

PACKET

APR 24

2017



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
DOUGLAS A. LEVINE

BOARD OF SELECTMEN

Monday, April 24, 2017
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road Wayland

Proposed Agenda

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

- | | | |
|---------|------|--|
| 6:45 pm | 1.) | Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Discuss Strategy with Respect to Negotiations with Non-Union Personnel, Town Administrator |
| 7:00 pm | 2.) | Call to Order by Chair <ul style="list-style-type: none">• Review Agenda for the Public; Announcements |
| 7:02 pm | 3.) | Public Comment |
| 7:10 pm | 4.) | Hear Request of American Legion regarding Veterans' Display in Town Building Lobby and Discuss with Facilities Director |
| 7:20 pm | 5.) | Meet with Licensed Site Professional Ben Gould regarding Letter from Raytheon about Environmental Issues at Town Center |
| 7:40 pm | 6.) | Discuss Board Communications Initiatives and Staff Assignments |
| 8:00 pm | 7.) | Discussion with Wastewater Management District Commission and Vote to Sign Payment in Lieu of Betterments Agreement with Wastewater Management District Commission |
| 8:30 pm | 8.) | Discuss and Vote to Approve Portfolio Assignments |
| 8:40 pm | 9.) | Update on River's Edge Land Development Agreement |
| 8:50 pm | 10.) | Minutes: Review and Vote to Approve Minutes of April 18, 2017 |
| 8:55 pm | 11.) | Consent Calendar: Review and Vote to Approve (See Separate Sheet) |
| 9:00 pm | 12.) | Review Correspondence (See Separate Index Sheet) |
| 9:10 pm | 13.) | Report of the Town Administrator |
| 9:20 pm | 14.) | Selectmen's Reports and Concerns |
| 9:30 pm | 15.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any |

BOARD OF SELECTMEN

**Monday, April 24, 2017
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road Wayland**

Proposed Agenda Page Two

- 9:35 pm 16.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to Litigation in Pending Action regarding 20 Millbrook Road and to Discuss Whether the Town should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland, LLC, relative to Property and Development located off 400-440 Boston Post Road
- 9:50 pm 17.) Adjourn

4. VETERANS / LOBBY

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: AMERICAN LEGION REQUEST / TOWN BUILDING

REQUESTED ACTION:

DISCUSS LOCATIONS OF VETERANS' DISPLAYS AND IMPROVEMENTS OT TOWN BUILDING LOBBY

BACKGROUND:

Mark Swanke and Paul Rufo will meet with the Board to discuss a request to consolidate veterans' memorials and displays in Town Building. Facilities Director Ben Keefe will be present to hear your thoughts on the request as well as overall improvements to the lobby. Departments have commented that an important improvement would be signage that would more effectively direct the public to the right location.

S. RAYTHEON LETTER /
LSP, BEN GOULD

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: CORRESPONDENCE FROM RAYTHEON DATED 4/4/17

REQUESTED ACTION:

MEET WITH THE TOWN'S LICENSED SITE PROFESSIONAL, BEN GOULD, REGARDING THE SIGNIFICANCE TO THE TOWN OF A LEGAL NOTIFICATION OF "DOWNGRAIDENT PROPERTY STATUS OPINION AT THE FORMER RAYTHEON FACILITY"

BACKGROUND:

Please see attached notice from Raytheon and Mr. Gould's e-mail below.

From: Ben Gould
Sent: Tuesday, April 04, 2017 4:44 PM
To: Balmer, Nan
Subject: RE: Public Notice Letter - RTN 3-33752

Hello Nan,

Yes, this letter has some significance to the former Raytheon property issues the Town has hired me to advise you on.

I am aware of the Downgradient Property Status issue and have reviewed the DPS report which presents Raytheon's case that in addition to the chlorinated solvent contaminant plumes attributable to former Raytheon operations at what is now the Wayland Town Center, there are two smaller plumes of chlorinated solvent that appear to be migrating from a property to the southeast onto the Town Center parcel. The result of submitting this DPS opinion is that DEP will not require Raytheon to remediate contamination attributable to those two smaller plumes as part of their ongoing groundwater cleanup efforts. However, they are still responsible to address the two larger areas of chlorinated solvent issues (termed the 'Southern Area' and the 'Northern Area' in numerous past reports and public presentations). Would be happy to discuss this at greater length with you and/or the Board of Selectmen if you wish.

Thanks,

Benson R. Gould, LSP, LEP
Principal
CMG Environmental, Inc.

**Environmental
Resources
Management**

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

www.erm.com



4 April 2017
Reference: 0377766

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

Re: Legal Notification
Downgradient Property Status (DPS) Opinion
Former Raytheon Facility
430 Boston Post Road
Wayland, Massachusetts
Release Tracking Number 3-33752

Dear Ms. Balmer:

On behalf of Raytheon Company, Environmental Resources Management (ERM) will be submitting a Downgradient Property Status (DPS) Opinion for the portion of the Former Raytheon Facility (the "Subject Property") where Chlorinated Volatile Organic Compounds (CVOCs) in groundwater has come to be located. This DPS has been prepared in accordance with 310 CMR 40.0180 of the Massachusetts Contingency Plan (MCP) for the Subject Property covered under Release Tracking Number (RTN) 3-33752.

The DPS Opinion includes a technical evaluation of the hydrogeologic conditions under which CVOCs has migrated onto the Subject Property via advective groundwater flow from an unknown up gradient source area(s).

In accordance with 310 CMR 40.1400, the Chief Municipal Officer and the Board of Health must be notified of the report availability. Additional information regarding this submittal and copies of the document can be reviewed at the following location:

Massachusetts Department of Environmental Protection
Northeast Regional Office

205B Lowell Street
Wilmington, Massachusetts 01887
Main Phone: 978-694-3200

To find the document on the MassDEP website, go to <http://public.dep.state.ma.us/SearchableSites2/Search.aspx> and search for RTN 3-33752.

A copy of the NOTICE OF DOWNGRADIANT PROPERTY STATUS OPINION is included with this letter. This legal notice will be published in the Wayland Town Crier on 23 March 2017.

Please direct any questions or correspondence to Louis J. Burkhardt, Raytheon Company, at (978) 858-1885 or the undersigned at (617) 646-7800.

Sincerely,



Lyndsey Colburn, P.G.
Principal Consultant

Enclosure: NOTICE OF DOWNGRADIANT PROPERTY STATUS
OPINION

cc: Louis J. Burkhardt, Raytheon Company

NOTICE OF A DOWNGRAIDENT PROPERTY STATUS OPINION

**FORMER RAYTHEON FACILITY
430 BOSTON POST ROAD, WAYLAND, MASSACHUSETTS
RELEASE TRACKING NUMBER: 3- 33752**

A Downgradient Property Status Opinion containing the elements required by 310 CMR 40.0180 was developed and submitted to the Massachusetts Department of Environmental Protection (DEP) for the above site pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000).

The DPS Opinion includes a technical evaluation of the hydrogeologic conditions under which Chlorinated Volatile Organic Compounds (CVOCs) has migrated onto the Subject Property via advective groundwater flow from an unknown upgradient source area.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide additional opportunities for public notice of and involvement in decisions regarding response actions at disposal sites: 1) The Chief Municipal Official and Board of Health of the community in which the site is located will be notified of major milestones and events, pursuant to 310 CMR 40.1403; and 2) Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and implemented, pursuant to 310 CMR 40.1405.

Additional information regarding this submittal and copies of the document can be reviewed at the following location:

Massachusetts Department of Environmental Protection
Northeast Regional Office
205B Lowell Street
Wilmington, Massachusetts 01887
Main Phone: 978-694-3200

To find the document on the MassDEP website, go to <http://public.dep.state.ma.us/SearchableSites2/Search.aspx> and search for RTN 3-33752.

To obtain more information on this disposal site, please contact Louis J. Burkhardt, Sr. Environmental Engineer, Raytheon Company, 50 Apple Hill Drive, Tewksbury, MA 01876, (978) 858-1885.

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: COMMUNICATIONS / CORRESPONDENCE

REQUESTED ACTION:

PROVIDE THE TOWN ADMINISTRATOR WITH DIRECTION ON THE BOARD'S PRIORITIES FOR IMPROVING COMMUNICATION WITH THE PUBLIC

PROVIDE DIRECTION TO TOWN ADMINISTRATOR ON REVISIONS TO CORRESPONDENCE POLICY AND CHANGES TO OFFICE PROCEDURE

BACKGROUND:

COMMUNICATION WITH PUBLIC:

Several Town departments have existing Facebook accounts in addition to website pages and issue press releases when necessary to provide the public with important information.

What role does the Board of Selectmen want to play in informing the public of its own activities? What staff should be responsible for carrying out the initiatives?

Some possible initiatives:

1. Quarterly public forums (extended public comment),
2. Facebook page that includes information from Selectmen and links, if possible, to all other Town Facebook accounts,
3. Modernize website,
4. Listing "Public Communication" on every agenda to inform the staff of what information is most important to communicate to the public,
5. Monthly "opt-in" e-mail newsletter and press releases to publicize votes taken by the Board or important information, such as about Town Meeting that the Board wishes to convey to the public

CORRESPONDENCE:

Attached please find for your review and comment the Board's policies on "Communications with the Board of Selectmen" and "Acknowledgment of Correspondence from the Public".

The following are some suggested areas for consideration:

1. Should correspondence be posted to the website or made available in hard copy at the office and paced in Selectmen's Dropbox?
2. Should all e-mails received by all 5 Board members continue to be posted?
3. May receipt of correspondence by the Selectmen be delayed until the Town Administrator has an opportunity to review and provide a preliminary response? (Will probably delay by one meeting)
4. Should the website continue to include an e-mail link to "Selectmen"?
5. Does the Board care to comment on the the Town Administrator's discretion regarding providing / posting correspondence?

OPPORTUNITIES FOR PUBLIC COMMENT ON REGULATIONS AND FEES

Prior to adoption of regulations or fee schedules, there shall be opportunity for public comment in meetings open to and advertised to the public. In many cases there is no legal requirement that advertised public hearings be held in advance of the governmental body's public decision-making. However, the Board of Selectmen believes that, for all town boards, every effort should be made to invite public participation, including public notices, to ensure that such regulations and fee schedules meet the tests of necessity, reasonableness, and fairness.

Approved on February 9, 2004; revised and restated on October 13, 2010, revised and restated on September 8, 2015.

COMMUNICATIONS WITH THE BOARD OF SELECTMEN

In order to keep the Board of Selectmen well informed, the Town Administrator is expected to exercise his or her discretion in bringing to the attention of the Board any communications, written or oral, from any source relevant to the activities and interests of the Board of Selectmen.

The Town Administrator shall provide to the Board of Selectmen copies of all such written communications received or sent by the Town Administrator or the Board of Selectmen to or from any person or organization including, but not limited to, federal, state, and local (non-Wayland) governmental organizations and officials; other Wayland boards, elected and appointed officials, and their employees; and the public. Obvious unsolicited "junk mail" or routine scheduling matters or similar correspondence is excluded.

For each regular meeting of the Board of Selectmen, a list of all public records provided to the Board of Selectmen subsequent to the last regular meeting shall be published. Scheduling items, invitations, junk/spam correspondence shall be excluded from this list.

This paragraph, formerly "Publication of List of Public Records Provided to the Board of Selectmen" was approved March 9, 2009; restated on October 13, 2010, reviewed and merged with "Communications with the Board of Selectmen" September 8, 2015.

Approved February 9, 2004; revised and restated on October 13, 2010, Reviewed and restated September 8, 2015.

ACKNOWLEDGMENT OF CORRESPONDENCE FROM THE PUBLIC

Correspondence addressed to the Board of Selectmen shall be acknowledged promptly by the Town Administrator or the Chair of the Board of Selectmen, in writing. The Board does not routinely acknowledge receipt of memoranda and letters addressed to other boards or officials or impersonal correspondence. Copies of all responses, other than routine acknowledgements, shall be provided to the Board in the next packet.

Approved February 9, 2004; revised and restated on October 13, 2010, Reviewed September 8, 2015.

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: PAYMENT IN LIEU OF BETTERMENT

REQUESTED ACTION:

MEET WITH THE WASTEWATER MANAGEMENT DISTRICT COMMISSION

VOTE TO APPROVE THE AGREEMENT BETWEEN THE BOARD OF SELECTMEN AND THE WASTEWATER MANAGEMENT DISTRICT COMMISSION REGARDING A PAYMENT IN LIEU OF BETTERMENT PLUS RELATED COSTS IN THE AMOUNT OF \$52,291 FOR 820 GALLONS PER DAY OF SEWER CAPACITY FOR 5 CONCORD ROAD; THIS VOTE IS CONTINGENT UPON THE EXECUTION OF A SEPARATE AGREEMENT BETWEEN THE WASTEWATER MANAGEMENT DISTRICT COMMISSION, CONSERVATION COMMISSION AND WAYLAND MEADOWS

BACKGROUND:

Draft Agreement WWMDC and BOS: This document does not include the following language which is still under discussion, which can if, agreed, be added back into the document at the end of the sixth paragraph: *If capacity is not needed at 5 Concord Road, the WWMDC and the Town agree to explore utilizing the capacity or excess portion thereof for another Town owned building or project.*

- Please see WWMDC Chair Fred Knight's comments on the italicized language above.
 - Please see Article 19 of 2016 ATM.
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AGREEMENT

DRAFT PILOB AGREEMENT
WWMDC / BOS

This Agreement is dated as of _____, _____, 2017 and is entered into by and between the Town of Wayland, a Massachusetts municipal corporation, acting by and through the Wayland Wastewater Management District Commission (the "WWMDC") and the Board of Selectmen (the "Town"), both having an address of 41 Cochituate Road, Wayland, Massachusetts 01778 with respect to reserved sewer capacity for 5 Concord Road, Wayland, Massachusetts.

Whereas, in a separate agreement, Wayland Meadows, LLC agrees to transfer the parcel 023-052T (also referred to as Lot 8 as shown on the plan entitled "Plan of Land in Wayland, MA" dated April 15, 2010, prepared by Hancock Associates, Civil Engineers, Land Surveyors and Environmental Consultants and recorded with the Middlesex South Registry of Deeds as Plan No. 252 of 2010) to the Wayland Conservation Commission and the 380-gpd design flow (per Title V, hereafter, "design flow") to the Wayland Wastewater Management District Commission (WWMDC), and

Whereas, the Wayland Meadows, LLC, has paid 1) all taxes for parcel 023-052T, 2) all WWMDC operations fees for the associated 380-gallons-per-day (gpd) design flow including all principal and interest for late payments, 3) FY2017 interest from 1 Oct 2016 to 1 Apr 2017, and 4) \$3,709 in partial payment of betterments for FY2015-FY2017, and

Whereas, 2016 annual Town Meeting passed Article 19 to allocate to the building at 5 Concord Road, Wayland, MA (currently the Wayland Free Public Library) a total of 820-gpd design flow, consisting of the 380 gpd from above and 440 gpd previously relinquished by another WWMD user and returned to the WWMDC, and

Whereas, Article 19 included a payment to the WWMDC from town funds of a total of \$56,000, which consists of a payment in lieu of betterment (PILOB) of \$53,356, an initial operations payment of \$2,207 for FY2017, and an administrative fee of \$438. Wayland Meadows has already paid \$3,709 of the betterment reducing the PILOB to \$49,647 for a new total of \$52,291, and

Whereas, it is anticipated that the building at 5 Concord Road will eventually be connected to the WWMD system using separate funds, and *ADDITIONAL LANGUAGE MAY BE ADDED HERE*

Whereas, the Town agrees to pay operation fees to the WWMDC starting in FY2017, Therefore, the Wayland Board of Selectmen agrees to pay \$52,291 to the Wayland Wastewater Management District Commission , and the Wayland Wastewater Management District Commission agrees to transfer 820-gpd design flow to the property at 5 Concord Road.

Assignment. Neither the WWMDC nor the Town may assign their rights and obligations hereunder, in whole or in part, without the prior written consent of the other party. Any assignment without such prior written consent shall be deemed null and void. Subject to and without limiting the preceding two sentences, this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns.

Governing Law. This Agreement, executed as of the date first above written, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, and may be cancelled, modified or amended only by a written instrument executed by the parties.

Additional Documents. The parties agree to execute any and all additional instruments and documents as may be reasonably required in order fully to effectuate the terms of this Agreement, provided none of the same shall increase any party's liability hereunder.

Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto with respect to the Surplus Capacity and payment and no verbal statements made by anyone with regard to the transaction which is the subject of this Agreement shall be construed as a part hereof unless the same is incorporated herein by writing.

Partial Invalidity. In the event that any one or more provisions of this Agreement shall be held to be invalid, illegal or unenforceable in any respect, the remainder of this Agreement shall not be affected.

In Witness Whereof, the parties have executed this Agreement as of the date first set above.

