limited or treated as taxable compensation to comply with Code § 105(h), as may be determined by the Administrator in its sole discretion.

6.4 Establishment of Account

The Administrator (or its designee) will establish and maintain an HRA Account with respect to each Participant but will not create a separate fund or otherwise segregate assets for this purpose. The HRA Account so established will merely be a recordkeeping account for the purpose of keeping track of contributions and available reimbursement amounts.

- a) Crediting of Accounts, Eligible Employees, Eligible non-Medicare Retirees – The maximum benefit for Eligible Employees and Eligible non-Medicare Retirees as described in 6.3a)i, whichever shall be credited to Eligible Employees' HRA Account or Eligible non-Medicare Retirees' HRA Account. Said amounts may be credited at various times during the Plan Year to meet Plan obligations.
- b) Debiting of Accounts – A Participant's HRA Account will be debited during each Period of Coverage for any reimbursement of Medical Care Expenses incurred during the Period of Coverage.
- c) Available Amount – The amount available for reimbursement of Medical Care Expenses is the amount credited to the Participant's HRA Account under subsection a) or subsection b) reduced by prior reimbursements debited under subsection c).
- d) No Mid-Year Benefit Amount Changes – The annual maximum benefit shall be a fixed amount set as described in 6.3a)i. There will be no changes made to a Participant's annual maximum benefit amount on account of a change in family status (e.g., marriage, divorce, birth or adoption, etc.) or other life event that occurs mid-year during the Plan Year.

6.5 No Carryover Balances

Any balance that remains available to a Participant's HRA balance for a Period of Coverage after all reimbursements have been made for that Period shall be forfeited. Unused HRA amounts shall not carry over to a subsequent Period of Coverage (but see the discussion of COBRA in Section 6.8).

6.6 Reimbursement Procedure

- a) **Timing** – No later 30 days after receipt by the TPA of a reimbursement claim from a Participant, the TPA will reimburse the Participant for the Participant’s Medical Care Expenses (if the TPA approves the claim), or the TPA will notify the participant that his or her claim has been denied (see Section 7.1 for appeals procedures). This time period may be extended for an additional 15 days for matters beyond the control of the TPA, including in cases where a reimbursement claim is incomplete. The TPA will provide written notice of any extension, including the reasons for the extension, and will allow the Participant 45 days in which to complete an incomplete reimbursement claim.
- b) **Method** – All HRA reimbursements will be made by direct deposit via electronic funds transfers to Participant’s personal bank account. Participant must provide the Plan with direct deposit information to facilitate plan reimbursements.
- c) **Claims Substantiation** – A Participant who seeks Benefits may apply for reimbursement by submitting an application in writing to the TPA in such form as the Administrator or its designee, the TPA, may prescribe, by no later than August 31, 2019 following the close of the Plan in which the Medicare Expense was incurred, setting forth:
 - The person or persons on whose behalf Medical Care Expenses have been reimbursed;
 - The nature and date of the Expenses so incurred;
 - The amount of the requested reimbursement; and
 - A statement that such expenses have not otherwise been reimbursed through any other source. The application shall be accompanied by bills, invoices, or other statements from an independent third party showing the Medical Care Expenses have been incurred and the amounts of such Expenses, together with any additional documentation that the Administrator or the TPA may request.
- d) **Claims Denied** – For reimbursement claims that are denied, see the Appeals Procedures in Article 7.

6.7 Reimbursements After Close of Period Coverage

A Participant will not be able to receive reimbursements for Medical Care Expenses incurred after a Period of Coverage ends from amounts remaining at the close of the immediate prior Period of Coverage.

However, such Participant (or the Participant’s estate) may claim reimbursement for any Medical Care Expenses incurred during the immediately prior Period of Coverage from amounts remaining at the close of that period, provided the Participant (or the Participant’s estate) files a

claim by August 31, 2019 following the close of the Plan during which the Medical Care Expense arose (i.e., the claims “run-out” period).

Following the distribution of Supplemental HRA Benefits as described in 6.3b)i and 6.3b)ii, there may be a remaining balance of funds contributed by the Employer. Any such remaining funds will be distributed to participating Eligible Employees and Eligible non-Medicare Retirees.

6.8 Reimbursements After Termination; COBRA

When a Participant ceases to be a Participant under Section 3.2 as a result of a termination action initiated by the employer, the Participant will not be able to receive reimbursements for Medical Care Expenses incurred after his or her participation terminates unless COBRA is elected (as discussed below). Any Employee, who voluntarily terminates his or her employment with the Employer, will not be eligible to receive reimbursements for Medical Care Expenses incurred after his or her participation terminates even if COBRA is elected.

Such Participant (or the Participant’s estate) may claim reimbursement for any Medical Care Expenses incurred during the Period of Coverage prior to termination of participation, provided that the participant (or the Participant’s estate) files a claim by July 30th following the close of the Plan Year in which the Medical Care Expense arose.

Notwithstanding any provision to the contrary in this Plan, to the extent required by COBRA, a Participant who is an Employee and his or her Spouse and Dependents (Qualified Beneficiaries), whose coverage terminates under the HRA Account because of a COBRA qualifying event, shall be given the opportunity to continue (on a self-pay basis) the same coverage that he or she had under the HRA Account the day before the qualifying event for the period prescribed by COBRA (subject to all conditions and limitations under COBRA). However, in the event that such coverage is modified for all similarly situated non-COBRA Participant’s prior to the date continuation coverage is elected, Qualified Beneficiaries shall be eligible to continue the same coverage that is provided to similarly situated non-COBRA Participants.

Upon satisfactorily meeting the eligibility requirements set forth in Section 3.1(c) (i.e., enrollment in a Rate Saver Plan under COBRA) and enrollment in this Plan for COBRA, Qualified Beneficiaries shall be credited with the maximum annual reimbursement amount that is made available to similarly situated non-COBRA beneficiaries. A premium for continuation coverage shall be payable at such times as are established by the Plan Administrator and permitted by COBRA.

6.9 Compliance with COBRA, HIPAA and Other Laws

Benefits under this Plan shall be provided in compliance with COBRA, HIPAA, FMLA, USERRA and other group health plan laws to the extent required by such laws as those laws may change from time-to-time.

6.10 Coordination of Benefits; HRA to Reimburse First

In general, benefits under this Plan are intended to pay benefits solely for the specified Medical Care Expenses not previously reimbursed or reimbursable elsewhere. To the extent that an otherwise eligible Medical Care Expense is payable or reimbursable from another source, that other source shall pay or reimburse prior payment or reimbursement from this Plan.

However, if the Participant's Medical Care Expenses are covered by both this Plan and by a Health FSA, then in general, this Plan shall pay first. Health FSA funds shall not be used for reimbursement of such Medical Care Expenses until it becomes known, on an individual expense basis, that no further reimbursement for a particular co-payment expense(s) is available under this Plan. In that event, Health FSA funds may be used to reimburse the remaining balance of that expense(s).

ARTICLE 7 APPEALS PROCEDURE

7.1 Procedure If Benefits Denied Under This Plan

If a claim for benefits under this Plan is wholly or partially denied, the Plan's TPA shall notify the Participant in writing within 30 days of receipt of a properly filed complete claim. This written notice will include the reason for the denial, notify the participant regarding the procedures for appealing the adverse decision, and where applicable, provide a brief description of any additional material or information that would be necessary to perfect the claim.

The Plan's TPA shall provide all Participants with the opportunity for denied claims to be reconsidered upon appeal. The Plan's TPA shall act on behalf of the Administrator with respect to all claim appeals. Any claims appeal must be made in writing, within 60 days of the date of denial, and shall be sent to the Plan's TPA (or if none, to the Administrator) at the address below:

Town of Wayland HRA Plan
C/o Sentinel Benefits & Financial Group
100 Quannapowitt Parkway
Suite 300
Wakefield, MA 01880

The Plan's TPA shall notify the Participant regarding the outcome of the appeal, in writing, within 30 days after receiving a properly filed and complete claim appeal. This written notice shall include the reason that the appeal was denied.

The Plan's TPA decision regarding the outcome of all claim appeals shall be final. The Plan grants the Plan's TPA full discretionary authority to make all final determinations of any denied claims submitted for appeal by any Participant.

ARTICLE 8 RECORDKEEPING AND ADMINISTRATION

8.1 Administrator

The administration of this Plan shall be under the supervision of the Administrator. It is the principal duty of the Administrator to see that this Plan is carried out, in accordance with its terms, for the exclusive benefit of persons entitled to participate in this Plan without discriminating among them with the exception as to whether such Employee participates in a family plan or individual plan.

8.2 Powers of the Administrator

The Administrator shall have such duties and powers as it considers necessary or appropriate to discharge its duties. The Administrator shall have the exclusive right to interpret the Plan and to decide all matters thereunder and all determinations of the Administrator with respect to any matter hereunder shall be conclusive and binding on all persons. Without limiting the generality of the foregoing, the Administrator shall have the following discretionary authority:

- a) To construe and interpret this Plan, including all possible ambiguities, inconsistencies and omissions in the Plan and related documents, and to decide all questions of fact, questions relating to eligibility and participation, and questions of benefits under this Plan (provided that, notwithstanding the first paragraph in this Section 8.2, the Committee shall exercise such exclusive power with respect to any appeal of a claim under Section 7.1);
- b) to prescribe procedures to be followed and the forms to be used by Participants to enroll in and submit claims pursuant to this Plan;
- c) to prepare and distribute information explaining this Plan and the benefits under this Plan in such a manner as the Administrator determines to be appropriate;
- d) to request and receive from all Participants such information as the Administrator shall from time to time determine to be necessary for the proper administration of this Plan;

- e) to furnish each Participant with such reports with respect to the administration of this Plan as the Administrator determines to be reasonable and appropriate;
- f) to receive, review and keep on file such reports and information concerning the benefits covered by this Plan as the Administrator determines from time to time to be necessary and proper;
- g) to appoint and employ such individuals or entities to assist in the administration of this Plan as it determines to be necessary or advisable, including legal counsel and benefits consultants;
- h) to sign documents for the purpose of administering this Plan, or to designate an individual or individuals to sign documents for the purposes of administering this Plan;
- i) to secure independent medical or other advice and require such evidence as it deems necessary to decide any claim or appeal; and
- j) to maintain the books of accounts, records, and other data in the manner necessary for proper administration of this Plan and to meet any applicable disclosure and reporting requirements.

8.3 Reliance on Participant, Tables etc.

The Administrator may rely upon the information submitted by a Participant as being proper under the Plan and shall not be responsible for any act or failure to act because of a direction or lack of direction by a Participant. The Administrator will also be entitled, to the extent permitted by law, to rely conclusively on all tables, valuations, certificates, opinions and reports that are furnished by accountants, attorneys, or other experts employed or engaged by the Administrator.

8.4 Provision for Third-Party Plan Service Providers

The Administrator, subject to approval by the Employer, may employ the services of such persons it may deem necessary or desirable in connection with the operation of the Plan. Unless otherwise provided in the service agreement, obligations under this Plan shall remain the obligation of the Employer.

8.5 Fiduciary Liability

To the extent permitted by law, the Administrator shall not incur any liability for any acts or for failure to act except for their own willful misconduct or willful breach of this Plan.

8.6 Compensation of Plan Administrator

Unless otherwise determined by the Employer and permitted by law, any Administrator who is also an Employee of the Employer shall serve without compensation for services rendered in such a capacity, but all reasonable expenses incurred in the performance of their duties shall be paid by the Employer.

8.7 Insurance Contracts

The Employer shall have the right (a) to enter into a contract with one or more insurance companies for the purpose of providing any Benefits under the Plan; and (b) to replace any of such insurance companies or contracts. Any dividends, retroactive rate adjustments or other refunds of any type that may become payable under any such insurance contract shall not be assets of the Plan but shall be the property of, and be retained by, the Employer, to the extent that such amounts are less than aggregate Employer contributions toward such insurance.

8.8 Inability to Locate Payee

If the Administrator or its designee is unable to make payment to any Participant or other person to whom a payment is due under the Plan because it cannot ascertain the identity or whereabouts of such Participant or other person after reasonable efforts have been made to identify or locate such person, then such payment and all subsequent payments otherwise due to such Participant or other person shall be forfeited following a reasonable time after the date that any such payment first became due. Reasonable effort shall be 7 calendar days mail addressed to the Employee's/Retiree's residence as listed in the Employee's/Retiree's records.

8.9 Effects of Mistake

In the event of a mistake as to the eligibility or participation of an Employee or Retiree, or the allocations made to the account of any Participant, or the amount of benefits paid or to be paid to a Participant or other person, the Administrator shall, to the extent that it deems administratively possible and permissible under Code § 105, the regulations issued thereunder or other applicable law, cause to be allocated or cause to be withheld or accelerated, or otherwise make adjustment of, such amounts as it will in its judgment to which he or she is properly entitled under the Plan. Such action by the Administrator may include withholding of any amounts due to the Plan or the Employer from Compensation paid by the Employer to an Employee or Retiree.

