

**PACKET**

**MAY 15**

**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, May 15, 2017**

**7:00 p.m.**

**Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road Wayland**

### Proposed Agenda

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

- 7:00 pm 1.) Call to Order by Chair
- Review Agenda for the Public; Announcements
- 7:02 pm 2.) Public Comment
- 7:10 pm 3.) Update on Police Chief Recruitment Process and Provide Direction
- 7:20 pm 4.) Reallocation of Land Use Staff
- 7:30 pm 5.) Vote to Set Special Town Meeting Date; Discuss Schedule
- 7:45 pm 6.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), 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
- 8:00 pm 7.) Discuss School Bus Parking with Chair of School Committee and Vote to Authorize Issuance of RFP
- 8:15 pm 8.) Discuss and Comment on Wayland Real Asset Planning (WRAP) Committee Report
- 8:30 pm 9.) Discuss and Vote to Adopt Governance Guidelines
- 8:45 pm 10.) Discuss and Vote to Adopt Revisions to Board Policy on Appointments to Town Boards and Committees
- 8:50 pm 11.) Minutes: Review and Vote to Approve Minutes of April 24, 2017, and May 1, 2017
- 8:55 pm 12.) Consent Calendar: Review and Vote to Approve (See Separate Sheet)
- 9:00 pm 13.) Review Correspondence (See Separate Index Sheet)



**BOARD OF SELECTMEN**

**Monday, May 15, 2017  
Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road Wayland**

**Proposed Agenda Page Two**

- 9:10 pm 14.) Report of the Town Administrator
1. FY17 Legal Bills Update
  2. FY17/FY18: Additional Costs
  3. Housing Consultant
  4. Finance Committee: Requests from Town Administrator
- 9:20 pm 15.) Selectmen's Reports and Concerns
- 9:30 pm 16.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 9:35 pm 17.) Adjourn

# (3-4) POLICE CHIEF - LAND USE

**DATE:** MAY 15, 2017  
**TO:** BOARD OF SELECTMEN  
**FROM:** NAN BALMER, TOWN ADMINISTRATOR  
**RE:** POLICE CHIEF RECRUITMENT  
REALLOCATION OF LAND USE STAFF

The Assistant Town Administrator will be present to discuss the following two personnel matters:

## **1. POLICE CHIEF RECRUITMENT:**

On April 24<sup>th</sup>, the Board expressed a consensus that it is in the Town's best interests to recruit a new Police Chief through a process that considered internal and external candidates at the same time. The Board reviewed a letter at an earlier meeting from the Police Union which is replaced by a letter in correspondence from the Police Union stating the Union has no position on this matter. The discussion about internal / external recruitment is important because municipalities often promote from within for the positions of Police and Fire Chief.

## **2. REALLOCATION OF LAND USE STAFF**

John and I are working with boards and departments to propose and plan for the assignment of the Town Surveyor to work at the DPW Building, with the new Town Engineer and reporting to the DPW Director. Municipalities usually pair the work and oversight of a Town Engineer and Town Surveyor because the disciplines are complementary and the Town Engineer and Surveyor will share equipment and work together on many of the same infrastructure projects and land use plans.

We are also working on a transfer of the GIS Coordinator to the Information Technology Department. Because of the strong leadership in the IT Department, we believe that in Wayland, adding GIS technology to IT will provide it with the strongest path to growth and integration with all town departments. Alternatives in other municipalities are to assign GIS to Planning, Water, Engineering, Assessing, or to create a free-standing department.

An Important side benefit of the move will be that additional space will be available in the land use departments to create better work flow and improved customer service.

---

DATE: MAY 15, 2017  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: STM DATE

**REQUESTED ACTION:**

**VOTE TO SET TUESDAY NOVEMBER 14, 2017 AS THE FIRST DAY OF SPECIAL TOWN MEETING AND DISCUSS SPECIAL TOWN MEETING SCHEDULING REQUESTS MADE BY THE FINANCE COMMITTEE CHAIRMAN**

**BACKGROUND:**

On May 1<sup>st</sup>, the Selectmen agreed to set November 14<sup>th</sup> as the first day of Special Town Meeting.

The Chair of the Finance Committee has asked the Selectmen to consider a revised STM schedule (attached, including explanation of FC time requirements) with the following changes:

- Open and close warrant one week earlier (8/14 – 8/23)
  - The Assistant Town Administrator will discuss with the Selectmen the accommodation of this change in light of collective bargaining
- Sponsor and petitioner comments must be complete and included with article when submitted no later than 8/23 – Delete time extension for petitioners
- FC article hearing 8/28
- Selectmen begin to review, order and vote articles Tuesday 9/5 (or first meeting in September)



Schedule for 2017 STM

- REVISED BY FINANCE COM. CHAIR

- August 14, 2017 Selectmen vote on August 21<sup>st</sup> to open warrant for Special Town Meeting.
- August 16, 2017 Warrant open **Wednesday, August 14, 2017** at 8:30 a.m. through **Thursday, August 23, 2017** at 4:30 p.m.
- August 23, 2017 Last day to submit articles and comments for Special Town Meeting at 4:30 p.m. Petitioners' articles must be submitted to the Selectmen's office with at least 100 signatures.
- August 28, 2017 Finance Committee: Special Town Meeting Article Hearing.
- September 5, 2017 Selectmen begin to review, order and vote on articles
- September 11, 2017
- September 18 2017
- September 25, 2017
- October 2, 2017
- October 10, 2017
- October 16, 2017
- October 20, 2017 Compilation of Warrant completed and all changes made; Final Warrant copied and delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director; Warrant sent to printer.
- October 26, 2017 Motions for articles submitted by Town Counsel and provided to Moderator and Town Clerk. Draft motions posted for public review.
- October 30, 2017 Selectmen meet to sign warrant
- October 31, 2017 Date by which warrant will be posted by Constable and mailing of warrants. (Town Code 36-2A, MGL c. 39, s. 10 – No later than 14 days before TM)
- November 6 by 8:00 p.m. Last day before Town Meeting to register to vote (No earlier than 10 days before STM).
- November 6, 2017 Selectmen review revised motions ; Selectmen conduct Special Town Meeting Warrant Hearing with Moderator, 7:15 p.m. Large Hearing Room, Town Building.
- November 14, 2017 Moderator's instructions to tellers and list of non-resident employees provided to Moderator and Town Clerk; Warrants, final errata sheets and supplemental material prepared, printed and delivered to Town Meeting site for distribution.
- November 14, 2017 **SPECIAL TOWN MEETING, TUESDAY 7:00 PM WAYLAND HIGH SCHOOL**
- November 15, 2017 Second day of Special Town Meeting, Wednesday 7:00 pm.
-

## Balmer, Nan

---

**Subject:** FW: Updated Schedule.  
**Attachments:** FY2019 Calendar FinCom v5.xlsx

**From:** Dave Watkins <[dwatkins@pavonix.com](mailto:dwatkins@pavonix.com)>  
**Date:** May 11, 2017 at 1:54:41 AM EDT  
**To:** Nan Balmer <[nan.balmer@gmail.com](mailto:nan.balmer@gmail.com)>  
**Cc:** "Carol Martin ([carolbmartin@verizon.net](mailto:carolbmartin@verizon.net))" <[carolbmartin@verizon.net](mailto:carolbmartin@verizon.net)>  
**Subject:** RE: Updated Schedule.

Nan:

Please see the attached. The first three tabs are relevant.

Tab 1: 2018 FinCom Draft Annual Calendar

Tab 2: 2018 Draft STM Schedule

Tab 3: 2018 Deliverable Effort

As described in previous emails, FinCom needs a minimum of three meetings to properly write recommendations for articles. For any ATM or STM, the following scheduling is required to properly deliberate and be compliant with OML and gives us 24 business days to write FinCom recommendations:

WEEK 1: FINCOM MEETING (0) Due: FINCOM Members are assigned to Articles.

WEEK 2: FINCOM MEETING (1) Due: Member's provide Initial Comments on Articles.

WEEK 3: FINCOM Members resolve issues and research.

WEEK 4: FINCOM MEETING (2) Due: Member's Comments on updated FinCom Comment.

WEEK 5: NO FINCOM MEETING. FINCOM Members resolve issues and research.

WEEK 6: FINCOM MEETING (3) Due: Member's Final Comments and Final Vote.

We do not have from 8/28 to 10/23. We cannot begin our work on 8/23. Our clock begins on 9/11 when we have our first meeting after the workshop (we cannot share our work until a public meeting). And while the articles are due on 8/23, they are not ready until one week later because they need to be reviewed for completeness and require legal review.

Please also recognize there are 30 articles – 4 per person. It is difficult to ask volunteers to write 2-3 writeups per week, manage any associated reviews with boards, committees and petitioners and perform their assigned duties (see Tab 3) outlined below:

| <u>2018 Work</u>             | <u>Quantity</u> | <u>Individual Time</u> | <u>Committee Time</u> | <u>Total Hrs</u> |
|------------------------------|-----------------|------------------------|-----------------------|------------------|
| 5 Year Capital Plan          | 1               | 32                     | 4                     | 60               |
| Analytics                    | 10              | 20                     | 1                     | 270              |
| Annual Report                | 1               | 4                      | 2                     | 18               |
| Article Writing guidelines   | 1               | 8                      | 1                     | 15               |
| ATM                          | 3               |                        | 8                     | 168              |
| ATM Article Hearing          | 1               |                        | 1                     | 7                |
| ATM Articles                 | 20              | 4                      | 1                     | 220              |
| ATM Capital Budget Narrative | 1               | 16                     | 1                     | 23               |

|   |    |     |     |        |
|---|----|-----|-----|--------|
| ATM Operating Budget Narrative          | 1  | 16  | 1   | 23     |
| Budget Presentation                     | 1  | 16  | 1   | 23     |
| Budget Process                          | 1  | 16  | 1   | 23     |
| Budget Workbook                         | 1  | 80  | 1   | 87     |
| Capital Project Narratives              | 20 | 2   | 0.5 | 110    |
| ClearGov                                | 2  | 24  | 1   | 62     |
| Committee Meetings General Topics       | 30 |     | 2   | 420    |
| Fiscal Planning Model                   | 1  | 80  | 10  | 150    |
| FY19 Operating Budget Guidelines        | 1  | 8   | 2   | 22     |
| Goals & Objectives                      | 1  | 2   | 1   | 9      |
| Hearings/Workshops                      | 2  |     | 8   | 112    |
| Liaison List                            | 1  | 2   | 0.5 | 5.5    |
| Liaison Meetings                        | 20 | 2   | 0.5 | 110    |
| Meeting Agenda                          | 35 | 0.5 |     | 17.5   |
| Meetings with Staff Members             | 50 | 2   |     | 100    |
| Member communication directory          | 1  | 1   | 1   | 8      |
| Moody's Communication                   | 1  | 3   | 1   | 10     |
| Newspaper Articles                      | 5  | 2   | 1   | 45     |
| OML guideline review                    | 1  | 4   | 2   | 18     |
| Peer Towns                              | 1  | 16  | 1   | 23     |
| Policy for committee behavior           | 1  | 24  | 1   | 31     |
| Posting Information to Web site/Dropbox | 35 | 1   | 1   | 280    |
| Report of the Finance Committee         | 1  | 40  | 1   | 47     |
| Review Meeting Notes                    | 35 |     | 0.5 | 122.5  |
| Schedule                                | 5  | 1   | 1   | 40     |
| Slide Presentations                     | 4  | 4   | 1   | 44     |
| STM                                     | 2  |     | 8   | 112    |
| STM Article Hearing                     | 1  |     | 1   | 7      |
| STM Articles                            | 30 | 4   | 0.5 | 225    |
| Surplus Fund Analysis & Mgt             | 5  | 3   | 1   | 50     |
| Tax Recap                               | 1  | 2   | 1   | 9      |
| Write Meeting Notes                     | 35 | 4   |     | 140    |
| TOTAL                                   |    |     |     | 3266.5 |

Thank you for your consideration.

Dave Watkins  
508-416-6021

---

From: Nan Balmer [<mailto:nan.balmer@gmail.com>]  
 Sent: Wednesday, May 10, 2017 4:43 PM  
 To: Dave Watkins <[dwatkins@pavonix.com](mailto:dwatkins@pavonix.com)>  
 Cc: Carol Martin ([carolbmartin@verizon.net](mailto:carolbmartin@verizon.net)) <[carolbmartin@verizon.net](mailto:carolbmartin@verizon.net)>  
 Subject: Re: Updated Schedule.

---

Dave

I will give your proposals schedule to Selectmen - it looks like you need from 8/28 to 10/23 to write and approve comments? Seems like a very long time. Some explanation would help



## 2017 SPECIAL TOWN MEETING SCHEDULE

(Schedule for fall STM to begin on TUESDAY, NOVEMBER 14, 2017)

---

|                         |   |
|-------------------------|---|
| August 21               | Selectmen vote on August 21 <sup>st</sup> to open warrant for Special Town Meeting;   |
| August 23               | Warrant open <b>Wednesday, August 23, 2017</b> at 8:30 a.m. through <b>Thursday, August 30, 2017</b> at 4:30 p.m.   |
| August 30               | Last day to submit articles for Special Town Meeting at 4:30 p.m. Petitioners' articles must be submitted to the Selectmen's office with at least 100 signatures.   |
| September 11            | Finance Committee: Special Town Meeting Article Hearing   |
| September 28            | <u>Deadline for submission of petitioner's comments on STM articles at 4:00 pm.</u>   |
| October 2               | Selectmen begin to review, order and vote on articles   |
| October 11              | <u>Deadline for submission of Special Town Meeting article comments from Finance Committee</u>  |
| October 20              | Compilation of Warrant completed and all changes made; Final Warrant copied and delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director; <u>Warrant sent to printer.</u>                        |
| October 26              | Motions for articles submitted by Town Counsel and provided to Moderator and Town Clerk. Draft motions posted for public review.  |
| October 30              | Selectmen meet to sign warrant  |
| October 31              | Date by which warrant will be posted by Constable and mailing of warrants. (Town Code 36-2A, MGL c. 39, s. 10 - No later than 14 days before TM)  |
| November 6 by 8:00 p.m. | Last day before Town Meeting to register to vote (No earlier than 10 days before STM).  |
| November 6              | Selectmen review revised motions ; Selectmen conduct Special Town Meeting Warrant Hearing with Moderator, 7:15 p.m. Large Hearing Room, Town Building.  |
| November 14             | Moderator's instructions to tellers and list of non-resident employees provided to Moderator and Town Clerk; Warrants, final errata sheets and supplemental material prepared, printed and delivered to Town Meeting site for distribution. |
| November 14             | <b>SPECIAL TOWN MEETING, TUESDAY 7:00 PM WAYLAND HIGH SCHOOL</b>  |
| November 15             | Second day of Special Town Meeting, Wednesday 7:00 pm.  |

# (7) SCHOOL BUS PARKING

DATE: April 28, 2017  
TO: BOARD OF SELECTMEN  
FROM: Ellen Grieco, Chairperson, Wayland School Committee  
RE: RFP for Lease of Land for School Bus Parking

## REQUESTED ACTION:

That the town may, by vote of the Board of Selectmen, authorize the School Committee to issue the RFP for a leased space to park and store school buses and manage the procurement process on its behalf, and report back with a recommendation subject to the Board's approval. The lease will be executed by the Board of Selectmen, and the RFP will clearly state that any lease by the Town will be subject to appropriation and approval by Town Meeting.

## BACKGROUND

The School Committee is undergoing an active search for property suitable to relocated 21 school buses, 23 vehicles and a work trailer by May, 2018 from the current parking location on Route 20 at the site that will become Rivers Edge.

Town Legal Counsel has opined that the Town's by-laws provide no specific reference to the School Committee having authority to acquire a lease of real property for school bus parking. Without any specific provision in the by-law or a special act, in Town Counsel's opinion, it is subject to provisions of state law.