Town of Wayland Board of Selectmen	Wayland Wastewater Management District Commission
Lea Anderson, chair	Fred Knight, chair
Cherry Karlson	Sam Potter
Mary Antes	Rick Greene
Louis Jurist	
Douglas A. Levine	

Balmer, Nan

FRED KNIGHT: COMMENT

Subject: FW: Email, Live Feed, and WWMDC/BoS agreement

From: fred knight [<mailto:fred.knightway@gmail.com>]

Sent: Wednesday, April 19, 2017 8:14 AM

To: Antes, Mary; Levine, Doug; Karlson, Cherry; Anderson, Lea; Jurist, Louis; Balmer, Nan

Subject: Email, Live Feed, and WWMDC/BoS agreement

Please note that I have defined my own gmail list called selectmenWayland to send to you all. I have asked Lea why the email address selectmen@wayland.ma.us does not forward directly to you all. There may be reasons why this only goes to MaryAnn, but I cannot think of any. Of interest is that we finally have townclerk@wayland.ma.us forwarding to Beth and Diane automatically. Good. Also, wastewater@wayland.ma.us has been in place for a few years, functions well, and has its forwarding changed when necessary. This makes communication from users consistent over time.

Live Feed

I find the video and audio from the Selectmen's meeting room just very hard to view and listen to as a live feed. Of course, it is great to have this, and access to the feed has become quite useful. In fact, the on-demand version is easier to take (better resolution and less hiss), so there may be something limiting in the channel 9 local feed. I hope that this can be improved.

Library Design Flow

As you all noted last night, this is a somewhat complicated issue due to the following.

1. [Article 19 of 2016 ATM](#) promised a PILOB to be paid to the WWMDC for an allocation of design flow for 5 Concord Road. The text of the article is not explicit as to the amount of design flow but does allocate \$56,000, which is not broken down (as Cherry pointed out last night). \$56,000 was determined as the sum of the betterment for 820 gpd, \$2,400 for 2017 operations, and an administrative fee of \$250. Then further description is given in the FinCom Comments indicating that all of the 820 gpd goes to 5 Concord Road to alleviate the possible impediment for the MBLC grant. So this leaves some questions dangling.
2. The new Library will not be at 5 Concord Road. The current Library needs at least 500 gpd, based on water use. An enlarged Library, now not contemplated, might need double this. A use of the building as an office might need up to 800-1050 gpd, but 820 gpd was a good approximation.
3. This transfer is further complicated by Wayland Meadows paying part of the betterment (\$3709) and 3/4 of FY2017 operations fees (hence, the \$2400 will pay FY2017/Q4 and some of FY2018 operations). These both reduce the payment below \$56,000, as detailed in the agreement.
4. The WWMDC is very wary of allowing users to alter assignments of design flow (aka capacity). Up until this point we have had one user vacate the system (hence the availability of 440 gpd) and three recent modifications due to change of use. The WWMDC's Rules and Regulations are being revised to codify alterations of design flow and to only allow an alteration of design flow due to a change of use and then only with WWMDC concurrence.
5. Unfortunately (Fred's opinion), there was a comment in the 2016 ATM about splitting the 820 gpd of design flow. This was placed there by a member of the FinCom and was not cleared with the WWMDC. The WWMDC would have voiced objection based on 4. above.
6. Allocating all of this 820 gpd to the 5 Concord Building still alleviates any impediment to future use of the current building. The Town will pay for the entire 820 gpd wherever it is allocated. With the future of 5 Concord Road uncertain, it is reasonable to eliminate at least the design flow issue by allocating the entire 820 gpd. This is a position of the WWMDC.

Regards,
Fred

to apply for substantial state library construction grant funds.

ARGUMENTS OPPOSED: Some may argue that committing that 202 Old Connecticut Path will be used for a new Library if the site is selected (and Town Meeting votes for the required funding to construct a new library) is not justified at this time.

The Library Building Committee considered 202 Old Connecticut Path as one of about eight potential sites but did not include it as one of its top three sites (Town Center was on their top three list instead). Some concerns were raised about potential wetlands and topographical issues at 202 OCP, but they were not investigated in any depth.

RECOMMENDATION: The Finance Committee recommends approval. Vote 4-0.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.

For more information about this Article, contact Aida Gennis, Chair, Board of Library Trustees, at wgs3155@gmail.com, or Library Director Ann Knight at aknight@minlib.net. See map at Appendix G.

**ARTICLE 19: FUND PAYMENT IN LIEU OF SEWER BETTERMENT
ASSESSMENT FOR SEWER CAPACITY FOR TOWN LIBRARY
OR OTHER TOWN BUILDING**

Sponsored by: Board of Library Trustees, Board of Selectmen

Estimated Cost: \$56,000

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for a payment in lieu of a betterment assessment relative to the new Town-owned wastewater treatment plant for sewer capacity at said plant to connect a Town Library building or other Town building at 5 Concord Road, Wayland, Massachusetts thereto; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise.

FINANCE COMMITTEE COMMENTS: This article is being brought this year to help ensure that Wayland will be able to file a valid application under the Massachusetts Public Library Construction Program - with expanding and renovating the current library building at 5 Concord Road being one of the two required options we will submit in the application.

The current library building is serviced by an on-site septic system that was constructed in 1987. This septic system could not support an expansion. Moreover, the current system occupies space that is one of the most likely possibilities for expansion of the current building. The payment in lieu of sewer betterment assessment is to obtain wastewater capacity ("design flow") necessary for the library to hook-up to the Wayland Wastewater Management District ("WWMD") should it decide to do so. Even if the library is not expanded, the existing septic system is near the end of its useful life and the Board of Library Trustees has determined that hooking-up to the WWMD is likely to be the best and least expensive replacement option.

The proposed additional capacity that the town would purchase is 820 gallons per day ("gpd"), which was freed-up by two users who had design flow rights that they relinquished. The WWMD sent a letter to the Mass DEP asking for confirmation that they have no objections to this reallocation. They

received a response on February 29 indicating that the WWMC "may move forward with the reallocation of 820 gallons per day of sewer flows at your discretion."

The needs of the current library are estimated to be in the range of 400-500 gpd, so 820 gpd would provide wastewater capacity to support expansion. The cost of \$56,000 is driven primarily by the payment in lieu of benefit charge of \$53,356 (calculated at the same rate as the FY2015 betterment charge paid by current users), \$2,207 in FY2017 operational cost, and \$438 for clerical charges and other expense.

The town currently has the right to 3,000 gpd design flow at Town Building and 1,100 at the Public Safety Building. While currently there is 3,000 gpd reserved for the Municipal Pad (at the Town Center Development), the amount actually available is uncertain as the overall needs at Town Center are on track to be greater than the total 45,000 gpd limit. The Wayland Wastewater Management District Commission ("WWMDC") believes that the design flow capacity under the control of the WWMDC is approximately 76,000 gpd. The WWMDC's current NPDES permit allows up to 52,000 gpd annualized average flow of treated water discharge to the Sudbury River. At 80% of that level the WWMC will need to take specific actions we agreed to as part of an Administrative Consent Order. The current flows average only about 24,000 gpd, which is well below the 80% threshold. Our NPDES permit is under renewal by the EPA and DEP; the renewal seeks an increase to 78,000 gpd. Some have argued that rather than pay for additional capacity, the town should reallocate some of the capacity it already has from the Municipal Pad (as it may end up with a smaller building or no building at all), or the Public Safety Building (actual usage has been below the 1,100 rating), or Town Building (which is currently not using any of its 3,000 gpd capacity since its current septic system continues to be functional).

There is a relevant map in Appendix H.

The Board of Library Trustees recommends approval. Vote 6-0. The Board of Selectmen recommends approval. Vote 4-0.

ARGUMENTS IN FAVOR: Having a viable plan for wastewater for an expanded library at 5 Concord Road is a requirement for our application to the Massachusetts Public Library Construction Program.

Even if we don't expand the library, the current septic system is nearing the end of its useful life, and moving to WWMD is likely to be the best replacement option.

The town should purchase the right to the additional design flow rather than be in the position of potentially needing to scale back projects solely for the lack of sufficient wastewater capacity. If not needed at all, or in full, for the library, any excess from the 820 gpd could be used for other town buildings.

ARGUMENTS OPPOSED: The current septic system at 5 Concord Road may continue to be viable for longer than expected and/or replacing it with a new on-site septic system may turn out to be an equally good or even better alternative.

Some might argue that the Town may already have access to enough design flow capacity and should not pay now to buy more that we may not need.

Some have expressed concerns that we would be buying capacity that we cannot be sure will actually

be available given the differential between design flow capacity of 76,000 gpd and the current limit on discharge to the Sudbury River of 52,000 gpd.

If funds are appropriated but not used (we subsequently determine we can't, or shouldn't, purchase the additional 820 gpd of design flow capacity), taxpayers will have paid higher taxes than was necessary and have to wait until the appropriated amount is deemed to be surplus and returned to free cash.

RECOMMENDATION: The Finance Committee recommends approval. Vote 4-0.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7 and 8.

For more information about this article, contact Aida Gennis, Chair, Board of Library Trustees, at wgs3155@gmail.com, or Library Director Ann Knight at aknight@minlib.net. See map at Appendix H.

ARTICLE 20: AMEND CHAPTER 36 OF CURRENT BYLAWS (36-1)

Sponsored by: Petitioners

To determine whether the Town will vote to amend § 36-1 of the Code of the Town of Wayland titled "Town meeting and election" by changing the start date of annual Town meeting as follows:

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

"§ 36-1. Town meeting and election.

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

PETITIONERS' COMMENTS: This amendment provides more time in the new calendar year to forecast budget needs for the next fiscal year. Departments can provide a better product to the Finance Committee. Currently, the FinCom meets twice weekly to complete annual budgets in February while researching and deliberating on warrant articles before the early March press deadline. Overlapping, late-night, back-to-back meetings discourage citizens from engaging in ATM preparation. The "rush" causes confusion, and necessitates explanations and errata sheets at ATM. Fuller vetting of budgets and warrant articles facilitates more efficient, successful Town Meetings.

A later ATM date is fiscally prudent, given three full quarters of current FY spending/receipts available--useful indicators for the next FY, and affords greater insight on possible State funds available to the Town. No wonder MMA's data show 93% of Massachusetts municipalities opted for 2015 ATM start dates after Wayland's while over 80% started ATM on/after May 1.

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: PORTFOLIO ASSIGNMENTS

REQUESTED ACTION:

DISCUSS AND VOTE TO APPROVE PORTFOLIO ASSIGNMENTS; CONSIDER POTENTIAL POLICY

BACKGROUND:

- Attached please find draft portfolio assignments based on the Board's discussion on April 18th. The Board did not yet assign a liaison to the Board of Public Works.
- Also attached for your future consideration is a draft "Policy on Board of Selectmen Liaison Program", (borrowed from another Town). Although the Board has a statement of "Board Description, Guiding Principles, and Code of Conduct", that policy does not address how each Selectman will improve town communication and decision-making through the Selectmen's role as liaisons with other Boards and Committees.
 - As part of the discussion, the Board might discuss:
 - Whether to include in the Portfolio Assignments broad policy subjects such as budget and collective bargaining:
 - General policy areas (budget, collective bargaining, etc.) are part of the overall Board's responsibility and are often heard first by the Chair from the Town Administrator and Assistant Town Administrator as issues arise and then conveyed to the entire Board.
 - Whether to include in the Portfolio Assignments temporary projects such as Information Technology and Town Center.
 - Project assignments to Board members (Town Center, Information Technology) could be specifically authorized by the Board outside of the Portfolio. This may help each Selectman understand the Board's expectations.
 - Whether to include in Portfolio Assignments tasks that have become part of the duties of the Chair and Vice Chair / Clerk such as reviewing minutes.
 - Whether to include individual appointments made through the Board's appointment process

DRAFT April 24, 2107

Board of Selectmen Portfolio Assignments for April 2017 through April 2018

Mary Antes - term expires 2018

Conservation Commission
Community Preservation Committee
Council on Aging, Senior Property Tax Relief Committee
Council on Aging/Community Center Project
Historical Commission
Historic District Commission
Housing: Housing Authority, Housing Partnership, Affordable Housing, Affordable Housing Trust, and 40B projects
River's Edge Advisory Committee
Wayland Real Asset Planning Committee

Lea Anderson - term expires 2018

Board of Assessors; Overlay Estimate; Tax Classification/ Tax Rate Hearing
Executive Session Minutes
Finance Committee, Fiscal/Budget Strategy; Capital Planning
Minuteman Regional Vocational Technical School
Personnel Board, Collective Bargaining, Negotiation Strategy; Health Insurance
Open Meeting Law/Town Clerk
Town Counsel and Legal Services

Louis Jurist - term expires 2019

Board of Health
Recreation Commission
School Committee
Technology Planning, Electronic Communication and Improvements to Town Website
WayCAM Public Access Corporation; Cable Television Advisory Committee
Youth Advisory Committee

Cherry Karlson - term expires 2020

Audit Committee
Energy Initiatives Advisory Committee
Permanent Municipal Building Committee
Regular Session Minutes
Town Center, Town Green, Municipal Parcel
Wastewater Management District Commission

Doug Levine - term expires 2020

Economic Development Committee
Emergency Preparedness
Library Board of Trustees
Planning Board and Zoning Board of Appeals
Public Safety Issues (Police, Fire, Including Ambulance, ALS Committee, Paramedic Services)

Board of Public Works Not Yet Assigned

DRAFT

POLICY ON BOARD OF SELECTMEN LIAISON PROGRAM

The purpose of the Board of Selectmen's Liaison Program is to promote a high level of communication and continuing exchange of thoughts and ideas between the Board and the town's committees.

To achieve this goal, each member of the Board of Selectmen is assigned by the Chair to serve as a liaison to a number of boards and committees.

The Selectmen's Liaison receives and reviews copies of board and committee meeting agendas, informational packets and minutes, and may attend meetings as his or her schedule permits.

The chair of a board or committee may schedule a conversation with the Liaison as an agenda item, in order for the Liaison to communicate information from the Board of Selectmen and bring the questions and concerns of the committee back to the Board for discussion at a regular public meeting.

While each member of the Board of Selectmen is given liaison assignments on an annual basis, the Chair may allow a Selectman to continue to serve as a committee's liaison for several years, or to request a different assignment.

The presentation of Liaison reports, which may be either written or verbal, is a standing item on the Selectmen's regular meeting agendas.

DRAFT

4.24.17

9. RIVERS EDGE

DATE: APRIL 24, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: RIVERS EDGE

REQUESTED ACTION:

UPDATE

UPDATE:

- Status: Attorney David Wiener is continuing to work on the Town's behalf to negotiate a Land Development Agreement with Wood Partners. The Town is working to advise Mr. Wiener through the Town Team of Jerome Heller, Rebecca Stanizzi, Cherry Karlson and Nan Balmer.
 - Extension of Time to Execute LDA: An additional extension will be required but may be executed under the Board's vote (attached) by the Town Administrator as advised by Attorney Wiener.
 - Emergency Water Inter-Connect with the Town of Sudbury: Attached please find minutes from the Town of Sudbury Water Commissioners approving in concept an emergency only water interconnection.
-

RECORD OF VOTE OF THE WAYLAND BOARD OF SELECTMEN
March 20, 2017


At a duly called public meeting of the Wayland Board of Selectmen on March 20, 2017, the Board voted as follows with respect to the land located at 484-490 Boston Post Road in Wayland, Middlesex County, Massachusetts, identified on the Wayland Assessor's Map as Parcels #22-3, 22-6 and 22-7, and commonly known as River's Edge (the "Property"):

(a) To extend the deadline for execution of a final Land Disposition Agreement for the Property under that certain Notice of Award issued by the Town on February 24, 2017 and accepted by WP East Acquisitions, LLC on February 27, 2017 (the "Notice of Award") from Wednesday, March 29, 2017 until Friday, April 28, 2017 (the "LDA Deadline"); and

(b) To authorize the Town Administrator to execute and deliver any documents necessary to evidence the extension of the LDA Deadline, and to grant any further extensions necessary or proper, as determined in the Town Administrator's discretion, with respect to the LDA Deadline in the Notice of Award.

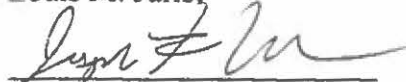
TOWN OF WAYLAND
By its Board of Selectmen


Cherry C. Karlson, Chair


Lea Anderson, Vice Chair


Mary M. Antes


Louis M. Jurist


Joseph F. Nolan

Balmer, Nan

From: Holder, Thomas
Sent: Thursday, April 20, 2017 2:13 PM
To: Balmer, Nan
Subject: Rivers Edge
Attachments: Sudbury Water District Connection - Meeting Minutes.pdf

Hi Nan – I am providing information relative to questions pertaining to Rivers Edge Development.

1. Please see the attached vote (item 6) of the Sudbury Water District's favorable position relative to the proposed water interconnection between Wayland and Sudbury
2. Possible necessary easements: The land interest we have involves access rights to the Transfer Station driveway and access road. It appears that a portion of the existing access road is located on property intended for Rivers Edge.
3. Costs associated with Inter-Municipal Agreement: In knowing that the Developer will construct the water lines within Boston Post Road to be transferred to the Town of Wayland, the Costs identified below would be borne by Wayland and/or Sudbury
 - a. Legal fees to Town/District Counsel
 - b. Possible permit fees from MADEP
 - c. Potential charge for water from Town providing water to Town receiving water
 - d. Rental of Equipment to facilitate water exchange when needed (pumps etc.)