ARTICLE 9 HIPAA PROVISIONS

9.1 Use of Protected Health Information

The Plan will use and disclose protected health information (PHI), as defined in 45 C.F.R. Parts 160 and 164, to the extent of and in accordance with the uses and disclosures permitted by the privacy regulations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Specifically, the Plan will use and disclose PHI for purposes related to payment for health care and health care operations as defined in the Plan's HIPAA Privacy Notice.

The "Plan Sponsor" is the Town of Wayland. The Plan will disclose PHI to the Plan Sponsor only in accordance with the provisions below.

9.2 Plan Sponsor Obligations with Respect to PHI

With respect to PHI, the Plan Sponsor agrees to:

- a) Not use or disclose PHI other than as permitted or required by the Plan or as required by law;
- b) Ensure that any agents, including a subcontractor, to whom the Plan Sponsor provides PHI received from the Plan agree to the same restrictions and conditions that apply to the Plan Sponsor with respect to such information;
- c) Not to use or disclose PHI for employment related actions and decisions unless authorized by an individual;
- d) Not to use or disclose PHI in connection with any other benefit or employee benefit plan of the Plan Sponsor or employer unless authorized by an individual;
- e) Report to the Plan any PHI use or disclosure of information that is inconsistent with the uses and disclosures provided for of which it becomes aware;
- f) Make PHI available to an individual in accordance with HIPAA's access requirements;
- g) Make PHI available for amendment and incorporate any amendments to PHI in accordance with HIPAA;
- h) Make available the information required to provide an accounting of disclosures;
- i) Make internal practices, books and records relating to the use and disclosure of PHI received from the Plan available to the HHS Secretary for the purposes of determining the Plan's compliance with HIPAA; and
- j) If feasible, return or destroy all PHI received from the Plan that the Plan Sponsor still maintains in any form and retain no copies of such information when no longer needed for the purpose for which disclosure was made. If return or destruction is not feasible, limit further uses and disclosures to those purposes that make the return or destruction infeasible.

9.3 Plan Sponsor's Access to PHI

In accordance with HIPAA, only the following employees or classes of employees listed below may be given access to PHI:

- The Assistant Town Administrator/HR Director and the Benefits Coordinator and the TPA.

These persons may use and disclose PHI only for Plan administration functions that the Plan Sponsor performs. If the persons described herein or any other employees do not comply with the Plan's guidelines, the Plan Sponsor shall provide a mechanism for resolving issues of noncompliance, including disciplinary sanctions. The Plan Sponsor shall cooperate with the Plan to correct and mitigate any such noncompliance.

9.4 Security of Electronic PHI

With regards to the security of electronic PHI (ePHI), the Plan Sponsor will:

- a) Implement administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality, integrity and availability of ePHI that it creates, receives, maintains, or transmits on behalf of the group health plan;
- b) Ensures that the adequate separation discussed above, specific to ePHI, is supported by reasonable and appropriate security measures;
- c) Ensures that any agent, including a subcontractor, to whom it provides ePHI agrees to implement reasonable and appropriate security measures to protect the ePHI; and
- d) Report to the Plan any security incident of which it becomes aware concerning ePHI.

ARTICLE 10 GENERAL PROVISIONS

10.1 Expenses

All reasonable expenses incurred in administering the Plan are paid by the employer.

10.2 No Contract of Employment

Nothing herein contained is intended to be or shall be construed as constituting a contract or other arrangement between any Employee and the Employer to the effect that such person will be employed for any specific period of time. All Employees are considered to be employed at the will of the Employer.

10.3 Sunset Clause, Plan Amendment and Termination

The Town of Wayland HRA will not reimburse any Medical Care Expenses incurred by Participants, their Spouses, or their Dependents after June 30, 2019. Following the expiration of the 2019 Plan Year claims run out period on August 31, 2019, the Plan will cease to exist unless the specific action is taken by the Town of Wayland to extend the plan in either its current or an amended state.

10.4 Governing Law

This Plan shall be construed, administered and enforced according to the laws of the Commonwealth of Massachusetts, to the extent not superseded by the Code or any other federal law.

10.5 Code Compliance

It is intended that this Plan meet all applicable requirements of the Code and of all regulations issued thereunder. This Plan shall be construed, operated and administered accordingly, and in the event of any conflict between any part, clause or provision of this Plan and the Code, the Code shall be deemed controlling, and any conflicting part, clause or provision of this Plan shall be deemed superseded to the extent of the conflict.

10.6 No Guarantee of Tax Computation

Neither the Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant under this plan will be excludable from the Participant's gross income for federal, state or local income tax purposes. It shall be the obligation of each Participant to determine whether each payment under this Plan is excludable from the Participant's gross income for federal, state and local income tax purposes, and to notify the Administrator if the Participant has any reason to believe that such payment is not so excludable. Employees are responsible for paying all federal, state or local tax obligation, if any.

10.7 Non-Assignability of Rights

The right of any Participant to receive any reimbursement under this Plan shall not be alienable by the Participant by assignment or any other method and shall not be subject to claims by the Participant's creditors by any process whatsoever. Any attempt to cause such right to be subjected will not be recognized, except to such extent as may be required by law.

10.8 Headings

The headings of the various Articles and Sections (but not subsections) are inserted for convenience of reference and are not to be regarded as part of this Plan or as indicating or controlling the meaning or construction of any provision.

10.9 Plan Provisions Controlling

In the event that the terms or provisions of any summary or description of this Plan, or of any other instrument, are in any construction interpreted as being in conflict with the provisions of this Plan as set forth in this document, the provisions of this Plan shall be controlling.

10.10 Severability

Should any part of this Plan subsequently be invalidated by a court of competent jurisdiction, the remainder of the Plan shall be given effect to the maximum extent possible.

DATE: NOVEMBER 30, 2016
TO: BOARD OF SELECTMEN
FROM: ZOE PIERCE, TREASURER COLLECTOR
RE: INTERFUND BORROWING FOR PURCHASE OF 107 OLD SUDBURY ROAD

REQUESTED ACTION:

VOTE TO AUTHORIZE INTER-FUND BORROWING BY THE TREASURER FROM GENERAL FUND TO WATER ENTERPRISE FUND IN THE AMOUNT OF \$500,000 TO PURCHASE 107 OLD SUDBURY ROAD AS AUTHORIZED BY SPECIAL TOWN MEETING ARTICLE 8 AND TO EXECUTE ADVANCE OF FUNDS IN LIEU OF BORROWING REPORT

BACKGROUND:

At the Special Town Meeting held on November 15, 2016, the Town voted to purchase the property at 107 Old Sudbury Road for water resource protection. The Town voted to appropriate the necessary funds, \$500,000, through Water Enterprise borrowing.

At this time, the projected date for the closing of this transaction is December 15, 2016. Because the Town traditionally borrows in February of any given year, it will be necessary to finance this project with short-term borrowed funds.

Recommendation:

The Water Enterprise Fund should borrow funds from the General Fund, repaying the loan when the February borrowing takes place.

Attached is the following:

Copy of Official Form: Advance of Funds in Lieu of Borrowing Report; DOR regulations

DiNapoli, MaryAnn

From: Laurel Whitehouse <laurel.whitehouse@gmail.com>
Sent: Friday, November 25, 2016 5:07 PM
To: DiNapoli, MaryAnn
Subject: Eagle Scout Commendations

Hi MaryAnn,

I am writing to request letters of commendation for the following five new Eagle Scouts in the Troop 1 Cochituate Boy Scouts:

1. **John Henry Broderick IV**
2. **Matthew Anthony Ludwig**
3. **Henry Mitchell Rice**
4. **Richard Sabbatino Ravosa III**
5. **Alexander Valente Torres**

John improved signage on the single-stream recycling bins and painted the book swap shed at the town transfer station. Matthew cleared brush and built an informational kiosk at the Greenways conservation area trailhead. Henry created a wheelchair access ramp and removed brush at Rowan Fields conservation area. Richard cleared an overgrown garden area and painted a large storage shed and various railings at the town transfer station. Alexander built a much-needed welcome station to house gate guards at the town beach.

Thank you for your help on this,

Laurel Whitehouse
Troop 1 Cochituate Advancement Coordinator



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

**LIST OF PUBLIC DOCUMENTS PROVIDED TO THE
BOARD OF SELECTMEN FROM NOVEMBER 18, 2016,
THROUGH AND INCLUDING DECEMBER 1, 2016,
OTHERWISE NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR DECEMBER 5, 2016**

Items Distributed To the Board of Selectmen –November 18-December 1, 2016

1. Email of 11/17/16 from Selectmen's Office to the Board of Selectmen re: Website Notice of Board of Assessors Presentation at the Meeting of November 21, 2016, and Posting of Tax Rate Recapitulation
2. Email of 11/22/16 from Selectmen's Office to the Board of Selectmen re: 2017 Massachusetts Municipal Association Annual Meeting and Trade Show

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of November 21, 2016

1. Memorandum of 11/21/16 from Ellen Brideau, Director of Assessing, to Board of Selectmen re: Tax Classification Hearing, Vote and Signing of LA5 Documents
2. Plan of Land in Wayland Massachusetts showing Jurisdictional Boundaries at the Highway Garage
3. Free Cash Analysis, Five-Year Project, November 21, 2016, from Finance Director Brian Keveny
4. Email of 11/21/16 from Mike Lowery, Board of Public Works, to Board of Selectmen, re: Comments on Pole Location Hearing for Grant of Location for Mobilitie LLC
5. Email of 11/21/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Approve Contract with KP Law to Serve as Wayland Town Counsel, and Appoint Mark Lanza Special Counsel
6. Mobilitie MM Photos, provided by Mobilitie LLC, "Small Cells in the Wild"

Items Included as Part of Agenda Packet for Discussion During the December 5, 2016 Board of Selectmen's Meeting

1. Memorandum of 12/5/16 from Nan Balmer, Town Administrator, to Board of Selectmen re: FY18 Budget
2. Notice of Hearing, 11/14/16, to The Local Restaurant, with Procedure for Liquor License Hearing and Police Incident Report
3. Memorandum of 12/2/16 to Board of Selectmen re: Appointment to Historical Commission
4. Memorandum of 12/5/16 to Board of Selectmen re: 2017 Licensing
5. Memorandum of 12/5/16 from Board of Selectmen to All Boards, Committees, Commissions, Departments and Staff re: Vote to Open Annual Town Meeting and Election Warrants
6. Draft Minutes of November 7, 2016, and November 15, 2016
7. Report of the Town Administrator for the Week Ending December 2, 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, December 5, 2016
Selectmen's Meeting Room
Wayland Town Building
41 Cochituate Road Wayland

CORRESPONDENCE

Selectmen

1. Public Comment, 11/26/16, Email from Jeffrey L. Ontell, Esq., in the Board of Selectmen Packet November 21, 2016, on the Topic of the Legal Doctrine of Cy-Près and its Possible Application to the Resale or Reuse of the Current Library Building
2. Public Comment, 11/20/16, Update, Wayland's Water Supply Continued to Decline: 2011 through 2016, and Response of 12/1/16 from Don Millette, Water Superintendent
3. KP Law: The Regulation and Taxation of Marijuana Act, A Guide to the New Law Legalizing Recreation Use of Marijuana

Minutes

4. Finance Committee, September 12, 2016, October 17, 2016, October 24, 2016, November 7, 2016
5. Historic District Commission, September 22, 2016, October 20, 2016
6. Personnel Board, October 19, 2016

State

7. Letter of 11/17/16 from Massachusetts Historical Commission to the National Register of Historic Places, Washington DC, re: Nomination of Stone's Bridge
8. Letter of 11/18/16 from the Massachusetts Municipal Association re: 2017 Annual Meeting and Trade Show, January 20-21, 2017



DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, November 30, 2016 4:42 PM
To: DiNapoli, MaryAnn
Subject: FW: Email from Jeffrey L Ontell, Esq to you in the BOS packet NOV 21 2016 on the topic of the legal doctrine of cy-près and its possible application to the resale or reuse of the current library building.
Attachments: Special Counsel Pages from BOS 20161121Pkt.pdf

Correspondence

From: Mike Lowery [<mailto:lowery.mike@gmail.com>]
Sent: Saturday, November 26, 2016 10:58 AM
To: Balmer, Nan; Karlson, Cherry
Cc: Aida Gennis; Tom Fay
Subject: Email from Jeffrey L Ontell, Esq to you in the BOS packet NOV 21 2016 on the topic of the legal doctrine of cy-près and its possible application to the resale or reuse of the current library building.

Ms. Balmer & Selectmen:

In attorney Ontell's email, assuming Mr. Roby's will and estate have created a public trust, he contemplates whether the legal doctrine of *cy-près* might be used as a means to enable the town to sell or re-purpose the Wayland Free Public Library building at 5 Concord Road.