Town Counsel has also indicated that the Town, through its Board of Selectmen, may acquire real property within its limits for its own use and benefit as long as the property is not already devoted to another public use. See G.L. c. 40, §14 and that leasing property is to acquire an interest in real property. Accordingly, Town Counsel has opined that she prefers that the Town's contractual rights and obligations associated with the lease of space for the school bus parking lie with the Board of Selectmen. The School Committee, acting through the Chair and without a Committee vote, has no objection to following this process for the RFP and lease. After consultation between the Chair and the Board of Selectmen, the School Committee will vote as to whether to approve this process formally. Further, according to Town Counsel, the acquisition of real property by the Town is subject to approval and appropriation by Town Meeting. See G.L. c. 40, §14, and that the appropriation will be subject to a 2/3 vote at Town Meeting.

It is Town Counsel's opinion that the Town may, by vote of the Board of Selectmen, authorize the School Committee to issue the RFP and manage the procurement process on its behalf, and report back with a recommendation subject to the Board's approval regarding the bus parking lease. I understand that the lease will be executed by the Board of Selectmen, and the RFP will have to clearly state that any lease by the Town will be subject to appropriation and approval by Town Meeting.

**RFP FOR LEASE OF LAND FOR SCHOOL BUS PARKING - DRAFT AS OF MARCH 10, 2017**  
**Three year lease - July 1, 2018 to June 30, 2020, with one (1) two-year option**  
**Revised, May 8, 2017**

| <b>KEY DATES FOR THIS REQUEST FOR PROPOSALS</b>  | <b>Deadline</b>                | <b>Day</b>               | <b>Time</b>                                |
|--|--------------------------------|--------------------------|--|
| SchoolTown Legal Counsel Review  | completed                      |                          |  |
| School Committee approves and names evaluation team participants   | 5/22/2017                      | Monday                   |  |
| Submit to Goods & Services Bulletin, Central Registry and COMMBUYS   | 5/23/2017 for 5/29 publication | Tuesday/Following Monday |  |
| Advertise in Legal Notices in Metrowest  | 5/28/2017 and 6/4/17           | Sundays                  |  |
| Post in Jurisdiction   | 5/29/2017                      |                          |  |
| <b>RFP Release Date</b><br><i>Release to Planning Department for distribution (or gather referrals)</i><br><i>Release to municipalities, state offices, organizations, and referred private businesses within mile radius defined.</i> | 5/30/2017                      | Tuesday                  | 10:30 AM                                   |
| Submit written questions by - 2 weeks  | 6/13/2017                      | Tuesday                  | 4:00 PM                                    |
| RFP Deadline - 6 weeks (with holiday)  | 7/11/2017                      | Tuesday                  | 10:30 AM                                   |
| Open and Evaluate Proposals<br><i>Evaluate based on selection criteria</i><br><i>Complete site visit, reference checks, company research</i><br><i>Open price proposals and make final determination for award</i>                     | 7/13/2017<br>7/18/2017         | Thursday<br>Tuesday      | 9:30 AM to 12:30 PM<br>9:30 AM to 12:30 PM |
| <i>School Committee votes, issues letter of agreement within 60 days, on or about:</i>   | 9/15/2017                      | Friday                   |  |
| <i>Approximate date for lease to commence</i>  | 7/1/2018                       |                          |  |



## Wayland Public Schools

### SCOPE OF SERVICES:

Provide a proposal for a feasibility study for parking 21 school buses, approximately 23 automobiles and one work trailer (with utilities) at the site of the Town of Wayland's old landfill, located on Route 20, Boston Post Road in Wayland, MA. The feasibility study should include cost estimates and a timeline to prepare the site for such use.

If the proposal is accepted, this task would be added to the Town of Wayland's On-Call Design Services Contract No.16-1037 and become Task Order No. 7: School Bus Parking Feasibility Study.

### BACKGROUND:

The Wayland School Committee has contracted with a school bus company to transport 1,300 students who reside in Wayland and Boston and attend the Wayland Public Schools from 7/1/2017 to 6/30/2020.

Twenty-one buses are used to transport students to and from Wayland Public Schools, athletic events, field trips and extracurricular activities during the school year. Additionally, some buses are contracted to provide transportation for summer programming from the conclusion of the school year in June through the opening of school in September.

A total of approximately one acre is required to park the twenty-one buses, up to twenty-three cars belonging to bus drivers and contractor's staff and situate a work trailer that requires access to utilities.

At this time, school buses used to transport students in FY 2017 are parked at 490 Boston Post Road. As of June, 2018, this location is expected to be unavailable for this purpose. The Wayland School Department is in the process to identify suitable sites for permanent bus parking located either within or outside of Wayland. We would like Weston Sampson to provide a proposal for the following scope of services:

---

**WAYLAND • PUBLIC • SCHOOLS**  
WAYLAND, MASSACHUSETTS

---

Susan Boffan  
Business Administrator  
(508) 358-3750  
susan\_boffan@wayland.k12.ma.us

To: Wayland School Committee  
From: Susan Boffan, School Business Administrator  
Date: May 8, 2017  
Re: Bus Parking Update

---

The purpose of this memo is to provide the School Committee with a brief update on the status of progress being made toward identifying a suitable location for school bus parking:

New information:

The estimated date of when buses will be required to move from their current parking location on Route 20 has been shifted to July 1, 2018.

Update of RFP:

The attached memo has been drafted to request for authorization by the Board of Selectmen to allow the School Committee to manage the RFP process. This memo will be added to the BOS consent agenda if approved.

If the School Committee would like to discuss the status of bus parking with the Board of Selectmen, an item can be added to their May 15 agenda. The Town Administrator will need to receive confirmation if a member would like to meeting with the BOS no later than the end of the day on May 9.

In addition, a revised RFP schedule has been attached for your reference. The final RFP will come before School Committee on May 22 for approval.

Funding:

The BOS, rather than School Committee, will execute the lease if one is awarded through the RFP process. Town Counsel has been asked for clarification about whether the town or the School Department will be responsible for requesting the appropriation for leasing the space at Annual Town Meeting in the spring, 2018. The response from Town Counsel will be shared with School Committee and the Town Administrator when received.

Alternate Sites:

Old Landfill – For your information, attached please find the Scope of Services presented to Weston and Sampson for a proposal to conduct a feasibility study for parking school buses at the site of the Town's Old Landfill. If the proposal is accepted by School Committee, the study would be folded into the existing feasibility study being conducting for DPW. The proposal will be forwarded to School Committee when received.

Transfer Station – The Conservation Department Head and Committee Chairperson have agreed to meet with a School Committee member and myself to discuss the potential use of a portion of the site. A proposed meeting time is forthcoming.

**TOWN OF WAYLAND  
GOVERNANCE GUIDELINES FOR  
THE BOARD OF SELECTMEN AND  
APPOINTED BOARDS, COMMITTEES, COMMISSIONS  
ADOPTED-----**

**1.0 Volunteer Appreciation**

The Board of Selectmen thanks the members of all Boards, Committees and Commissions for giving their valuable time and effort to the improvement of the Wayland community.

**2.0 Authority and Purpose of These Guidelines**

The Wayland Board of Selectmen adopts these Guidelines for the governance of the Board of Selectmen and its appointed Boards, Committees and Commissions, referred to in this document as "public bodies". It is understood that elected public bodies including the Board of Assessors, Board of Health, Library Board of Trustees, Board of Public Works, Planning Board, Recreation Commission and School Committee possess independent authority to adopt separate Governance Guidelines consistent with law.

The purpose of these Guidelines is to promote among the Town's public bodies decision-making that is open, thoughtful, fact-based, respectful and fair, in compliance with Town bylaws and with all state and federal laws.

These Guidelines are superseded when in conflict with any federal or state law or Town by-laws.

The Board of Selectmen will review, revise and distribute the Guidelines annually.

**3.0 Organization**

**3.1 Annual Organization Meeting:** Public bodies must organize annually at the first meeting scheduled after Annual Town Election and Meeting. Public bodies will elect a Chair and any other necessary officers such as a Vice-Chair or Co-Chair, Clerk and Assistant Clerk.

**3.2: Assignment to Department:** Each public body will be assigned to a department of the Town which will provide a secure location to maintain minutes and records.

**3.3: Responsibilities under Charge and Local and State Law:** Each appointed public body will conduct its business under a Town by-law, state statute or under a charge adopted by the Board of Selectmen.



**3.4 Annual Reports:** Under Chapter 53 of the Town Code, all boards, commissions, committees, officers and agents of the Town shall submit a report to the Selectmen, not later than September 30 after the end of each fiscal year for publication each December in the Annual Town Report. The Selectmen shall notify all officers and agents of the Town and the Chairmen of all boards, commissions and committees of the final date for submitting such reports for publication. This notice shall be given by letter mailed in May of each year. If an appointed board, commission or committee of the Town, other than those created under the General Laws of the commonwealth, does not submit its written report on or before such final date for publication in the Annual Town Report, it shall be dissolved, except in such instances where the creating vote specifically provides that it is to report at longer given intervals, or unless the Town at the next annual Town meeting, by vote naming the board, commission or committee, continues it in existence.

Every Annual Report shall contain a section entitled "Current Debt," which shall provide the following information for the debt funded by the Town, with debt remaining and/or with as yet unfunded grants from the commonwealth or the federal government: (1) name of the debt; (2) funds appropriated by identified Town meeting article(s); (3) cumulative funds expended at fiscal year-end; (4) cumulative interest paid at fiscal year-end; and (5) anticipated final cost to the Town, including principal and interest after receipt of funded grants, if any, and date when all financing will have been paid off or otherwise completed.

**3.5 Rules of Procedure and Voting:** Public bodies must establish a quorum before any meeting is called to order. Each public body may establish rules of procedure and voting consistent with local, state and federal law. The rules of procedure should include when public comment may be allowed by the Chair.

**3.6 Advisory Committees:** The Board of Selectmen may appoint advisory committees for a specific purpose under a temporary charge.

**4.0 Role of Members:** A member of any public body will:

1. Respect the role of the Chair in setting agendas and facilitating meetings.
2. Respect decisions of the public body and recognize that members take action as part of a public body and may not conduct Town business independently of the public body except as authorized by a vote of the public body.
3. Recognize that action at an official legal meeting is binding and that an individual member cannot bind the public body outside of such meeting.

4. Not make statements or promises about how he / she will vote on matters that come before the public body until he / she has had an opportunity to hear the pros and cons of the issue during the body's public meeting.
5. Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.
6. Assume a high level of integrity, striving toward fact - based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
7. As a general rule, work with Town staff at the direction of the public body so that Town staff are not subject to conflicting direction.
8. If appointed by a majority of the public body, serve as a liaison to other public bodies.
9. Fulfill any training the Board of Selectmen may require training so members can effectively fulfill their duties. Training may be provided at Town building, over the internet, or may require out of Town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a public body, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.
10. Be sworn in by the Town Clerk or Assistant Town Clerk after appointment or election and submit a letter of resignation to the Office of the Town Clerk when no longer willing or able to serve. New members of public bodies cannot vote until sworn in by the Town Clerk or Assistant Town Clerk. If a member wishes to resign before the end of a term he or she must submit to the Office of the Town Clerk a signed letter of resignation. The resignation is effective upon receipt by the Office of the Town Clerk unless a different date is specified. Upon expiration of a term, appointed members will continue to hold office until a successor is appointed.

**5.0 Role of Chair and Vice Chair:** The Chair will set meeting agendas, convene all meetings, and execute documents as authorized by the public body. The Chair will act only under authority provided by a quorum of the public body. The Chair will serve as the public body's primary contact with Town staff. As a general rule, the Chair will solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body. The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. The Vice Chair will fulfill the duties of the Chair in his or her absence.

**6.0 Role of Clerk:** Although Town staff may record minutes for some public bodies, the public body is encouraged to elect a Clerk or individual member who takes responsibility for ensuring minutes are recorded, created and submitted for approval and

filed along with supporting documents as a permanent record in the office of the assigned Town department.

## **6.0 Open Meeting Law**

**6.1 Requirement to comply with the Open Meeting Law:** Public bodies must comply with all parts of the Open Meeting Law. Public bodies subject to the Open Meeting Law include any sub-committee of two or more members assigned by the public body to conduct business. Please refer to the MA Attorney General's Open Meeting Law Guide which is available on the Town website and through the Wayland Town Clerk and includes the following information important for members to know:

1. Definition of a public body
2. Definition of a meeting / 5 exceptions to the definition
3. Definition of a meeting quorum
4. Requirements for posting meetings
5. Ten legal purposes for executive sessions
6. Requirements to allow remote participation
7. Required public participation.
8. Required records for Open and Executive Sessions
9. Open Meeting Law complaint process

The Town Administrator is available to provide or obtain assistance on Open Meeting Law questions. You may also contact the Division of Open Government at (617) 963-2540 or e-mail [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

**6.2 Meeting Notices:** All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at [Townclerk@wayland.ma.us](mailto:Townclerk@wayland.ma.us) . Agendas must be received by the Town Clerk at least 30 minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing. The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an Executive Session.

**6.3 Revised Agendas:** If an agenda item is received by the Chair within 48 hours of a posted meeting, and the agenda item could not be reasonably anticipated by the Chair more than 48 hours before the meeting, the Chair may revise the posted agenda to include the new agenda item. It is preferred that agendas are revised only when the agenda item arises because of an emergency, which is defined as a sudden and generally unexpected occurrence or set of circumstances, demanding

immediate action. All other matters should be heard at a later meeting of the public body. If you are filing a revised agenda it should be marked "REVISED" and any changes or additions should be highlighted.

**6.4 Requirement for Meeting Minutes:** The Open Meeting Law requires public bodies to create and approve minutes in a timely manner. The Public Records Law requires that existing minutes be made available to the public within 10 days upon request, whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request. One hard copy, original set of meeting minutes, signed by the public body's Clerk, must be submitted within 5 days of approval by the public body to the public body's assigned department which will maintain the minutes as the permanent record of the public body. Minutes of all public bodies will, upon approval, be posted on the Town website.

**6.5 Contents of Minutes:** Minutes must include the name of the public body, the date, time, and place of the meeting, the names of members present and absent, the names of staff present, and the substance of all discussion including all subjects acted upon or heard. Minutes must include a full and complete record of all motions proposed for vote and will include the exact vote, the names of the mover and the seconder for each motion, and the names of those voting against each motion. A verbatim record of meetings is not required.

**6.6 Draft Minutes:** Once created, draft regular meeting minutes are a public record available to the public, even if the minutes have not been presented at a meeting.

**6.7 Executive Session Minutes:** Minutes must be created for all Executive Sessions. Executive Session Minutes must not be released to the public until the reason for calling an Executive Session has ended, after which Executive Session Minutes must be reviewed and voted for approval and release by the public body.

**6.8 Recording of Meetings:** Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must inform attendees of any such recording at the beginning of the meeting including that the meeting will be broadcast on the Way-Cam government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

**6.9 Public Participation:** Under the Open Meeting Law, the public is permitted to attend open meetings of public bodies. The public is excluded from an executive session that is called for a valid legal purpose cited in the agenda. The amount of time a member of the public will be allowed to speak to a public body will be determined at the discretion of the Chair. While the public is permitted to attend an open meeting, an individual may not address the public body without permission of



the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public will be silent. If after clear warning, a person is disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a police officer to remove the person.

**6.10 Remote Participation at Meetings:** The Town of Wayland permits remote participation. Members of Town boards and committees can participate and vote by teleconference, audio-conference or other means that allows all persons present, including the audience and the member participating remotely, to hear the proceedings. Acceptable reasons for remote participation under the regulations include personal illness, personal disability, emergency, military service and geographic distance.

All votes taken at such meetings where a member participates remotely must be taken by roll call vote and a quorum of members must otherwise be present, not including the remote participant. No remote participant can chair a meeting.

**6.11 Open Meeting Law Complaint Process:** Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Administrator's Office.

Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO.

The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

## **7.0 Use of E-Mail to Conduct Business**

**7.1 E-Mail and Public Records Law:** E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a public record and is subject to a public records request under the Public Records Law even if the e-mail is received by or created on a private computer or sent to only one individual. Over time, the Town will assign an e-mail address to all members of appointed and elected boards and committees. It is requested that any volunteer who does not have a Town e-mail address create a new separate e-mail account to be used for Town business only.