I hope this helps to provide clarity on proposed features. Please let me know if you need anything additional.

Best,
Tom

Thomas Holder | Director
Department of Public Works

66 River Road
Wayland, MA 01778
508-358-3678

Minutes for the Meeting Held
March 23, 2017

1. Upon a motion duly made and seconded, the Commissioners approved the minutes for the meeting of February 28, 2017, as amended.
 2. Superintendent McEnroe presented the draft budget for fiscal year 2017/18 to the Commissioners. Modifications were made and will be presented at the next Commissioners' meeting.
 3. The number of attendees at the annual meeting was discussed. Superintendent McEnroe is concerned there may be attendance too large for the Fairbank Senior Center, because of the fluoride warrant article. The Commissioners recommended looking into alternative arrangements.
 4. A leak abatement request for 44 Babe Ruth was reviewed. Superintendent McEnroe recommended that the abatement be granted. The Commissioners considered the unique circumstances of the leak abatement request and determined that an exception to the strict requirements of the abatement policy was warranted.
 5. Superintendent McEnroe presented additional information regarding the proposed Maynard Rd. water main project as requested at the February 28th Commissioner's meeting. The Commissioners agreed, based on the estimated cost of the project as well as the cost sharing from Heritage Properties, to authorize Superintendent McEnroe to proceed with this project. Upon a motion duly made and seconded, the Commissioners authorized Superintendent McEnroe to enter into a contract for design services for water main design of Maynard Rd. with the firm that presented the lowest cost, CDR Maguire.
 6. Upon a motion duly made and seconded, the Commissioners voted to agree in concept to an emergency only water system interconnect between the District and the Town of Wayland subject to the outcome of the engineering analysis performed for the Town of Wayland.
-

7. Upon a motion duly made and seconded, the Commissioners authorized Superintendent McEnroe to enter into a contract for design services with Tighe and Bond for well 4 upgrades.
8. Upon a motion duly made and seconded, the Commissioners voted to go into Executive Session solely for the purpose of reviewing and approving the minutes of the Executive Session held on February 28, 2012, not to return to regular session.

Attendees:

Elizabeth D. Eggleston, Chairman (Via Telephone)
Michael C. Fee, Board of Commissioners
Robert H. Sheldon, Board of Commissioners
Tom Travers, Treasurer
Rebecca McEnroe, P.E., Superintendent

(10) MINUTES

DATE: APRIL 21, 2017

TO: BOARD OF SELECTMEN

RE: BOARD OF SELECTMEN MINUTES OF APRIL 18, 2017

The minutes of the Board of Selectmen meeting of April 18, 2017, were not ready on time for approval at the April 24 meeting.

TOWN ADMINISTRATOR'S REPORT

WEEK ENDING APRIL 21, 2017

OPEN MEETING LAW

Attached please find an e-mail to board chairs and department heads regarding open meeting law requirements and a request for suggestions to better provide volunteers with OML information.

POLICE CHIEF RECRUITMENT

Attached is a memorandum from the Assistant Town Administrator / HR Director requesting the Board provide input on the process for selecting a new Police Chief.

DOUBLE POLES

The Executive Assistant posted a notice on the website and received 9 responses, forwarded to Eversource, requesting the removal of double poles.

**SUBMISSION OF REQUEST TO FILE SPECIAL ACT UNDER ATM ARTICLE 10
REGARDING LOCAL VOTING RIGHTS FOR PERMANENT RESIDENT ALIENS**

The Executive Assistant forwarded a request and certified vote from the Town Clerk to the legislative delegation on Thursday April 21st to file special legislation.

LIBRARY DRAINAGE PROJECT

Financial Administrator Elizabeth Doucette completed her audit of the Library Drainage Project and has prepared the attached report for your consideration at a future meeting.

Balmer, Nan

To: DiNapoli, MaryAnn
Subject: FW: Open Meeting Law
Attachments: oml-guide[1].pdf

Dear Board and Committee Members and Department Heads,

We very much appreciate your service to the Town and would like to support you in any way possible to comply with the requirements of the Massachusetts Open Meeting Law. This year through March 31st, the Town has spent significant staff and volunteer time and over \$10,000 on legal costs associated with reviewing and responding to Open Meeting Law complaints. With your help and continued diligence, we can ensure the Town's ongoing compliance with the Open Meeting Law's requirements and increase credibility with the public, which, will, in turn, significantly reduce personnel time to respond to complaints, as well as reduce the costs associated with responding to complaints, as required by law.

Most Open Meeting Law complaints are filed in the following areas:

1. Board, Committee or Commission meeting minutes are not prepared and approved in a timely manner.
 - Recommendation: As a general rule, meeting minutes should be prepared as soon as possible and approved at the next regularly scheduled meeting or, at the latest, within two months of a meeting.
2. Listing of an agenda item is not specific on a meeting notice for an open session and/or an executive session.
 - Recommendation: The Chair should ensure that all meeting agendas include all items that will be discussed and are written with enough specificity that a member of the public will understand what is being discussed and what may be acted upon. Please remember that where there are no anticipated topics for discussion in open session other than the procedural requirements for convening an executive session, the Attorney General's Office requires that the public body list "open session" as a topic, in addition to the executive session, so the public is aware that it has the opportunity to attend and learn the basis for the executive session.
3. Executive Sessions do not cite the correct exception under the Open Meeting Law or the specific matter which will be discussed
 - Recommendation: Always carefully consider whether there is a legal basis under the 10 Open Meeting Law exceptions for discussion of board or committee business in Executive Session. Please don't hesitate to ask for help from the Selectmen's Office or Attorney General - (617) 727-2200 when you are unsure about how to describe the matter on the meeting agenda.

Please provide your suggestions on the type of information resources and educational sessions that would be helpful to you. The Board of Selectmen will be discussing Open Meeting Law training at an upcoming meeting and your suggestions would be very welcome.

For your background, I have also attached a copy of the Attorney General's Office Open Meeting Law Guide which provides relevant information regarding the law's requirements. There is also a list of the Attorney General's Office Open Meeting Law's Frequently Asked Questions, which was most recently updated on March 10, 2017, that is a helpful resource. The document is available online at <http://www.mass.gov/ago/government-resources/open-meeting-law/oml-faqs/>.

Thank you for your service to the Town! We hope to hear your ideas on this important matter.

Nan

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



DATE: April 24, 2017
TO: Board of Selectmen
FROM: John Senchyshyn, Asst. Town Administrator/HR Director
RE: **POLICE CHIEF RECRUITMENT**

REQUESTED ACTION:

Establish a Board consensus on whether to 1.) conduct an internal search for a successor Police Chief followed by an external search if no internal candidate is identified, or 2.) conduct a search for a successor Police Chief open to both internal and external candidates.

BACKGROUND:

I have been asked to provide the Board with options for a selection process for Wayland's next Police Chief. Police Chief Robert Irving will be retiring on September 19, 2017. The Police Chief is appointed by the Town Administrator with ratification by the full membership of the Board of Selectmen. Following are two options for a selection process.

Option 1 – Internal Assessment Center

In developing a selection process for a Police Chief, the first decision point is to determine if the Town wants to conduct an internal search first, or conduct an open search for both internal and external candidates simultaneously. For each of the past three Fire Chief appointments, Wayland conducted an internal assessment process to select the Fire Chief. One was limited to internal candidates only; the other two were open to both internal and external candidates. While the three Fire Chief assessments differed slightly, the approach was similar. Once the decision is made as to whether the Police Chief search is initially limited to internal candidates or open to internal and external candidates, then we can begin. An approximate date is included for each step in the selection process, though the dates may be adjusted based on the Board's direction. Given that the selection process will occur over the summer months, sufficient flexibility needs to be planned into the schedule for vacations.

1. Advertise the vacancy – This can be an internal posting or an internal posting accompanied by external ads. (week of 5/15)
 2. Select an Assessment Panel – Most likely comprised of current MA Police Chiefs from comparable communities. I suggest a panel of three Chiefs. (week of 6/12)
-

3. Select an Internal Panel – This panel would be comprised of a mix of staff, Board/Committee members and residents. (week of 6/12)
4. Review Applicants and Select Interviewees – Depending on the size of the field, this group may vary from three to five candidates. (week of 7/3)
5. Written Exercise – Ask the selected candidates to provide a sample briefing (limit three pages) on a relevant topic. The writing sample will be provided to the Assessment Panel. (week of 7/17)
6. Assessment Panel Interviews – Schedule Interviews with the Assessment Panel. The Panel will make recommendations for finalists to interview with the Internal Panel. (week of 7/31) *
7. Background Check – A full background check is conducted on each finalist. (week of 8/7)
8. Internal Panel Interviews – Finalists complete the second round of interviews. The Internal Panel makes a recommendation to the Town Administrator for appointment. (week of 8/14) *
9. Town Administrator Selection – The Town Administrator makes a selection for the next Police Chief. (week of 8/21)
10. Board of Selectmen Interview – The Town Administrator’s selection meets with the Board of Selectmen for purposes of ratification. (week of 8/28)

* The Town Administrator may opt to sit-in on both interview panels, or sit-in on the Assessment Panel and be a member of the Internal Panel.

Option 2 – External Assessment Center

Many communities engage a consultant to conduct a search and run an Assessment Center for Police Chief and Fire Chief searches.

DATE: APRIL 24, 2017
 TO: NAN BALMER
 FROM: ELIZABETH DOUCETTE, FINANCIAL ADMINISTRATOR
 RE: LIBRARY DRAINAGE PROJECT

ACTION REQUESTED:

Provide Finance Committee request for a line item transfer or reserve fund transfer to fund Library Drainage project deficit of **\$86,377.27**

BACKGROUND

Library Drainage Project was to install drainage improvements at the Wayland Public Library and assist in reducing future flooding damage. Unanticipated conditions resulted in a change order to the I. W. Harding Construction contract of \$112,500. The overall scope of work was adjusted by \$27,192.98 to compensate for the budget shortfall, resulting in a net change order of \$85,307.02. However, there remains a project deficit of \$86,377.27.

UNPAID AND ESTIMATED COSTS TO COMPLETE PROJECT

IW Harding Construction Co.	Contract final payment	\$ 68,765.77
IW Harding Construction Co.	Traffic Lights	3,787.22
Tighe & Bond Engineers	Services rendered	12,109.15
Tighe & Bond Engineers	Estimate to complete	2,000.00
Landscape Supplies	Estimate to complete	7,000.00
J. Moynihan	Services rendered	314.10
J. Moynihan	Estimate to complete	<u>314.10</u>
		\$ 94,290.34
	Balance in Drainage Improvements Account	7,913.07
	Deficit	\$ 86,377.27

PAYMENTS MADE TO DATE

Funding Source: Hazardous Mitigation Reimbursement Grant - \$268,594

I.W. Harding Construction Co.	\$250,422
Tighe & Bond Engineers	18,172

Funding Source: ATM 2011 for Drainage Improvements - \$160,000

ATM 2011 Appropriation \$200,000 - \$160,000 Wayland Public Library, \$40,000 Rolling Lane

NOTE: Payments listed here are for both Wayland Public Library and Rolling Lane projects

James W Sewell Co.	\$ 30,000
Eggleston Environmental	1,375
Tighe & Bond Engineers	138,786
I.W. Harding Construction	119
Kane-Perkins Co.	1,068
TI-Sales Inc.	2,261
Ellingwood Construction	4,825
EST Associates (Inspection)	950
Gatehouse Media	173
Ferenstein Feed	106
Ideal Concrete Block	984
J. Moynihan	9,863
Reclassified expense	<u>1,577</u>
Total expended to date	\$ 192,087
Account Balance	<u>7,913</u>
2011 ATM Appropriation	\$ 200,000



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
DOUGLAS A. LEVINE

BOARD OF SELECTMEN

Monday, April 24, 2017
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road Wayland

CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Placement of Three Temporary Sandwich Board Signs for the Friends of Wayland Youth and Family Services Stress and Anxiety Workshop, from May 1-8, 2017, at Route 20 at the Intersection of Route 27, the Intersection of Old Connecticut Path and Routes 126 and 27, and the Cochituate Fire Station at the Corner of East Plain Street
3. Vote the Question of Approving and Signing the Professional Services Contract with the Collins Center under the Community Compact Grant
4. Vote the Questions of Approving the Reconstitution of the Economic Development Committee and the Wayland Housing Partnership

DiNapoli, MaryAnn

From: Dowd, Lynn
Sent: Thursday, April 20, 2017 10:42 AM
To: DiNapoli, MaryAnn
Subject: permission to place signs
Attachments: Stress and Anxiety Workshop_Friends 5.8.17.pptx

Hi MaryAnn,

The Friends of Wayland Youth & Family Services is sponsoring an event on 5/8/17. For publicity, they would like to put their signs at the Rts. 20/27/126 intersection, Five Paths, and at the Cochituate Fire Station from 5/1/17 to 5/8/17. Could you please ask the Selectmen for their permission to do so? I have attached a flyer with details. The signs will display basic information from the flyer.

Many thanks,

Lynn

Do You or Your Teen Feel Stress and Anxiety?



Learn easy techniques to feel better!

See a live demonstration to learn new techniques and exercises to improve your quality of life. This free workshop will be led by Rachel Rice, founder and CEO of *Five Rhythms Consulting*.

Wayland Middle School Auditorium

May 8, 2017

7:00-8:30 pm

Open to all adults, and children aged 12 and older.



Wayland Youth
& Family Services

Sponsored by Friends of Wayland Youth and Family Services.



EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT
 JOHN W. McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES
 UNIVERSITY OF MASSACHUSETTS BOSTON

100 Morrissey Boulevard
 Boston, MA 02125-3393
 P: 617.287.4824
 F: 617.287.5566
 mccormack.umb.edu/centers/cpm
 collins.center@umb.edu

**REVISIONS NOTED
 IN RED**

**PROFESSIONAL SERVICE AGREEMENT
 Town of Wayland**

This Professional Service Agreement (“Agreement”) is made as of this ____ day _____, 2017 (“Effective Date”) between the Town of Wayland, 41 Cochituate Road, Wayland, MA, 01778, (“Town”), and the University of Massachusetts (“UMass Boston”), represented by its Edward J. Collins, Jr. Center for Public Management (“Center”), having an address of 100 Morrissey Blvd, Boston, MA 02125-3393 (“the Parties”).

The Center has technical expertise, resources, and capacity available to it, and the Town wishes to engage the Center to provide the Town with technical services. UMass Boston has determined that the proposed services to be provided are consistent with its research, economic development, educational, and public service missions.

Therefore, the Parties hereto mutually agree as follows:

1. Professional Services. The Center agrees to provide the professional services described in Exhibit A, which is attached hereto and incorporated herein by reference (“Services”). Trained personnel or sub-consultants of the Center shall render the Professional Services.
2. Term. The Center will use reasonable efforts to provide the Professional Services during the period from the date of this Agreement until December 31, 2017. Unless the parties agree to extend the term in writing, this Agreement shall expire at the end of the term or upon the completion of the Professional Services, whichever shall first occur.
3. Confidentiality/Privacy. The Center shall comply with all applicable state and federal laws and regulations relating to confidentiality and privacy. Notwithstanding the foregoing, the Center as part of the University of Massachusetts, is subject to the provisions of the Massachusetts Public Records Law.
4. Payments. The Town agrees to pay to UMass Boston an all-inclusive fee of \$30,000 for these services. This cost shall include all Center staff time and overhead. The Town agrees to make payments upon receipt of invoices. The Center will invoice the Town for \$10,000 after the kick-off meeting and the remaining \$20,000 upon the completion of the work. The Center reserves the right to discontinue work if the Town fails to pay invoices within thirty (30) days of receipt. Payments shall be made to “University of Massachusetts Boston” and shall be sent to:

Edward J. Collins Jr. Center for Public Management
 University of Massachusetts Boston
 100 Morrissey Blvd.
 Boston, MA 02125-3393
 Attn: Robert O’Keefe

5. Warranty Disclaimer. The Center shall perform the Services in a professional and workmanlike manner. The Center shall endeavor to perform the Services within the schedule set forth herein, but is not liable for failure to meet the schedule. The foregoing warranties are in lieu of all other warranties, express, implied or statutory, including without limitation any implied or express warranties of merchantability, fitness for a particular purpose, or non-infringement of a patent or other intellectual property right.

6. Limitation of Liability. In no event shall UMass Boston be liable for any loss of profits, loss of use, loss of data, cost of cover, indirect, special, exemplary, punitive, incidental or consequential damages of any kind in connection with or arising out of this Agreement or the Services, even if UMass Boston has been advised of the possibility of those damages. Notwithstanding the foregoing, in no event shall its liability arising out of this Agreement or relating to the Services exceed the amounts actually paid.