A layman's description of this doctrine from https://en.wikipedia.org/wiki/Cy-pr%C3%A8s_doctrine :

When the original objective of the settlor or the testator became impossible, impracticable, or illegal to perform, the cy-près doctrine allows the court to amend the terms of the charitable trust as closely as possible to the original intention of the testator or settlor to prevent the trust from failing.

Since our current library is functioning today as a public library it is difficult to imagine how it would be "difficult, impracticable, or illegal" for that use to continue.

The Library Board of Trustees has now obtained both an opinion from town counsel, and an opinion from special counsel that sale or reuse is problematic.

Since there is no state grant in-hand, and no town meeting authorization to proceed and since the applicability of this doctrine is doubtful indeed, any further spending now to research the applicability of this doctrine in Wayland's circumstances would be wasteful.

The likelihood of litigation to prevent reuse or 'sale to a developer' would not be diminished by further casting about for a more circuitous and favorable opinion.

Wayland's money would be best conserved until after a grant has been received, after a town meeting vote obtained, and after an actual legal challenge to the a sale or reuse has been mounted.

Mike Lowery
written personally

120 Lakeshore Drive
Cohituate, MA 01778
508-397-8828

2

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Wednesday, November 30, 2016 7:19 PM
To: DiNapoli, MaryAnn
Subject: Fwd: Update - Wayland's water supply continued to decline: 2011 through 2016
Attachments: Letter to Wayland BoS re water shortage- 11.29.2016.pdf; ATT00001.htm; Wayland aquifer water level - USGS 2011 through 2016 update - 11.29.2016.xlsx; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: Mark Hays <markallenhays@gmail.com>
Date: November 30, 2016 at 7:12:29 PM EST
To: "Karlson, Cherry" <ckarlson@wayland.ma.us>, "Lea@Anderson.name" <Lea@anderson.name>, "Jurist, Louis" <ljurist@wayland.ma.us>, "Nolan, Joseph F." <jnolan@wayland.ma.us>, "Antes, Mary" <mantes@wayland.ma.us>
Cc: "Balmer, Nan" <nbalmer@wayland.ma.us>, "Senchyshyn, John" <JSenchyshyn@wayland.ma.us>
Subject: Update - Wayland's water supply continued to decline: 2011 through 2016

Dear members of the Board of Selectmen:

I downloaded the last few months of data from the USGS, which show that the steady decline continued in the aquifer that supplies Wayland wells. Attached is a letter and a copy of the Excel spreadsheet with graphs and data.

In addition, MA DEP granted more than \$million to Framingham to restart wells that will pull water from the same declining aquifer. See:

www.metrowestdailynews.com/article/20160106/NEWS/160107768

This makes no sense, and will increase costs for surrounding towns / cities like Wayland as they are forced to drill deeper wells. In the year that these new Framingham wells go online, this could also lead to dry wells and water emergencies in neighboring towns -- as the summer 'low' plummets even further.

Action is clearly needed.

Mark Hays

Wayland's Dwindling Water Supply – November 2016 Update

To: Wayland Board of Selectmen

From: Mark Hays

Cell: 508.661 9733

Email: MarkAllenHays@Gmail.com (best bet)

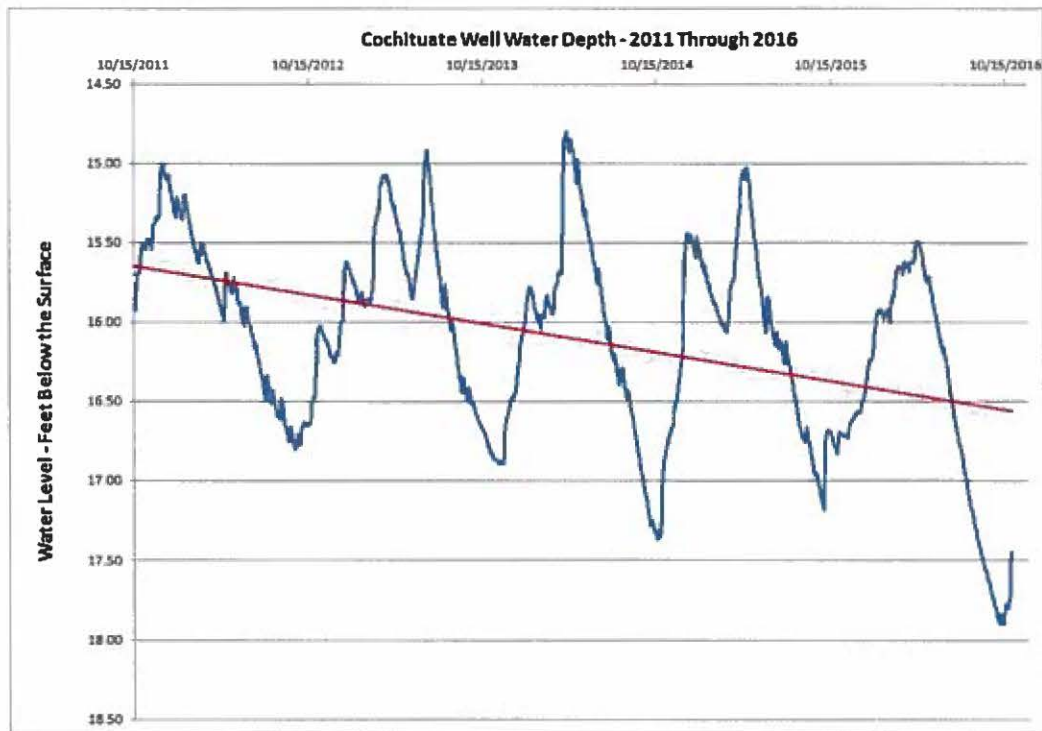
Date: 30 November, 2016

Dear members of the Wayland Board of Selectmen:

The latest data from the US Geological Survey monitoring well near Lake Cochituate shows that the decline in our aquifer continued through 2016:

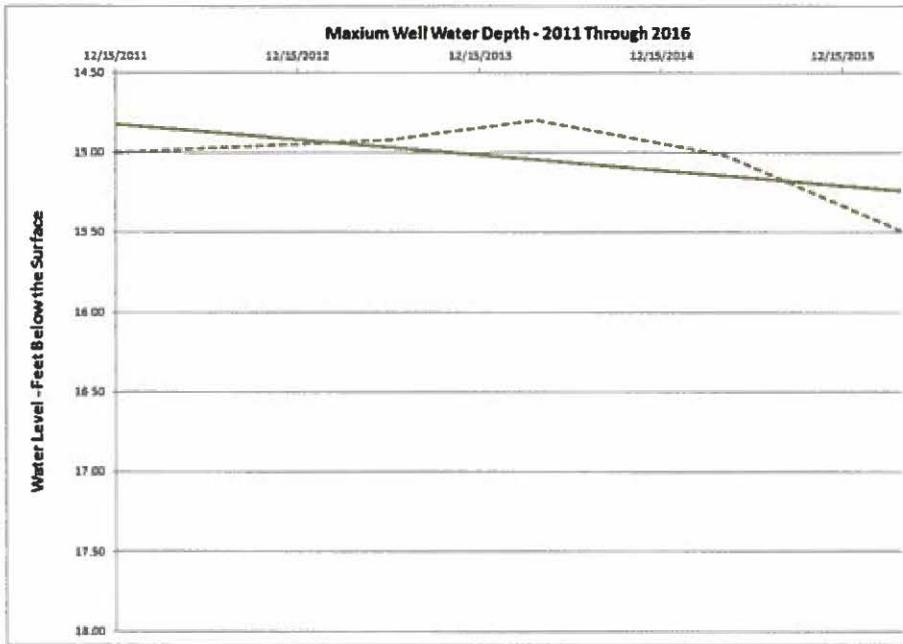
1. Water levels in our aquifer are steadily dropping

The US Geological Survey (USGS) maintains a monitoring well near Lake Cochituate to track ground water. USGS data from this well shows that the average water level declined steadily from 2011 through 2016:



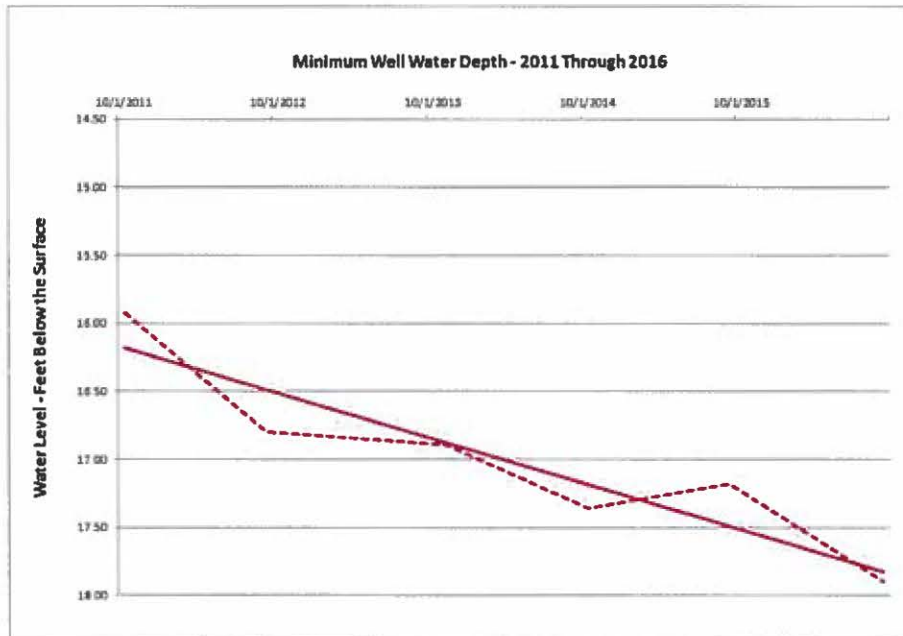
2. The maximum water level is steadily declining

The annual cycle of rain / snow replenishes our aquifer, but the maximum level has been steadily declining:



3. The minimum water level is steadily declining:

Over the summer the aquifer level declines as people and companies consume water and water their lawns, flower beds, golf course etc. The “minimum low” has declined at a faster rate. This is particularly important because a dry well is an emergency. There is no way to quickly drill a deeper well to find water.



4. Water shortages affect Wayland's fire department and homeowners

As water supplies decline, Wayland fire hydrants may not be able to deliver the volume of water our fire department needs if they rush to your home to put down a fire.

5. Water shortages (should) affect development

If Wayland does not have enough water to support our existing residents, and aquifer levels are steadily dropping, how can we add new developments with hundreds of new residents? This is a common issue in the Western US, where limited water limits development. You need to seriously consider this factor when you review new development plans in Wayland.

6. What can Wayland do?

We need to start the conversation in Wayland that western states struggled with for years. Wayland can leverage decades of work and tested solutions; we do not have to start from scratch. For example, the Wayland Board of Selectmen could pass a regulation requiring low-flow shower heads, toilets and faucets – the Big Three that consume over 50% of the water in every Wayland home. This is a proven solution that will save money for Wayland homeowners.

The Board of Selectmen can also use well-vetted regulations drafted by other cities, e.g. Los Angeles and New York City, which Wayland can simply copy and edit to match our community.

7. What have you done?

What has the Wayland Board of Selectmen done to address this critical problem?