**7.2 E-Mail and Open Meeting Law:** Whenever one member of a public body uses e-mail to discuss the public body's business (except for administrative matters such as scheduling and the transmission of documents) with a quorum of the members, it constitutes "deliberation" and is in direct violation of the Open Meeting Law. E-mail communication between less than a quorum of a public body is also in violation of the Open Meeting Law if the e-mail between less than a quorum of members is later forwarded to or discussed with additional members outside of a public meeting, thus unintentionally creating a quorum.

**7.3 Board of Selectmen Guideline on E-Mail:** To avoid violations of the Open Meeting Law and the Public Records Law, it is preferred that e-mail between members of the Town's public bodies be restricted to scheduling meetings and distribution of agendas, documents and reports.

## **8.0 Code of Ethics and Code of Conduct**

**8.1 Code of Ethics:** All members of public bodies are sworn in by the Town Clerk to uphold all state and local laws applicable to the public body's jurisdiction. Members must comply with the state ethics law (MGL Chapter 268A) regarding the conduct of public officials. Members must complete required ethics training and on-line tests. A member is required under the law to not vote on any matter in which the member or an immediate family member has a financial interest. Members are encouraged to recuse themselves if there is an "appearance" of a conflict of interest.

**8.2 Standard of Conduct:** All members will treat the public, applicants before the public body, Town employees and other members with respect and courtesy. The members and Chair of a public body should take time to listen to individuals speaking to the body. The Chair should make sure members of the public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted.

Bullying by public officials (including committee, board and commission members and staff) while in the course of public business is not tolerated. Bullying is the repeated

use of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, that:

1. Causes physical or emotional harm to another party or that party's property;
2. Places another party in reasonable fear of harm or of damage to his or her property;
3. Creates a hostile environment within Town Building or other Town workplace;  
OR
4. Materially and substantially disrupts the work of the multi-member body, Town departments or the orderly process of government.

**8.3: Absences:** The absence without appropriate explanation of any member of an appointed body from a majority of meetings held over a one year period or from three consecutive meetings may serve to vacate the office. The decision to recommend that the office be vacated will be made by a majority vote of other members of the public body and then transmitted to the Board of Selectmen.

**8.4 Members are Bound by Applicable Personnel Policies and Law:** Members of public bodies, when acting in their official capacity, are subject to any applicable state law and Town policies including those prohibiting sexual harassment, discrimination and workplace violence. Any allegation of misconduct made by the public, Town staff or a fellow member will be reported immediately to the Town Administrator.

**8.5 Litigation against Town by a Member of an Appointed Public Body:** An appointed member of any appointed public body may be temporarily suspended by the Board of Selectmen during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the state of MA.

**8.6 Removal under this Section:** The Board of Selectmen, under such procedures it may adopt, may remove a member from a public body for violations of this section.

**9.0 Town Meeting and Public Bodies:** Upon a majority vote, public bodies may sponsor and submit to the Board of Selectmen articles for the Board's consideration for inclusion in Annual and Special Town Meeting warrants. Articles submitted by committees that are advisory to the Selectmen shall be submitted and sponsored by the Board of Selectmen.

#### **10.0 Policy on Legal Services**

All requests for legal opinions will be made through the Town Administrator under the Board's policy on legal affairs of the Town.

#### **SUPPLEMENTAL POLICIES REFERENCED ABOVE:**

1. Remote Participation Policy;
2. Legal Affairs Policy

DATE OF ADOPTION: \_\_\_\_\_



## APPOINTMENTS TO TOWN BOARDS AND COMMITTEES

The Board of Selectmen is responsible for making a number of appointments to town boards and committees. The following procedures generally will be used to post openings, and make appointments, and fill vacancies.

### POST OPENINGS

- The Office of the Town Administrator shall post all vacancies opportunities for board and committee membership on the Town Building foyer bulletin board for a minimum of one (1) week.
- Applicants, who must be registered voters in the Town of Wayland, shall submit a statement describing their interest, background, and qualifications relevant to the opening being sought, and a résumé, if available.
- Applicants are encouraged to attend at least one meeting of the committee to which they seek appointment and discuss the board's function and responsibilities with a current member of the Board or the appropriate staff member before being considered for appointment.

### ANNUAL APPOINTMENTS

- The Board of Selectmen shall interview all applicants new to Town Government.
- The Board of Selectmen shall consider all applicants to serve on committees including both new applicants and current volunteers seeking reappointment.
- Boards or committees are encouraged to submit input on the reappointment of a member and questions for use by the Selectmen in interviewing applicants for their respective boards.
- All vacancies should be filled before the expiration of the term to the extent practical.

### VACANCIES

Vacancies that occur between annual appointments shall be filled as soon as is reasonable following the guidelines for annual appointments.

### REAPPOINTMENTS

The Selectmen Office of the Town Administrator shall solicit recommendations for reappointment from the chairpersons of boards and committees with members whose terms are ending. Board of Selectmen liaisons may also contact chairpersons of boards and committees to discuss reappointments.

- All candidates for reappointment to the Conservation Commission, Finance Committee, Personnel Board, and the Zoning Board of Appeals may be interviewed by the Board of Selectmen.
- Reappointments to other boards generally will not be subject to interviews by the Board of Selectmen unless there are multiple candidates for a position, or there is an objection from the chair of the board or at the request of a Selectman.

*Approved March 1, 2004; revised and restated on October 13, 2010; revised October 5, 2015.*

*See Wayland Code §6-1. For provisions regarding specific appointments, see Wayland Code §19-1 (Finance Committee); §43-2 (Personnel Board); §198-201 (Zoning Board of Appeals); and §198-204 (Planning Board Associate Member).*





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

#### Meeting Minutes

April 24, 2017 6:45 p.m.

Wayland Town Building, Selectmen's Meeting Room

41 Cochituate Road, Wayland

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Louis M. Jurist (arrived 7:28 p.m.), Douglas A. Levine (arrived 6:51 p.m.)

**Absent:** None

**Also Present:** Town Administrator Nan Balmer

**A1. 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** At 6:45 p.m., L. Anderson moved, seconded by C. Karlson, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 21(a)(2) to discuss strategy with respect to negotiations with non-union personnel, Town Administrator. The Chair declared that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0. Chair L. Anderson invites attendance by Assistant Town Administrator/Human Resources Director John Senchyshyn.

The Board returned to open session at 7:00 pm

**A2. Call to Order by Chair** Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room of the Wayland Town Building. L. Anderson noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCam.

M. Antes announced that Wayland Reads activities continues this week. She said there will be a lecture this Thursday by the Weston Wayland Interfaith Action Group titled "Discrimination: Anti-Semitism, Islamophobia, Racism." She said this Sunday will be the rescheduled "Favorite Spaces - Memorable Places" presented by the Wayland Historical Society along with the Council on Aging.

**A3. Public Comment** Carol Plum, Old Rock Road, had questions for new board member D. Levine about his work and interest with the 24 School Street project and Town Center.

Judy Lang, Concord Road, had questions about the proposed Community Center/COA Center. She asked if the proposed building could be impacted by the new Library. Her concern is that the Community Center/COA center will get bumped.

**A4. Hear Request of American Legion regarding Veterans' Display in Town Building Lobby and Discuss with Facilities Director** Paul Rufo came before the Board to discuss how to better present the veterans' memorials and displays in the Town Building's lobby. He said he just met with B. Keefe today and he feels very positive about the meeting as a first step, but is not sure yet about details like funding. B. Keefe said there is a lot of reorganizing in the lobby to do and there might be some funds involved. He said the major players are the Town Clerk, the Historical Society, and the Historical Commission. He proposed

making an information center that holds all the pamphlets which would free up the space for the Legion. He said the free space could be used for display cases for the Historical Society and Archeology.

D. Levine asked if he has gone into other town halls to see how Legions display their cases. B. Keefe said he has not. C. Karlson said she likes how the Board of Health has their information displayed. She asked B. Keefe to keep in mind how technology will change in the future. B. Keefe said he thinks the town has good signage, just needs to work on helping people to see it.

**A5. Meet with Licensed Site Professional Ben Gould regarding Letter from Raytheon about Environmental Issues at Town Center** Ben Gould discussed the letter from Raytheon and the downgraded property status. He said the major issues they are dealing with include chemicals, PCPs in the wetlands, and groundwater contamination in a form of a plume. He discussed the report that was filed with DEP. B. Gould said he contacted DEP but has not heard back yet so is not sure yet how far along the process is for them. He said the properties have six months to respond to DEP. B. Gould said the plumes move very slowly underground, probably ½ foot –1 foot a month, years to even cross the street. He said there is not much that the town can do at this point. He stated when the party who is responsible is identified they are required to notify the Chief Municipal Officer and the Board of Public Health. He said he will keep the town updated.

L. Jurist joined the meeting.

N. Balmer said she will follow up with the Board of Public Works. She said staff have been notified.

**A6. Discuss Board Communications Initiatives and Staff Assignments**

L. Anderson said the number one request from the listening sessions was to improve communications. N. Balmer said she and staff are looking for more direction for what the Board would like to see happen. L. Anderson brought up quarterly public forums, which C. Karlson they have done in the past with certain subjects. D. Levine suggested having an “opt in” email option where residents can pick what town updates and news information they want emailed to them. N. Balmer said using her TA report she could summarize a few parts for a newsletter. L. Anderson brought up Facebook and said it’s very informative and quick. C. Karlson brought up holding Selectmen hours, which she said the Board hasn’t done in a few years. She said that might be something else to add to the list. L. Jurist suggested keeping it simple and starting with a few things like the opt in email, public forums, and Facebook. N. Balmer said they have to find some money to update the website. She said the update will be user friendly and easier for departments to upload information.

N. Balmer brought up correspondence and asked the Board to consider some policy changes as far as posting it. She asked if Board receipt can be delayed so she can have more time to respond before it’s posted. C. Karlson said the group selectman email should be deleted since their individual emails are listed. The Board agreed to delete the email. L. Jurist asked if N. Balmer can go through the packet to pick out correspondence that the Board should prioritize. N. Balmer said she can address it and make more of an effort. The Board agreed the policies were fine.

**A7. Discussion with Wastewater Management District Commission and Vote to Sign Payment in Lieu of Betterments Agreement with Wastewater Management District Commission**

F. Knight led a discussion about including a clause derived from the Finance Committee article comments. The Wastewater Management District Commission (WWMDC) does not want the clause included as it is

their opinion that it sets a precedent. He stated that the clause has been taken out but they want to go on record why it was removed.

F. Knight said the WWMDC thinks allocating the gallons to the library building is a good thing to do for the future. He said if that building ever becomes an office building the town will need that amount. L. Anderson asked if they are happy with the numbers in the document. F. Knight said the agreement contains the right numbers.

C. Karlson moved, seconded by M. Antes, to 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. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: ABSTAIN: none. Adopted 5-0.

**A8. Discuss and Vote to Approve Portfolio Assignments** L. Anderson noted two changes from the draft N. Balmer provided in packet. C. Karlson would take the Board of Assessors and D. Levine would take on the Audit Committee.

The Board discussed the draft policy document on Board of Selectmen Liaison Program. The Board decided that N. Balmer make a list of everything under the liaison program to see what it looks like at the next meeting.

**A9. Update on River's Edge Land Development Agreement** C. Karlson said they are still in discussion and down to about six items where there are definable ends. She said from the town's side everyone is working hard to respond to lawyers and to move the process along. The Board said it was nice to see Sudbury's minutes approving the emergency water access concept.

**A10. Minutes: Review and Vote to Approve Minutes of April 18, 2017** The minutes of April 18, 2017, were not ready to be reviewed.

**A11. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by C. Karlson, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: ABSTAIN: none. Adopted 5-0.

**A12. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. The Board discussed OPEB questions and said they don't have an answer for that yet. C. Karlson said that might be something they want to put on a future agenda so they can talk about the few OPEB issues that remain. L. Anderson said the Weekly Buzz did publish their first summary of Board activities in the Crier this week. M. Antes said she hopes they work on accuracy. C. Karlson told M. Antes that the organizer would be open to getting that feedback.

**A13. Report of the Town Administrator** N. Balmer asked the Boards preference with doing an inside or outside search for the Police Chief recruitment, saying she doesn't see the harm in doing an external search at the same time as an internal search. She said the town received nine responses for double poles which have been forwarded to Eversource. She said they submitted the special act regarding local voting rights for Permanent Resident Aliens to State. B. Doucette completed her audit of the Library Drainage Project and the report is in packet. N. Balmer said it would be helpful if the Board expressed their support for paying the

town's bills. She noted that the subject of managing the WWMDC could transition under the Board of Public Works staff since a lot of the staff has skill to do that. She stated that the Board of Public Works is going to discuss it tomorrow night and assign a working group to the topic.

**A14. Selectmen's Reports and Concerns** C. Karlson noted there has been concerned about the quality of WayCam's live feed of the Selectmen's meeting. She said it might be helpful to mention that during the upcoming WayCam meeting. C. Karlson said the Energy Initiatives Advisory Committee has sent her an updated charge. She mentioned she received an email from The Buzz wondering if someone from the Board would appear on the show to talk about the Open Meeting Law. She asked if the Board is interested in doing something like that. C. Karlson said she will look into more information and get some of the questions. M. Antes said there was a request to have more updates about IT and she talked about Habitat for Humanity. L. Anderson said that she and M. Antes will be on the Buzz to talk about the listening sessions report.

**A15. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
The Chair said, "I know of none."

**A16. 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** At 8:53 p.m., L. Anderson moved, seconded by D. Levine, that the Board of Selectmen 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. The Chair declared that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair L. Anderson invites attendance by Town Administrator Nan Balmer.

The Board returned to open session at 9:15 pm

**A17. Adjourn** There being no further business before the Board, C. Karlson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:15 p.m. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of April 24, 2017**

1. None

**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
-



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  
Meeting Minutes  
May 1, 2017  
7:00 p.m.**

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

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Louis M. Jurist, Douglas A. Levine  
**Also Present:** Town Administrator Nan Balmer

**A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(3), to Discuss Strategy with Respect to and in Preparation for Collective Bargaining with Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Representing Town Employees, Because a Public Discussion of these Matters may have a Detrimental Effect on the Negotiating or Bargaining Position of the Town** At 7:00 p.m., L. Anderson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(3), to discuss strategy with respect to and in preparation for collective bargaining with Police, Fire, AFSCME 1, AFSCME 2, Library, and Teamster Unions. The Chair declared that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair L. Anderson invites attendance by Town Administrator Nan Balmer and Assistant Town Administrator/Human Resources Director John Senchyshyn.

The Board returned to open session at 7:28 p.m.

**A2. Call to Order by Chair** Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:28 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

M. Antes announced that the Historic Commission is looking for volunteers for the rail trail spring brush clearing and turntable excavation this weekend. She also mentioned that Wayland Reads events are continuing. L. Anderson stated that the DPW will hold an open house Saturday May 20<sup>th</sup> in celebration of public works month.

**A3. Public Comment** L. Siegel, Aqueduct Rd, stated her concern about the missing committees in the Annual Town Report. She said as a citizen she would appreciate seeing an official report including the financial status of those committees, especially since some of them receive significant funding.

**A4. Meet with Representatives of WayCAM Annual Meeting to Receive Annual Report; Discuss Cable Contract Negotiations** Jim Mullane and Jonathan Ward came before the board and discussed the upcoming cable contract negotiations with Comcast and Verizon. J. Mullane stated that the Cable Advisory Board should be created by the Board again once Comcast sends its letter. He said that HD channels are very important for the future and is hoping to propose that in negotiations. He went over plans for a new studio, stating that the new space would give them an opportunity for a live audience, a screening room, meetings, and a better editing room. He also talked about adding a full-time employee. L. Anderson thanked J. Mullane, J. Ward, and WayCAM for all their hard work. J. Mullane discussed HD prospects and how the town will be

HD ready, although he said it might be a fight during negotiations. J. Ward said as a Board they have discussed this and think J. Mullane has been thorough. He said the Board is a proponent of going HD as well. N. Balmer asked to meet with J. Mullane to discuss procedures and process for the potential building project. J. Mullane stated that many viewers watch programs online now and from smart phones. Membership was 30 in 2015 and 33 in 2016.