7. Use of Names. The Town agrees that it will not utilize the name or seal of the University in any advertising promotional material or publicity, without the express written consent of UMass Boston. Reciprocally, UMass Boston will not utilize the name or corporate seal of the Town in any advertising promotional material or publicity, without the express written consent of the Town.

8. Termination. This Agreement may be terminated by either of the Parties upon thirty (30) days written notice of termination to the other. If either of the Parties defaults in the performance of any of its material obligations under this Agreement, then the non-defaulting party may give written notice of the default to the defaulting party. Unless the default is corrected within thirty (30) days after the notice, the notifying party may terminate this Agreement immediately upon written notice. Upon termination of this Agreement by either party, UMass Boston will be reimbursed for all costs and non-cancelable commitments incurred in performance of the Professional Services prior to the date of termination in any amount not to exceed the total commitment set forth in Section 4 of this Agreement. Provided, however, that if professional services are not complete, then UMass Boston will return any pro rata share of payment to the Town not otherwise expended, to the extent permissible.

9. Survival. The obligations of the parties under Sections 3, 4, 5, 6, 7, 8, and 9 survive termination of this Agreement.

10. Independent Contractor. Nothing contained in this Agreement shall be construed to constitute the Center or UMass Boston as a partner, joint venture, employee, or agent of the Town, nor shall either party have the authority to bind the other in any respect, it being intended that each shall remain responsible for its own actions.

11. Governing Law. This Agreement is governed by the laws of the Commonwealth of Massachusetts without regard to any choice of law rules. The Parties agree to exclusive jurisdiction and venue in the Massachusetts Superior Court in Suffolk County.

12. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with respect to the Services, supersedes all prior oral and written agreements with respect to the subject matter, and can be modified only by a written instrument signed by both of the Parties which references this Agreement.

UMass Boston and the Town have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date.

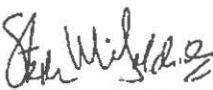
Town

BY: _____

NAME: _____

TITLE: _____

UMass Boston

BY:  _____

Stephen McGoldrick, Director

BY: _____

Darryl Mayers, Sr. Associate VC for A&F



Exhibit A: Scope of Services

1. Deliverables and Workplan

This Scope of Work includes the following deliverables:

1. Draft Financial Policies and Practices based on established best practices in local government finance, the policy development work done by the Finance Committee in 2016, the recommendations of the Town’s Financial Advisor and Town Counsel, and the standards used by rating agencies in evaluating the credit-worthiness of the Town. The policies will address topics including (but not limited to) the use of free cash, maintenance of reserve levels, and capital financing, and will identify the responsible parties and procedural steps necessary to carry out financial strategies.
2. Written final report providing options for alternative governance and management structure(s) and steps needed to implement them. The final report will address:
 - a. The Town’s current capital and operating budgeting process and recommendations for any changes to the roles as established by Town Code, job descriptions, and local practices of the Town Administrator, Finance Director, Department Heads, Finance Committee, School Committee, Board of Selectmen, and other Boards and Committees;
 - b. The Town’s current system for day to day financial operation, monitoring, and decision-making, and recommendations for any changes to the roles and relationships of all finance staff, management staff, and oversight bodies;
 - c. The Town’s current personnel **administration** and decision-making system related to Town finance operations and recommendations for any changes to the roles established by Town Code, job descriptions, and local practices of the Town Administrator, Assistant Town Administrator Department Heads, Personnel Board, and Board of Selectmen and other public bodies; and
3. Public presentation of findings.

In order to complete the noted deliverables, the project team proposes the following workplan:

Task 1: Kick-off meeting with Financial Management and Policy Committee

The Center project team recommends that the Town create a Management and Policy Committee as a steering committee for the project. This committee would include the Town Administrator, Finance Director, Chair of the Finance Committee **or designee**, Chair of the Board of Selectmen **or designee**, and a department head appointed by the Town Administrator.

The Center project team will meet with the Committee to clarify the context of the projects. For the financial policies work, this would include reviewing existing financial policies and prioritizing policies to be revised or created. For the governance and management structure work, this would include reviewing the statutory base of the existing structure and learning more about the history of this structure.

Economic Development Committee

Contact: Sarkis Sarkisian , Town Planner
Address: Wayland Town Building, 41 Cochituate Road
Wayland ,MA 01778
Phone: (508) 358-3778
Fax: (508) 358-3606

[Meeting Agendas](#)

[Meeting Minutes](#)

Additional Links:

[Commercial Zoned Parcels in Wayland](#)

[Finance Committee Presentation, December 2009: Long Range Planning](#)

[Massachusetts Office of Business Development](#)

[Wayland Business Association](#)

[River's Edge Wayland \(Route 20 Septage/DPW Site\)](#)

[Rivers Edge Advisory Committee](#)

Members

Name	Title	Term
Rebecca Mattson Stanizzi	Chair	Expires June 30, 2019
Phyllis Jean Milburn	Member	Expires June 30, 2017
John T. Pugh	Member	Expires June 30, 2018
James Grumbach	Member	Expires June 30, 2019
Douglas A. Levine	Member	Expires June 30, 2019
Seth A. Roman	Member	Expires June 30, 2017
Frank A. Panaccio	Member	Expires June 30, 2018

The Board of Selectmen, at its meeting on February 1, 2010, established an Economic Development Committee to advise the Board of Selectmen, Finance Committee, Planning Board and other land-use regulatory and advisory committees on matters related to economic development and to support, promote, encourage and advocate projects that expand the Town's commercial tax base in a manner that strengthens the local economy and diversifies the tax base consistent with the character of our community. The committee shall work to maintain inter-board relationships to effectively address emergent issues with other committees from a business perspective through the appointment of liaisons to other land-use regulatory and advisory committee.

The committee shall be comprised of nine (9) members appointed by and serving at the pleasure of the Board of Selectmen for terms of three (3) years, with preference given to individuals with professional expertise in commercial real estate financing or development; real estate financing or development; real estate law; utilities or technology; marketing or merchandising; business or non-profit organization development; training and education; business owners; or participation in business associations and organizations. The Town Planner and Town Administrator shall serve ex officio without the right to vote and his/her presence shall not be counted in determining a quorum. Initially, two (2) members shall be appointed for one (1) year, two (2) members shall be appointed for two (2) members shall be appointed for two (2) years, and three (3) members shall be appointed for three (3) years to establish staggered, three-year (3) terms.

The purpose of the committee shall be:

1. To identify changing economic trends and development resources available to town boards and commissions.
 2. To develop and advocate for an economic development strategy that maximizes commercial property tax revenues and generates employment opportunities as part of a broader, long-range strategic plan for the community as established by the Board of Selectmen.
 3. To continuously review town bylaws, regulations and zones for consistency with the Town's economic development goals, and to make any applicable recommendations to improve permitting, licensing and regulatory functions to the appropriate board or commission.
 4. To promote streamlining of the Town's regulatory processes as related to commercial development.
 5. To advocate for state and federal legislation and regulations that advance economic development in Wayland.
 6. To work with staff to obtain Federal and state grant funds to further the economic development strategy; and
 7. To support and encourage new businesses seeking to locate in Wayland and existing businesses seeking to remain or expand in Wayland.
-

Housing Partnership

Contact: Rachel Bratt, Chair
Address: Wayland Town Building, 41 Cochituate Road
Wayland, MA 01778
Phone: 508-358-7857

Meeting Agendas

Meeting Minutes

Additional Links:

Housing Partnership Charge

Memo, December 2, 2013, Forming a Housing Trust Fund

Dudley Area Advisory Committee Final Recommendation
Supplementary Information from the Wayland Housing
Partnership, July 15, 2013

Supplemental Information to the Meeting of January 20,
2015

Members

Name	Representing	Term
Armine Roat	Planning Board	6/30/2019
Jennifer Steel	Housing Authority	6/30/2018
Kathleen Boundy	Board of Selectmen	6/30/2017
Rachel G. Bratt	Board of Selectmen	6/30/2017
Mary M. Antes	Board of Selectmen	6/30/2017
Christine DiBona	School Committee	6/30/2017
Rev. Dr. Stephanie May	Wayland Clergy	6/30/2018
Patricia Mottla Harlan	Board of Selectmen	6/30/2018
Joanne Barnett	Conservation Commission	6/30/2019

MISSION STATEMENT

BACKGROUND

The Wayland Housing Partnership was appointed by the Board of Selectmen to study the need for affordable housing and to recommend procedures for the implementation of Wayland Affordable Housing policy. The general affordable housing objectives of the partnership have the approval of the Board of Selectmen, Town Administrator, Housing Authority, Zoning Board of Appeals, Planning Board, Conservation Commission, and other applicable town boards, commissions, and committees.

RESPONSIBILITIES

The Board of Selectmen and the Town Administrator, with the concurrence of the aforementioned boards, commissions, and committees, have delegated certain defined responsibilities and functions to the partnership. These include, but are not necessarily limited to, the following:

-
- The partnership will act as the Town's initial contact with developers of proposed affordable residential housing projects that are site-specific and for which the developer has indicated an intention to request an increase in allowed density or other variances in return for said provision of affordable housing. In this context, the partnership will serve as a preliminary negotiating agency.

- The partnership may also initiate action intended to create affordable residential housing projects. In this context the partnership will work to create a specific project consistent with Town policy.

PROCEDURES

In fulfillment of this mission, the partnership will forward its project specific preliminary recommendations and conclusions to each of the above mentioned boards, commissions, and committees with a request for comments from each. Comments will be reviewed with the partnership and the authors of the comments. Following the review process, the partnership by majority vote will issue project specific recommendations to the Board of Selectmen for action.

WAYLAND HOUSING PARTNERSHIP

Purpose: The Wayland Housing Partnership works with the community to lead and support efforts to meet the affordable housing needs of the Town of Wayland.

Charge: The Wayland Housing Partnership shall

- Work with the town to develop affordable housing action plans based on housing needs studies
- Establish criteria to evaluate affordable housing proposals
- Make recommendations on the pros and cons of particular housing proposals
- Identify local, state, and federal housing resources to further development
- Locate available land suitable for development
- Review land use regulations and zoning bylaws
- Work with developers of affordable housing
- Increase public awareness through forums and other public events

Membership:

The Board of Selectmen shall appoint a committee of nine members, including a member or representative of the Board of Selectmen and representatives appointed by the Wayland Housing Authority, Planning Board, Conservation Committee, School Committee, the Wayland Clergy Association, and three members from the community at large. Members shall serve for staggered three-year terms. The Wayland Housing Partnership may appoint subcommittees chaired by one of its own members with additional members from outside the committee.

(Revision added 12/7/2015): In order to achieve appropriate representation on the Wayland Housing Partnership from affordable housing stakeholders, the Board of Selectmen may appoint a member of the clergy who is not a resident of the town. Any non-resident of the town who is appointed will serve as a non-voting member and will not count toward establishing a quorum for meetings.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

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

**REVISED PUBLIC DOCUMENTS PROVIDED TO
THE BOARD OF SELECTMEN FROM APRIL 14,
2017, THROUGH AND INCLUDING APRIL 13,
2017, OTHERWISE NOT LISTED AND
INCLUDED IN THE CORRESPONDENCE
PACKET FOR APRIL 18, 2017**

Items Distributed To the Board of Selectmen – April 14-20, 2017

1. None

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of April 18, 2017

1. Letter of 3/29/17 from Keystone Development Corporation to Nan Balmer, Town Administrator, re: 104 Plain Road Conservation Cluster
2. Town of Wayland State Retirees Benefits Trust Fund from the Pension Reserves Investment Management Board
3. Handouts from Treasurer/Collector, Tax-Title/Deferral Collections as of April 18, 2017, with Historical Summary, and General Obligation Municipal Purpose Loan of 2017 Bonds

REVISED Items Included as Part of Agenda Packet for Discussion During the April 24, 2017 Board of Selectmen's Meeting

1. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: American Legion Request/Town Building
2. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Correspondence from Raytheon Dated April 4, 2017
3. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Communication/Correspondence
4. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Payment in Lieu of Betterment
5. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Portfolio Assignments
6. Memorandum of 4/24/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: River's Edge
7. Memorandum of 4/24/17 to Board of Selectmen, re: No Minutes for April 18, 2017
8. Report of the Town Administrator for the Week Ending April 21, 2017



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

Monday, April 24, 2017
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, OPEB
2. Press Release, Wayland Weekly Buzz, April 2017

Minutes

3. Audit Committee, April 28, 2014, September 8, 2014, September 28, 2014, November 10, 2014 (Executive), December 1, 2014, December 15, 2014, March 10, 2015, July 30, 2015, December 1, 2015, December 9, 2015, March 15, 2016, May 9, 2016, June 30, 2016, November 28, 2016
4. Local Emergency Planning Committee, January 25, 2017
5. Public Ceremonies Committee, March 8, 2017, March 29, 2017

State

6. Letter of 4/13/17 from KP Law to Office of the Attorney General re: Town of Wayland Zoning Board of Appeals – Response to March 20, 2017 Complaint of George Harris

DiNapoli, MaryAnn

From: Balmer, Nan
Sent: Tuesday, April 18, 2017 11:14 AM
To: DiNapoli, MaryAnn
Subject: FW: OPEB

Correspondence for packet

From: Anette Lewis [mailto:aslewis33@verizon.net]
Sent: Tuesday, April 18, 2017 11:07 AM
To: Balmer, Nan
Subject: Fwd: OPEB

Just wondering why this wasn't included in with BOS correspondence for 4/18/17?

Begin forwarded message:

From: Anette Lewis <aslewis33@verizon.net>
Subject: Fwd: OPEB
Date: April 3, 2017 at 9:38:55 AM EDT
To: Cherry Karlson <ckarlson@wayland.ma.us>, Lea Anderson <landerson@wayland.ma.us>, Louis Jurist <ljurist@wayland.ma.us>, Mary Antes <mantes@wayland.ma.us>
Cc: Nan Balmer <nbalmer@wayland.ma.us>, Dave Watkins <dwatkins@pavonix.com>

This is the second e-mail concerning employee benefits that I referred to in my earlier e-mail to you today. The earlier e-mail forwarded public comment I submitted to the Personnel Board on March 6, 2017. Apparently, someone has to explicitly be given responsibility for overseeing and managing these programs. I would have thought that it was the Assistant Town Administrator/Director of Human Resources. Just accepting numbers offered by a specific department without detailed backup supporting those figures and without confirming the methodology and accuracy of the calculations is, at a minimum, not prudent practice.

Please include both e-mail in the Selectmen's public correspondence packets.

Thank you,

Anette Lewis
Claypit Hill Road

Begin forwarded message:

From: Anette Lewis <aslewis33@verizon.net>
Subject: OPEB
Date: March 29, 2017 at 2:51:31 PM EDT
To: Nan Balmer <nbalmer@wayland.ma.us>

Nan:

In response to your question of what more is needed to explain the amount of each of the OPEB contributions, see below the responses received to date prepared by Brian Keveny and Susan Bottan, respectively. By way of explaining my concern, I offer the following:

Look at and compare the individual OPEB contributions for:
FY16 listed in Art. 4 (p. 27) of the 2015 ATM Warrant [OPEB Committee was involved then];
FY17 listed in Art. 4 (p. 20) of the 2016 ATM Warrant;
FY18 listed in Art. 4 (p. 22) of the 2017 ATM Warrant.

The current dollars coming from the Revolving Funds other than the schools, have remained relatively constant. The numbers for the School's Revolving Funds are considerably down this year yet we have heard no hue and cry from anyone about program cuts, loss of jobs, or pay decreases.

Start by looking at p. 14 of 14 in the Revised FY18 School Committee Personnel Budget dated 3/15/17: http://www.wayland.k12.ma.us/UserFiles/Servers/Server_1036352/File/Superintendent/FY18%20Budget/RevisedPersonnelReportFY2017AppropriatedandFY2018BudgetMarch2017.pdf

One can see that: for FY17, 405.52 FTEs were budgeted for in the taxpayer-supported portion of the school budget; but that for FY17, the actual number was 411.27 FTEs; and that the FY18 budget is supposed to cover 420.08 FTEs.

- My concern is that FTEs from the fee-supported Revolving Funds (or some of the benefits costs associated with those FTEs) may be migrating into the taxpayer-supported portion of the budget. So, in order to understand precisely what is occurring, one needs to see the actual position descriptions, hours to be worked, years of service, and perhaps names or a listing of who receives W-2's.
-
- What steps have been taken to make up for the lack of OPEB contribution for those additional 5.75 FTEs added by the schools after the FY17 budget was approved?
-
- In addition, I believe that OPEB obligations to actually provide healthcare coverage accrue to an employee after he/she has worked here for either 5 or 10 years. So, if one is simply converting a benefits eligible position to one that does not seem to be eligible, the obligation may already have accrued by virtue of the number of years worked in Wayland, yet we are no longer receiving any dollars toward that obligation.