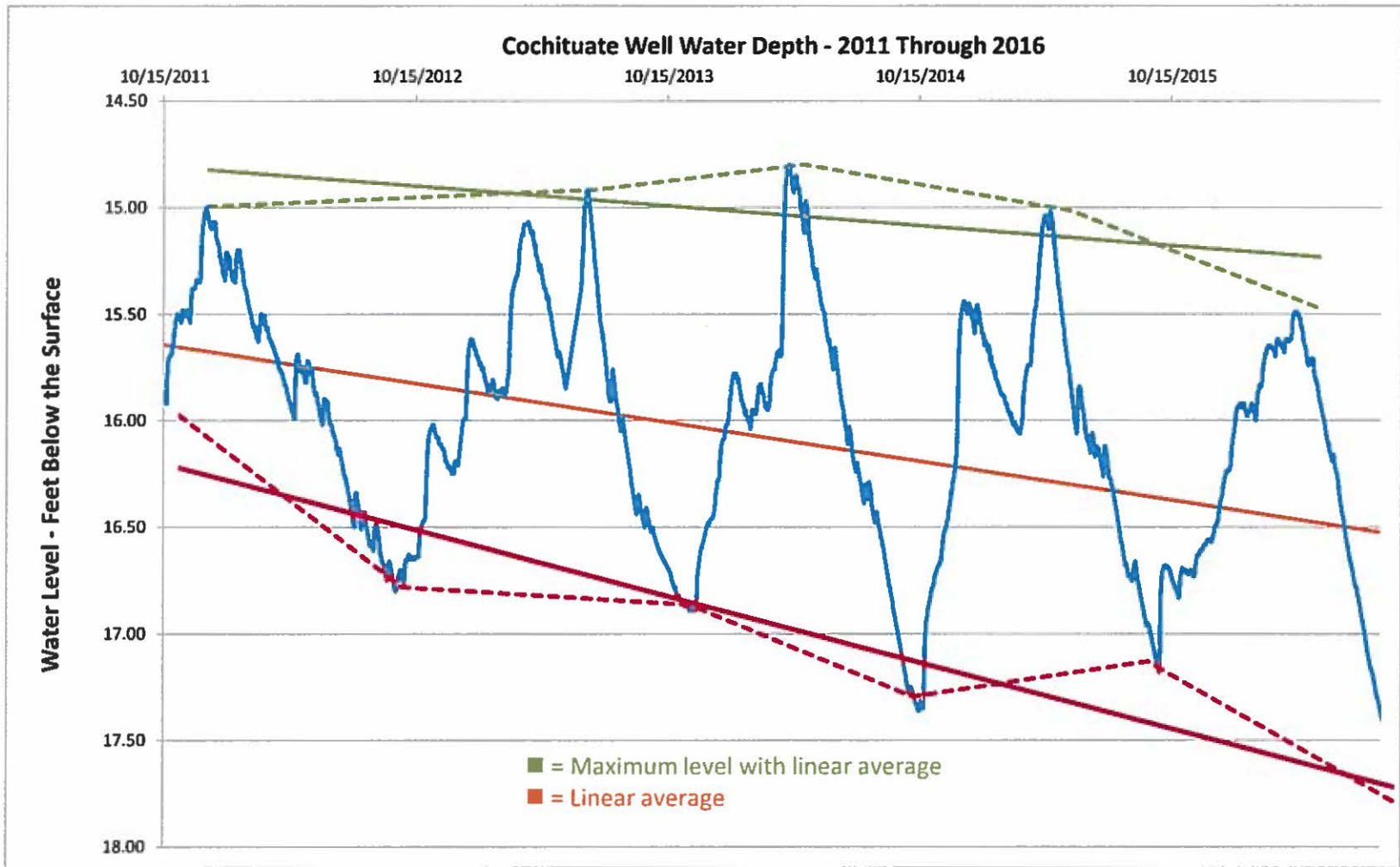
Delay is a bad option. The hard reality of dry wells in Wayland should be in the back of our minds, as we debate this problem.

A copy of the Excel spreadsheet with the USGS data is attached.

Mark Hays

USGS Cochituate Well Data - Water Levels and Trends from October 2011 Through November, 2016

Notes: Based on the data from the 'Daily data' sheet



USGS Cochituate Well Data - Maximum and Minimum Levels From 2011 Through 2016

Notes: The date of the max and min level varies significantly from year to year.

Minimums	Year	Feet below the surface	
	2011	10/19/2011	15.92
	2012	9/16/2012	16.80
	2013	11/17/2013	16.89
	2014	10/15/2014	17.36
	2015	9/29/2015	17.18
	2016	9/30/2016	17.9

Maximums	Year	Feet below the surface	
	2011	12/15/2011	15.00
	2012		
	2013	6/19/2013	14.92
	2014	4/8/2014	14.80
	2015	4/22/2015	15.02
	2016	4/11/2016	15.49

This was the max through 2012

The level declined through the spring of 2012

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Thursday, December 01, 2016 10:40 AM
To: DiNapoli, MaryAnn
Subject: Fwd: Update - Wayland's water supply continued to decline: 2011 through 2016
Attachments: Letter to Wayland BoS re water shortage- 11.29.2016.pdf; ATT00001.htm; Wayland aquifer water level - USGS 2011 through 2016 update - 11.29.2016.xlsx; ATT00002.htm

Correspondence

Sent from my iPhone

Begin forwarded message:

From: "Millette, Don" <dmillette@wayland.ma.us>
Date: December 1, 2016 at 9:10:39 AM EST
To: "Balmer, Nan" <nbalmer@wayland.ma.us>, "Lindeman, Michael" <mlindeman@wayland.ma.us>
Cc: "cbrown93@comcast.net" <cbrown93@comcast.net>
Subject: Re: Update - Wayland's water supply continued to decline: 2011 through 2016

Good Morning Nan,

Mr. Hays and I have been in communication for the past several months. The Water Division is currently working to gather the information from our computer control system to compare with the graphs that Mr. Hays provided. Our system currently gathers the well level data and displays it daily, but it does not have a screen that can graph that information in a comparable or historical way. We will have a solution to this issue in the next few weeks.

That being said, Mr. Hays is correct in saying that the aquifer levels are lower than normal. Based on the last Drought Management Taskforce Update that we received on November 22nd, the entire State (minus the Cape and the Islands) remains in a Drought Warning. Despite the rain we received over the past few days, we are still over 8 inches below the normal rainfall we receive in a year. As a result, our Water Conservation Restrictions are still in place.

Mr. Hays asked the question, "What have you done?". The answer to that question is very involved. We are expecting to receive our new 20 Year Water Withdrawal Permit sometime in the spring of 2017. All of the issues that Mr. Hays brought up in his letter will be addressed in our new Withdrawal Permit. This new permit will have updated water conservation guidelines that go above and beyond anything that we currently have in our bylaws and our current best

management practices. We have an idea of what these will be, but each permit will be written specifically for each water system. Our permit will most likely be different from any Town around us. From a Water Conservation standpoint, we are waiting to see what the permit looks like before investing in a program that may not be accepted by MassDEP.

On the topic of the Framingham Birch Road Wells, I have been following the progress of the redevelopment very closely. Last month, I reached out to our contact at DEP to get an update. He told me that funds were allocated toward the project earlier this year, but to date MassDEP has not received any paperwork from Framingham to move forward with the project.

Please let me know if anyone has questions or wants me to expand on anything.

Don Millette

Water Superintendent

Wayland DPW

office 508-358-3699

fax 508-358-5325

KP | LAW

The Leader in Public Sector Law

THE REGULATION AND TAXATION OF MARIJUANA ACT *A GUIDE TO THE NEW LAW LEGALIZING RECREATIONAL USE OF MARIJUANA*

On November 8, 2016, Massachusetts voters approved Question 4 legalizing the recreational use of marijuana. Implementation of the Act is generating significant questions at state and local levels. The Act contains inconsistencies and outright contradictions. In particular, questions and concerns have been raised regarding the timeline for implementation, enforcement, local control, regulation of marijuana products produced by personal growers, amount of the tax, and additional matters. It is not certain whether or when the General Court may address these issues. Responding to numerous questions from local officials, we have summarized the Act's provisions regarding the implementation timeline, personal use of marijuana, licensing of recreational marijuana establishments, local control mechanisms, and employment implications.

CURRENT TIMELINE	
DECEMBER 15, 2016 Effective Date of Law/ Personal Recreational Growing and Use Allowed	"Personal use" of marijuana will be legal for a person at least 21 years old. General Laws c. 94G, §7 provides that individuals, but not businesses, will be permitted to engage in a range of activities as outlined below.
SEPTEMBER 15, 2017 Deadline for CCC to Adopt "Initial Regulations"	The Act creates a three-member Cannabis Control Commission ("CCC") to be appointed by and under the jurisdiction of the State Treasurer. The CCC will regulate and issue licenses for recreational marijuana establishments, but not for medical marijuana establishments, regulated by the Department of Public Health.
OCTOBER 1, 2017 Applications Filed with CCC for Various Specific Licenses	The number of available licenses is limited and the filing of certain applications is staged over the course of the next three years.
JANUARY 1, 2018 Deadline for Final Regulations, or "Default"	If the CCC has <u>not</u> adopted regulations, "each medical marijuana treatment center" may begin to "possess, cultivate, or otherwise obtain marijuana and marijuana products and may deliver, sell or otherwise transfer" to anyone over the age of 21. If regulations <u>are</u> timely adopted, the CCC will issue licenses within 90 days after applications are received on or after October 1, 2017, to qualified establishments.

PERSONAL USE OF MARIJUANA

- The Act authorizes persons 21 years of age or older to possess, use, purchase, process or manufacture one ounce or less of marijuana, of which not more than five grams can be in the form of marijuana concentrate.
- Within a person's "primary residence", a person may possess up to 10 ounces of marijuana and any marijuana produced on the premises for personal use by not more than six marijuana plants. If there is more than one grower at the residence, there may be up to 12 plants cultivated on the premises.
- A person may give away or transfer without "remuneration" to a person age 21 years or older up to one ounce of marijuana, of which no more than five grams may be in the form of marijuana concentrate, provided that such transfer is not advertised or promoted to the "public".
- A person 21 years of age or older may also possess or manufacture marijuana accessories or sell such accessories to a person 21 years of age or older.

LOCAL CONTROL

The Act defines a "marijuana establishment" to include, "a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business", and authorizes certain types of "local control".

Ordinances and Bylaws Regulating Time, Place and Manner

The Act provides that municipalities may adopt ordinances or bylaws regulating the time, place and manner of operations of marijuana establishments, provided that such ordinances or bylaws are not "unreasonably impracticable" and do not otherwise conflict with the Act. Standard practices for adoption of ordinances or bylaws will apply.

Further Regulation - Bylaws and Ordinances/Local Ballot Questions

The Act also authorizes imposition by "ordinance or bylaw by a vote of the voters of that city or town" of additional limitations on recreational marijuana establishments. The use of the phrase "by a vote of the voters of that city or town" typically requires a vote at an election, whereas the adoption of an ordinance or bylaw occurs by vote of the local legislative body (city or town council or town meeting). In our opinion, given this reference to voters, rules of statutory construction suggest that any attempt to approve an ordinance or bylaw, requires approval by the voters of the municipality at an election.

The topics that may be regulated under this section are as follows:

- prohibiting the operation of one or more types of marijuana establishments within the municipality;
- limiting the number of marijuana retailers to fewer than 20 per cent of the number of licenses issued within the municipality for the retail sale of alcoholic beverages not to be drunk on the premises where sold under chapter 138 of the General Laws; or
- limiting the number of any type of marijuana establishment to fewer than the number of medical marijuana treatment centers registered to engage in the same type of activity in the town.

The reference to “one or more types of marijuana establishments”, in our opinion, can be read to allow a municipality to ban marijuana establishments within its borders. However, this language is subject to interpretation, and may be addressed in the CCC regulations.

Under the laws generally governing elections, no question may appear on the ballot unless specifically authorized by law. While the form of the question is typically included in the authorizing law, the Act does not do so. For your information, pursuant to G.L. c.54, §42C, the Board of Selectmen must vote to put the question on the ballot and provide notice to the Town Clerk no less than 35 days prior to the date of the election.

Petition for Question on State Ballot to Permit Marijuana “Cafés”

The Act provides that municipalities may, upon petition of not fewer than 10 percent of the number of the voters of the city or town voting at the state election preceding the filing of the petition, present to the voters of the city or town at the next state election the question of whether it will allow the consumption of marijuana and marijuana products on the premises where they are sold (i.e., so-called marijuana “cafés”). There is no timeline provided in the law for this type of petition, although it is reasonable to anticipate that any such request must be filed with the Secretary of the Commonwealth no later than the first Wednesday in August.

Regulation Prohibited or Strictly Limited

A municipality may not adopt an ordinance or bylaw prohibiting the transportation of marijuana or marijuana products or making such transportation “unreasonably impracticable”.

Similarly, a municipality may not adopt an ordinance or bylaw prohibiting an establishment that “cultivates, manufactures or sells marijuana products in any area in which a medical marijuana treatment center is registered to engage in the same type of activity”. [Emphasis added]. The Act contains no definition of “area”.

The Act provides that no agreement between a municipality and a marijuana establishment may contain a payment that is not “directly proportional and reasonably related” to the costs imposed on the municipality by the operation of the recreational marijuana establishment.

Zoning Moratoria

Municipalities have asked about the ability to adopt a zoning bylaw or ordinance establishing a moratorium on the locating of recreational marijuana establishments to allow time to study the issue and develop appropriate bylaws and ordinances. We expect the Attorney General will likely approve a moratorium for one year, consistent with those approved for medical marijuana and other moratoria. For municipalities with registered medical marijuana facilities, however, a moratorium may not be effective in preventing a recreational marijuana establishment “in any area” in which a medical marijuana treatment center is registered to engage in the same type of activity.

Municipalities may wish to start planning in anticipation of annual town meetings and spring and fall elections. Discussions might include whether or not to adopt ordinances or bylaws regulating time, place and manner issues, including moratoria, or to place questions before the voters relative to limitations on the type or number of recreational marijuana establishments that may be located in the municipality.

EMPLOYMENT ISSUES

The new law may also have significant implications for public employers. The relevant portion of the law provides, "This chapter shall not require an employer to permit or accommodate conduct otherwise allowed by this chapter in the workplace and shall not affect the authority of employers to enact and enforce workplace policies restricting the consumption of marijuana by employees."