**A5. Discuss and Vote to Approve Draft Governance Guideline for Boards and Committees Appointed by Board of Selectmen**

N. Balmer said she has reworked the purpose and made some with changes with staff, including the Town Clerk who made changes to sections on swearing in and resignations. C. Karlson asked N. Balmer and Board members to think about how the document fits with the Board's policies. She said she is hesitant about the amount of work that might be ahead of the town to update this document annually. N. Balmer said it's a judgement call throughout and she intended to try and find balance and overlap with policies. L. Jurist said he thinks updating it is manageable. D. Levine said the absence policy jumped out at him, and overall thought the document was very informative. The Board discussed other questions and concerns and agreed to review a revised draft.

**A6. Discuss Special Town Meeting Date, Schedule and Potential Articles**

N. Balmer stated that the Finance Committee hasn't had a chance to discuss this schedule yet. She said the Board has time to look at it and adjust it. M. Antes said it's best for organizations to know as soon as possible the date for Annual Town Meeting as well. N. Balmer said she will work on that as soon as possible, citing that the town released the date in May last year.

**A7. Review Committee Appointment Process** N. Balmer went over the current Committee Appointment Process. L. Jurist asked if everyone automatically gets reappointed when their term is up. He brought up the controversy last year. He said postings should be made public for all positions that are open, not just vacancies. The Board agreed to change the wording in the letter stating that committee members need to apply if they are interested in serving again so the seats would really be open to everyone. The Board also asked N. Balmer to update the online list since there are Boards/Committees that have disbanded.

**A8. Discuss Volunteer Recognition and Open Meeting Law Information Meeting** The Board discussed having a volunteer recognition event in July and an Open Meeting Law Information meeting in October.

**A9. Review and Vote to Approve Liaison Assignments and Liaison Policy** The Board reviewed the clean version of the Liaison Assignments and policy. Rivers Edge Advisory Committee went to C. Karlson. The Board decided to keep the WRAP Committee listed. L. Jurist said he liked the Liaison policy. C. Karlson suggested deleting paragraph 5 and replacing it with a sentence that says it will be reassigned with the reorganization of the Board or the Chair's discretion. N. Balmer said she would ask each committee to send their Board liaison all agendas and minutes by email.

M. Antes moved, seconded by L. Jurist to approve the Board of Selectmen's Liaison Assignments of April 2017- April 2018 and the accompanying Liaison Policy. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Minutes: Review and Vote to Approve Minutes of April 18, 2017** M. Antes moved, seconded by C. Karlson, to approve the minutes of April 18, 2017, as amended. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A11. Review and Approve Consent Calendar (See Separate Sheet)** D. Levine asked Board members if the letter to the Massachusetts Dept. of Transportation regarding resurfacing of Route 20 should be stronger. L. Jurist asked if there is someone else the letter should be sent to that might help move along the process. L. Jurist and M. Antes both suggested sending a letter to state representatives. N. Balmer said she will see what the Police Chief thinks about a new letter that is worded more strongly towards action. C. Karlson stated that E. Doucette's memo to the Finance Committee should be consistent with N. Balmer's memo. She also said the memo doesn't answer what the change order was for, so it might get delayed again by the Finance Committee. L. Anderson asked the Board what their opinion was of the memo.

C. Karlson moved, seconded by M. Antes, to approve items 1, 2, 3, 6, 7, 8, and 9 on the Consent Calendar. Second by M. Antes. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson moved, seconded by L. Jurist to Authorize the Town Administrator with the Assistance of the Chair to amend the letter to the Finance Committee as discussed to Authorize the Request to Fund the Additional Costs of the Library Drainage Project Through an End-of-Year or Reserve Fund Transfer. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board decided to not take any action on item 4 yet.

**A12. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. C. Karlson mentioned the resignations of Jennifer Steel and Gordon Cliff.

### **A13. Report of the Town Administrator**

#### **1. Notes on Correspondence**

N. Balmer noted that item number 2 from the Building Commissioner will require the advice of Town Counsel prior to the Board discussing the issue as the law is evolving.

#### **2. Police Chief Recruitment**

N. Balmer stated that she was just informed before the meeting that the Board should not consider the letter in the packet from the Police union as they might have additional input. She recommended waiting until the next meeting to discuss this topic.

#### **3. FY19 Budget Process/Finance Committee Meeting Night**

N. Balmer stated that as its first task The Collins Center will advise the Town on the FY19 Budget Process. She said she would like agreement with the Finance Committee, staff and the BOS as there is generally some confusion about the process. She said she will ask the Finance Committee if they will meet with her; she needs to know what's going on and needs to be able to work with them. The Board discussed the possibility of meeting another night of the week. L. Anderson said the Town Code mentions the Board should only meet on Mondays. N. Balmer said she requested that the Finance Director start sending her a summary of the Finance Committee meetings. The Board discussed ways to try to have both the BOS and the Finance Committee meet more during the budget process.

#### **4. Potential Subjects for Opt-In Newsletter**

N. Balmer asked the Board what kind of subjects they would like for the newsletter. The Board discussed some of their ideas. The Board said they would like it to be truly informational and meaningful. M. Antes brought up the idea of a quarterly forum and having one of the topics be about stormwater.



**A14. Selectmen's Reports and Concerns** C. Karlson stated that she received a list of questions from The Buzz for the Open Meeting Law program, and she will go over with them with N. Balmer or L. Anderson. She said the program may happen before the Board meets again. L. Anderson reminded the Board that she and M. Antes will be appearing on The Buzz this Wednesday talking about the Listening Sessions.

**A15. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
The Chair said, "I know of none."

**A16. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) 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** At 9:16 p.m., L. Anderson moved, seconded by C. Karlson, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) 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. The Chair declared that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair L. Anderson invites attendance by Town Administrator Nan Balmer.

The Board returned to open session at 9:43 p.m.

**A17. Adjourn** There being no further business before the Board, C. Karlson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:43 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 1, 2017**

1. Email of 4/5/17 from Linda Segal to the Office of the Town Administrator re: 2016 Annual Reports

**Items Included as Part of Agenda Packet for Discussion During the May 1, 2017 Board of Selectmen's Meeting**

1. WayCAM Annual Reports for 2016 and 2017
2. Cable Advisory Committee Mission Statement
3. WayCAM Powerpoint, 2020 License Negotiation, Capital Needs
4. Memorandum of Agreement, Town of Wayland and WayCAM, March 21, 2011-January 22, 2023
5. Memorandum of 5/1/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Governance Guidelines
6. Memorandum of 5/1/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Special Town Meeting Date
7. Memorandum of 4/26/17 to Board of Selectmen re: Annual Reappointments
8. Memorandum of 5/1/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Volunteer Recognition, Open Meeting Law Training
9. Draft Liaison Assignments for Board of Selectmen
10. Draft Minutes of April 17, 2017
11. Report of the Town Administrator for the Week Ending April 28, 2017

**TOWN ADMINISTRATOR'S REPORT  
WEEK ENDING MAY 15, 2017**

**NOTES ON CORRESPONDENCE**

#6: Please note annual invitation to Memorial Day ceremony

#9: Letter from Police Union regarding Police Chief recruitment is relevant to Agenda Item 3 and replaces prior letter from union.

**FY 17 LEGAL BILLS**

Attached is an update. There will be a follow-up request to the Finance Committee for a Reserve Fund Transfer or line item transfer after staff determines the extent to which boards and committees are willing to fund the excess costs. We expect the over-run to be in the neighborhood of \$44,000 and that it will be reduced to \$25,000. We will review for FY 18 when it is appropriate and feasible to request boards and committees fund unanticipated legal costs throughout the year.

**EMERGING / UNANTICIPATED NEW COSTS**

The table below summarizes some unplanned costs the Board and / or Finance Committee will be asked to consider at a future date. Under Municipal Modernization Act, Board of Selectmen and Finance Committee can agree to end of year line item transfers to fund certain expenses which provide more flexibility in funding small projects. The Selectmen are asked, after discussion, to consider priorities.

| DEP'T / PROJECT  | ESTIMATE | POTENTIAL SOURCE                            | COMMENT  |
|--|----------|---|--|
| FY 17 - Town Clerk - election costs                              | \$1600   | Reserve Fund Transfer                       | All RFT Approved by TA and FC                            |
| FY 17 - DPW - Library Drainage                                   | \$87,300 | Reserve Fund Transfer                       | \$87,300   |
| FY 17 - Legal  | \$25,000 | Reserve Fund Transfer or Line Item Transfer | Will be addressed 6/5                                    |
| FY 17 - IT - Website Upgrade                                     | \$3,000  | IT Operating Budget                         | Total Cost of \$9k may be spread over 3 years            |
| <b>ADDITIONAL PROJECTS FOR WHICH MORE INFORMATION IS NEEDED:</b> |          |   |  |
| IT - E-mail addresses for boards and committees                  | \$12,500 | Line Item Transfer or STM                   | May be funded in FY 17 with the agreement of both boards |
| DPW - Storm water Technical Assistance                           | \$30,000 | Line Item Transfer or STM                   | May be funded in FY 17 with the agreement of both boards |
| DPW - Office / Equipment   | \$45,000 | DPW - Capital                               | Accommodates new staff at DPW                            |
| Cons: Aqueduct Crossings Design                                  | \$7,500  | Line Item Transfer or STM                   | Allows Cons to prepare for capital project of \$75k+     |
| Facilities -Lobby / Land Use Offices                             | \$45,000 | STM or ATM                                  | Improved work flow and customer service                  |
| Wayland Cares Offices  | \$10,000 | STM OR ATM                                  | Improved work flow and customer service                  |
| Street Light Conversion  | \$20,000 | STM   | Grant will not cover 100%                                |
| Minuteman  | \$23,000 | Reserve Fund Transfer End of FY 18          | Predicted increase in students from 7 to 10              |

## **HOUSING CONSULTANT**

A group of about 25 volunteers from Planning Board, Housing Partnership, Affordable Housing Trust and Housing Authority met and provided input on the Selectmen's CPA funded project to hire a Housing Consultant. The next step is for the Housing Authority staff, as one alternative, to work with me to determine if all of the priority work can be provided by WHA under a grant. I will also look at the Regional Housing Services Office in Concord and MAPC. Although the Selectmen (with CPC concurrence) are the ultimate decision makers, I request that the Board request that a representative of the Housing Partnership, Affordable Housing Trust and Board of Selectmen work with me to review the alternative ways to get this work done.

## **FINANCE COMMITTEE REQUESTS**

Attached is an e-mailed letter to the Finance Committee -- Highlights for Selectmen are:

1. Library Drainage
2. Financial Policies / Community Compact Project
3. Meeting Days

Fiscal Year 2017  
Legal Budget Status  
May 11, 2017

Legal expenses are projected to exceed the original appropriation of \$175,000 by \$44,349 which represents a 25 percent increase. Year to date, \$153,398 has been expended with an additional \$65,951 estimated by the fiscal year end, bringing the total projected legal expenditures to \$219,349.

Alternate funding sources were identified and requests totaling \$32,477\*\* were made on May 3. If these requests are honored the projected deficit will be reduced to \$11,872.

| <u>Funding Source</u>     | <u>Amount</u>   | <u>Matter</u>        |
|---------------------------|-----------------|----------------------|
| Library Planning & Design | \$ 7,952        | Library              |
| CPA Administration        | \$ 8,610        | Mainstone Farm       |
| Town Center Gift Account  | \$ 6,996        | Town Center          |
| Wastewater Management     | \$ 3,919        | Wayland Commons      |
| Assessor operating budget | <u>\$ 5,000</u> | Wayland Gun Club ATB |
| TOTAL                     | \$ 32,477       |                      |

**\*\*NOTE: Last quarter estimates were used which may result in adjustments to these amounts when actual service invoices become available.**

---



## Balmer, Nan

---

**From:** Balmer, Nan  
**Sent:** Thursday, May 11, 2017 10:53 AM  
**To:** dwatkins@pavonix.com; Klaus Shigley (kshigley@verizon.net); Carol Martin (martincarol948@gmail.com); George Uveges (uvegesg@comcast.net); Nancy Funkhouser (nancyfunkhouser@verizon.net); Jen Gorke (jen.gorke@gmail.com)  
**Cc:** Keveny, Brian; Anderson, Lea; Karlson, Cherry; Louis M. Jurist (ljurist@nehand.com); Levine, Doug; Antes, Mary; DiNapoli, MaryAnn  
**Subject:** Finance Committee Agenda  
**Attachments:** Library Drainage 3.docx

Good Morning!

Thanks for providing the agenda for comment --- Below are my comments / requests:

1. Add Fund Library Drainage: The Board of Selectmen voted to request that the Finance Committee approve a Reserve Fund Transfer or line item transfer to fund an \$87,300.71 cost over-run in the Library Drainage Project. As you may know this request was discussed with the Finance Committee in the past. I Because the contractor's invoices are outstanding since January, am concerned about potential litigation. --- I understand (and agree) that the information provided to the Finance Committee at a prior meeting was inadequate --- Elizabeth Doucette and I therefore worked together to provide you a comprehensive report on project expenditures, funding sources (grant and Town Meeting), the cause of the over-run and the steps that DPW, the Finance Department can take to better prevent and respond to cost overruns. Going forward, the Finance Director and DPW Director must provide the leadership to make sure procedures are in place, that expense monitoring occurs, that adequate financial information is available and that complete requests are made to the Finance Committee in a timely way. Please communicate with me in writing after your meeting or through a written communication from the Finance Director to let me know the Finance Committee's action on this request. Please feel free to ask that I be excused from the Selectmen's meeting Monday if you would like to discuss --- My understanding is that the Finance Director is prepared to present this request to you and believes he has all necessary documentation. (Attached)

Other Unanticipated Costs: Elizabeth Doucette is working with all department heads to identify and recommend funding sources for other unanticipated costs for FY 17. Elizabeth will then meet with the Finance Director to discuss appropriate funding sources. It will be important for the Finance Committee and Board of Selectmen to have and consider the results of this work. In some cases it may be advisable to fund the costs in FY 17 rather than wait until Special Town Meeting --- Page 2 of the Library Drainage memo provides legal guidance to the Finance Committee on funding unanticipated expenses -- The Municipal Modernization Act has expanded the town's authority to fund such expenses through line item transfers which require approval of both bodies.

2. Reserve Fund Transfer Policy / Candidate Policies for Review: As you know, the best organizational policies are "owned" by a key staff person ( - For finance policies, Finance Director or Treasurer), are based in established best practice, and prior to adoption are distributed for comment from both the professional staff and volunteer users of a policy. In Wayland, we have the advantage of a \$30,000 Community Compact Grant to develop financial policies and review Wayland's financial management structure. The recommended policies of the Financial Advisor (referenced on your agenda) will be part of that process. The Chairs of the Finance Committee and Board of Selectmen (or designees), Finance Director, Town Administrator and IT Director will begin meeting May 16<sup>th</sup> on these two projects with a team of local government finance experts from the Collins Center. My request that the Finance Committee recommend to the Finance Committee Chair or designee the

**DATE: MAY 15, 2017**  
**TO: FINANCE COMMITTEE**  
**FROM: NAN BALMER, TOWN ADMINISTRATOR**

**REQUESTED ACTION:**

**VOTE TO REQUEST THAT THE FINANCE COMMITTEE APPROVE A RESERVE FUND TRANSFER OR TRANSFER BETWEEN ACCOUNTS TO FUND A SHORTFALL IN THE AMOUNT OF \$87,300.71 FOR THE LIBRARY DRAINAGE PROJECT**

**SUMMARY**

The Library Drainage Project was to install drainage improvements at the Wayland Public Library and assist in reducing future flooding damage. Unanticipated conditions (See "Project Background" below) resulted in a change order to the I. W. Harding Construction contract of \$112,500. The overall scope of work was adjusted by a reduction of \$27,192.98 to compensate for the budget shortfall, resulting in a net change order of \$85,307.02. However, a project deficit of \$-\$87,300.71 remains.

On May 1, 2017, the Board of Selectmen voted to request that the Finance Committee approve: 1) a reserve fund transfer, or 2) a transfer of any funds that are available at the end of the year pursuant to G.L. c. 44, Section 33B(b), to fund the \$87,300.71 in unfunded costs for the Library Drainage project. The Board of Selectmen further wishes to advise the Finance Committee that the unpaid invoices for this project have been outstanding since January and that it is essential that the vendors be paid immediately.