Anette

Begin forwarded message:

From: Susan Bottan <susan_bottan@wayland.k12.ma.us>
Subject: Re: Questions?
Date: March 23, 2017 at 1:07:26 PM EDT
To: Anette Lewis <aslewis33@verizon.net>
Cc: "Keveny, Brian" <bkeveny@wayland.ma.us>

Hi Anette,

The total town's OPEB assessment for FY18 , as I understand from FinCom is \$243,284. Of this total, the difference between the amount of OPEB covered by the School Department's Special Revenue Funds in FY 17 versus the budget amount for FY 18 totals \$4,304.74 or 1.7%. I calculated this by taking the reduction of 11.51 FTE's between FY 18 and FY 17, then multiplying by \$374, which is the per FTE amount FinCom provided to me.

Three factors account for the decrease in the SRF FTE's and OPEB assessment:

1. OPEB per FTE decreased from \$388 to \$374.
2. Deliberate efforts have been made by most SRF programs to hire part-time (defined as less than .50FTE) as well as hire staff who are not already working in other school programs to avoid incurring benefits costs and OPEB assessments. This is reflected in the shift you see in FTE's for the Food Service program and accounts for some of the shift in TCW and BASE.
3. FTE calculations were refined and corrected to reflect 1 FTE = maximum number of hours any one employee can possibly work in a program. For example, 1 FTE = 40 hours for the food service program. Last year, several of the FTE calculations used to calculate FTE's were based on 35 hours. This occurred primarily in BASE and TCW.

I hope this helps clarify the change in OPEB assessment. If you feel TM needs an explicit account of the (\$4,304.74) change, please let me know. I'll ask Ellen to address it in her SC budget presentation.

Susan

On Wed, Mar 22, 2017 at 5:17 PM, Anette Lewis <aslewis33@verizon.net> wrote:

Actually, Susan, I reached out to Nan several days ago and she reached out to Brian with the following question that I posed:

Art. 4 - OPEB Funding

Town Meeting will need an explanation of why:

Motion 2 = Dollars coming from enterprise & revolving funds are lower than for FY17

Motion 3 = Dollars coming from taxpayers are higher than FY17

And Brian responded to her that

"The difference in the contributions from the funds outside the General Fund from FY 17 to FY 18 is \$6,282. The reason for the change is that in FY 17 there were 58.78 school revolving FTE's as opposed to 47.27 in FY 18. The change in FTE counts changes the total contributions."

I then asked Brian to explain and he said he would ask to see the data behind the numbers. So that would be appreciated. Did the school's fee-based entities dismiss 11.51 FTEs? Were those FTEs transferred to some other budget?

Thanks,

Anette

On Mar 22, 2017, at 3:56 PM, Susan Bottan <susan_bottan@wayland.k12.ma.us> wrote:

Anette,

Brain Keveny shared with me that you may have some questions for me regarding Special Revenue Funds'

FTE's and OPEB contribution amounts. Please feel free to contact me if you so. I'd be happy to speak with you.

Susan

--

Susan Bottan, SFO
School Business Administrator
Wayland Public Schools
41 Cochituate Road
Wayland, MA 01778
508-358-3750

--

Susan Bottan, SFO
School Business Administrator
Wayland Public Schools
41 Cochituate Road
Wayland, MA 01778
508-358-3750

2

FOR IMMEDIATE RELEASE: To all Wayland Committees, Boards and Department Heads



Highlighting the News. Spotlighting the Issues.

www.waycam.tv/buzz

Have you heard about *Wayland Weekly Buzz*? It's a weekly news and issues program all about Wayland. We broadcast on WayCAM Cable (Comcast 37 and Verizon 8) on Sundays and Tuesdays at 10am and 6pm; and Online, On-Demand at www.waycam.tv/buzz.

Each week for the past 40 weeks, we've been presenting in-depth interviews with a Wayland leader, on an issue important to Town residents. We also present a short, weekly synopsis of Town Government committee and department meetings, compiled from short reports provided by volunteers who are members of Town committees.

We're pleased to announce that starting April 16, the weekly summaries of Town Government Committee Reports featured on *The Buzz*, will be published in a dedicated *Wayland Town Crier* column every week, both online and in print. Look for the *Wayland Weekly Buzz* logo.

<http://wayland.wickedlocal.com/news/20170417/board-recaps-from-wayland-weekly-buzz>

Now, more people in town can be informed about ongoing town government developments.

The Selectmen recently conducted a series of "Listening Sessions" with members of the community. One of the top findings was that residents want more communications about what's going on in Town Government. *The Buzz* on WayCAM and now in *The Crier*, will help meet that need.

We're reaching out to Committee Chairs and Department Heads: About 10 boards and committees are now participating. We'd like to add more. If your committee, board or department has news, projects or events that you think Wayland residents would like to know about, *The Buzz* would like to add that information to our reports. If you're not yet included in our weekly synopsis of committee reports, we'd like to include you.

Wayland residents are interested.

Please contact me for more information. And if you haven't already, check out *The Buzz*... and then be part of it.

Thank you,
Ken Isaacson
Executive Producer
508-653-8710
clickkeni@gmail.com

Minutes April 28, 2014
Town of Wayland
Audit Committee

Date: April 28, 2014
Time: 7:00 pm
Place: Wayland Town Building

Members Present- Chris Cullen, Paul Brennan and Chris Riley, Ben Downs, Gordon Cliff

1. Call to order-7:01
 - a. Chair Chris Cullen called the meeting to order.
2. Assign minute taker-7:02 pm
 - a. Ben Downs is assigned.
3. Public comment-7:05 pm
 - a. Don Bustin spoke during public comment advocating an expanded role for the Audit Committee and supported Paul Brennan working with the School Committee on their recent audit.
4. Discussion topics
 - a. Review school accounts with Geoff MacDonald and improvements in financial operations.
 - i. Geoff was unable to attend but he sent a chart with his status on audit items and a written comment. The AC discussed progress on audit items and the need for additional follow-up with finance staff.
 - ii. Suggestion of an exit interview with Geoff MacDonald.
 - b. Review of M&H 2013 single audit draft report
 - i. The AC discussed the report.
 - c. Role of the AC
 - i. Paul Brennan provided a draft document.
 - ii. Gordon Cliff suggested a resolution to add a 5th item to our duties. After discussion Ben made a motion to add a 5th bullet to our duties that was seconded by Chris Cullen and passed 5 Yes, 0 No. The resolution is as follows: "With the approval of the Board of Selectmen, provide assistance in support of other external and internal audits/reviews, including providing input on the scope, reviewing and ranking respondents to RFPs, acting as a point of coordination and support for the group conducting the work, and providing input on the findings and recommendations."
 - iii. Gordon made a motion that the Audit Committee recommends Paul as the Audit Committee representative to the Selection

Advisory Committee for the school business administrator. Chris Riley seconded the motion and it was passed 5 yes, 0 no.

- iv. Review RFP for 2016-2018 audits. There was not a new RFP so there was no discussion.
 - v. Risk assessment document for Melanson Heath. The document was referred to Brian Keveny for resolution of management letter item.
 - vi. Schedule of audit cycle for FY14. Confirm with Brian that the 2014 audit agreement has been signed.
 - vii. Possible improvements. The AC discussed process improvements and felt managing follow up to the management letter needs a better process and one where the selectmen and staff recognize this as a priority.
 - viii. A discussion about the current review of the School Activity Funds. The committee did not feel that it was in the committee's scope but supported Paul Brennan working with the School Committee in their review of the student activity accounts as a citizen.
5. Review/amend/approve minutes for prior meetings.
- i. Ben Downs moved the February 24, 2014 draft minutes, which were seconded by Chris Riley and were approved. Vote: 3 yes, 2 abstentions.
 - ii. Chris Riley moved the March 24, 2014 draft minutes as amended, which were seconded by Gordon Cliff and were approved. Vote: 4 yes, 1 abstention.
6. Next Meeting – Agenda items
- i. Meet with Town Administrator, selectmen liaison, fincom liaison, Brian Keveny and Geoff MacDonald to discuss progress on management letter items (fund balance).
 - ii. Scope of AC role.
7. Meeting adjourned at 8:47 pm

Respectfully submitted,

Ben Downs

Minutes September 8, 2014
Town of Wayland
Audit Committee

Date: September 8, 2014

Time: 6:00 pm

Place: Wayland Town Building

Members Present- Chris Cullen, Paul Brennan, Inna Kisseleva and Chris Riley. Gordon Cliff joined the meeting at 6:30 pm.

Also present: Susan Bottan-Wayland School Business Administrator

1. Call to order
 - a. The meeting was called to order at 6:00 pm by Chris Cullen
 2. Assign minute taker
 - a. Chris Riley
 3. Public comment
 - a. Don Bustin suggested that:
 - i. The Audit Committee's role should be expanded, and,
 - ii. That we should ask other Town Committees as to their expectations for the Audit Committee.
 4. Susan Bottan, the Wayland School Business Administrator, was invited to review the status of the 2013 audit items related to the Wayland Schools. Ms. Bottan's actions to date include:
 - i. Met with Audit Committee member Paul Brennan to review the list of audit items to be resolved.
 - ii. Conducted internal financial reviews at four of the five schools. The last school financial review to be completed shortly. The reviews included the school activity accounts.
 - iii. Reviewing and revising guidelines and forms to more closely follow MA Department of Education standards.
 - iv. Future efforts include:
 1. Training.
 2. Appointing a new programs manager to oversee revolving accounts and student activity accounts.
 3. An October 6, 2014 meeting with the School Committee to discuss progress in resolving the 2013 audit items.
 5. Vote for Chair of Audit Committee
 - a. A motion was made, seconded and approved to appoint Chris Cullen as the Chair for the next year. Vote: 4-0-1.
 6. Annual Report to Board of Selectmen
-

- a. It was agreed that the Committee would submit a written report to the Board of selectmen detailing steps taken to address the 2013 Management Letter items.
 - b. Paul Brennan volunteered to draft the response to the School items and Gordon Cliff offered to do the same for the Town items.
7. Status of RFP for audit services for FY15
- a. Status is uncertain.
 - b. Chris Cullen will email our BOS liaison, the Town Administrator and the Finance Director to ascertain status.
8. Feedback from BOS re: additional responsibility/duty for Audit Committee
- a. No feedback received from the Board of Selectmen (BOS). The Board of Selectmen were supposed to review the proposed additional duty tonight or in one of their next meetings.
9. July 21, 2014 draft minutes
- a. The minutes were moved, seconded and approved after a minor numbering amendment. Vote: 4-0-1
10. Next meeting
- a. Agenda items:
 - i. Invite Susan Botton back to discuss her 10/6/14 presentation to the School Committee re: 2013 audit items.
 - ii. Receive an annual audit progress update from Melanson Heath.
 - iii. Review BOS feedback on proposed additional duty.
 - iv. Review and vote the draft of the Audit Committee's 2013 Annual Report to the BOS.
 - v. Update of FY2015 Audit services RFP.
 - vi. Meet with the new Town Administrator to discuss with her the Audit Committee's duties and responsibilities
 - b. Date
 - i. Mid to late October. Specific date to be set by Chair.
11. Meeting adjourned at 7:16 pm

Respectfully submitted,

Chris Riley

Documents

1. FY2013 Management Letter
-

Minutes
Town of Wayland Audit Committee

Meeting Date: September 28, 2014

Start Time of Meeting: 7:00 PM

Place of Meeting: Wayland Town Building, Planning Room

AC Members Present – Chris Cullen, Gordon Cliff, Inna Kisseleva

Call to order

The meeting was called to order at 7:00 PM by Chris Cullen

- Assign Minute Taker – Gordon Cliff
- Public Comment – None
- Committee members briefly discussed suggested language on a fifth duty provided to BoS and roles and responsibilities for the meeting. After discussion, AC members agreed we would continue our standard procedure of the Chair acting as primary spokesman with other AC members available to answer questions or contribute comments as they deem appropriate.
- Reconvene at the BoS meeting. For notes of this portion of the AC meeting refer to notes from Board of Selectman meeting of September 29, 2014 item #5.
- Reconvene in original meeting. AC members had a brief discussion. It was agreed that AC members could provide any further input to Chris that he would then forward to the Chair of the BoS positioned as views of an AC member but not necessarily reflecting the views of other AC members.
- Review/amend/approve minutes for 9/8/14 - deferred until the next AC meeting.
- Next meeting
 - Agenda items
 - Discuss feedback received from BoS meeting on proposed language (if any received)
 - Discuss amended language to consider providing to BoS (if any)
 - RFP for independent auditor
 - Update from the School Business Administrator on management letter items
 - Discuss need for support and attendance at AC meetings from Town Administrator and/or Director of Finance
 - Draft financial statements for 2014 (if available)
 - Date – Tentative October 27.

Motion to adjourn – 8:05 approved 3-0.

**Executive Session
Minutes
Town of Wayland Audit Committee**

Meeting Date: November 10, 2014
Start time of the Meeting: 7:15 pm
Place of Meeting: Wayland Town Building

Audit Committee ('AC') Members Present:

Voting Members: Chris Cullen, Gordon Cliff, Inna Kisseleva, Chris Riley.

Non-voting Members: Brian Keveny – Town Finance Director

7:15 pm – Chairman made motion to go into an executive session. AC approved 4-0.

Brian Keveny's responses to AC members' questions:

For the past three years the audit firm providing services to the Town of Wayland has been MelansonHeath, which is one of the bidders.

Top three (3) firms that specialize in governmental accounting are Clifton Larson Allen, Powers & Sullivan, and MelansonHeath. Brian has worked with all three firms in the past, and had no concerns about working with any of them. Each have a different style, but all 3 are easy to work with.

1. He had very good experience working with MelansonHeath because of good up-front communication with auditors, being proactive with any problems that may arise from time to time.
2. Clifton Larson Allen – just went through a merger with a national firm. In the past interaction with them has been good and similar to interaction with MelansonHeath.
3. Powers & Sullivan also worked them on School related project in the past few years, and Brian was impressed with their work as well.
4. No conflict with either firm

Chris Riley and Gordon Cliff asked for Brian's input the importance of the Comprehensive Annual Financial Report ('CAFR'). – Brian: CAFR does not really bring any specific value to the financial statements, but more nationally recognized. CAFR provide more detail to the reader of the financial statements, transparency and in depth information. Given the fact that the residents of Town of Wayland continuously ask questions relating to information reported on the financial statements, providing more detailed financial statements would be a prudent thing to do. It would provide residents detailed information about financial affairs of the Town of Wayland, and may decrease the amount of questions BOS and Finance department typically addresses once the Financial Statements are published. With good planning, and starting work now, Brian was confident that the Town's staff can prepare all necessary information for CAFR reporting in a timely manner.

AC started deliberations as to the proposals of the t independent audit firms to RFP 15-13.

Two firms were assessed as not meeting the requirements of the RFP or not advantageous based on the information in their respective proposals.

Ron Beaulieu – Unacceptable: Maine firm, no MA references, no MA towns that fall in the same category as Town of Wayland. The firm made references to FY 15 but the timeline is off. Appears to be a small firm with only 1 CPA and with limited staff resources, therefore, it is uncertain whether they will be able to give the Town appropriate time and deliver audited financial statements within the Town's time frame.

Lynch, Malloy, Marini – Not Advantageous: concerns whether they would have enough resources to service Wayland; timeline is off; appears to be three single owner CPA firms merged together. Concerns that they might have the personnel, or the breadth of Mass clients to meet the criteria specified in the RFP

One Firm was assessed as being Advantageous

Clifton Larson Allen – went through recent merger, which raises some concern, Massachusetts CAFR experience is not clear from the proposal.

Two Firms were assessed as being Highly Advantageous

Powers & Sullivan – proposal is very responsive to all the decision criteria listed in the RFP. Particularly impressive was their number of AAA towns.

MelansonHeath – all decision criteria listed in the RFP were met. Inna raised a question whether it would be easier if MelansonHeath remained as an auditor based on Brian's experience; it can be costly/inefficient to change auditors too frequently. Brian Keveny confirmed that he has a very good relationship with the team from MelansonHeath. He considers their team very knowledgeable and reasonable; he also agreed that a new firm would have to take time to establish audit procedures as Town of Wayland would be new client for them.

AC concluded that the final two firms to evaluate and compare are Power & Sullivan and MelansonHealth. Audit Committee discussed and agreed either Firm would be a very good choice, but two Committee members felt that there would be some advantages to keeping Melanson Heath.

AC drafted the motion. Chairman proposed to vote on the final draft. AC members approved 4-0.

The text of the motion is as follows:

“The Audit Committee rated MelansonHeath and Powers & Sullivan as Highly Advantageous, Clifton Larson Allen as Advantageous, Lynch Malloy Marini as Not Advantageous, and Ron Beaulieu as Unacceptable. Of the two firms rated Highly Advantageous, three AC members expressed no preference. Two AC members expressed a preference for MelansonHeath primarily because of the excellent work they have provided as the Town's current auditor. Additionally, MelansonHeath staff is both highly qualified and familiar with the Town's personnel and operations. MelansonHeath has shown they can help the Town to improve operations throughout the year, while still bringing important issues to light through their management letter recommendations.