Thus, despite the legalization in Massachusetts of the personal use of marijuana, public employers may continue to prohibit their employees from using or possessing marijuana in the workplace or in public buildings and from working while impaired by marijuana. Drug and alcohol testing and related policies should be reviewed to ensure that such policies will continue to be consistent with the public entity's desired treatment of marijuana following the change in the law. In some cases, policies may need to be updated or clarified to account for the change in the law.

Be further aware, however, that federal law prohibiting the use of marijuana by employees who possess firearms, such as police officers, and those required to hold a Commercial Driver's License, will continue to be in full force and effect notwithstanding the change in Massachusetts law. We are aware that some police chiefs are considering issuing a general reminder to all law enforcement personnel that marijuana is still a controlled substance for purposes of federal law and that the use or possession of marijuana is still prohibited.

Further Developments

We will continue to monitor developments in the law, including possible amendments by the General Court and guidance issued by the offices of the State Treasurer, Attorney General, or Secretary of the Commonwealth's Elections Division.

In the meantime, if you have any questions concerning regulation of recreational marijuana, please contact Attorneys Joel Bard (jbard@k-plaw.com) or Katherine Laughman (klaughman@k-plaw.com) at 617-556-0007. Members of our Labor and Employment Practice Group are also available to assist with employment-related questions.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.



Town of Wayland Massachusetts

Finance Committee
David Watkins (Chair)
Gordon Cliff
Nancy Funkhouser
Jen Gorke
Carol Martin
Klaus Shigley
George Uveges

**Finance Committee
Minutes
September 12, 2016**

Attendance: D. Watkins, G. Cliff, N. Funkhouser, J. Gorke, G. Uveges, C. Martin and B. Keveny (Finance Director). K. Shigley joined the meeting prior to the presentation by UniBank.

Call to Order: The meeting was called to order by Chair David Watkins in the Senior Center at the Town Building at 6:25pm. Mr. Watkins reviewed the agenda items to be discussed, indicated the meeting was being recorded by WayCam .

Public Comment: None

Committee’s Response to Public Comment: N/A

Question regarding handout at the last meeting: G. Cliff inquired as to the free cash policy distributed at the meeting of Aug. 29, 2016. He requested a listing of all Town policies and suggested that the Town consider putting said polices on the Town Website.

Review of warrant articles for the Nov. 15, 2016 Special Town Meeting. (Note – the Board of Selectmen attended the Finance committee meeting for this section): D. Watkins explained that the objective of the session was a workshop to review the articles to be presented at the upcoming Special Town meeting and that submitting board articles and supporting comments are due to the Finance Committee by Sept. 19,2016. The sponsoring person or spokesperson for each article (see enclosed article listing, which shows the article, sponsor and finance committee assignee and the specific articles wording) then reviewed their article and responded to questions from the Finance Committee. Additional input was provided by members of the audience.

Report of Finance Director: Mr. Keveny distributed

- the FY 2018 Operating Budget Process memo,
- The FY 2018 Capital Budget request draft (and noted that the financing by debt column will be completed at a later date and that in the next draft he will indicate which items were not included in FY 2017 capital budget request).

A discussion ensued regarding the Capital budget. In addition, an analysis of the CIP projects that need to be closed out and funds released is in process and will be furnished to the committee when complete.

UniBank presentation (Note – the Board of Selectmen attended the Finance committee meeting for this section): Ms. Pierce, Town Treasurer, introduced Mr. Clark Rowell, Vice President of UniBank and Ms. Kristy Genga, Fiscal Advisory Associate of UniBank Fiscal Advisory Services, who are the Towns Debt and Financial Advisors. Mr. Rowell provided an overview of his background and that of UniBank, and the firms municipal business focus. He then reviewed the factors in Moody's bond rating process including Moody's concern about where the Town stands in relationship to its rating factors such as drawdowns of cash balances, dollar balance of available funds vs. the Town's expenditure levels, use of free cash to reduce tax levels and debt levels. He then discussed the Town's debt capacity and Moody's preference to see free cash used for Capital expenditures vs. tax reduction and preferred market timing of bond issuance. He then responded to questions related to Moody's view of debt levels, free cash flow levels and short vs. long term borrowings in today's low interest environment. The Committee requested an analysis of the current debt outstanding including interest rates and the dates the various instruments are callable.

Executive session: At 8:55 the committee, after a roll call vote with all members voting yes (Watkins – yes, Cliff – yes, Funkhouse – yes, Martin - yes, Shigley - yes, Uveges – yes), adjourned into executive session. The executive session was to discuss the following:

Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to Health Insurance and Successor Bargaining in regards to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association.

Discuss potential declassification of executive session minutes pursuant to M.G.L. Ch. 30(a) § 21(a)(7): Vote to Release Previously Considered Minutes for 5-9-2016 and Vote to Approve Minutes for 8-29-2016. Pertaining to the Above Subjects, because a Public Discussion of These Matters will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town.

The Finance Committee meeting reconvened at 9:49 pm.

Warrant articles: The Committee reviewed the assignments for preparing the Finance Committee's presentation of warrant articles and the responsibilities were agreed to (see responsibility matrix attached).

Communication process: Mr. Watkins reviewed the process for the Committee to request information from Town personnel. In summary, the process is:

- Bring the request to the Committee at a meeting for discussion and input from the Committee
- If agreed to, the request will be added to a Town action list
- The request should be in writing via email with a copy to Mr. Watkins.

The following requests were discussed:

- OPEB – email request (copy enclosed) was reviewed and the Committee agreed to add the request to action list to provide the Committee information on the OPEB contribution to be included in the FY 2018 budget.
- Analysis of fund balance – request was reviewed (copy enclosed) and it was agreed to request the information in a format that is available from current Town analysis.

Other items: Mr. Cliff raised questions regarding the FY 2018 Budget memo distributed. Ms. Martin distributed a copy Finance Committee Annual report and requested that the members be prepared to discuss and approve the report at the Sept. 19th meeting.

Topics not reasonably anticipated by the Chair 48 hours in advance of meeting: None

Meeting Minutes Review:

- The Committee reviewed the Minutes of August 1, 2016, suggested minor edits and Ms. Martin moved and Mr. Watkins seconded a motion to accept the minutes, as amended. The motion was passed 7, 0.
- The committee reviewed the minutes of August 29, 2016, suggested minor edits and Ms. Martin moved and Mr. Watkins seconded to accept the minutes, as amended. The motion passed 7, 0.
- The committee reviewed the minutes of July 19, 2016, suggested minor edits and Ms. Martin moved and Mr. Watkins seconded a motion to accept the minutes, as amended. Motion Passed by vote 7, 0. Ms. Funkhouser moved the Executive Minutes of May 9, 2016 be released, Ms. Martin seconded. Roll Call vote results were Watkins-Yes, Cliff-Yes, Funkhouser-Yes, Gorke-Yes, Martin-Yes, Shigley-Yes, Uveges-yes. Motion passed 7 to 0 to approve.

Adjourn: Ms. Martin moved to adjourn at 10:25pm. Ms. Gorke seconded. Vote: 7, 0, to adjourn.

Respectfully Submitted,

George Uveges

Documents:

Source: B. Keveny:

Agenda

FY 17 Finance schedule& Milestones

FY 18 Meeting Minutes assignments
Articles Submitted for Admission to Warrant for Special Town Meeting on November 15, 2016

Moody's Investor Rating Methodology

Draft Minutes: August 1 and 29, 2016

Memo from Chief Irving - "Withdrawal from Civil Service"

Memo FY 2018 Operating Budget Process

Fiscal 2018 Capital Budget Request

Information related to Acceptance of Subdivision Streets as Town Ways

Source: Dave Watkins

Article list for November 15, 2106 with responsibility assignments

Open meeting law communications regarding approval of minutes

Draft of Finance Committee mission statementDraft of FinCom responsibilities

Source: Carol Martin:

Finance Committee Annual Report

Source: George Uveges:

OPEB questions

Analysis of Town's Government Fund Balances / Trust Funds



Town of Wayland Massachusetts

Finance Committee

David Watkins (Chair)

Gordon Cliff

Nancy Funkhouser

Jen Gorke

Carol Martin

Klaus Shigley

George Uveges

Finance Committee

Minutes

October 17, 2016

Attendance: D. Watkins, N. Funkhouser, G. Cliff, J. Gorke, G. Uveges, C. Martin and B. Keveny (Finance Director).

Call to Order: The meeting was called to order by Chair David Watkins in the Second Floor Small Conference Room at the Town Building at 7:00pm. Mr. Watkins reviewed the agenda items to be discussed, indicated the meeting was being recorded by WayCam.

Public Comment: None

Committee's Response to Public Comment: N/A

Report from Finance Director: Finance Director Brian Keveny reported the Town's Free Cash has been submitted to the Department of Revenue (DOR) for certification, stating he expects Free Cash to be certified at approximately \$4.7M.

Mr. Keveny indicated he is working with Town Administrator Nan Balmer on her FY18 Capital and Operating budget presentation for the Board of Selectmen (BoS) and that Unibank will make a debt presentation to the Finance Committee on October 24th. He added the Clear Gov, a software program that downloads town financial information from the DOR website is expected to be up and running by the end of November.

Mr. Keveny advised the Committee that Odyssey, an actuarial firm has been hired to perform the town's bi-annual OPEB liability using both the GASB and Wayland method. Once Odyssey has made their presentation, the Town will decide which method to pursue.

Member's Initial Discussion and Comments on CIP's & Review of Draft Master List: Chair Watkins suggested that prior to discussing the capital requests the Committee review the quality of the CIP submissions and distributed a graph ranking the completeness of each of the submitted FY18 CIP's. In general, it was noted, much of the requested information was missing. A discussion ensued as to how to insure qualitative CIP submissions.

The Committee revisited the concept of a Master Capital List. After a brief discussion led by Chair Watkins, the general consensus was the summary sheets provided by Mr. Keveny contained the necessary information.

Departmental CIP Discussions: Ms. Martin and Mr. Keveny opened the Capital Budget process with an overview of the steps, process and deadlines, reiterating the FinCom plans to close the Capital Budget in December. They reported that of the 117 open capital projects from prior years, 23 closed releasing approximately \$100K in capital close-outs while the remaining general fund open projects value \$4.8M. Looking forward, the current 5 year capital plan has requests of \$71M, of which \$16M is for a new Library, \$15.5 for Water projects and \$5M for a Council on Aging/Community Center.

Mr. Keveny stated the 117 open projects representing nearly \$5M warrant consideration in conjunction with new capital requests and suggested the Committee not recommend any new projects for departments with several open capital projects, particularly for projects that have been on the books for more than a couple years.

Mr. Keveny recommended the Committee develop the capital budget not based on the "asks" but by what funds are available. He also suggested the Committee consider using more cash capital and less borrowing to fund the capital budget, adding that Moody's likes "pay-as-you-go".

Mr. Watkins added that the FY18 Capital requests total approximately \$11M. He added, even using other funding sources such as the Ambulance Fund, Enterprise Funds, Recreation Stabilization Fund, CPA Funds, etc., it most likely will not be possible to fund 100% of these requests. Mr. Watkins suggested that as the Committee reviews the CIP's to rank them on the basis of Public Safety, Compliance and Maintenance, Stated Goals and Policies and Public Perceived Need.

Fire Department: Fire Chief Dave Houghton presented two FY18 capital requests: replace Chief's car and purchase an ambulance. Both request have been in the five year plan and are to be funded via the Ambulance Fund. Facilities Director Ben Keefe joined the Fire Chief to jointly present a \$75K feasibility study to upgrade Fire Station II. A brief discussion ensued during which the Chief Houghton stated this project would result in bringing the Fire Station into compliance and the art center would be relocated. Mr. Houghton stated his two priorities were the ambulance and feasibility study adding he was amenable to expending Ambulance Receipt funds for the study. The Committee thanked Chief Houghton for his thorough presentation.

School Department: School Committee member Barb Fletcher along with Facilities Director Ben Keefe presented the Schools 11 capital requests for FY18, noting the Loker School Roof Repair project has

been moved to FY22. Ms. Fletcher stated that the six requests to purchase school furniture, replace tile, purchase food service and custodial maintenance equipment were continuation of multi-year projects.

Regarding the remaining 4 requests, Ms. Fletcher and Mr. Keefe explained the phone upgrade at Claypit is similar to the one in place at Happy Hollow, the AV equipment will request will be an ongoing request to upgrade 194 classrooms using a 7-year replacement cycle, the High School Stadium needs to be repaired and the Tennis Courts renovated. They advised the Committee that because the High School Campus is currently undergoing a review study, which won't be available until January of 2107 that both these CIP's are placeholders.

Prior to distributing the School Committee's prioritized list of their FY18 capital projects, Ms. Fletcher stated the School Committee needed to add a CIP to construct School Bus Parking at 195-207 Main Street indicating it's a placeholder and hopefully suitable permanent bus parking space can be found before the buses are displaced by the River's Edge project. The Committee thanked Ms. Fletcher for her time and expressed its appreciation for the quality of the School's CIP submissions.