**UNPAID AND ESTIMATED COSTS TO COMPLETE PROJECT**

Financial Administrator Elizabeth Doucette conducted a full financial review of this project and concluded:

|                             |  |                     |
|-----------------------------|--|---------------------|
| IW Harding Construction Co. | Balance of change order                  | \$ 52,800.42 **     |
| IW Harding Construction Co. | Release of Retainage                     | 15,965.35           |
| IW Harding Construction Co. | Traffic Lights                           | 3,787.22            |
| Tighe & Bond Engineers      | Engineering Services                     | 12,109.15           |
| Tighe & Bond Engineers      | Estimate to complete                     | 2,000.00            |
| Landscape Supplies          | Estimate to complete                     | 7,000.00            |
| J. Moynihan                 | Project Management                       | 314.10              |
| J. Moynihan                 | Estimate to complete                     | <u>314.10</u>       |
|                             |  | \$ 94,290.34        |
|                             | Balance in Drainage Improvements Account | - 6,989.63          |
|                             | <b>Deficit</b>                           | <b>\$ 87,300.71</b> |

*\*\* The Contractor's Application for final payment has been outstanding since January; this payment includes the balance of payment due for work specified in the change order. A partial payment was made in March, however, the Contractor is now pursuing legal options to demand final payment.*

**PROJECT FUNDING SOURCES**

**Hazardous Mitigation Reimbursement Grant - \$268,594**

Available Balance = \$0

**ATM 2011 for Drainage Improvements - \$160,000**

Available Balance = \$7,913.07

**PROJECT BACKGROUND:**

- In March 2010, the lower level of the Library flooded.
- In 2011, MEMA provided the Town with a mitigation grant to fund a drainage project to prevent future flooding.
- In 2011, MEMA provided a grant of \$268,594 and the Town Meeting approved funding for the local share of the project. Costs include engineering, construction, signal repair, project management and landscaping.
- The Library drainage project extends from the Depot parking lot, across the intersection of Rt. 27 and Rt. 20, under the Library parking lot to the wetlands at the back of the Library.
- The original project manager was the former DPW Director who passed away last year. In order to not lose grant funding, former Facilities Director John Moynihan who also oversees the Rail Trail project which is under construction by the same contractor and design engineer stepped in to manage this project in late fall 2016.
- Except for design work, the project did not begin until November 2016 and was expected to take one month. MEMA extended the project completion date under the grant until April 2017 so that the Town would not lose funding.
- The contractor for this project, IW Harding, encountered numerous underground, abandoned utilities throughout the project site which delayed the project and increased the cost from the original contract price of \$234,000 by \$112,500 to \$346,500.
- The contractor and design engineers completed their work in December 2016 and are waiting for payment on invoices issued in January 2016.

**TOWN COUNSEL ADVICE TO SELECTMEN AND FINANCE COMMITTEE ON FUNDING THIS EXPENSE:**

1. The Finance Committee may consider payment of this expense as a **Reserve Fund Transfer** pursuant to G.L. c. 40. Section 6. Reserve Fund Transfers may be approved by the Finance Committee for "extraordinary or unforeseen expenditures." In this case, these expenses were unforeseen when Town Meeting adopted the FY 17 budget, OR
2. As an alternative, the Board of Selectmen may vote to request that the Finance Committee **approve a transfer of any funds that are available at the end of the year** from one budgeted item to another pursuant to G.L. c. 44, Section 33B(b), as amended by the Municipal

Modernization Act of 2016. The revised statute provides: "A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the Finance Committee "... may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation." Accordingly, the Board of Selectmen may request, and with the concurrence of the Finance Committee cause the shortfall for the library drainage project to be funded by a transfer of funds from any another appropriation, other than funds appropriated for the school department.

## **CAUSES OF SHORTFALL AND INADEQUATE RESPONSE TO SHORTFALL**

The Board of Selectmen requested a review of the cause of the over-run and what could have done better to respond.

Cause:

The cause of the funding shortfall was that there were unknown underground utilities which caused an increase in project cost of \$86,377 and an emergency need to move forward with a project already underway.

The Departments of Public Works and Finance have made changes to procedure including:

1. **DPW: Projects will not be delayed:** Engineering for this project began in 2011. Construction was not started until the fall of 2016 when the town was about to lose a \$268,594 grant. Project budget may not have been brought up to date.
2. **DPW: Increased Spending on Engineering:** The town has a past history of undertaking projects with minimal engineering in order to save money. Adequate engineering, and in this case borings, would have helped predict the problems with this project.
3. **DPW: Adequate Contingency:** Projects must be evaluated for risk factors and a related percent of contingency built in to the project budget prior to construction. Costs must be updated when projects are delayed.
4. **DPW: Contract Management:** Until the hiring of the new DPW Director, there was an inadequate system for approval of change orders making it impossible for the Project Manager to have adequate information at the time of this emergency.
5. **Finance: Purchase Order and Project Management Systems:** Large payments are approved in the Finance Department without requiring purchase orders at the start of a project. This makes it hard for departments to track project expenses. Expenditures must also be recorded in MUNIS when presented by Project Managers to the Finance Director so that Project Managers have accurate financial data to use when making decisions.
6. **Finance: Response to Cost Over-Runs:** Unanticipated circumstances certainly occur; the need to properly/timely address the financial impact is critical. The Finance Director will issue and enforce procedures requiring Department Heads to report cost over-runs and line item shortfalls. Upon report of a cost over-run or shortfall, the Finance Director will immediately research and develop a solution for presentation and approval by the Town Administrator and Board of Selectmen and Finance Committee.





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, May 15, 2017**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road Wayland**

### REVISED CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice from KP Law, P.C., April 25, 2017, Invoice No. 111646, Wayland Tax, for Services Through March 31, 2017: \$1,412.98
3. Vote the Question of Approving the Invoice from KP Law, P.C., April 30, 2017, Invoice No. 111819, for Services Through March 31, 2017: \$8,580.85
4. Vote the Question of Approving the Invoice for River's Edge Special Counsel Anderson & Krieger LLP, dated May 3, 2017, for Legal Services Rendered through March 31, 2017, Reference # 121077/5415-001: \$1,147.10
5. Vote the Question of Approving the Invoice dated April 30, 2017, for Special Town Counsel Mark J. Lanza for Services through April 30, 2017: \$3,316.66
6. Vote the Question of Approving the Placement of Four Temporary Sandwich Board Signs for the Boy Scouts Troop One Cochituate Memorial Day Pancake Breakfast, from May 21-29, 2017, at Route 20 at the Weston Town Line, Route 20 at the Intersection of Route 27, the Intersection of Old Connecticut Path and Routes 126 and 27, and the Cochituate Fire Station at the Corner of East Plain Street
7. Vote the Question of Approving Letters of Commendation for Eagle Scouts:
  - Jay Evan Abdella, for leading a team of volunteers in an innovative initial effort to begin converting town birth records into a searchable Excel spreadsheet
  - John Alexander Bachman, for building a raised walkway extending for multiple hundreds of feet for easier access to trails east of the Heard Pond parking lot
  - Nicholas David Estrada, for building three movable benches for the Happy Hollow School playground
  - Eric James McGonagle, for leading the effort to refurbish a trail kiosk, clear trails and clean the parking lot at the Lower Snake Brook area
  - Curran Jeremiah Murphy, for building a kiosk at the Squirrel Hill Road entrance to the Upper Millbrook Trail area and extensive trail clearing

**KP LAW, P.C.**

101 ARCH STREET  
BOSTON, MA 02110

(617) 556-0007

---

INVOICE NO. 111646

MS. NAN BALMER  
TOWN ADMINISTRATOR  
WAYLAND TAX  
WAYLAND TOWN HALL  
41 COCHITUATE ROAD  
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH MARCH 31, 2017

APRIL 25, 2017

TOTAL FEES: 1,406.00

TOTAL COSTS: 6.98

BALANCE DUE: 1,412.98

*Okay to Pay  
Joe Perce*

**RECEIVED**

**APR 28 2017**

---

Board of Selectmen  
Town of Wayland

**KP LAW, P.C.**

101 ARCH STREET  
BOSTON, MA 02110

(617) 556-0007

---

INVOICE NO. 111819

BOARD OF SELECTMEN  
WAYLAND TOWN HALL  
41 COCHITUATE ROAD  
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH MARCH 31, 2017

APRIL 30, 2017

TOTAL FEES: 8,168.69

TOTAL COSTS: 412.16

BALANCEDUE: 8580.85

**RECEIVED**

**MAY -5 2017**

**Board of Selectmen  
Town of Wayland**

---

**ANDERSON**  
**KREIGER**

Anderson & Kreiger LLP  
50 Milk Street, 21st Floor  
Boston, MA 02109  
(617)621-6500  
EIN: 04-2988950

May 3, 2017

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

Reference # 121077 / 5415-001

In Reference To: River's Edge Special Counsel

|                        |                 |
|------------------------|-----------------|
| Total Current Billing: | <u>1,147.10</u> |
| Previous Balance Due:  | 3,147.22        |
| Total Now Due:         | <u>4,294.32</u> |

**PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS**



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

INVOICE - TOWN OF WAYLAND - 4/30/2017

SUMMARY

|   |                   |
|---|-------------------|
| FEE CALCULATION: 16.1 HOURS X \$175.00 PER HOUR = | \$ 2,817.50       |
| DISBURSEMENTS (See below for detail)              | 499.16            |
| TOTAL 4/30/17 INVOICE.....                        | <u>\$3,316.66</u> |

DISBURSEMENTS

|  |                  |
|--|------------------|
| Postage  | 4.66             |
| Copying  | 9.50             |
| Mainstone CR Recording Fees - Net (\$730.00 less<br>Hamlens' cont. of \$75.00 & SVT cont. of \$280.00) | 375.00           |
| Title Exam'r Fee - Mainstone CR  | 100.00           |
| BOA Funds Wiring Fee   | 10.00            |
| Total Disbursements  | \$ <u>499.16</u> |

## DiNapoli, MaryAnn

---

**From:** Alexia Obar <obars@verizon.net>  
**Sent:** Monday, May 01, 2017 2:46 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** Boy Scouts Pancake Breakfast Advertising

Dear Selectmen

On behalf of Troop One Cochituate I would like to request that we could place advertising for our Memorial Day Pancake Breakfast at the following places:

Five Corners  
Cochituate Fire Station  
Town Building  
Route 20 by the Coach Grill

We would like to put them up on Sunday May 21st. I was informed this could be addressed at the May 15th Selectmen's meeting. Please let me know if you need further information.

Thanks

Alexia Obar  
18 Dean Road  
Wayland, MA 01778

## DiNapoli, MaryAnn

---

**From:** Laurel Whitehouse <laurel.whitehouse@gmail.com>  
**Sent:** Thursday, April 27, 2017 11:32 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** Requests for letters of commendation

Troop 1 has had another banner night last night with five scouts earning Eagle rank!

I am requesting letters of commendation from the town for:

- Jay Evan Abdella
- John Alexander Bachman
- Nicholas David Estrada
- Eric James McGonagle
- Curran Jeremiah Murphy

Jay led a team of volunteers in an innovative initial effort to begin converting town birth records into a searchable Excel spreadsheet. John's project built a raised walkway extending for multiple hundreds of feet for easier access to trails east of the Heard Pond parking lot. Nick and team built three movable benches for the Happy Hollow school playground. Eric led the effort to refurbish a trail kiosk, clear trails and clean the parking lot at the Lower Snake Brook area. Curran and team built a kiosk at the Squirrel Hill Road entrance to the Upper Millbrook Trail area and did extensive trail clearing.

Thank you for your help on this,

Laurel Whitehouse  
Troop 1 Cochituate Advancement Coordinator



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

**PUBLIC DOCUMENTS PROVIDED TO THE BOARD  
OF SELECTMEN FROM APRIL 28, 2017, THROUGH  
AND INCLUDING MAY 11, 2017, OTHERWISE NOT  
LISTED AND INCLUDED IN THE  
CORRESPONDENCE PACKET FOR MAY 15, 2017**

**Items Distributed To the Board of Selectmen – April 28-May 11, 2017**

1. Public Comment, Large 40B Development Threatens Pine Brook and Great Meadows National Wildlife Refuge
2. Email of 5/11/17 from Nan Balmer, Town Administrator, to Board of Selectmen and Finance Committee, re: Finance Committee Agenda

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 1, 2017**

1. Email of 4/5/17 from Linda Segal to the Office of the Town Administrator re: 2016 Annual Reports

**Items Included as Part of Agenda Packet for Discussion During the May 15, 2017 Board of Selectmen's Meeting**

1. Memorandum of 5/15/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Police Chief Recruitment and Reallocation of Land Use Staff
2. Memorandum of 5/15/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Special Town Meeting Date
3. Memorandum of 4/28/17 from Ellen Grieco, Chair, School Committee, to Board of Selectmen, re: RFP for Lease of Land for School Bus Parking
4. Town of Wayland Governance Guidelines
5. Redlined Draft Board Policy on Appointments to Town Boards and Committees
6. Draft Minutes of April 24, 2017, and May 1, 2017
7. Report of the Town Administrator for the Week Ending May 12, 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, May 15, 2017**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

## CORRESPONDENCE

### Selectmen

1. Public Comment, Continuing to Post Correspondence Online
2. Public Comment, Large 40B Development Threatens Pine Brook and Great Meadows National Wildlife Refuge
3. Memorandum of 4/26/17 from Beth Klein, Town Clerk, to Board of Selectmen, re: Resignation of Jennifer Steel from the Housing Partnership and as the Representative of Housing Partnership to the Municipal Affordable Housing Trust Fund Board
4. Memorandum of 5/3/17 from Beth Klein, Town Clerk, to Board of Selectmen, re: Resignation of Jacqueline Ducharme from the Housing Authority
5. Memorandum of 5/3/17 from Beth Klein, Town Clerk, to Board of Selectmen, re: Resignation of Patricia M. Harlan from the Housing Partnership
6. Letter of 5/3/17 from Richard Turner, Chair, Public Ceremonies Committee, re: Invitation to Memorial Day Events in Wayland, May 29, 2017
7. Memorandum of 5/10/17 from Board of Assessors to Board of Selectmen re: Vacant Board Member Position, Board of Assessors
8. Letter of 5/10/17 from Board of Selectmen to Twenty Wayland LLC, re: Acceptance of Conservation Parcels, Map 23, Lots 052P and 052Q
9. Letter of 5/11/17 from Wayland Police Officers' Union to Nan Balmer, Town Administrator, re: Police Chief Recruitment Process
10. Email of 5/11/17 from Nan Balmer, Town Administrator, to Chairs and Department Heads re: Open Meeting Law Presentation Handout
11. Monthly Report, Fire Department, April 2017
12. Monthly Report, Police Department, April 2017

### Minutes

13. Board of Library Trustees, January 4, 2017, January 11, 2017, January 23, 2017, February 1, 2017, February 6, 2017, February 15, 2017, February 28, 2017, March 15, 2017, March 30, 2017, and April 5, 2017
14. Local Emergency Planning Committee, April 11, 2017

### Region

15. Invitation to Grand Opening of Framingham Intermodal Parking Lot, Friday, June 30, 2017, at 2:00 p.m., Framingham Commuter Rail Station



**DiNapoli, MaryAnn**

---

**From:** Balmer, Nan  
**Sent:** Monday, May 01, 2017 9:43 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Continuing to post Correspondence Online

Correspondence

---

**From:** Lea Anderson [<mailto:lea.t.anderson@gmail.com>]  
**Sent:** Monday, May 01, 2017 9:42 AM  
**To:** Ken Isaacson  
**Cc:** Anderson, Lea; Balmer, Nan  
**Subject:** Re: Continuing to post Correspondence Online

Hi Ken,  
Thank you for your thoughtful email. I have copied my town email account to make sure this is in the “official” realm.

We will certainly take your perspective into consideration as we discuss communications.

Best,

Lea

On Apr 30, 2017, at 11:07 PM, Ken Isaacson <[clickkeni@gmail.com](mailto:clickkeni@gmail.com)> wrote:

Hello all,

I was just watching re-broadcast of the April 24 BOS meeting, and the discussion the Town’s Website, communications, correspondence, etc. I appreciate that this is a big and complex subject, and applaud your initiative.