The Audit Committee believes that paying extra for a CAFR is worth the incremental cost as long as the incremental cost is reasonable”

Brian Keveny collected copies of all proposals to RFP #15-13 by Independent Accounts, AC members' review comments and cumulative AC review comments as concluded upon deliberations.

Chris Cullen and Gordon Cliff have agreed that the final version of the Motion is to be sent via e-mail to the Town Administrator by Chris Cullen upon receipt from Gordon Cliff no later than November 12, 2014.

9:40 pm – Upon conclusion of the deliberation and preparation of the motion relating to RFP #15-13 for the Town Administrator, the Chairman proposed to adjourn the Executive Session and go back into Open Session. AC approved 4-0.

**Town of Wayland
Audit Committee
Minutes from December 1, 2014**

Date: December 1, 2014
Time: 7:00 pm
Place: Wayland Town Building

Members Present- Chris Cullen, Paul Brennan, Inna Kisseleva and Gordon Cliff

1. Call to order
 - The meeting was called to order at 7:00 pm by Chris Cullen
2. Treasurer Paul Keating joined the meeting
3. Assign minute taker
 - Paul Brennan
4. Public comment
 - Don Bustin requested a copy of the draft Financial Statements draft and Chris C. provided an earlier draft, noting there were minimal changes to this evening's draft; he also asked that it be returned at the conclusion of the meeting.
5. Review of Management Letter comment #2 with the Treasurer, 7:07 pm
 - ML comment #2 is "Improve Automation in Tax Collectors Office"
 - Paul K. presented an overview of his office procedures, some of which are manual, some Excel, some MUNIS interface, some VADAR; he presented his view that he is open to looking at a cash receipts automated package, noting that his preference would be for VADAR rather than the MUNIS offering; there ensued a lengthy discussion of procedures and the applicability or benefit of optical scanning, with Paul K. indicating it has very limited use for him. (School Business Administrator Susan Bottan joined the meeting 7:14 pm)
 - AC member Inna K. asked Paul K. if he would elaborate on the segregation of duties aspect of the ML comment; Paul indicated that they employ a system of duty rotation and duplicate checking of key processes to work around the limitation in number of department employees
 - The discussion returned to the topic of automation, and Paul K. indicated he may do site visits to see how other towns are using VADAR, MUNIS etc, and will coordinate this with Brian Keveney; he also indicated, in response to Chris C.'s question, that he is uncertain whether automation would be completed in FY '15
 - Re ML comment #5, Improve Compliance With The Town's Cash Management Practices And Investment Policy (which prohibits any single

bank from holding more than 10% of the Town's cash); Paul K. indicated that if operating cash and trust fund balances are considered together, he may have exceeded the limit; he further stated that he has only two banks (Eastern and Rockland) where balances are not insured, but that he has only ~ 2% of total cash invested with them; AC member Gordon C. stated his concern that the ML comment had been recurring, and that if there exists a policy the Town should adhere to it; Paul K. indicated that he is reformatting his reports to show clearer adherence to the policy; Paul K. committed to liaise with Melanson to resolve wording on ML #2 and #5 prior to Dec. 15th. (Paul K. exited the meeting 7:43 pm).

6. Susan B. introduced herself and indicated she was prepared to discuss ML #3 Ensure Proper Allocation of Expenditures and #4 Improve Compensated Absences Accounting; she indicated that the Finance Sub Committee of the SC is addressing item #3 and she will report back on the specifics of those actions (she discussed a number of accounts requiring fund balance analysis and resolution); Inna K. suggested that since most of the items which are the subject of #3 are well on their way to resolution, Melanson might consider withdrawing the comment; AC member Paul B. raised the question as to whether ML #3 and #4 might also pertain to the Town side rather than solely the Schools; Susan B. and Chris C. indicated they would follow up with Scott McIntire at MH. (Susan Bottan exited the meeting at 8:01 pm).
7. AC member Gordon C. suggested the for ML #1 Formalize A Fund Balance Policy, the Town (BOS) needs to conclude as to whether that is in fact a valid ML comment and concern, or that the Town's policy is to not have a policy regarding fund balances. (The comment has been recurring without formal resolution).
8. The Committee proceeded to a review of the draft financial statements and there ensued a discussion from p. 8 of the "Acquiring easement with current year tax revenue" for \$2 million and the "20 Wayland judgment" for \$1,227,000. It was concluded that further explanation was needed from MH to fully understand the propriety of the entries; to expedite presentation of the financial statements and management letter the BOS on Dec. 15th, Gordon C. moved as follows: "Pending a clarifying note from Scott McIntire regarding the \$2 million easement item noted on page 8, and pending a note from Brian Keveney that he concurs and accepts the items in the management letter as presented, the AC believes that the FY '14 financial statements and the related management letter are ready to be presented to the BOS"- seconded by Paul B. – discussion ensued re the purpose of the resolution allowing Chris C. to tell BOS we are clear with both the financials and ML subject to the noted items – vote 4 to 0 approved; for follow up, Paul B. will speak with Susan B. and Chris C. to speak with Scott McIntire. (Brian Keveney joined the meeting at 8:44 pm). (Chair Chris C. exited the meeting to join the BOS meeting at 8:46 pm)

9. Brian K. discussed several items on the ML, concluding that he is in basic agreement with the items as presented; he reported that ML #3 is related in substance to the schools only; he further endorsed the comments in ML #2 related to tax collection automation; regarding the financial statements, Brian K. clarified the accounting related to the aforementioned items in 8 above; as a result of the input received from Brian K., Gordon C. made a motion as follows, "That the prior motion is amended to delete references to Brian Keveney and his input on the management letter and Scott McIntire regarding the \$2 million item on page 8"; seconded by Paul B. – discussion, none – vote 3 to 0 approved.
 10. Agenda item 2; a discussion ensued regarding the benefit of having the T.A. and Finance Director attending all AC meetings; Brian K. indicated that he believed that anyone with input on the AC agenda should participate as needed, including the FD, the SBA, the TA or the Superintendent (his opinion); Inna K. suggested that this group monitor our agenda to attend as their input would be needed; Gordon C. suggested that we need the TA's input on this topic to formalize a procedure.
 11. Agenda item 3; unable to discuss revised duties without the TA; tabled.
 12. Agenda item 4; unable to review and approve prior meeting minutes without revision to separate executive session portion; tabled.
 13. Next meeting agenda; relationship with FD and broader group; role of the AC; review and approval of minutes;
 14. Paul B. moved that the meeting adjourn, Gordon C. seconded; discussion, none – 3-0 approved and meeting adjourned at 9:07 pm.
-

Minutes
Town of Wayland Audit Committee

Meeting Date: December 15, 2014

Start Time of Meeting: 7:00 PM

Place of Meeting: Wayland Town Building

AC Members Present – Chris Cullen, Gordon Cliff, Chris Riley

Call to order

The meeting was called to order at 7:00 PM by Chris Cullen

- Assign Minute Taker – Gordon Cliff
 - Public Comment – None
 - Review (if available) the draft written responses to MH Management Letter – Audit Committee members expressed concerns that the Response had already been sent by the Town Administrator to the Board of Selectman without a draft being reviewed or discussed with the Audit Committee. Audit Committee members discussed and agreed that we should include a review of the Response with the Town Administrator and Director of Finance (and other members of the Senior Management Team if TA deems necessary) as a topic at the next Audit Committee Meeting and that for the meeting with the BoS later tonight we will explain we had not yet had a chance to review or discuss the Response.
 - Relationship of the Finance Director and the Town Administrator to the Audit Committee, and the level of support or interaction the Audit Committee should reasonably expect from the people holding these positions – Since Finance Director and Town Administrator weren't available to attend tonight's AC meeting this topic was deferred until the next meeting.
 - Review revised or additional language for the duties assigned to the Audit Committee by the BOS – Since Town Administrator wasn't available to attend tonight's AC meeting this topic was deferred until the next meeting
 - Review and approve minutes for prior meeting
 - 11/10/15 Open Session Draft Minutes – AC members reviewed and had no comments. Motion to accept draft minutes as presented made and seconded and passed 3-0
 - 11/10/15 Executive Session Draft Minutes - AC members discussed and agreed that the minutes should be changed. Gordon agreed to rework the notes for review at the next AC meeting.
-

- 12/1/15 Draft Minutes – since only 2 members from the 12/1 meeting were at the 12/15 meeting AC agreed to defer approval until the next AC meeting
- Next meeting
 - Agenda items (need to have attendance of the Town Administrator)
 - Discuss Town Response to MH 2014 Management Letter
 - Relationship of the Finance Director and the Town Administrator to the Audit Committee, and the level of support or interaction the Audit Committee should reasonably expect from the people holding these positions
 - Review revised or additional language for the duties assigned to the Audit Committee by the BOS
 - Discuss need for support and attendance at AC meetings from Town Administrator and/or Director of Finance
 - Date – Tentative Jan 6 or Jan 13 or Jan 21
- 7:45 AC agreed to suspend the AC meeting to join the BoS meeting (as scheduled)
- See BoS minutes topic #8) Joint Meeting on FY14 Audit with Audit Committee
- 9:58 Reconvene in AC meeting room.

Motion to adjourn – 10:00 approved 3-0.

Minutes
Town of Wayland
Audit Committee

Date: March 10, 2015

Time: 7:00 pm

Place: Wayland Town Building

Members Present- Chris Cullen, Paul Brennan, Gordon Cliff and Chris Riley.

Also present: Nan Balmer, Town Administrator, and Brian Keveny, Town Finance Director

1. Call to order
 - a. The meeting was called to order at 7:00 pm by Chris Cullen
 2. Assign minute taker
 - a. Chris Riley
 3. Public comment
 - a. None
 4. Gordon Cliff updated the Audit Committee (AC) on his meeting with the Finance Committee.
 - a. Topics included review of YE audit process and results, the AC's review and recommendation for outside auditor for FY15-FY17, and the inclusion of CAFR as one of the Annual Audit options.
 5. Treasurer/Tax Collector's Office
 - a. Nan Balmer and Brian Keveny led a discussion of changes in the Treasurer's Office.
 - i. The Treasurer's office is currently using a software package (Vadar) not integrated into the Town's general accounting package (Munis).
 - ii. Concern over tardy cash reconciliations caused the Town to hire Dan Sullivan, a CPA with substantial municipal auditing experience, to reconcile cash accounts for April, May and June 2014. Subsequently he was hired to reconcile cash accounts for July, August and September 2014 and to set up Quickbooks as a template to reconcile future months.
 - iii. With the Treasurer recently being placed on paid leave, the Town has hired Municipal Solutions to manage the Treasurer's office on a daily basis.
 6. Relationship of Town Administrator (TA), Finance Director (FD) and AC
 - a. AC requested that the TA and FD attend the 5/6 meetings per year dedicated to the annual audit.
 - b. The AC will set meeting dates on nights that do not conflict with BOS or Finance Committee meeting (preferably Thursday evening).
-

- c. In May the AC will set meeting dates with the outside Auditor Scott McIntyre of Melanson Heath in October, November, December (2), March, and May for the upcoming audit cycle.
 - d. The AC asked that the draft response to the Management Letter be available for review prior to the BOS/Auditor/Annual Audit meeting in December.
 - e. Nan Balmer stated her intent to include the department heads in addressing management letter items. She added that the TA is ultimately responsible for the response to the management letter and the implementation of the proposed corrective actions.
7. Review AC current duties and responsibilities and proposed additional duty.
- a. The AC asked to be informed of all audits (outside of the annual audit) that are proposed or ongoing.
 - b. The AC discussed an additional duty. The proposed language was as follows:
 - i. Additionally, with approval of the Board of Selectmen, provide assistance in support of the process for other external audits or reviews, which may include providing input on the scope, reviewing and ranking respondents to RFPs, acting as a point of coordination and support for the auditor conducting the work, and, if requested, provide advice to the requestor on reading and interpreting the report.
 - ii. Gordon Cliff moved the proposed language, seconded by Chris Riley and unanimously approved. Vote 4-0.
 - iii. Nan Balmer agreed to bring the proposed additional duty to the BOS for discussion and vote.
8. Town Response to Management Letter
- a. Item #1-Formalize a Fund Balance Policy
 - i. Nan Balmer plans to include this on a BOS agenda after completion of Town Meeting.
 - b. Item # 2-Improve Automation in Tax Collector's Office
 - i. The software needed to address this item will require Town Meeting approval. It is anticipated that this capital expense will be included in the FY2017 Warrant.
 - c. Item # 3-Ensure Proper Allocation of Expenditures
 - i. The School Department (SD) has identified 5 revolving accounts that have balances that seem to represent a reserve. The SD has either explained the reserve or is taking actions to review fees and appropriate reserves levels.
 - ii. The Ambulance revolving fund reserve will pay for a replacement fire truck in FY2017.
 - iii. Discussion is ongoing to change the Recreation revolving fund to an Enterprise Fund in FY2017.
 - d. Item # 4-Improve Compensation Absences Accounting
-

- i. The FD and SD have automated and reconciled compensation absences accounting. This has been tested and shown to be accurate. Annually this will be tested for accuracy.
 - e. Item # 5-Improve Compliance with the Town's Cash Management Practices and Investment Policy
 - i. TA to keep the AC informed of progress to be made on this item.
- 9. Meeting Minutes
 - a. The 11/10/14 Executive Session minutes with slight modification were motioned by CR, seconded by GC and approved. Vote: 3-0-1
 - b. The 12/1/14 minutes were moved by GC, seconded by PB and approved. Vote: 3-0-1
 - c. The 12/15/14 minutes were moved by CR, seconded by GC and approved. Vote: 3-0-1
- 10. Next Meeting
 - a. Tentatively set for Thursday May 21st.
 - b. Topics include:
 - i. Review further progress on Management Letter response.
 - ii. Invite Scott McIntyre of Melanson Heath to discuss audit schedule and set future meeting dates.
 - c. Review BOS feedback/vote on AC additional duty.
 - d. Tentative future meeting Thursday June 18th to draft AC report to BOS on status of corrective action taken by town management to address auditor's management letter items.
- 11. Upon motion made, seconded and unanimously approved the meeting was adjourned at 9:00 pm. Vote: 4-0.

Respectfully submitted,

Chris Riley

Documents

1. Auditor's Management Letter
 2. Town's response to Auditor's Management Letter
 3. 11/10/14 draft executive session minutes
 4. 12/1/14 draft meeting minutes
 5. 12/15/14 draft meeting minutes
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Minutes
Town of Wayland
Audit Committee

Date: July 30, 2015
Time: 7:00 pm
Place: Wayland Town Building

Members Present- Chris Cullen, Paul Brennan and Inna Kisseleva

1. Call to order
 - a. The meeting was called to order at 7:05 pm by Chris Cullen
 2. Assign minute taker
 - a. Paul Brennan
 3. Public comment
 - a. None
 4. Chris related that he had invited the Town Administrator, Finance Director and Treasurer, as well as representatives of Melanson Heath (MH); timing of the invitations precluding their attendance; he further indicated that the AC needed to report to the BOS and needed the input of those invitees so as to finalize all items in the 2014 Management Letter (ML).
 5. Referring to the draft Management Letter, Chris related that the Fund Balance issue had been referred to the FinComm, but that he had not received word on any definitive resolution; he will reach out to that committee for follow up.
 6. Chris related that he had reached out to Zoe Pierce (Treasurer) re the ML comment on automation efforts in the Treasurer's department; she is relatively new in her position, but she is looking at appropriate systems and will pursue this actively in FY '16; funds are budgeted for this in '16.
 7. On the ML comment "Ensure Proper Allocation of Expenditures" relating to school accounts, Paul suggested that Susan Bottan be invited to the next meeting to report status.
 8. Chris indicated that the schedule of financial activity for this year remains on track; re remaining ML comments from FY '14, some of these may reappear in the ML for FY '15 with updated completion notes; Chris related that Nan and Scott McIntire (MH) had committed to keeping the AC informed should significant audit issues arise; re final update of the BOS for FY '14, we agreed that Chris could do this by email once we receive an update on the open ML topics.
 9. Re discussion topic 2 (agenda), treasury functions and the annual audit, Chris related that Zoe reports a challenging situation (leadership void, presence of consultants) but that staff was responding with strong effort and she expressed confidence in her group.
-

10. Re open positions on the AC, Chris, Inna and Paul committed to reaching out to people they know with appropriate financial background; Chris will also pose this to the FinComm
11. Re meeting minutes, Chris will remind AC members of which dates are outstanding and need review/approval.
12. Upon motion made, seconded and unanimously approved the meeting was adjourned at 7:40 pm. Vote: 3 -0.

Respectfully submitted,

Paul Brennan

Minutes December 1, 2015
Town of Wayland
Audit Committee

Date: December 1, 2015
Time: 7:00 pm
Place: Wayland Town Building

Members Present – Carolyn Bargoot, Paul Brennan, Chris Cullen, Inna Kisseleva, Randall Moore (by phone)

7:02 pm - Chair Chris Cullen called the meeting to order

7:02 pm - Paul Brennan assigned as minute taker

7:03 pm - Public comment: No public comment.