Facilities: Facilities Director, Ben Keefe started his FY18 CIP presentation by saying the Library Rotunda has been moved to FY19, leaving him with five capital requests for FY18: the Fire Station Study which had been presented in conjunction with the Fire Chief, the purchase of two motor pool vehicles and three Town Building renovation projects. Mr. Keefe ranked his six town FY18 projects as follows: Fire Station II feasibility study, Interior renovations of Town Building, Motor Pool Vehicles, Town Building Mechanical and Electrical improvements and Town Building Windows.

A discussion ensued concerning the three Town Building improvement projects to better understand the each request and why three projects are needed in the same year. Mr. Keefe explained the mechanical and electrical improvements will provide necessary preliminary work for a future HVAC system replacement.

The Committee expressed concern over the number of outstanding capital projects, many of which involved borrowing. Mr. Keefe volunteered that this past summer several projects were completed and he expected to close out those projects including the DPW building project in November.

Discussion and Possible Vote of Mission Statement, Finance Committee's Responsibilities, Town Financial Strategy and Goals: Due to the lateness of the hour, Chair Watkins suggested deferring these discussions to a future meeting. The Committee concurred.

Review Issues & Actions List: Chair Watkins asked Committee members to continue to advise him as action items are completed to ensure the list remains current.

Members' reports, concerns and topics for future meetings: Mr. Cliff expressed concern the River's Edge project may result in additional costs that could materially impact the FY18 capital and/or operating budget. Mr. Watkins responded indicating there are a couple scenarios being discussed - one of which will yield no additional cost to the Town and that he would update the Committee as more information became available. Issues being resolved include relocating the DPW lay-down area and

School Bus parking.

Chair's & Vice Chair's Update: Mr. Watkins stated the next meeting is 10/24th at which the Town's Financial Advisor from Unibank would discuss debt management. Ms. Martin suggested Committee members mark their calendars for Wednesday, November 16th just in case Special Town Meeting (STM) runs two nights. She also stated the FinCom should plan to review the three STM articles on which it deferred recommendation to STM at its 11/7th meeting

Topics Not reasonably anticipated by the Chair 48 hours in advance of meeting: None

Meeting Minutes Review: The Committee reviewed the Minutes of June 20th and and July 18, 2016. After a brief discussion, Ms. Martin moved to approve the June 20th Minutes as amended. Motion seconded by Ms. Funkhouser. Motion Passed 6-0. Ms. Martin moved to approve the Minutes of October 5th. Ms. Gorke seconded. Motion passed 6-0.

Adjourn: Ms. Martin moved to adjourn. Mr. Watkins seconded. Vote to adjourn at 9:55pm was 6-0.

Respectfully Submitted,

Carol Martin

Documents:

Source D. Watkins:
FY18 CIP graph

Source: B. Keveny:
Chart: Impact of \$100K increments on General Fund FY18

Source: C. Martin:
Fy18-FY22 Capital Budget Process

Source: B. Fletcher
School Committee's FY18 Capital Project Priorities



Town of Wayland Massachusetts

Finance Committee

David Watkins (Chair)

Gordon Cliff

Nancy Funkhouser

Jen Gorke

Carol Martin

Klaus Shigley

George Uveges

Finance Committee

Minutes

October 24, 2016

Attendance: D. Watkins, G. Cliff, N. Funkhouser, J. Gorke, G. Uveges, K. Shigley, and B. Keveny (Finance Director).

Location: Selectman's Meeting Room in Town Building.

Call to Order: The meeting was called to order by Chair David Watkins in the selectman's meeting room at the Town Building at 7:00 pm. Mr. Watkins reviewed the agenda items to be discussed, indicated the meeting was being recorded by WayCam.

Public Comment: Mr. Watkins reviewed an email from Bill Steinberg regarding the appropriate debt levels of the Town and the use of free and capital cash to pay for Capital items. A discussion ensued regarding the topic.

Committee's Response to Public Comment: N/A

Report of the Finance Director: Mr. Keveny discussed the status of the FY 2016 financial report (CAFR) and that once finalized it would be presented to the Audit Committee and the Board of Selectman. He updated the committee on the DOR certification of "Free Cash" which is estimated to approximate \$4.6 to \$4.7 million and their position on the use of bond premiums from prior borrowings which, per the DOR, cannot be used to fund future capital projects but must be amortized over the life of the bond issue. Under The Municipal Modernization Act effective November 2016, future bond premiums can be used to fund capital items.

UniBank Presentation: Clark Rowell and Kristy Genga, representing UniBank, addressed the Committee to discuss Moody's bond rating methods and areas of concern as well as considerations that the Committee should be aware of. Topics discussed included:

- Moody's is concerned about the Town's use of free cash to fund operating expenses and the level of "unassigned cash reserves" as a % of the Town's budget. Over the last several years the amount of unrestricted cash reserves has decreased and the Town has forecasted that it will use \$1.5M of free cash in the next several years budget. UniBank recommended that we consider:

- Eliminating the use of free cash to fund operating expenses
- To pay for small capital items from cash capital rather than borrowings
- Use cash capital rather than borrowings to fund repetitive capital expenditures such as road repair.
- Mr. Rowell reviewed Moody's rating criteria regarding unassigned cash balance levels and the concern that the Town's level could be below the level required for the AAA rating. Mr. Rowell and Mr. Keveny will provide the committee a schedule reflecting the Town's unassigned cash balances as of June 30, 2016.
- The relationship of free cash used to fund operating expenses as compared to cash turn back from the prior year was discussed as it relates to the Moody's review. The consensus was that while the major concern was the trend in unassigned cash balance, Moody's preference is that free cash only be used to fund one time expenditures and not to fund operating expenses.
- Bond premiums - a discussion included the process of floating a bond issue, the setting of interest rates for the various tranches and that the rates set are tied to what works best to have a successful auction. The changes in the handling of bond premiums under existing and new law were discussed. Mr. Rowell recommended that in future Town meeting the debt approvals include authorization for a rollback of Bond principal to achieve the desired fund proceeds rather than the amount of debt to be raised to reflect the impact of bond premiums or discounts.

(Zoe Pierce, Town Treasurer, joined the meeting at 7:30PM)

- Ratio's used by Moody's – a discussion as to the rationale behind the various ratios used in the Moody's rating occurred. Response was that the levels have developed over time based on experience rather than an academic formula.
- Other ratios – Mr. Cliff inquired if the committee should be using some type of balance sheet formula to look at the amount of gross debt outstanding. Mr. Rowell agreed to work with the Town and see what balance sheet ratio might be appropriate.
- Ms. Pierce reviewed UniBank's role as the Town's financial advisor and that she and Mr. Keveny have the ultimate responsibility for the Town's debt management. She reviewed that UniBank is available to the Board of Selectman and the Finance committee to advise the Town and develop creative solutions to issues that may arise.
- The committee discussed that there are several potential very significant expenditures in the five year capital plan including the COA and Library. It was requested that UniBank provide the committee with several funding alternatives as well as providing funding scenarios of current capital recommendations including the use of cash capital.
- The Committee requested help in understanding and addressing the key Moody's issues and providing clarity on when enterprise fund debts get included in Moody's ratios and when they don't.

(UniBank, Ms. Pierce and Mr. Keveny left the meeting)

Debt policy: The draft of the debt policy was reviewed and Mr. Cliff and Mr. Shigley will consider the comments and prepare an updated draft for consideration.

(Ms. Funkhouser left the meeting)

Mission Statement: Ms. Gorke reviewed the proposed mission statement and after discussion Mr. Cliff moved and Mr. Watkins seconded that the Committee mission statement be as follows:

- “The mission of the Wayland Finance Committee is to recommend an operating budget and a capital spending plan that balances the demand and need for services with the ability of residents across a broad financial spectrum to afford these services. To fulfill this mission, the Wayland Finance Committee:”

(Note the Finance committee responsibilities will follow the aforementioned Mission statement)

The motion passed 5, 0, 0.

Finance committee responsibilities: Mr. Cliff lead a discussion regarding the Finance Committee’s responsibilities that would follow under the aforementioned mission statement. Mr. Uveges moved and Ms. Gorke seconded that the Committee’s responsibilities be as reflected in Exhibit 1 attached. The motion passed 5, 0, 0.

Financial Strategy: Mr. Shigley led a discussion on the Financial Strategy draft. Mr. Shigley will review the draft with Mr. Keveny and Ms. Balmer.

FY18 goals: Mr. Watkins led a discussion on the FY2018 goals for the finance Committee. Mr. Watkins will redraft based on the comments received.

Capital spending plan: Mr. Watkins led a discussion on the process of developing and submitting the capital plan for Town vote and the WRAP committee “Decision Criteria for Major Capital Projects” and the FinCom responsibilities in the process and how that process has changed this year.

Fin Com Schedule and Milestones: Mr. Watkins reviewed the FY 17 Schedule and Milestones.

Action List: The following items were added to the action list with the Town:

- Ms. Balmer will be requested to include in her recommended Capital plan the items forecasted in years 2 through 5, her current analysis is limited to FY 2018.
- Request that a FinCom representative be included in the search committee for the new school superintendent.
- Follow up with the Town on the attestation included on page 48 of the 2016 special town meeting warrant.

Adjourn: Mr. Cliff moved to adjourn at 9:35pm. Ms. Gorke seconded. Vote: 5, 0, 0 to adjourn.

Respectfully Submitted,

George Uveges

Documents:

Source: B. Keveny:

Agenda

Capital Budget schedule

Mr. Watkins

FY17 Schedule and Milestones

Items to be discussed at the Oct. 24, 2016 meeting.

Exhibit 1

Responsibilities

1. Assists town entities/officials on matters which have a significant financial component.
2. Prepares, submits, and presents the omnibus operating budget to Annual Town Meeting.
3. Prepares, submits, and presents a five-year capital improvement program to Annual Town Meeting.
4. Prepares and submits a "Report of the Finance Committee" to Annual Town Meeting and an Annual Report for the Annual Reports document.
5. Considers articles in the Town Meeting warrant and provides reports as it deems for the best of the Town.
6. Conducts a warrant article review to help ensure town officials and residents are informed about articles that are being considered at town meeting.
7. Approves (or denies) requests for transfers from the Reserve Fund.
8. Recommends whether to pursue debt exclusion (as deemed advisable).
9. Recommends whether to change the tax rate structure (as deemed advisable).
10. Reviews reports on current year receipts and expenditures vs. budget and recommends corrective actions (as deemed advisable).



Town of Wayland Massachusetts

Finance Committee

David Watkins (Chair)

Gordon Cliff

Nancy Funkhouser

Jen Gorke

Carol Martin

Klaus Shigley

George Uveges

Finance Committee

Minutes

November 7, 2016

Attendance: D. Watkins, K. Shigley, George Uveges, Nancy Funkhouser, C. Martin and Finance Director Brian Keveny. G. Cliff joined the meeting at 7:45 PM, at the conclusion of the Warrant Hearing where he represented the Finance Committee.

Call To Order:

The meeting was called to order by Chair David Watkins in the School Committee Room at the Town Building at 7:00pm. Mr. Watkins announced the meeting was being taped by WayCam. Mr. Watkins then reviewed the agenda for the meeting.

Finance Director's Report:

Brian Keveny, Finance Director, reported that:

- Town had its "free cash" certified at \$4.6 million. He will meet with the BoS for the tax-recap hearing on the 21st of November prior to tax bills going out in December.
- CIP spreadsheet has been sent out.
- Fiscal Year '18 budget is in process. Preliminary results point to a 2.71% increase for the "Town and unclassified" portion of the budget. The 2.71% excludes the School budget.
- Preparing a request for a \$20,000 transfer from the reserve fund to cover excess legal fees.
- Is preparing for the ratings call with Moody's scheduled for January. In this connection he referenced an email from Clark Rowell which stated that Moody's biggest concern would be the 5-year downward trend in the Fund balance.
- Discussion on where free cash is expected at the end of FY 17. Ms. Martin inquired as to when the advance, roughly \$500,000, to the recreation fund would be returned to free cash.

CIP Discussion:

Mr. Watkins invited members from the DPW and the Water Department to discuss their CIP proposals. Those attending included: Woody Baston, Board of Public Works, Mike Lindeman, Director -DPW, Dan Millette, Water Superintendent, Dan Cabral- DPW, Joe Doucette, Senior Foreman/Snow Operations. Mike Lowry, Board member-DPW, joined the meeting at 7:45PM.

Mike Lindeman led the discussion of DPW CIP proposals. A handout listing each project was used to aid the discussion. CIP requests included:

- Purchasing one new truck and replacing 3 old trucks.
- \$70,000 for small equipment replacement,
- \$185,000 for Lakeview Cemetery road repair,
- \$2.2 million for wetland mitigation and lengthening of the transfer station (TS) access road.
- \$100,000 for Pine Brook Rd. culvert repairs.
- \$700,000 for road renovations

Most of the discussion pertained to the wetland mitigation and lengthening of the TS access road. It was agreed that there were too many unknowns surrounding this proposal to make a decision on whether to include this capital request in the FY18 capital budget or whether it should be brought forward as a separate article.