One issue discussed was whether or not to continue to post correspondence or just make it available in print in the office. Since this includes “correspondence” that is typically included in the weekly Selectmen’s Packet, I want you to know that that correspondence is critical, if the public is to know what is happening in town government, broadly. To stop providing that correspondence in the BOS Packet each week would be a giant step backward.

Likewise, delaying posting of correspondence could also be troublesome, because much of it is timely as well as newsworthy. As for having the Town Administrator use her discretion about what to post, I would be concerned to allow broad authority for that privilege, even though I have high regard for the Town Administrator’s discretion and her integrity.

To illustrate my points, during your discussion, one Selectman was skeptical to what degree the public is interested in what the Selectmen deal with. I submit that the public is very interested, and that “correspondence” is a major source of important information about what is happening in real-time on a wide variety of subjects, both directly related to the BOS and also to many other town activities.

For example, on a weekly basis, I use that information to provide ongoing news to residents on Wayland Weekly Buzz. Recent, timely correspondence (only available) from the BOS packet has included:

- a. BOS letter to Mass Housing regarding Town’s response to 24 School Street
- b. Mass Housing’s reply
- c. Letter from Protect Wayland regarding suggested alternative to Mahoney’s property sale
- d. The latest chemical plume under Route 20
- e. To be reported on May 3, The GFOA’s awarding of the Certificate of Achievement to Wayland.

These are just a few examples of news that The Buzz is able to broadcast, and Wayland residents can get, only if there is easy access to the correspondence through online posting to the BOS Packet each week.

One of the key findings of the Selectmen's Listening Sessions was a wide desire by residents to receive more information about what's going on in Town. To terminate providing that information in the BOS Packets would be detrimental to the growth of transparency in town government, an objective that I know has become very important to your Board.

I truly hope that the weekly listing of communications will continue in the Selectmen's Packet, and that it will be maintained in the same timely manner as at present, and without undue control.

Yours truly,  
Ken Isaacson

**Ken Isaacson**  
Executive Producer  
508-653-8710  
<image003.jpg>

2

**DiNapoli, MaryAnn**

---

**From:** Balmer, Nan  
**Sent:** Wednesday, May 10, 2017 1:56 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Large 40B development threatens Pine Brook and Great Meadows National Wildlife Refuge  
**Attachments:** PW - letter to MassDEP - FINAL - 5.2.2017.pdf

Correspondence – letter on top

**From:** Our Members [<mailto:protectwayland@gmail.com>]  
**Sent:** Wednesday, May 10, 2017 10:37 AM  
**To:** Anderson, Lea; Karlson, Cherry; Antes, Mary; Jurist, Louis; Levine, Doug  
**Cc:** Balmer, Nan; Sarkisian, Sarkis; Hansen, Linda; Brian Boggia; [lpoisson@waylandhousing.com](mailto:lpoisson@waylandhousing.com); Junghanns, Julia; Rachel Bratt  
**Subject:** Large 40B development threatens Pine Brook and Great Meadows National Wildlife Refuge

**To the members of the Wayland Board of Selectmen:**

A developer is proposing the largest 40B project yet in Wayland: a concrete apartment block with 89 bedrooms, four stories tall -- at the site of Mahoney's Garden Center on Route 20. The developer is using 40B to ram his project through, ignoring Wayland's zoning and environmental regulations.

This large construction project would be next to Pine Brook -- one of only two cold water streams in Wayland, which connects directly to Great Meadows National Wildlife Refuge one mile to the west in Wayland. Plus, the apartment building would generate 10,000 gallons of sewage every day -- in the worst possible location. With the high water table in this area, the heavy nitrogen load and bio contamination would definitely affect Pine Brook and the NWR.

**A copy of our letter to MassDEP is attached.** We hope that you will join us in opposing this oversize project.

**There is a positive option:** We met with Metro West Development Collaborative and came up with an initial concept for a ~24 unit apartment building that would be 100% affordable -- plus a playground for small children, and a path that would connect the Aqueduct Trail on the south side to the new Rail Trail on the north side, with a pedestrian light on Route 20. This would also help the people who attend the ICB and have to scurry through traffic when they park on the south side. All 24 of these units (vs the typical 20%) would count toward Wayland's 40B 10% threshold , which would push us very close to full compliance after Rivers Edge and existing developments.



We contacted the Mahoney family with this proposal but have not received a reply. They are probably locked into the purchase and sale agreement with Steven Zieff, which expires in July.

**To: Michael Stroman**  
Wetlands Program Chief  
Massachusetts Executive Office of Energy & Environmental Affairs  
1 Winter Street  
Boston, Massachusetts 02108  
Phone: 617.292.5526  
Email: Michael.Stroman@state.ma.us

**From: ProtectWayland.org**

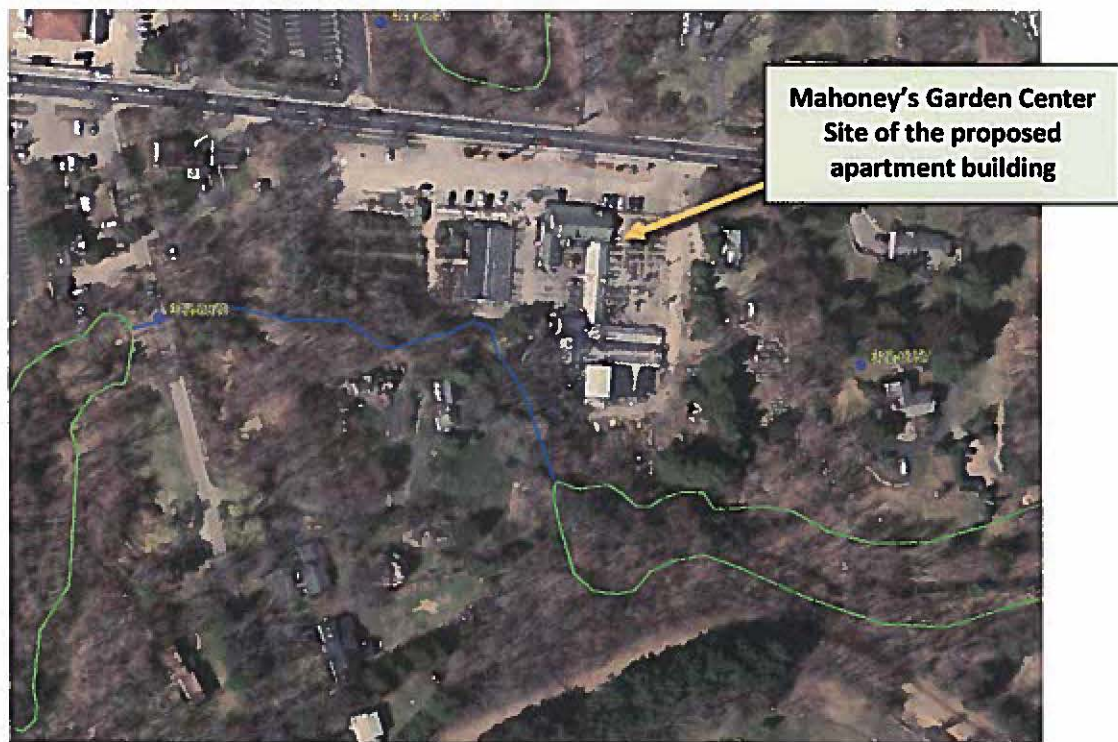
**RE: Large apartment house project threatens Great Meadows NWR**

**Date: 2 May, 2017**

**Dear Mr. Stroman:**

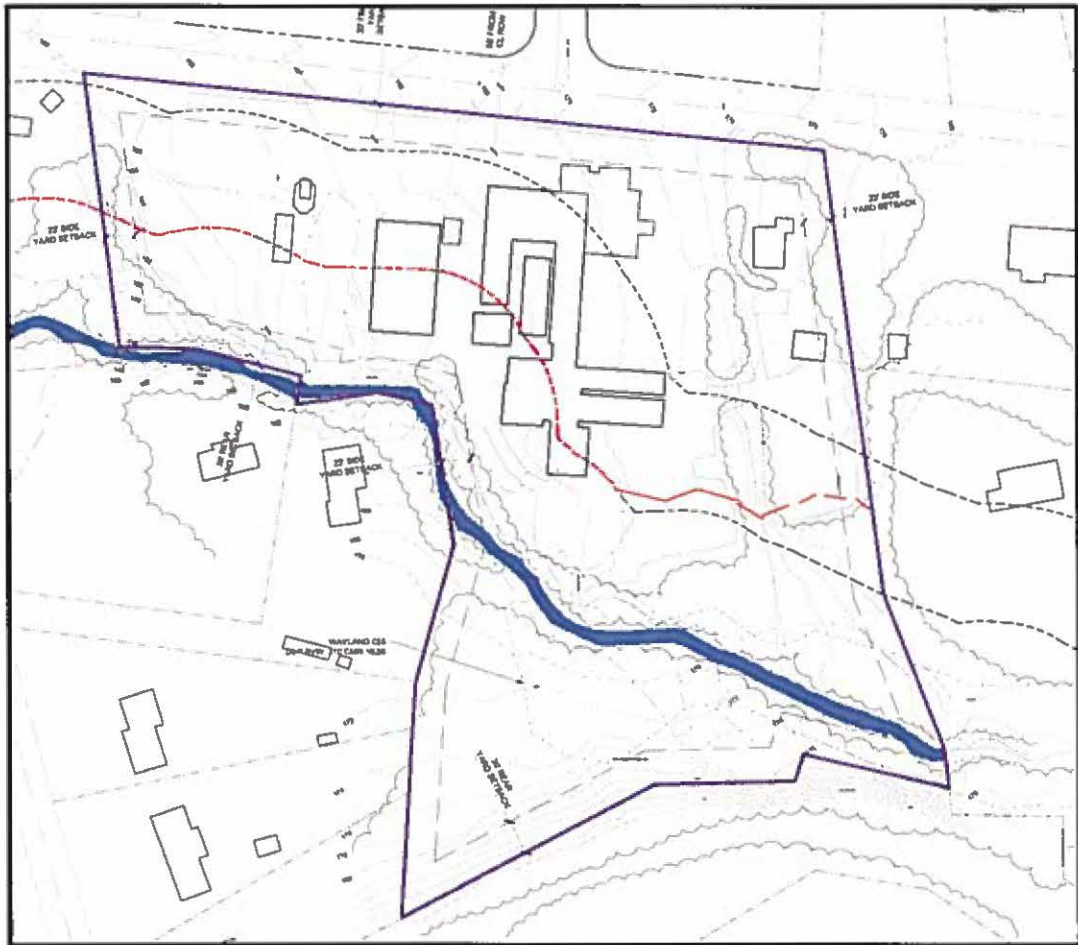
A developer proposed a large apartment house in Wayland with 92 bedrooms, 4 stories and 10,000 gallons of sewage per day. This development would be *very* close to Pine Brook, one of two cold water streams in Wayland, which connects directly to the Sudbury River and the Great Meadows National Wildlife Refuge.

**1. MassDEP wetlands map and site location:**



Larger wetlands are bounded in green with Pine Brook in blue

## 2. Property map with the course of Pine Brook highlighted:



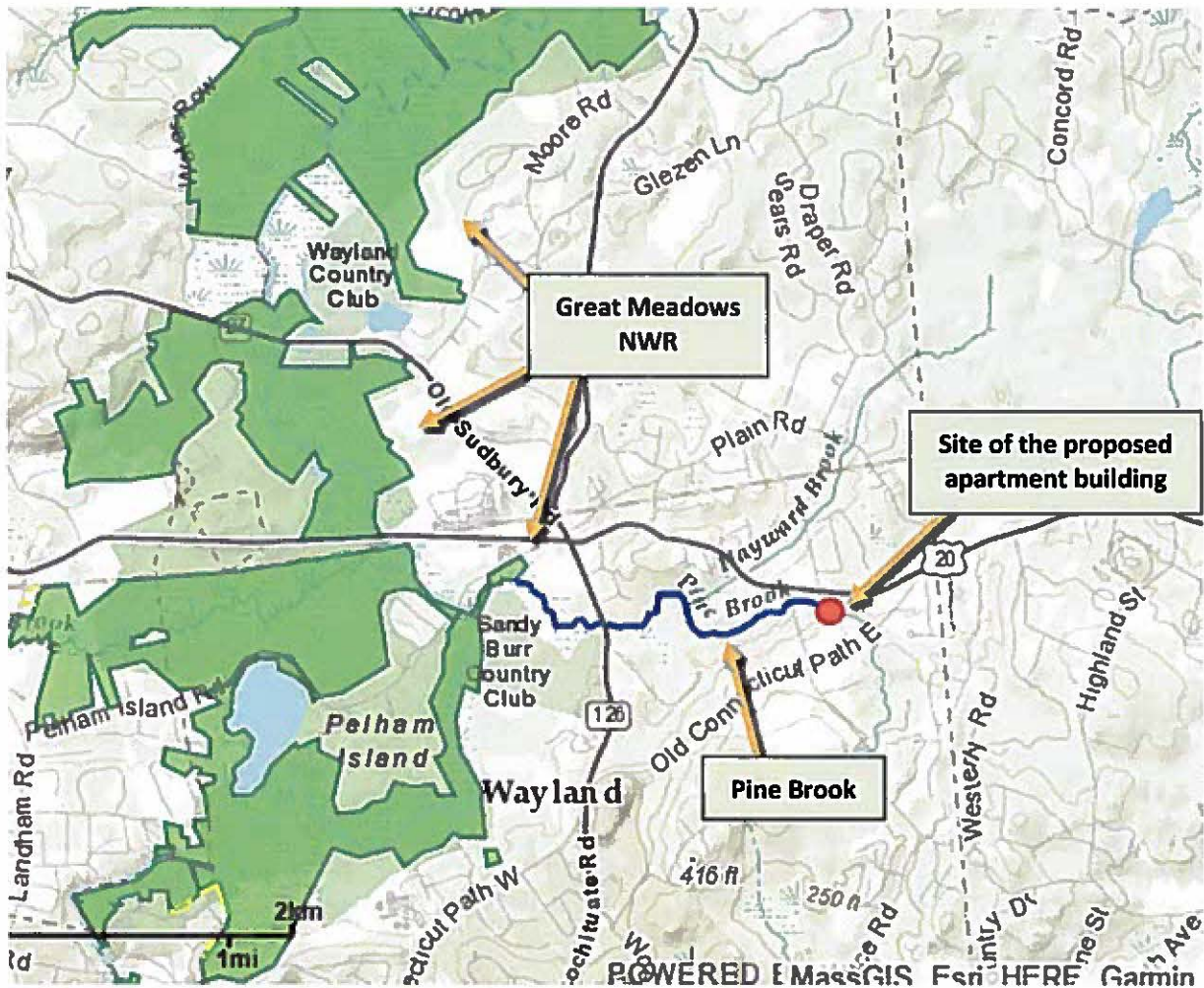
Pine Brook cuts through this property (bounded in purple) and connects to the Sudbury River and Great Meadows National Wildlife Refuge ~1.3 miles to the west

**Endangered species:** One of two cold water streams in Wayland, Pine Brook offers unique and important habitats. It is not unlikely that Pine Brook is home to species that are endangered or threatened, e.g. the Marbled Salamander (*Ambystoma opacum*), Blue-spotted Salamander (*Ambystoma laterale*), Wood Turtle (*Glyptemys insculpta*), Blanding's Turtle (*Emydoidea blandingii*), Eastern Wormsnake (*Carphophis amoenus*), Eastern Ratsnake (*Pantherophis alleghaniensis*), Copperhead Snake (*Agkistrodon contortrix*), plus endangered fish, insects and plants. Pine Brook may also be an important corridor, e.g. for the spawning of fish from the Sudbury River and Great Meadows NWR.

**Downstream impacts:** This site is not a small isolated wetland. Important habitats and species would be threatened directly downstream in the Great Meadows National Wildlife Refuge by increased nitrogen load and pollution created by 10,000 gallons of



sewage per day, runoff and construction next to Pine Brook. The proposed project would substantially reduce the capacity to provide important wildlife habitat functions *across the surrounding area* which includes 'Habitats of Potential Regional or Statewide Importance' only 1.3 miles to the west:



The developer, Steven Zieff with Eden Property Management, recently filed an ANRAD for this project. We encouraged the Wayland Conservation Commission to consider a peer review, assessment of endangered / threatened species under MESA, and downstream damage from this project. MassDEP will need to take the lead, however, with MESA and downstream damage.