7:04 pm – Scott McIntire and Alina Korsak of Melanson Heath were invited to join the meeting; Chair introduced Scott and Alina to the two new AC members, Carolyn B. and Randall M.

7:05 pm - Discussion topics with M&H

1. Summary comments by Scott M. about the FY '15 audit
 - Scott noted that while there were challenges in the audit, they had completed work and were reviewing financial statements with us on Dec 1st and that the Town had expanded the financials to a full CAFR (Comprehensive Annual Financial Report). He further noted that cash reconciliations had been a challenge and that the Town had also implemented GASB #68 requiring the recognition on our balance sheet of the net pension liability for the first time. He further complimented the work done in connection with the audit in the Treasurer's department (both by the new Treasurer and outside consultant engaged this year).
2. CAFR review by MH
 - Scott indicated that despite some challenges in the audit, the CAFR was completed and it represents both a current and historical look at the Town's financial picture. The report will be sent to the GFOA (Government Financial Officers Assn) to see if it qualifies for a Certificate of Achievement in Financial Reporting.
 - Scott proceeded to walk the AC through the report. He highlighted that the Town received an unqualified opinion from MH; he also highlighted that in the FY June 30, 2018, the OPEB unfunded liability will come on to the Town's books in accordance with accounting standards (much like the net pension liability had been recorded in FY '15). He went on to describe

the Management Discussion and Analysis, the long term perspective section of the financials, the “business” portion of the financials, and the Unrestricted Net Position. He noted that this is the first time that number is negative due to the recording of the net pension liability.

- There ensued a review of various sections with Scott answering questions from the Committee. Scott then transitioned from the long term section to the short term perspective of the report. He highlighted the Unassigned Fund Balance of \$9.9 million, about 14% of expenditures. He proceeded to explain various fund balance movements and answer a number of general inquiries from the Committee. Specifically, he noted that some revolving funds continued to have revenues in excess of expenditures, which might suggest that not all related expenses are being captured. Scott suggested that the Town might want to focus on these during the current year.
 - At the conclusion of the CAFR review, Paul offered some words of praise to Brian Keveny and the Finance Dept. for a job well done in assembling the document. Chris asked Scott if he wished to comment about how the audit process went for the year on a high level basis. Scott reviewed the timetable and said that a great deal of work went into the cash reconciliation process. He said he was optimistic that the process put into place in Treasury would provide positive results going forward.
3. MH review of the 2015 Management Letter
- Scott highlighted the need for automation in the Tax Collectors office, referencing the IT assessment which concurred with his comment. He also noted here the need for better matching of revenues and expenses in the revolving accounts. Within this general comment, he noted the need for tighter accuracy in the school lunch program due to the requirements of federal funding in this area.
 - Scott noted changes under federal law for recordkeeping going forward. He recommended that the Town become very familiar with the new “uniform guidance” so as to be in compliance in 2016.
 - Also in attendance at the meeting were Nan Balmer (TA), Brian Keveny (Finance Dir) and Zoe Pierce (Treasurer); Chris opened comments to them and specifically asked Zoe if she had comments re the Treasures area. She indicated that all cash is now being tracked and she is continuing to keep up with new systems implemented, with cash done through October.
 - Inna asked about timing for final financial statements. Scott said they were being expedited. Paul asked about any separate school related management letter, and Scott said we would see any such letter in draft.
 - Chris opened the meeting to Nan and Brian if they had any comments. Chris thanked both Scott and Alina for their work and for attending and they departed at 8:46.
-
4. With no prior meeting draft minutes available, Chris concluded we needed to pass on that agenda item.

5. There was a brief discussion of logistics for getting final statements and management letter. Chris agreed that he would distribute the final form prior to AC sign off to go to the BOS.
6. The next meeting was targeted for December 10th.
7. Paul suggested next meeting agenda items to include review of final financial statements; review of final management letter; and review of prior meeting minutes.

9:00 pm – Paul moved that the meeting be adjourned; Inna seconded; unanimous approval.

**Town of Wayland
Audit Committee
Minutes from December 9, 2015**

Date: December 9, 2015
Time: 7:00 pm
Place: Wayland Town Building

Members Present- Chris Cullen, Carolyn Bargoot, Inna Kisseleva and Randall Moore

1. Call to order
 - The meeting was called to order at 7:46 pm by Chris Cullen
2. Nan Balmer joined the meeting
3. Assign minute taker
 - Carolyn Bargoot
4. Public comment
 - none
5. Review of Draft Financial Statements
 - Carolyn Bargoot had trouble understanding how the schedules (possibly on page 21 and 57 depending on how your version printed) the financial analysis -business activities do not seem to tie between the schedules for 2015 for the total balance - \$15,687 vs. \$15,654. Chris Cullen to reach out to auditors for comment on this issue. **Rounding issues**
6. Reivew of Draft of responses to audit
 - #1: In process of working on an IT hire and a consultant to assess installing a firewall, MUNIS/Vadar, email server, etc...
 - #2: Review of revolving accounts. Nan will take back the comment of if we are actually reviewing the revolving accounts on a regular basis to the Finance Director since this comment seems to come up every year. Carolyn asked if we have policies in place to monitor these accounts and when we would decide to take action to review? Nan mentioned that there will be a study initiated and would like to get the Audit Committee involved. Nan spoke about the fact that Gov. Baker has a program where funds are available to review these accounts. Inna mentioned that this study would help, but wanted to know about a quick solution and what we are doing now. Nan replied that they just started producing monthly reports for the recreation fund to match user fee expenses with expenses and also noted there is a cap. Chris asked why the fund is so high? Nan said that it was field usage fees that are accumulating and we cannot use because of the cap. Carolyn had questions on the school lunch program

and how it works. Nan mentioned it would be a good idea to have Susan Bottan present to us how this fund works. Recommended changing the wording on this response to say something such as – “Establish quarterly reporting and policies for the revolving fund and will review the federal guidelines for the school lunch fund”. Discuss having Susan Bottan come to our next meeting to inform us about how the revolving funds work.
-#3: Cash reconciliations. All are happy that we are on track!

7. Financial Statements – various rounding issues. Carolyn to send an email to Chris with a list. Chris Cullen to address with the auditors.
8. Carolyn motioned to allow the Chair, Chris Cullen, to reach out to the auditors without questions and to approve the draft financial statements without reconvening if he receives a satisfactory response from the auditors. Motion seconded by Inna.
9. Next meeting agenda – invite Susan Bottan to the meeting to discuss revolving funds. Inna asked if we should get involved with other audit issues; namely #4 on the Uniform Guidance.
10. Chris Cullen moved to adjoin. Carolyn and Inna both seconded and everyone agreed.

Next meeting

- a. Agenda items:
 - i. Invite Susan Bottan to our next meeting
 - ii. Understand how far the Town has come on addressing Uniform Guidance requirements. Invite appropriate person/people to next meeting to inform us on what has been completed to-date.
 - b. Date
 - i. January timeframe. Specific date to be set by Chair.
11. Meeting adjourned at 9 pm

Respectfully submitted,

Carolyn Bargoot

**Minutes
Town of Wayland
Audit Committee**

Date: March 15, 2016
Time: 7:00 pm
Place: Wayland Town Building

Members: Present – Chris Cullen, Paul Brennan, and Carolyn Bargoot. Randall Moore on the phone

1. Call to order
 - a. The meeting was called to order at 7:11 pm by Chris Cullen
2. Assign minute taker
 - a. Carolyn Bargoot
3. Public comment
 - a. None
4. Susan Bottan, School Business Administrator, came by to talk about revolving accounts.
 - a. Concerns about revenues exceeding expenses over a period of a few years:
 - i. Susan submitted a copy of the recent management letter stating no findings related to the School department revolving accounts. She noted they were able to satisfy Auditor's concerns.
 - ii. Outlined some of the items they are proactively doing:
 1. Contracted with Attorney James Toomey and worked with the Bureau of Accounts and the Dept of Education to work with us on status on revolving accounts.
 2. Going through Special Town Meeting to request to establish with Chapter 71, 71E
 3. Going through Annual Town Meeting to establish and fund 2 revolving accounts under Chapter 44 section 53
 4. Reviewed all revolving accounts to make sure they are properly accounted for
 5. Voted on fee program based policy in the October town meeting last year
 - a. Type 1: Part of the fee comes in to pay for service and part comes from school budget (e.g. bus transportation). Should break-even each year.
 - b. Type 2: Entirely fee based (e.g. BASE). No more than 10% on funds operating budget on hand at end of year.
 - c. What happens if we have more funding at the end of year? Base decisions on statutory requirements. E.g. BASE balance reallocated to purchase a security system at elementary schools. Fund playgrounds. Base the transfer on an allocation %.
 - d. Also look at possibly changing the fee structure for next year if appropriate.

6. Susan passed along quarterly account report showing balances and walked through some of the details surrounding each account.
 - a. Some of the accounts have balances that have been building up over years – not related to one year alone.
 - b. Possible over the past years there was not a great match between revenue and expense. (e.g. expenses charged elsewhere)
 - c. Hope to track details in MUNIS and not spreadsheets.
 - d. Looking at fee structures to ensure that they make sense with costs. Would refunds be appropriate (e.g. they did for full-day Kindergarten)?
 7. No separate bank account. Separate “project/program number” for tracking. MUNIS not tracking budgets at this level only actuals.
 8. Moving all accounts to MCC – same program used for taxes.
 - b. Management letter comments on documenting procedures on federal grants (receiving, spending, etc.). Draft already completed (current procedures documented and new processes needed are included) and will be sent to Melanson Heath to review and provide comments.
 - i. No findings on PY audit on federal grants – Note this audit does not go through the Audit Committee
 - ii. Have plan to train staff on Uniform Guidance
 - c. Thanked Susan Botan for her time and knowledge
 5. Open Meeting Law Guide Discussion: Could not reasonably anticipate this topic ahead of time.
 - a. Topic not considered controversial. All decided that Town Audit Committee has no reason to discuss and also therefore will not issue an opinion on Town-owned Sycamore Rd parcels.
 - b. Ken Isaacson started Wayland Weekly Buzz and he gathers info from weekly town meetings and picks topics and invites people to participate.
 - i. Concerns that sending him bullet points – that the bullets could differ from meeting minutes and cause an issue
 - ii. Too much work?
 - iii. Carolyn Bargoot motioned to not communicate with Ken Isaacson at this time. Paul Brennan seconded. Voted unanimously not to communicate directly with Ken Isaacson related to this topic.
 6. No comments on other topics about the audit process and Committee affairs
 7. Prior meeting notes
 - a. Paul Brennan motioned that the meeting minutes for Dec 1, 2015 be approved. Carolyn seconded the motion.
 - b. Carolyn Bargoot motioned that the meeting minutes for Dec 9, 2015 be approved. Randall Moore seconded the motion. Paul abstained as he was not present for the meeting.
 8. Next meeting time discussed. Did not decide on a meeting date but though May would most likely be a good time to meet.
 9. Paul Brennan motioned to adjourn the meeting. Carolyn Bargoot seconded the motion. Meeting adjourned the meeting at 8:05pm
-

**Minutes
Town of Wayland
Audit Committee**

Date: May 9, 2016
Time: 7:00 pm
Place: Wayland Town Building

Members: Present – Chris Cullen, Paul Brennan, and Inna Kisseleva

Also present: Alina Korsak, CPA, Audit Manager with Town’s accounting firm,
MelansonHeath (‘MH’)
Brian Keveny, Town Finance Director

1. Call to order
 - a. The meeting was called to order at 7:10 pm by Chris Cullen
2. Assign minute taker
 - a. Inna Kisseleva
3. Public comment
 - a. None
4. Review of FY2016 audit plan and process with Alina.
 - a. Treasurer/Tax Collector’s Office
 - i. Brian Keveny joined the meeting at 7:40 pm and addressed AC’s questions regarding upcoming audit for FY2016.
 - b. Timing of the Audit:
 - i. Preliminary fieldwork started on May 9, 2016
 - ii. Fieldwork is to start on August 15, 2016
 - iii. Draft Financial Statements are to be provided by MH by October 31, 2016
 - iv. Final CAFR Financial Statements are to be released by MH on December 31, 2016.
 - c. MH takes responsibility for basic financial statements which are audited. Town prepares additional statistical and other CAFR required sections. Information prepared by the Town is not audited by MH.
 - i. Risk based audit approach.
 - ii. It was confirmed that no other services are to be performed by MH.
 - iii. Effectiveness of the internal control is to be tested during preliminary audit work.
 - iv. There are no plans to visit any specific location unless specific issues are brought up to MH’s attention. The audit new facilities – generally not included in preliminary audit work.
 - v. There was nothing brought up to MH’s attention in relation to known fraud risk factors.
 - d. Set tentative dates for the issuance of Draft Financial Statements.
 - i. The field work is scheduled to start on August 15, 2016.
 - ii. Alina clarified that given the timing of the field work draft financial statements can be available for AC’s review by October 31, 2016. AC

stressed out the need to have those prepared earlier to ensure submitting draft financial statement for the Board of Selectmen ('BOS') by middle of November.

iii. It has been estimated that AC would need to hold a meeting on October 27, 2016. Therefore, the draft financial statements would need to be available for review by October 21, 2016 in order to have reasonable time to review those and compile relevant questions as well as publish AC Meeting Agenda latest by October 25, 2016.

e. Review of FY2016:

i. Cash/banking transfer reconciliations

1. The reconciliations are being completed timely and are prepared through March 2016, which was not the case last year. Last year cash reconciliations were completed by October 2015.
2. \$30k variance relating to Middlesex Bank accounts is consistent with FYE 2015. The Treasurer asked for guidance on how to treat it.

ii. Segregation of Duties.

1. Segregation of duties within the Town's finance department – significant improvement in procedures. Related policies are defined.

iii. Changes in Town's Treasury personnel.

1. Turnover in personnel.
2. UNIS implementation was included in 2018 budget, as new IT Directors just came on board.

iv. School Department policies. School department presented a draft of Federal Grant Policy Accountability procedures – intention is to implement the best policy & procedures. A consultant was hired to reconcile school dept. revolving funds. Previous org. chart is being expanded in general ledger to allow to accounting for different segments/divisions.

v. Use of outside consultants by Town's finance department: Waste Water Study, School Dept., and annual bond issue in March (Eastern Bank prepared schedules).

vi. Significant Events

1. March 2016 – refinancing of Town's debt to achieve lower interest rate, and issuance of new Bonds.
2. OPEB funds were moved to different service provider.

vii. Rating agencies' response to CAFR financial statements. Town's rating is AAA. Town received positive response from rating agencies.

viii. Significant uses of cash.

1. \$1.5m debt payoff in FYE 2018 – 2020
2. Using current year revenue to pay current year expenses.
3. GASB 45: 2 year comparative as of 12/31 2016, will apply to FYE 2017.

ix. Pension/OPEB:

1. Additional contributions

2. GASB 74 compliance report for FYE 2017 relating to OPEB plan – significant changes in financial statements
3. GASB 68: disclosure will change for FYE 2016.
- x. CAFR statistical information is 95% complete.
5. The discussion ended at 8:10 pm with Brian and Alina leaving the meeting.
6. Meeting Minutes
 - a. The minutes from AC’s meeting on March 15, 2016 were not available for review at this time.
7. In wake of Paul Brennan’s term on AC expiring on June 30, 2016, AC discussed Paul’s previous contributions and responsibilities relating to operations of School Committee, including the fact that AC’s scope of services is limited and prevents AC members to participate in School Committee affairs as representatives of AC. Discussion about submitting expanded scope of responsibilities and duties to the Board of Selectmen.
8. Next Meeting
 - a. Tentatively set for June 16, 2016 at 7 pm.
 - b. Topics include:
 - i. Review AC’s school committee involvement.
 - ii. Review AC’s charter to identify limitations of scope of responsibilities and propose necessary changes to enable AC to serve the Town as expected by the BOS
 - iii. Transitioning of school committee participation to new member of the AC.
 - iv. Review/amend/approve prior meetings’ minutes.
9. Upon motion made, seconded and unanimously approved the meeting was adjourned at 8:25 pm. Vote: 3-0.