Mr. Lindeman's handed out a pair of maps showing sidewalks and roads the Town has to plow in the winter. These maps were distributed to provide perspective to the Committee re the importance of replacing old and worn out equipment. It takes 6 hours to plow and sand the sidewalks and the streets. If a truck is out of service, it takes longer and can impact safety.

In connection with the \$700,000 request for road renovation, Mr. Lindeman handed out a schedule of planned road repairs, containing a list roads and the timeframe for renovations. Road repair is expected to be slightly more expensive going forward because DPW is losing the conveniently located "lay down area" at the site being proposed for the River's Edge project.

There was discussion on whether to move the \$70,000 request for "small equipment replacement and repair" into the operating budget. No conclusion was reached.

Other points raised during the discussion of these project proposals included:

- The roads in the cemetery are over 40 years old. They're becoming a safety hazard. The repaving work will be sub-contracted. The Finance Committee asked DPW to review its cemetery accounts to see the funds in these accounts could be used to fund some or all of the road repairs.
- Mr. Cliff reviewed the past history of the TS access road proposal.
- The culvert repair project had not previously been included in our list of CIP proposals for this budget cycle. It was added to the CIP proposals just prior to our meeting because final regulatory approvals for this project, which was originally proposed and approved in 2014, had just been secured. The project originally approved in 2014 had stalled due to unanticipated and extensive permitting requirements. The conditions imposed by regulators, including the Army Corps of Engineers, also caused the original cost estimates to rise. The \$100,000 is for additional costs above the previously appropriated amount.

Next, Mr. Lindeman briefly discussed three projects involving repairs/improvements to Recreation Department fields where the DPW is responsible for making the repairs. The discussion centered on how and where to get the funding for these projects, and which department should be making the request.

At 8:10 PM, Mr. Cliff was excused so he could attend the BoS Meeting.

Mr. Millette discussed 5 CIP projects proposed by the Water Division, including:

- \$1,150,000 for water meter replacement. Water meters currently in place give inaccurate readings that understate water usage by as much as 16%, causing lost revenue. It takes up to 6 months to read the meters causing billing delays and lost interest income. Leaks in the system can go undetected for long periods of time, impacting water conservation efforts. DEP is concerned about water conservations and may at some point order us into taking action. Due to the history of this project having been previously rejected by TM, the water division was encouraged to prepare a cost benefit analysis and then resubmit the project as a separate Warrant article. Moreover, since \$400,000 had previously been approved to replace water meters, the requested amount should be reduced to reflect that previous appropriation.
- \$110,000 manganese treatment pilot study. This is merely the front end of a bigger potential expense of \$5,000,000 if remediation is required.
- \$50,000 study to determine if a second water tank is required. A recent DEP study concluded that storage capacity is 20% deficient. That's a potential problem in the event of a fire if insufficient water pressure hinders the fire department. Extra storage also potentially reduces the need for water bans.
- \$700,000 water main replacements. This project is annually recurring for roughly equal amounts, and will be coordinated with the road repair schedule. Nancy Funkhouser suggested the Water Department identify specific projects that are expected to be associated with this \$700,000 request.
- \$65,000 for cleaning the well filters. Hasn't been done in 6 years.

Mr. Lowry observed that the Water Department doesn't collect water usage fees from the Town. Best practice requires a transfer payment. The Committee asked the members of the DPW and the Water Department to prioritize their CIP projects, which they agreed to do and then exited the meeting.

Mr. Cliff returned to the meeting at 8:55 PM after attending the BoS's meeting.

The Committee then discussed the need to prioritize all of the CIP requests coming from all the departments. It was agreed that the sum total of CIP requests would exceed the Town's ability to absorb the cost. George Uveges recalled that the Town could only absorb roughly \$5 million of debt per year if it was to stay within its self-imposed 10% debt service capacity.

It was clear that building a library would put us outside this limit. Any large building project would put us over this limit and necessitate a tax increase.

Mr. Watkins suggested that each Committee member submit a report ranking all CIP requests with the aim of whittling the requests down to an affordable amount. Among the criteria suggested for prioritizing projects were safety and regulatory requirements.

The By Laws require the FinCom to submit a 5-year capital plan at the ATM. It was observed that it will be difficult to rate projects proposed for the out years because of a lack of specificity and affordability.

The consensus was to complete a spreadsheet containing all the project requests and assign a 1, 2 or 3 rating to each and submit the completed form to Mr. Keveny by Friday the 10th of November.

Tax Classification discussion -

Mr. Uveges discussed the annual Tax Classification presentation that the Board of Assessors will make to the Board of Selectmen on November 21, 2016. The issue relates as to whether the Town should have a different real estate tax rate for residential and commercial property ("split rate"). The Finance Committee has historically taken a position on the split rate and has been asked to take a position again this year. Mr. Uveges reviewed that:

- Commercial property represents approximately 5% of the tax basis of the Town.
- If the Town adopted a split rate and increased the commercial rate by 50%, it would only reduce the residential rate by 2.6%.
- An increase in the commercial rate would have a negative impact on commercial property in Wayland and the Town has benefited from meals tax and personal property tax from Town Center.
- The Finance Committee has historically recommended that the Town maintain a single real estate rate.

After discussion, Ms. Funkhouser moved and Mr. Shigley seconded a motion that the finance committee recommend to the Board of Selectmen that they do not adopt a split rate and maintain the single rate for real estate tax. The motion passed 5 -0 - 1.

Members' Reports, Concerns

Carol Martin reminded the Committee that there are three STM articles submitted on which the Committee had not taken a position and offered the following new information:

- Article 8: Appropriate Funds to Purchase 107 Old Sudbury Road. The Committee took no position because it lacked an appraisal. The appraisal has been completed since then. Ms. Martin moved to reopen the article for a vote. Mr. Cliff seconded. Motion to reopen passed 6-0-0. After a brief discussion the Committee felt we still lacked enough information to make a recommendation and voted to 5-0-1 to defer taking a position, if any, at STM.
- Article 9: Appropriate Funds to Purchase 8 Glezen Lane. The Committee has received updated information about the septic. This septic has not failed as was reported. Updated information is that it was merely probable that it would fail if tested. A new septic has been proposed that would place it outside the Zone 1 area. Since there was still no appraisal, which will come next week, the Committee opted not to reopen this Article for a vote, deferring its recommendation, if any, to STM.
- Article 4: Conservation Cluster. The Committee had not previously taken a position. There was no new information. The FinCom elected to defer its recommendation, if any, to STM.

Mr. Cliff opined that the write-up of Article 6 did not reflect his understanding of what the Committee had agreed to. Mr. Watkins disagreed and said the differing interpretations could be resolved by reading the text either as "directing" or as "permitting" an action. Mr. Gordon suggested that we introduce an opportunity for the FinCom to review what gets printed in the Warrant before it's printed.

Next, Mr. Cliff summarized the discussion at the BoS meeting that he had attended. Items taken up at that meeting included a review of the Town Warrant, bond premium language, the appraisal for 8 Glezen and an update on the River's Edge Project.

The following agenda items were deferred to a later meeting due to the lateness of the hour:

5.) Discussion and Possible Vote of Town Financial Strategy; Discussion and Possible Vote of Goals; Discussion and Possible Vote on Debt Policy.

8.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, if any.

9.) Meeting Minutes - Review and vote to approve: 9/17 Martin, 9/24 - Uveges

N. Funkhouser excused herself from the meeting at 10:57 PM.

Adjourn: At 11:00 PM Ms. Martin motioned to adjourn, Mr. Uveges seconded. Vote: 5-0 to adjourn.

Respectfully submitted,

Klaus Shigley

Documents:

Source: M. Lindeman, DPW

DPW CIP Exhibit

DPW Sanding Routes

DPW Sidewalk Routes

DPW Road Repair Schedule

Source: Brian Keveny

Unibank Email

Capital Projects Workbook

Source: David Watkins

Action Issues List

Minutes
Historic District Commission Meeting
September 22, 2016

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

Gretchen announced that Sheryl Simon (Alternate) will be resigning given time constraints, and Kate Finlayson was unable to attend the meeting due to illness.

Others present: John Thompson and Jean Milburn (for the First Parish)

Public Comment. John Thompson and Jean Milburn expressed gratitude to the volunteers serving on the HDC.

Minutes of May 19, 2016 were approved as amended. (5-0-0)

Rail Trail from Russell's to Wayland Depot. The rail trail from Russell's to the Wayland Depot will be handled by the Town. The section of rail trail going East (from the Freight House to the town line or to Plain Road) will be overseen by DCR. Margery reported that there was a pre-bid meeting for the contractor of the rail trail project on Wednesday morning.

Annual Report was accepted (5-0-0)

7:45 pm Public Hearing, 225 Boston Post Road. Jean Milburn and John Thompson presented plans to provide steps to a deck off the First Parish addition facing Cochituate Road. There will be a 36 inch Azek railing (which is appropriate for the height of deck). There will be two steps with a bluestone landing and three Azek posts. Like the steps on the Parish House, the risers will be white and the treads will be a natural wood. Caps on the railing posts will be a little higher than 36 inches. There was a motion to approve this application as presented. The motion received a unanimous, positive vote. (5-0-0)

Wayside pulpit. Jean Milburn alerted the HDC that the new minister at the First Parish is interested in a "wayside pulpit" such as those often in front of churches to offer "messages by the wayside". Some concern was expressed

by the HDC about signage in the HD. There was a brief discussion as to where such a “wayside pulpit” might be located given other signs at First Parish both in and outside the district boundary.

Guidelines. Some basic issues with the draft guidelines were discussed. The cover to the guidelines might include appealing photos of historic architecture. There was discussion under “The Historic District Review Process” of stating the HDC policy of reviewing each application “case by case.” The HDC will use the guidelines to evaluate each application “on its own merits”. It was suggested that a list of houses exhibiting particular “period” styles be provided in the Guidelines. There might also be a page listing addresses within each district with the building style, etc. Another suggestion was to denote words that might be unfamiliar with an asterisk when they are defined in the glossary. Gretchen said she would attempt this. The Commission then did some “word smithing” on pages 1 through 4 of the Guidelines.

Sign for The Children’s Way. The new director of Children’s Way has expressed an interest in a sign directing people and vendors to the Children’s Way from Cochituate Road. The location for such a sign could perhaps be on the back of “No left turn” sign on the south side of driveway by Cochituate Road. Gretchen noted that TCW is working with other Town departments first to ascertain requirements before filing with HDC.

The meeting adjourned at 9:30 pm.

Respectfully submitted,
Margery Baston

WHDC Meeting
Large Hearing Room
41 Cochituate Road, Wayland
October 20, 2016

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

Minutes of September 22, 2016 were accepted (5-0-0)

20 Bow Road - on paint color variation. Property owners proposed a minimal change in house color (a beige gray to an even more beige color called Light French Gray). There was a motion to consider this a minimal change (or a diminus change) so that color could be approved and a hearing on this color change would not be required. This motion received a unanimous, favorable vote. (5-0-0) The owners also applied to change the color of the front door to “In the Navy” which requires the filing of an application, which will be the subject of an application to the HDC and a hearing at a later date.

9 Bow Road -on enclosing the breezeway. The property owners plan to submit an HDC application and come before the commission for a hearing.

Mellen Law Office repairs. - The Historical Society board submitted an application of non-applicability for basic maintenance/repair work on the Mellen Law Office. Their hope is that because the Town owns the building, the Board of Selectmen will cover the estimated \$750 cost to undertake some minimal “buttoning up” maintenance prior to winter. However, the WHS knows that much more work is needed to preserve the building. The HDC noted that CPA monies might be appropriate for the in-depth, preservation work also required for the building. Gretchen provided guidance on how the Historical Society might apply for CPA funds with the involvement of Ben Keefe and Patrick Morse from the Town’s Facilities Department, noting that any community preservation monies voted at Annual Town Meeting must be submitted to the CPC very soon in order to be on the ATM warrant.

Design Review Guidelines - Review of guidelines. The HDC returned to its review beginning on page 5 and stopping at page 11, prior to “Porches”.

The next HDC meeting will be on November 17.

The meeting adjourned at 9:20 pm.

Respectfully submitted,
Margery Baston

6

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Minutes
October 19, 2016 7:00 pm

Members Present: D. Cohen (DC); M. Peabody (MP); P. Schneider (PS); M. Jones (MJ); J. Green (JG)

Also Present: J. Senchyshyn (JS)

DC called the meeting to order at 7:05 pm.

Public Comment

None

Executive Session

JS requested that a Fire grievance be added to the motion. He stated that the grievance had been received within the posting notice and had not been anticipated.