Pine Brook is a valuable part of Wayland and Great Meadows National Wildlife Refuge is a treasured resource for the entire Commonwealth. Many of us hike and kayak in the area. We hope you and the MassDEP team will carefully review and reject this developer's excessive proposal.



## **ProtectWayland.org**

Please contact us at: [ProtectWayland@Gmail.com](mailto:ProtectWayland@Gmail.com)

- Kerry-Ann and Brent Kendall
  - Stewart Smith and Kim Woods
  - Tom Nuspl
  - Kevin & Kristen FitzPatrick
  - Marie Winter
  - Rita and Richard Tse
  - Mark and Nadine Hays
  - Peter and Sue Keller
  - Tonya and Rick Peck
  - Michelle Leinbach and Rob Travis
  - Jasmine and Jim Newland
  - Janet Kutner
  - David and Emily Weinschel
  - Tom and Lee Raymond
  - Christopher and Katie Riffle
  - John and Susan Kadzis
  - Joseph and Laura Schwendt
  - Garrett Larivee
  - Aina Lagor
  - Colin and Ginny Steel
  - Angela and Leon Zachery
  - Susan and Emory Ford
  - Angela and Leon Zachery
  - Deborah Stubeda and Whitney Wolff
-



# TOWN OF WAYLAND

MASSACHUSETTS  
01778

TOWN CLERK

Beth R. Klein

[bklein@wayland.ma.us](mailto:bklein@wayland.ma.us)

ASSISTANT TOWN CLERK

Diane M. Gorham

[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)

TOWN BUILDING  
41 COCHITUATE ROAD  
Wayland, MA 01778

TEL: 508-358-3630

508-358-3631

FAX: 508-358-1683

[www.wayland.ma.us](http://www.wayland.ma.us)

Date: April 26, 2017  
To: Board of Selectmen  
From: Beth R. Klein, Town Clerk  
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective April 25th, 2017:

Jennifer Steel  
Term Expires:

Wayland Housing Partnership

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator  
Rachel Bratt, Housing Partnership  
Brian Boggia



# TOWN OF WAYLAND

MASSACHUSETTS  
01778

**TOWN CLERK**

Beth R. Klein

[bklein@wayland.ma.us](mailto:bklein@wayland.ma.us)

**ASSISTANT TOWN CLERK**

Diane M. Gorham

[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)

**TOWN BUILDING**  
41 COCHITUATE ROAD  
Wayland, MA 01778

TEL: 508-358-3630  
508-358-3631

FAX: 508-358-1683  
[www.wayland.ma.us](http://www.wayland.ma.us)

Date: April 26, 2017  
To: Board of Selectmen ✓  
From: Beth R. Klein, Town Clerk  
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective April 25th, 2017:

Jennifer Steel

Representative to the Municipal Affordable Housing  
Trust Fund Board

Term Expires:

June 30, 2017

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator  
Rachel Bratt, Housing Partnership

**Klein, Beth**

---

**From:** Jennifer Steel <jennifermsteel@gmail.com>  
**Sent:** Monday, April 24, 2017 5:58 PM  
**To:** Rachel Bratt; Mary Antes  
**Cc:** Klein, Beth; Balmer, Nan  
**Subject:** Jennifer Steel - resignation from Housing Committees

Rachel and Mary (and Beth and Nan),

I am writing to officially tender my resignation from the Wayland Housing Partnership (member, representing Wayland Housing Authority) and Municipal Affordable Housing Trust Fund Board (member, representing Wayland Housing Partnership). My new position on the Planning Board requires so much of my "free" time, that I feel I need to step down from the housing committees and allow others with more time and expertise to step up. I have every intention of continuing to address issues of affordable housing from my position with the Planning Board and as a concerned resident, but cannot adequately fulfill the obligations of membership on the housing committees. Thanks so much for all that you did to educate me about housing and for all that you do on behalf of Wayland. I look forward to continuing to work with you in new capacities.

Jennifer

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK  
APR 25 PM 3:59





# TOWN OF WAYLAND

MASSACHUSETTS  
01778

4

**TOWN CLERK**

Beth R. Klein  
[bklein@wayland.ma.us](mailto:bklein@wayland.ma.us)

**ASSISTANT TOWN CLERK**

Diane M. Gorham  
[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)

**TOWN BUILDING**  
41 COCHITUATE ROAD  
Wayland, MA 01778

TEL: 508-358-3630  
508-358-3631  
FAX: 508-358-1683  
[www.wayland.ma.us](http://www.wayland.ma.us)

Date: May 3, 2017  
To: Board of Selectmen  
From: Beth R. Klein, Town Clerk  
Re: RESIGNATION OF ELECTED OFFICIAL

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective May 3, 2017

Jacqueline C. Ducharme      Housing Authority      Term Expires: April 2018

Following the posting of the vacancy for one week, the Board of Selectmen together with the Housing Authority meet and form one committee to interview and then appoint a qualified person to fill the vacancy until the next annual town election.

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk or such later time certain as may be specified in such resignation.

Beth R. Klein, Town Clerk

cc: Nan Balmer, Town Administrator  
Brian Boggia, Director  
Susan Weinstein, Chair  
Jacqueline C. Ducharme

TO: Kevin Goodwin, Chair, Wayland Housing Authority  
CC: Brian Boggia  
FROM: Jacqueline Ducharme  
DATE: April 20, 2017  
RE: Resignation as a Wayland Housing Authority Commissioner

Recently, I have been given additional responsibilities at work, and I am no longer able to provide the time and needed effort to this Board. I am submitting my resignation as a Wayland Housing Authority Commissioner, and the April 20, 2017 Board of Commissioners meeting will be my last. I have learned a great deal from my participation in the committee, and hope that we all gained an appreciation for diverse viewpoints, understanding that our common goals outweigh our differences, and that together we can make a difference. These are challenging times, and I wish you all the best in your continued dedication to increase the number of affordable housing to those in need.

RECEIVED  
TOWN OF WAYLAND  
TOWN CLERK  
2017 MAY -3 AM 10:18

# The General Laws of Massachusetts

Search the Laws

## PART I. ADMINISTRATION OF THE GOVERNMENT

### TITLE VII. CITIES, TOWNS AND DISTRICTS

#### CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

##### ELECTION OF TOWN OFFICERS

###### Chapter 41: Section 11. Appointment to fill vacancy in town office

|   |
|---|
| <a href="#">Go To:</a>                    |
| <a href="#">Next Section</a>              |
| <a href="#">Previous Section</a>          |
| <a href="#">Chapter Table of Contents</a> |
| <a href="#">MGL Search Page</a>           |
| <a href="#">General Court Home</a>        |
| <a href="#">Mass.gov</a>                  |

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.



# TOWN OF WAYLAND

MASSACHUSETTS  
01778

5

**TOWN CLERK**

Beth R. Klein

[bklein@wayland.ma.us](mailto:bklein@wayland.ma.us)

**ASSISTANT TOWN CLERK**

Diane M. Gorham

[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)

**TOWN BUILDING**  
41 COCHITUATE ROAD  
Wayland, MA 01778

TEL: 508-358-3630

508-358-3631

FAX: 508-358-1683

[www.wayland.ma.us](http://www.wayland.ma.us)

Date: May 3, 2017  
To: Board of Selectmen ✓  
From: Beth R. Klein, Town Clerk  
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective May 3, 2017:

Patricia M. Harlan  
Term Expires: June 30, 2018

Wayland Housing Partnership

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator  
Rachel Bratt, Housing Partnership  
Brian Boggia, Director  
Patricia M. Harlan



**Klein, Beth**

---

**From:** Pat Harlan <pattyhar@comcast.net>  
**Sent:** Tuesday, May 02, 2017 8:53 AM  
**To:** Klein, Beth  
**Subject:** My resignation

To the Town Clerk;

I hereby resign my position as the Selectmen's representative to the Wayland Housing Partnership Committee. I have some health problems that will prevent me from attending meetings.

Thank you for your attention to this matter. I have notified Rachel Bratt, the Chairperson. and the Board of Selectmen.

Patricia M. Harlan

[pattyhar@comcast.net](mailto:pattyhar@comcast.net)

RECEIVED  
TOWN OF WAYLAND  
TOWN-CLERK

2017 MAY -3 AM 11:11

6



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## PUBLIC CEREMONIES COMMITTEE

TOWN BUILDING  
41 COCHITUATE ROAD  
TEL (508) 358-7701  
[www.wayland.ma.us](http://www.wayland.ma.us)

May 3, 2017

Lea Anderson, Chair  
Board of Selectmen  
41 Cochituate Road  
Wayland MA 01778

Dear Ms. Anderson:

The Public Ceremonies Committee cordially invites all members of the Board of Selectmen to attend the Memorial Day Parade and ceremonies on Monday, May 29, 2017, beginning with the parade forming at 10:30 a.m., at the Middle School and followed by the ceremony at the Lakeview Cemetery at 11:30 a.m.

We are hoping that you are able to attend to give the welcoming remarks.

Sincerely,

*Richard P Turner*

Richard P Turner USN RET  
Chairman, Public Ceremonies Committee



**Town of Wayland**  
41 COCHITUATE ROAD  
WAYLAND MASSACHUSETTS 01778  
www.wayland.ma.us TEL. 508-358-3788

7

**OFFICE STAFF**

Ellen M. Brideau, MAA Director of Assessing  
Donald Clarke, MAA Assistant Assessor  
Jessica Marchant, MAA Administrative Assessor  
Savitri Ramgoolam, Department Assistant

**BOARD OF ASSESSORS**

Susan M. Rufo, Chair  
Jayson Brodie, Vice Chair  
Zachariah L. Ventress  
Steven M. Glovsky

---

---

**MEMO**

---

---

**TO:** BOARD OF SELECTMEN  
**FROM:** BOARD OF ASSESSORS  
**SUBJECT:** VACANT BOARD MEMBER POSITION – BOARD OF ASSESSORS  
**DATE:** 5/10/2017

---

---

The Board of Assessors met on May 8<sup>th</sup>, 2017 and unanimously voted to request that the Board of Selectmen begin an active search to fill the vacant position created by the resignation of Cheryl Kane, with a term expiring in 2018.

We are hopeful that we can begin the joint interviews and selection process over the next few months. This would allow a new Board member to be in place prior to finalizing assessments for FY'18 in September, and give the opportunity to the new member to participate in the Fall 2017 Department of Revenue Course 101.

---

8



# 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

May 10, 2017

Mr. Anthony J. Deluca  
Twenty Wayland, LLC  
10 Memorial Boulevard – Suite 901  
Providence RI 02903

Re: Map 23, Lot 052P (known as Meadow Management, Parcel 15 containing approximately 2 acres) and Map 23, Lot 052O (known as Conservation Restriction, Parcel 16 containing approximately 10.27 acres) (hereinafter referred to as the "Conservation Parcels")

Dear Mr. Deluca:

With regard to your letter dated March 28, 2017 to the Town of Wayland Conservation Commission (the "Commission"), the Town of Wayland is hereby responding to your offer to donate the above parcels.

The Town thanks you for your offer and is willing to accept the Conservation Parcels by gift, provided that the Conservation Parcels are conveyed free of any monetary liens and without other conditions as set forth in your letter. Twenty Wayland, LLC (or the grantor) shall pay any and all outstanding real estate taxes, betterments, and other charges through the agreed upon Closing Date.

Sincerely,

Lea Anderson  
Chair





# Wayland Police Officers' Union

38 Cochituate Road  
Wayland, MA 01778

## Mark Hebert

Wayland Police Department  
38 Cochituate Road  
Wayland, MA 01778

May 11th, 2017

## Nan Balmer

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

Dear Nan,

The Wayland Police Department and Wayland Police Officer's Union has operated under the direction and leadership of Chief Robert Irving for the last 16 years. A remarkable length of stability considering that the average Chief of Police is tenured for seven years. We are entering an upcoming time of transition in leadership within the department and it is an experience most officers of the Wayland Police Departments have not been through before. This has required us to reflect and discuss among ourselves on how best to approach this time of change and transition as a Union.

A letter was previously submitted on 04/28/2017 in support of an internal current member of the Wayland Police Department to be appointed the next Chief of Police. After further discussion and dialogue within the Wayland Police Officer's Union it has become clear that the WPOU is not prepared to make a commitment on which type of candidate would be best for the department. We respectfully request that the town make its decision on which kind of candidate to appoint without guidance or input from the Wayland Police Officer's Union at this time.

After working with the Board of Selectmen and the people of Wayland over the last several years, we trust that everyone involved in the process will make an informed decision in the best interest of the Town of Wayland and the Wayland Police Department. We look forward to working with whomever is chosen as the next Chief of Police and to supporting the Department's goal of providing safety, protection and service to the people of Wayland.

Sincerely,

Mark Hebert

WPOU/NEPBA Local #176 Vice President



"Strength Through Unity"

**DiNapoli, MaryAnn**

---

**From:** Balmer, Nan  
**Sent:** Thursday, May 11, 2017 9:06 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Open Meeting Law Presentation  
**Attachments:** OML Presentation Handout.pdf

correspondence

---

**From:** DiNapoli, MaryAnn  
**Sent:** Thursday, May 11, 2017 9:03 AM  
**To:** Aida Gennis ([wqs3155@gmail.com](mailto:wqs3155@gmail.com)); Anette Lewis; Anne Harris; Betsy Soule ([bsoule@mwlegal.org](mailto:bsoule@mwlegal.org)); Bill Steinberg ([bills@saxeinvestments.com](mailto:bills@saxeinvestments.com)); Brown, Chris; Christopher T Cullen; Colleen Sheehan ([sheehansofwayland@gmail.com](mailto:sheehansofwayland@gmail.com)); Dave Bernstein ([dave.bernstein@comcast.net](mailto:dave.bernstein@comcast.net)); David D'Orlando ([ddorlando@comcast.net](mailto:ddorlando@comcast.net)); David Watkins; Deb Cohen; Dennis Berry ([dennisj.berry@gmail.com](mailto:dennisj.berry@gmail.com)); Douglas J. Leard ([douglearn@realtour4u.com](mailto:douglearn@realtour4u.com)); Elisa Scola; Ellen Grieco; Ellen Tohn ([etohn@comcast.net](mailto:etohn@comcast.net)); Eric B. Goldberg ([egoldberg@wcflfp.com](mailto:egoldberg@wcflfp.com)); Knight, Fred; Gretchen Schuler ([ggschuler@verizon.net](mailto:ggschuler@verizon.net)); James E. Riley; Jerome Heller ([heller.j@comcast.net](mailto:heller.j@comcast.net)); Jonathan Saxton ([jonsax@comcast.net](mailto:jonsax@comcast.net)); Kevin Goodwin; Larry Kiernan; Anderson, Lea; Lowery, Mike; Rachel Bratt; Rebecca MacGregor ([becca.macgregor@gmail.com](mailto:becca.macgregor@gmail.com)); Rebecca R. MacGregor ([rmacgregor@wcflfp.com](mailto:rmacgregor@wcflfp.com)); Rebecca Stanizzi; Richard Turner ([rickypt@verizon.net](mailto:rickypt@verizon.net)); Sanderson, Edward; Sarah Greenaway ([sarah.m.greenaway@gmail.com](mailto:sarah.m.greenaway@gmail.com)); [sfkoffman@mediaone.net](mailto:sfkoffman@mediaone.net); Sherre Greenbaum ([sherregreenbaum@gmail.com](mailto:sherregreenbaum@gmail.com)); Susan Rufo ([srufo@comcast.net](mailto:srufo@comcast.net)); Susan Weinstein ([sweinstein@alum.wellesley.edu](mailto:sweinstein@alum.wellesley.edu)); Thruston Wright ([aquaticlss@aol.com](mailto:aquaticlss@aol.com)); Toni Moores ([1073tonimoores@gmail.com](mailto:1073tonimoores@gmail.com)); William Sterling ([bill@sterlingarchitects.com](mailto:bill@sterlingarchitects.com)); Baston, Woody; Balmer, Nan; Berry, Alfred; Boggia, Brian; Bottan, Susan; Brideau, Ellen; Brodie, Jessica; Capasso, Jane; Mastroianni, Dana; Doucette, Elizabeth; Doucette, Joe; Dowd, Lynn; Gwendolyn Sams-Lynch; Hansen, Linda; Holder, Thomas; Houghton, David; Irving, Robert; Junghanns, Julia; Keefe, Ben; Keveny, Brian; Klein, Beth; Larsen, Geoffrey; Pazos, Jorge; Pierce, Zoe; Sarkisian, Sarkis; Secord, Julie; Senchyshyn, John; Stein, Paul  
**Subject:** Open Meeting Law Presentation

Dear Committee Chairs and Department Heads,

Attached is a recent presentation by the Massachusetts Attorney General on the Open Meeting Law. Please distribute to your fellow volunteers.