Documents

1. Communication letter to Audit Committee prepared by MelansonHeath.
 2. FY16 Audit Plan prepared by MelansonHealth
 3. Checklist of Potential Topics for Discussion at the Audit Planning Meeting
-

**Minutes
Town of Wayland
Audit Committee**

Date: June 30, 2016
Time: 7:00 pm
Place: Wayland Town Building

Members: Present – Chris Cullen, Paul Brennan, and Inna Kisseleva

1. Call to order
 - a. The meeting was called to order at 7:10 pm by Chris Cullen
 2. Assign minute taker
 - a. Inna Kisseleva
 3. Public comment
 - a. None
 4. Since Paul Brennan's term is expiring on June 30th, AC discussed Paul's role in relation to School Committee affairs:
 - a. Recap of Paul's recent meeting with Susan Bottan, School Business Administrator:
 - i. School student accounts are fully reconciled
 - ii. Susan published School procedures based on federal guidelines
 - iii. Finance Committee is drilling down on school revolving accounts
 - iv. MUNIS/revolving accounts – Susan is working with outside service providers, MCC, to setup online payments for student activities, to ensure timely reconciliation and minimize the gap between the collection and disbursement of funds for designated school activities.
 - b. School Committee meetings
 - i. AC needs to find a replacement to Paul in order to keep up with the School business activities to ensure financial accountability. There were tremendous improvements done within the last 2-3 years. AC should make it its goal to attend meetings during which Susan Bottan would be present to have an understanding of Schools' financial health.
 - ii. Inna volunteered to start attending the School Committee meetings while further decision has been made as a natural person until the scope of the AC responsibilities is revised.
 - iii. AC is to work on the language for AC charter to expand the scope of its involvement on School Committee. Inna is to draft the language to present at the next AC meeting. Inna is to work with School Committee to gain an understanding of the needs that AC can address.
 5. Town did not find a candidate to replace Paul Brennan on the AC.
 6. AC needs to draft a FYE 2016 recap report to be presented to the Board of Selectmen ('BOS'). AC members should e-mail topics to be presented to Chris Cullen ahead of the next AC meeting.
-

7. Next Meeting
 - a. Tentatively set for August 18, 2016 at 7 pm or earlier.
 - b. Topics include:
 - i. Meet with Outside Auditors on the progress of field work (to be included on the Agenda if next meeting is to take place no earlier than August 18, 2016).
 - ii. Review Minutes from 3/15/2016 and 6/30/2016 meetings.
 - iii. Review of revised AC charter language as per Par. 4(b)(iii).
 - iv. Review draft report to Board of Selectmen ('BOS') for FYE 2016.

 8. Upon motion made, seconded and unanimously approved the meeting was adjourned at 8:00 pm. Vote: 3-0.
-

**Town of Wayland
Audit Committee
Minutes from November 28, 2016**

Date: November 28, 2016

Time: 7:00 pm

Place: Wayland Town Building, Selectman Meeting Room

Members Present- Chris Cullen, Carolyn Bargoot, and Chris Kelly. Randall Moore was on the phone.

1. Call to order
 - The meeting was called to order at 7:00 pm by Chris Cullen
 2. Brian Keveny and Scott McIntire joined the meeting
 3. Assign minute taker
 - Carolyn Bargoot
 4. Public comment
 - none
 5. Review of Draft Financial Statements
 - Scott McIntire presented to committee that the books are in good order, the audit went very well, and that the auditors were giving the Town of Wayland a clean/unmodified opinion.
 - Scott walked through the financial statements focusing on the following items:
 1. Page 38 – Expenses exceed revenues
 2. Page 40 - Expenses exceed revenues
 3. Wayland has issued a lot of new debt over the past few years compared to peer communities.
 - Mainstone Farm impact will be felt next year. Chris Cullen asked if we could we show as a discretely presented component unit next year and break it out on the debt schedule as a separate line item?
 4. Why does the audit committee not show on page 11?
 5. Some funds still show an excess of revenues over expenses. What is the forecast and plan for the amounts? Invite Susan Botton to our next meeting to provide insight.
 6. Reviewed Management Letter Comments. No concerns noted.
 7. Carolyn Bargoot moved to approve the draft financial statements. Chris Kelly seconded and all agreed.
-

8. Next meeting agenda – invite Susan Bottan to the meeting to discuss revolving funds.

Next meeting

- a. Agenda items:
 - i. Invite Susan Bottan to our next meeting to discuss forecast and plans for the revolving funds (e.g. school lunch, ambulance)
 - b. Date
 - i. January/February timeframe. Specific date to be set by Chair.
9. Carolyn Bargoot moved to adjourn. Chris Kelly seconded and all agreed.
 10. Meeting adjourned at 9 pm

Respectfully submitted,

Carolyn Bargoot

TOWN OF WAYLAND
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
JANUARY 25, 2017 @ 08:00AM
PUBLIC SAFETY BUILDING (EOC)
38 COCHITUATE ROAD
WAYLAND, MA 01778
MEETING MINUTES – APPROVED 4/11/2017

Members Present:

John Senchyshyn (ATA/HRD), Brendan Decker (GIS), Asst. Fire Chief Neil McPherson (WFD), Supt. Paul Stein (Schools), Ben Keefe (Dir. Facilities), Police Chief Robert Irving (WPD), Joe Gordon (CERT), Ruth Mori (MRC & BOH), Sgt. Sean Gibbons (WPD), Geoffrey Larsen (Bldg), Joe Doucette (DPW), Lea Anderson (BOS), Mike Linderman (DPW), Julia Junghanns (BOH), Doug Leard (LEPC Chair)

8:05AM Doug called the meeting to order and thanked everyone for attending.

8:06AM There were no members of the general public present

8:08AM Doug asked if there were any questions or comments on the meeting minutes of 12/16/15 or 7/28/16. Hearing non, Doug asked for a motion to accept minutes from 12/16/15, motion made by John Senchyshyn and seconded. Vote: Unanimously approved. Doug then asked for a motion to accept the minutes of 7/28/16. Motion made by Chief Irving and seconded. Vote: Unanimously approved.

8:15AM Doug began the meeting by stating that he originally sent out a meeting agenda that asked for all department heads to come prepared to discuss their department's CRITICAL ASSETS, THREATS to those assets and their VULNERABILITIES OR WEAKNESSES. Doug explained that because of the extended timeline since our last meeting he felt that it would be in everyone's best interest to review COOP Planning and give department heads a better understanding of what will be discussed at our next LEPC meeting.

At the request of some, I have attached to this email a PDF file of the 1/25/2017 presentation for your review.

Some points to remember for our next meeting:

As individuals and as a community we understand that we can't be prepared for every event BUT we can certainly establish basic emergency preparedness plans and principals in order to protect our vital assets. Whether you are serving as a municipal official or a member of your own family, it is incumbent on you to (1) determine what your **ASSETS** are that need to be protected (people, property, information, etc.), (2) determine what the **THREATS** may be to those vital assets (cyber attack, weather event, fire, etc.). What are you trying to protect against? Then (3) assess what are the **VULNERABILITIES** or the weaknesses in your protection efforts. Our **RISK** is the

intersection of Assets – Threats – Vulnerabilities. Being a **Resilient** community or family member means you have “the ability to **prepare** for and **adapt** to changing conditions and **withstand** and **recover** rapidly from disruptions. Resiliency includes the ability to withstand and recover from deliberate attacks, accidents, or naturally occurring threats or incidents.”

It is the responsibility of every Department Head to be able to identify their CRITICAL ASSETS and how best to protect these assets.

Each Department Head should have an order of succession & authority in the event they are unavailable. This order of succession, including personal contact information (personal cell phone and personal email address) should be continuously updated and be made available to the Town Administrator, Assistant Town Administrator and the Emergency Manager.

When determining what your critical assets are, think both outside your building as well as within the four walls of your building.

Don't be the individual who, because of a lack of planning and preparedness, is best remembered for your lack of preparation.

Remember we often hear:

“I couldn't believe how fast it happened.”

“I couldn't believe it happened to me/us.”

We can choose our mindset:

“It will never happen to me.”

“Someone else will handle it.”

“This is MY RESPONSIBILITY!”

YOU CONTROL THE THREAT OR THE THREAT CONTROLS YOU!

Thank you all for your attentiveness and input.

9:08AM Meeting adjourned.

Respectfully submitted!

Doug Leard, Chairman
Local Emergency Planning Committee

PUBLIC CEREMONIES COMMITTEE
Minutes of meeting on March 8, 2017

- 1) The committee meeting was called to order at 7:00 p.m.
In attendance: Richard Turner (RT), Stephen Streeter (SS), George Bernard (GB) and John Dyer (JD). Not Present: Dennis Berry and Carl Bernardo

- 2) Public Comment: No Public Comment

- 3) Old Business approved from February 8, 2017.

- 4) New Business:
 - Richard is checking into Purple Heart signs for entering Wayland. Richard is waiting to hear from Tom Holder on the procedure for obtaining Purple Heart signs.
 - No progress by Carl on Military Vehicles for Memorial Day parade.
 - Have meeting on March 29 for the sole purpose of discussing the Lydia Maria Child award. Deadline for nominating people for the Child award is March 16.
 - Memorial Day
 - George to check on status of Natick Soldier Systems Center (NSSC) speaker for Memorial Day.
 - George to check on Chaplain at NSSC doing Invocation/Benediction for Memorial Day.
 - CPT Steven Kinney to be guest speaker for Veterans Day, November 11, 2017.
 - Richard to check on street light for WWII park.
 - Per Kevin Delaney email to George, Freedom prize on schedule for Memorial Day.
 - Chief Robert Irving to fly American flag at WWII to see if it is lit at night.
 - Richard Turner Ordered (2) 50 foot cables from the guitar center the total for the (2) cables was \$33.98.

Meeting adjourned at 8:45 P.M.

The next WPCC meeting is scheduled for Wednesday, March 29, 13 at 7:00pm.

Respectfully submitted
George Bernard 4/11/2017

PUBLIC CEREMONIES COMMITTEE
Minutes of meeting on March 29, 2017

- 1) The committee meeting was called to order at 7:00 p.m.
In attendance: Richard Turner (RT), Stephen Streeter (SS), George Bernard (GB) and John Dyer (JD) and (CB) Carl Bernardo. Not Present: Dennis Berry
- 2) Public Comment: No Public Comment
- 3) Only item on the agenda is the Lydia Maria Child Award
 - After reviewing the numerous wonderful emails of people nominated for the Lydia Maria Child award, the nominee chosen for the award was Ann Becker, Neighbor Brigade.
 - Ms. Becker to be given award at next meeting on April 12, 2017.
 - Meeting adjourned at 7:45 P.M.

The next WPCC meeting is scheduled for Wednesday, April 12, at 7:00pm.

Respectfully submitted
George Bernard 4/11/2017

6

April 13, 2017

Carolyn M. Murray
cmurray@k-plaw.com

BY HAND AND FIRST CLASS MAIL

Jonathan Sclarsic, Esq.
Director, Division of Open Government
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RECEIVED

APR 19 2017

Board of Selectmen
Town of Wayland

Re: Town of Wayland Zoning Board of Appeals –
Response to March 20, 2017 Complaint of George Harris

Dear Mr. Sclarsic:

Thank you for your courtesy in granting the Zoning Board of Appeals of the Town of Wayland (the “Board”) an extension of time to respond to George Harris’ complaint alleging violations of the Massachusetts Open Meeting Law (“OML”). As you know, on March 20, 2017, the Town of Wayland Zoning Board of Appeals (“Board”) received an Open Meeting Law complaint from Mr. George Harris (“Complaint”). A copy of Mr. Harris’s OML complaint is enclosed as Exhibit A. The Board listed the Complaint on the meeting notice for its April 11, 2017 meeting, during which members of the Board and the public discussed the substance of the Complaint. I have enclosed a copy of the meeting notice as Exhibit B. The Board voted to authorize this response following its deliberation.

The Complaint alleges the Board has failed to approve minutes of two of its open session meetings, November 17, 2016 and November 29, 2016, in a timely manner pursuant to G.L. c. 30A, §22(c). As set forth in detail herein, the Board respectfully submits that it has complied with the Open Meeting Law since the meeting minutes have been approved by the Board on April 11, 2017. As set forth in the Board’s responses to Mr. Harris’ prior OML complaints dated December 29, 2016 and February 21, 2017, Mr. Harris is well aware that unforeseen staffing losses and continuing shortages beginning in 2015 previously precluded the Board from preparing and approving many of its meeting minutes from 2015 and 2016. Nonetheless, the Board has worked diligently in the past several months to approve its meeting minutes, and, on April 11, 2017 approved the meeting minutes in question, a copy of which are enclosed for your reference.

Jonathan Sclarsic, Esq.
Director, Division of Open Government
April 13, 2017
Page 2

Relevant Background

By way of background, the Board is comprised of eight Wayland resident volunteers, five full members and three associate members who participate in zoning hearings as needed. The Board has no dedicated support staff and exclusively relies on administrative support from the Building Commissioner/Zoning Enforcement Officer and administrative assistants within the Town Building Department. The Board typically meets bimonthly, or more frequently depending on the volume and complexity of applications filed and statutory timelines for conducting hearings and rendering decisions. Until 2015, Building Department staff consistently had assisted in drafting the minutes of the Board's meetings by listening to audio recordings of the meetings and preparing draft minutes for the Board's review and approval at its subsequent meeting.

Response to Complaint

As the Board outlined to the Division in response to Mr. Harris' December 29, 2016 Open Meeting Law Complaint,¹ at one point in 2015, the Building Department Assistant primarily responsible for preparing the Board's minutes was out of work for medical reasons; after returning to work, she went out on indefinite medical leave in May 2016. In her absence, the Building Department's other full-time assistant helped prepare some of the Board's minutes before retiring in September 2016. A part-time temporary employee was hired to assist the Building Department with its various duties, including preparing Board minutes, in mid-October 2016. She resigned on December 5, 2016, however. Thereafter, the Building Department hired another temporary part-time employee and hopes to soon hire a second, full-time employee. In the interim, these unexpected staffing changes have strained the Building Department's ability to lend its support to the Board. Moreover, the hiring of multiple temporary employees has exhausted much of the department's available funds for personnel.

While Building Department staff has made good faith efforts to prepare the Board's minutes, individual Board members have also pitched in, spending a considerable amount of their time, reviewing prior meeting agendas and decisions to address the backlog of minutes. Since the initial OML complaint was filed in December 2016, the Board has worked diligently to prepare and expedite review of outstanding meeting minutes, prioritizing older meeting minutes in an effort to make them available to members of the public as soon as possible. As a direct result of this concerted effort, all of the Board's 2017 meeting minutes have been approved to date and have been made available to the public, and, in addition, the Board has approved an additional five outstanding meeting minutes on April 11, 2017. The minutes for the November 17 and November 29, 2016 meetings were reviewed and approved at the Board's April 11, 2017 meeting and will soon be made

¹ The Board notes that Mr. Harris' prior December 29, 2016 Complaint stemmed from an October 24, 2016 public records request to the Board for meeting minutes, and, as such, did not (and could not) have pertained to the November 17, 2016 or November 29, 2016 minutes, which meetings occurred *after* the public records request.

Jonathan Sclarsic, Esq.
Director, Division of Open Government
April 13, 2017
Page 3

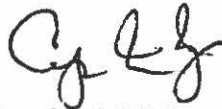
available to the public by posting the minutes on the Town's website. Accordingly, the Board considers this Complaint resolved.

Conclusion

As discussed at its April 11, 2017 meeting, the Board has been diligent in preparing its outstanding meeting minutes in the past several months and remains committed to full compliance with the Open Meeting Law, as evidenced by its timely approval of 2017 meeting minutes. While the Board acknowledges that the November 17 and November 29, 2016 meeting minutes were not approved until April 11, 2017, the Board maintains that it has resolved this matter as expeditiously as possible given the prior staffing constraints.

Please do not hesitate to contact me to discuss in further detail.

Very truly yours,



Carolyn M. Murray

CMM/JMA/man

Enc.

cc: Zoning Board of Appeals
Board of Selectmen ✓
Mr. George Harris

579734/WAYL/0001



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: George Last Name: Harris

Address: 8 Holiday Road

City: Wayland State: MA Zip Code: 01778

Phone Number: +1 (508) 358-2379 Ext. _____

Email: geoharris2@gmail.com

Organization or Media Affiliation (if any): None

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Wayland Zoning Board of Appeals

Specific person(s), if any, you allege committed the violation: _____

Date of alleged violation: Mar 20, 2017

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

Please see attached statement for a full explanation.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Please see attached statement.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

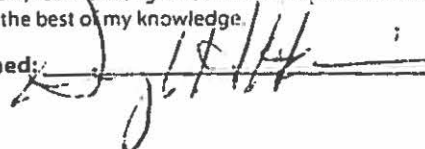
The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____



Date: _____

March 28, 2017

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO:

OPEN MEETING LAW COMPLAINT

Wayland Zoning Board of Appeals

The Wayland Zoning Board of Appeals (Board) violated the Open Meeting Law, G.L. c. 30A, § 22(c), by failing to create and approve minutes of the following open sessions in a timely manner: November 17 and 29, 2016. These minutes are now 4 months late.

This Complaint is similar to one dated December 29, 2016, now pending before the Attorney General.

ACTIONS REQUESTED

1. At its next meeting, the Board shall acknowledge the violations alleged above.
 2. At its next meeting, the Board shall approve and release the above delinquent minutes.
 3. Henceforth, the Board shall create and approve its meeting minutes in a timely manner.
-

At the conclusion of the hearings on the aforementioned applications, the Board may then meet for the purpose of deciding on or deliberating toward a decision on any applications previously heard by it and to which no decision has yet been filed or any other public business before the Board.

BOARD OF APPEALS

**Eric Goldberg
Aida Gennis
Thomas White
Jonathan Sachs
Shaunt Sarian
Jason Drori
Linda Segal**