DC moved that the Personnel Board go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(3) to Discuss Strategy for Upcoming Collective Bargaining Negotiations with the Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions; to Review and Discuss an MOA with the Fire Union Regarding Specialist Positions; to Discuss Civil Service Negotiations with the Police Union; to Discuss Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Custodians, WTA, WESA and Food Service Unions Health Insurance Negotiations; to Review a Fire Grievance; to Review Executive Session Minutes of 4/26/16, 5/23/16, 6/13/16 and 7/18/16 for Potential Release; to Review, Potential Approval and Potential Release of Executive Session Minutes of 9/19/16-1 and 09/19/16-2.

The Chair declared that a public discussion of these items will have a detrimental effect on the bargaining position of the Town.

The Chair invites John Senchyshyn, Asst. Town Administrator to join the executive session.

MJ seconded the motion.

DC took a roll call vote:

Member Schneider	Aye
Member Jones	Aye
Member Green	Aye
Vice Chair Peabody	Aye
Chair Cohen	Aye

The Board will reconvene in open session in approximately 25 minutes.

The Board entered Executive Session at approximately 7:07 pm.

The Board returned to Open Session at approximately 7:30 pm.

Release of Executive Session Minutes

MJ moved to release the minutes of 2/29/16, 3/21/16, 4/26/16, 5/23/16, 6/13/16 and 9/19/16-2 as redacted. PS seconded the motion. Five members having voted in the affirmative, the motion passed.

MJ moved to release the minutes of 7/18/16 and 9/19/16-1. PS seconded the motion. Five members having voted in the affirmative, the motion passed.

JS pointed out several requirements in the new Public Records Law related to posting documents on the website. He noted that the posting of the executive minutes should be reviewed so that the minutes are appropriately posted. The Board concurred.

Review of the 9/19/16 and 10/7/16 Minutes

MP moved to approve the minutes of 9/19/16. PS seconded the motion. Five members having voted in the affirmative, the motion passed.

MJ moved to approve the minutes of 10/7/16. PS seconded the motion. Five members having voted in the affirmative, the motion passed.

Starting Wage Rate for the PT Department Assistant-DPW

JS reviewed the hiring and resume of the new PT DPW Department Assistant, Linda Hamilton. JS noted that Linda has been working in a temporary capacity in numerous departments for the Town for many years. He asked the Board to approve a starting wage rate of C14, Step 6 in the amount of \$24.61/hour.

MJ moved to approve the starting wage rate for PT DPW Department Assistant, Linda Hamilton at C14, Step 6 in the amount of \$24.61/hour. PS seconded the motion. Five members having voted in the affirmative, the motion passed.

Starting Wage Rate for the Assistant Assessor

JS reviewed the hiring and resume of the new Assistant Assessor, Donald Clarke. He asked the Board to approve a starting wage rate of G5, Step 6 in the amount of \$59,432 based on the candidate's experience.

PS moved to approve the starting wage rate for Assistant Assessor, Donald Clarke at G5, Step 6 in the amount of \$59,432. MJ seconded the motion. Five members having voted in the affirmative, the motion passed.

Position Requests – FY 18 Budget

JS reviewed the requests submitted for new positions and position modifications for the FY 18 budget. There are requests for 8 new positions and 2 modifications. The total impact to the FY 18 budget as requested is \$580,000.

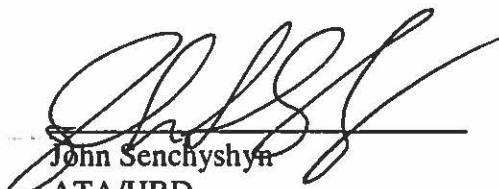
JS shared the information he learned at the BOS' meeting on 10/17. The BOS would like to have the Personnel Board review position requests prior to the positions being brought before the BOS. He also noted that the Town Administrator expressed an interest in attending the review if the date is compatible.

Members reviewed their November schedules. Given previous commitments and holiday plans, 3 dates seemed to work for the Board: 11/7, 11/21 and 11/30. JS stated that he would check on those dates and get back to the Board.

Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance

JS asked the Board if the next meeting could be rescheduled from Tuesday, October 18th to Wednesday, October 19th. Members indicated that they would check their calendars and advise as to their availability.

PS moved to adjourn at 8:25 pm. JG seconded the motion. Five members having voted in the affirmative, the motion passed.



John Senchyshyn
ATA/HRD

Documents From Personnel Board Meeting

Regular Session

October 19, 2016

Document:

2016-09-19 Draft Minutes

2016-10-07 Draft Minutes

2016-04-26 Ex Minutes

2016-05-23 Ex Minutes

2016-06-13 Ex Minutes

2016-07-18 Ex Minutes

2016-09-19-1 Ex Minutes

2016-09-19-2 Ex Minutes

Resume - Clarke

Resume - Hamilton



RECEIVED

7

NOV 21 2016

Board of Selectmen
Town of Wayland

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

November 17, 2016

Mr. J. Paul Loether
National Register of Historic Places
Department of the Interior
National Park Service
1201 Eye Street, NW, 8th floor
Washington, DC 20005

Dear Mr. Loether:

Enclosed please find the following nomination forms:

Stone's Bridge, Stonebridge Road over Sudbury River, Framingham and Wayland
(Middlesex), MA

The nomination has been voted eligible by the State Review Board and has been signed by the State Historic Preservation Officer. The owners of the property were notified of pending State Review Board consideration 30 to 45 days before the meeting and were afforded the opportunity to comment.

Three letters of support have been received.

Sincerely,

Betsy Friedberg
National Register Director
Massachusetts Historical Commission

enclosure

cc: Gretchen Schuler, consultant
Elisa Scolia, Wayland Historical Commission
✓ Cherry Karlson, Wayland Board of Selectmen
Andrew Reck, Wayland Planning Board
Cheryl Stoll, Framingham Board of Selectmen
Fred Wallace, Framingham Historical Commission
Christine Long, Framingham Planning Board
Chris Brown, Wayland Department of Public Works



November 18, 2016

Dear Municipal Leader,

The MMA's 2017 Annual Meeting and Trade Show is just around the corner! This can't-be-missed conference will take place on **Friday, January 20 & Saturday, January 21**, at the Hynes Convention Center & Sheraton Hotel in Boston. There are so many exciting events and speakers planned that you'll want to **register right now to save your place!**

The 2017 Annual Meeting theme is *United for Strong Communities* – and that's what will happen on January 20 & 21, when 1,200 municipal leaders will unite to network, set policies and learn the latest information on dozens of issues and strategies to build strong cities and towns. With **distinguished speakers** on key municipal issues, **20 educational workshops**, **3 emerging issues forums** and a larger-than-ever **trade show**, this will be an event that no local official can miss. **Please take a moment to review the enclosed conference information, and please register today.**

The Opening Session will begin on Friday morning, Jan. 20 at 9:30 a.m., and will feature award-winning scholar and author **Jonah Berger**, a world-renowned expert on decision-making, social influence, and how products, ideas and behaviors become popular. Later that morning, the WEMO Luncheon will feature **Liz Walker**, an ordained minister and one of New England's most widely recognized news anchor at WBZ-TV, where she held the position for two decades. The Friday dinner speaker will be Hall of Famer and NESN analyst **Dennis "Eck" Eckersley**, one of the greatest relief pitchers in Major League Baseball history. Our Saturday closing session will feature award-winning NPR journalist **Tom Ashbrook**, host of the nationally syndicated "On Point." And our Saturday banquet will feature actor, director and comedian **Mike Birbiglia**, familiar to you from "Orange is the New Black" and many major motion pictures.

Of course, the weekend will also be jam-packed with workshops on key issues, and hours of valuable networking with your peers from across the state. Plus, we will live stream the Presidential Inauguration, which will take place that Friday, so there will be lots and lots to do!

Thanks to your participation last January, our 2016 Annual Meeting was a great success. Over 1,200 local officials gathered together to learn and share ideas. The Trade Show was our largest ever, offering a record number of exhibitors showcasing innovative products and services.

The MMA is working hard to make sure that our 2017 Annual Meeting will surpass even last year's benchmark success. **You can register online at www.mma.org – it's fast and easy!**

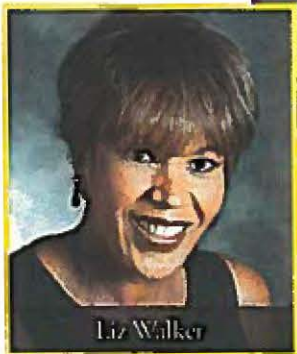
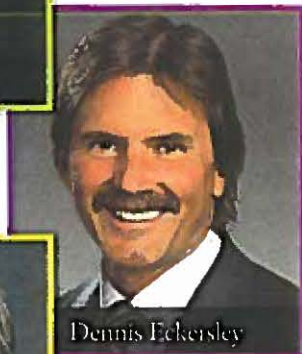
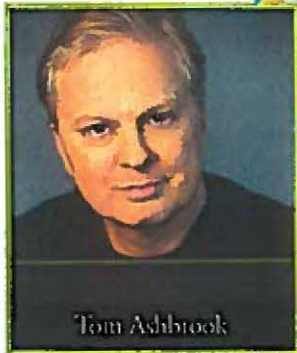
Also, please remember to contact the Sheraton Hotel directly to reserve your room, since space is limited. The hotel contact information may be found on our website. And please be sure to check www.mma.org for conference updates, the announcement of additional major speakers, and much more. **We look forward to seeing you at the conference!**

Sincerely,

Geoff Beckwith
Executive Director & CEO

2017 ANNUAL MEETING & TRADE SHOW

January 20 & 21, 2017 | Hynes Convention Center and Sheraton Boston Hotel, Boston



DON'T MISS OUT!

- Keynote address by author and social influence expert **Jonah Berger**
- Closing session with acclaimed NPR radio host **Tom Ashbrook**
- Friday dinner with Hall of Famer and broadcaster **Dennis Eckersley**
- WEMO luncheon with minister and former news anchor **Liz Walker**
- Entertainment by comedian and "Orange Is the New Black" star **Mike Birbiglia**
- 20 timely, **information-packed workshops** and 3 **Emerging Issues Forums** on key municipal issues
- Countless opportunities to **network** and share ideas with peers
- **Trade Show** with 200-plus exhibitors offering municipal solutions
- Member group **business meetings** and important policy discussions

**Convenient Online
Registration Available Now!**

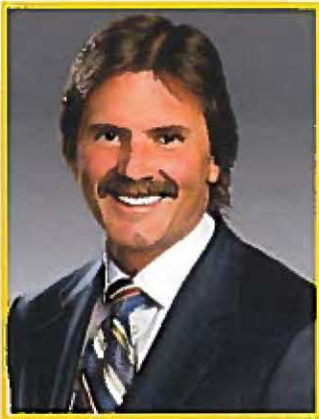
REGISTER TODAY!
www.mma.org

2017 ANNUAL MEETING & TRADE SHOW

January 20 & 21, 2017 | Hynes Convention Center and Sheraton Boston Hotel, Boston

Don't miss our great dinner speakers!

Get your dinner tickets today – before they sell out!



Friday Night: Dennis Eckersley

Hall of Fame pitcher and NESN Red Sox analyst

Eckersley, one of the greatest relief pitchers in Major League history, is also known for his colorful personality in the broadcast booth. His "Eck-isms" include "cheese with hair on it" (fastball that moves across the plate), "do-drop-in" (looping curveball), and "got paint" (pitches that just touch the corner of the strike zone). Eckersley is credited with coining the term "walk-off home run."

Over a 24-year pitching career, Eckersley earned 390 saves – seventh all-time – and 197 wins. Hall of Fame pitcher Rich "Goose" Gossage said of Eckersley, "He could hit a gnat in the butt with a pitch if he wanted to."

Eckersley is the only Major League pitcher with at least 100 saves and 100 complete games in his career, and one of just two pitchers with a 20-win season and a 50-save season. A six-time All Star, Eckersley won the American League Most Valuable Player and Cy Young awards in 1992.

Saturday Night: Mike Birbiglia

Comedian and "Orange Is the New Black" star

Shrewsbury native Birbiglia has been called a "master of the personal, embarrassing tale" by Time magazine and a "supremely enjoyable monologist" by The New York Times. His unique storytelling style is featured in his contributions to the award-winning NPR program "This American Life."

Birbiglia can be seen in films including "Trainwreck," "The Fault in Our Stars," "Cedar Rapids," "Going the Distance," and "Annie." He won the NEXT Audience Award at the Sundance Film Festival for "Sleepwalk With Me," which he wrote, directed and starred in. His second foray into writing and directing is the critically acclaimed "Don't Think Twice."

His standup show "My Girlfriend's Boyfriend" was a critic's pick by The New York Times and New York Magazine and was nominated for a 2014 American Comedy Award. His latest stage show is called "Thank God for Jokes."



Visit www.mma.org for details and to register and get your tickets!