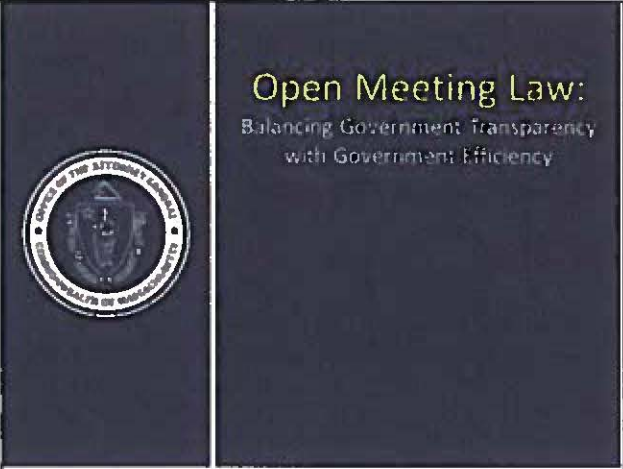
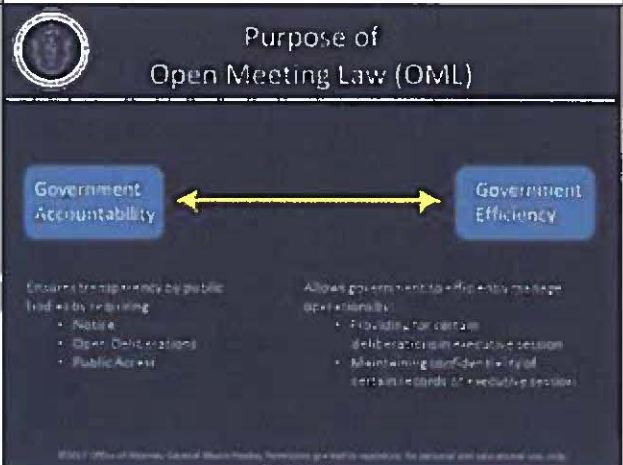
Your questions and suggestions would be much appreciated.

Thanks for volunteering for the Town!

Nan

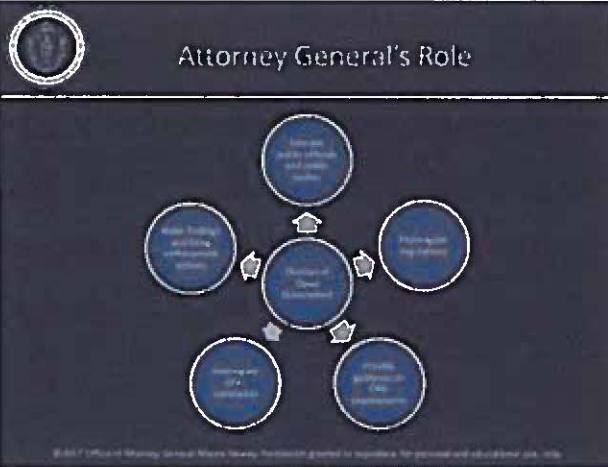
Nan Balmer, Town Administrator  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778  
[nbalmer@wayland.ma.us](mailto:nbalmer@wayland.ma.us)  
(508) 358-3620 office  
(508) 237-1330 cell

# Attorney General's Open Meeting Law Presentation Handout

|                 |  |   |
|-----------------|--|---|
| <p>Slide 1.</p> |  <hr/> <hr/> <hr/> <hr/>                                      |   |
| <p>Slide 2.</p> |  <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> | <p><b><u>Purpose of Open Meeting Law</u></b></p> <ul style="list-style-type: none"> <li>• Recognizes the necessary balance between government accountability and government efficiency.</li> <li>• Ensures transparency by public bodies by requiring:             <ul style="list-style-type: none"> <li>• Notice</li> <li>• Open Deliberations</li> <li>• Public Access</li> </ul> </li> <li>• Allows government to efficiently and effectively manage its operations by:             <ul style="list-style-type: none"> <li>• Providing for certain deliberations to take place in executive session</li> <li>• Maintaining confidentiality of certain records of executive session</li> </ul> </li> </ul> |



Slide 3.




---

---

---

---

---

---

---

---

Attorney General's Role

- Educate / train public officials and members of public bodies
- Promulgate regulations
- Provide guidance on OML requirements
  - Hotline / Email
  - Website
- Address OML complaints
- Make findings and bring enforcement actions

Slide 4.




---

---

---

---

---

---

---

---

OML Certification

- OML materials must be distributed to all public body members upon taking oath of office or, if none is required, before entering performance of office

Local Public Bodies: Municipal clerk

Regional, District, County or State Bodies: Appointing authority, executive director, or other administrator or designee

- Members must sign certification within two weeks of receipt
  - Read and understand requirements of law and consequences for violating OML
- Person distributing materials also keeps certifications



Slide 5.

**Open Meeting Law Basics**

notice of meetings must be posted

Meetings must be open to the public

Minutes must be kept

Complaints process

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

Open Meeting Law Basics

- 1) Notice must be posted for all meetings
- 2) Meetings must be open to the public, unless the public body enters into executive session
- 3) Minutes must be kept for open and executive sessions
- 4) Complaint process

Slide 6.

**Public Body**

**Definition**  
A multi-member board, commission, committee or sub-committee ... however created, elected, appointed or otherwise constituted, established to serve a public purpose ... subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

**Connelly exception**  
Where a public official creates a group to advise that public official on a decision that he or she has sole responsibility for, the group is not subject to the Open Meeting Law. See *Connelly v. School Committee of Holyoke*, 409 Mass. 232 (1991).

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

Public Body

A multi-member board, commission, committee or sub-committee ... however created, elected, appointed or otherwise constituted, established to serve a public purpose ... subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

Connelly exception: where a public official creates a group to advise that public official on a decision that he or she has sole responsibility for, the group is not subject to the Open Meeting Law

Slide 7.

Excludes:


- Legislature and its committees
- Bodies of the Judicial branch
- Bodies created by a constitutional officer solely to advise that constitutional officer
- Bodies that do not serve a public purpose (such as a retirement party planning committee)
- Groups not established with the “jurisdiction” to make decisions or recommendations collectively (such as a focus group)




Slide 8.



Examples: Public Bodies

- **State:** Open Meeting Law Advisory Commission; Massachusetts Gaming Commission; UMass Board of Trustees; Charter Schools
- **Local:** Board of Selectmen; School Committee; Planning Board
- **Regional:** Regional School Committee; Regional Water Commission; Regional Planning Commission
- **County:** Board of County Commissioners; County Retirement Board; County Charter Review Commission

Slide 9.

 Examples: NOT Public Bodies

State:  Regional:  Local: 

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---


Examples: Not Public Bodies

**State:** State Senate; House of Representatives; Judicial Nominating Commission; Massachusetts Municipal Association


**Regional:** Regional high school boosters club

**Local:** Neighborhood watch association; PTO; Republican/Democratic Town Committees

Slide 10.

 Quorum and Deliberation

*"An oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction."*



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Quorum and Deliberation

**Deliberation:** An oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction

**Quorum:** A simple majority of the members of the public body, unless otherwise provided in a general or special law, executive order or other authorizing provision.



Slide 11.



**Deliberation**

Not deliberation

- Agenda
- Scheduling
- Reports or documents
- Subquorum, but not subcommittee
- Recess a Town Meeting for emergency

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Deliberation

Excludes:

- Distribution of meeting agenda, scheduling or procedural information
- Distribution of reports or documents to be discussed, provided no opinion of a member of the public body is expressed
- Communications between a Subquorum, if not subcommittee, and no serial communication
- Discussion of the recess or continuance of a Town Meeting, in the event of a weather-related or public safety emergency

Slide 12.



**Meeting**

Definition: Deliberation by public body with respect to any matter within the body's jurisdiction

Excludes:

- On-site inspection
- State Justice Trial Court
- Town Meetings (Industry Town Meeting)
- Town
- Attendance at Meetings of other Public Bodies

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Meeting

Deliberation by public body with respect to any matter within the body's jurisdiction

Excludes:

- On-site inspection provided no deliberation
- Attendance by a quorum at an event provided no deliberation
- Attendance by a quorum at meeting of another public body provided no deliberation
- Meeting of a quasi-judicial board for sole purpose of making a decision in an adjudicatory proceeding
- Town Meeting



Slide 13.

Meeting Notices

Except in an emergency, a public body must post notice of meeting at least 48 hours in advance, excluding Saturdays, Sundays, and legal holidays

Notice must include:

- Date of meeting
- Time of meeting
- Place of meeting
- List of topics chair reasonably anticipates will be discussed at meeting
  - Topics should give enough specificity so that the public will understand what will be discussed.
- Date and time notice was posted
  - If the notice is revised, the revised notice must record the date and time the original notice was posted, as well as the date and time of the revision

Slide 14.

Meeting Notices

- “Emergency” is a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
- In an emergency, a public body shall post notice as soon as reasonably possible prior to a meeting

Slide 15.

**Meeting Notices: Local Public Bodies**

File with Municipal Clerk

Or

Bulletin Board

Municipal Website

---

---

---

---

---

---

---

---

---

---

- Meeting Notices: Local Public Bodies
- Local public bodies must file notice with the municipal clerk
  - Notice must be posted in a manner conspicuously visible to the public, including persons with disabilities, at all hours in or on the municipal building where the clerk's office is located
  - Alternate posting options
    - Municipal website
    - Cable television/alternate municipal building open 24 hours
    - Newspaper/alternate municipal building open 24 hours
    - Monitor/electronic display where may be viewed 24 hours
    - Audio recording available 24 hours
- Note that even if an alternative posting method has been adopted, meeting notices must still be available in or around the clerk's office

Slide 16.

**Meeting Notices: County, District and Regional Public Bodies**

Municipal Council of Government Board of Commissioners

Plymouth Board of County Commissioners

Andover Public Regional School Committee

---

---

---

---

---

---

---

---

---

---

- Meeting Notices: County, District and Regional Public Bodies
- Regional or district public bodies must post notice in each city or town within the region or district in the manner prescribed for local public bodies, or may post to a website
  - For a regional school district, the secretary of the regional school district is the clerk of the school district and shall file the notice with the clerk of each city or town in the district, or may post to a website
  - County public bodies must post notice with the office of the county commissioner and a copy of the notice posted in a manner conspicuously visible to the public at all hours in a place or places designated by the county commissioners, or may post to a website

Slide 17.

**Meeting Notices: State Public Bodies**

Post to the public body's website or the website of its parent agency.

Notify the Attorney General of the location of the website.

Send a copy of the meeting notice to the Regulations Division of the Secretary of the Commonwealth's Office: [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us)

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Meeting Notices: State Public Bodies

- Post to the public body's website or the website of its parent agency
- Notify the Attorney General of the location of the website where meeting notices will be posted
- Send a copy of each meeting notice to the Regulations Division of the Secretary of State's Office
  - [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us)

Slide 18.

**Notice Posting: Common Concerns**

What if a new topic arises after notice is posted?

What if the clerk can't post notice in time?

Canceling a meeting?

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Notice Posting: Common Concerns

- What if a new topic arises after notice is posted?
  - Public bodies are encouraged to update the notice when made aware of new topic within the 48-hour period before the meeting
  - Chairs should not post notices so far in advance that there is a high likelihood that new topics will arise
- What if the clerk can't post notice in time?
  - Chairs are encouraged to work with municipal clerks to enable sufficient time for posting
- Canceling a meeting
  - Meeting cancellations do not require 48 hours' notice
  - Meetings that are continued, or cancelled and rescheduled, must comply with all notice requirements of the Open Meeting Law
- Other laws may apply (such as notice for public hearings)



Slide 19.




**Accessibility**

- Reasonable efforts to accommodate crowds
- Accessible to the disabled
- Americans with Disabilities Act, federal Rehabilitation Act of 1973, state constitutional provisions
- The Attorney General's Civil Rights Division can assist. Contact the Civil Rights Division at (617) 963-2939

- Accessibility
- Reasonable efforts to accommodate crowds
  - Meetings must be accessible to the disabled
  - Americans with Disabilities Act, Federal Rehabilitation Act of 1973, state constitutional provisions
  - Civil Rights Division of the Attorney General's Office can assist
  - Contact the Civil Rights Division at (617) 963-2939
  - Security policies

Slide 20.

**Remote Participation Authorization**

|  |  |   |
|--|--|---|
|  <p><b>Local Public Bodies</b></p> <ul style="list-style-type: none"> <li>• Mayor or board of selectmen approval</li> </ul> |  <p><b>County Public Bodies</b></p> <ul style="list-style-type: none"> <li>• County commissioners must authorize</li> </ul> |  <p><b>State/Regional Public Bodies</b></p> <ul style="list-style-type: none"> <li>• Simple majority vote</li> </ul> |
|--|--|---|

- Remote Participation Authorization
- Must be adopted before members can use
    - Local Public Bodies: Chief Executive Officer must authorize for all public bodies in municipality
    - County Public Bodies: County Commissioners must authorize for all county public bodies in county
    - State/Regional Public Bodies: Simple majority vote to authorize for all future meetings
  - Exception: Local Commissions on Disability



Slide 21.

Permissible reasons for Remote Participation: One or more reasons must make physical attendance unreasonably difficult

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

Remote Participation

Permissible Reasons for Remote Participation: One or more must make physical attendance unreasonably difficult

- Personal illness
- Personal disability
- Emergency
- Military service
- Geographic distance

Slide 22.

Minimum Requirements:

- Clearly Audible
- Quorum Present
- Remote participants may vote

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

Remote Participation Minimum Requirements

- Remote participants and all persons present at the meeting location must be clearly audible to each other
- A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, must be physically present at the meeting location
- Members of public bodies who participate remotely may vote and shall not be deemed absent

Slide 23.

**Remote Participation**

Procedures for Remote Participation

- Notify chair
- Announcement
- Roll call votes
- Documents
- Executive session declaration
- Technical difficulties
- Technology

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Remote Participation

Procedures for remote participation

- Notify chair
- Announcement by chair
- Roll call votes
- Executive sessions
- Distribution of documents

Acceptable methods

- Telephone, internet, or satellite enabled audio or video conferencing
- Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another
- Public body determines which method to use
- If video technology is used, remote participant must be clearly visible to all persons present at the meeting location

Chair decides how to address technical difficulties

Slide 24.

**Public Participation**

- Public may attend open session
- Addressing the public body
- Recording/Informing
- Removal

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Public Participation

- Public may attend open session of meeting
- Public may not address public body without permission of chair or otherwise disrupt meeting
- Public may make audio or video recording of open session upon notification to chair and subject to reasonable requirements
- Chair must inform other attendees of recording at beginning of meeting
- If a person continues to disrupt a meeting after clear warning from the chair, the chair may order the person to leave the meeting. If the person does not leave, the chair may authorize a constable or other officer to remove that person.

Slide 25.

**Executive Session**

Procedural requirements for entering executive session

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

**Executive Session Procedures**

Public bodies must follow OML requirements for executive session:

- Convene open session prior to going into executive session
- State publicly the purpose(s) for the executive session
- Conduct roll call vote to enter executive session and obtain a majority of members
- Announce whether open session will reconvene after
- Statement by remote participant(s) that no unauthorized person is present / able to hear discussion at remote location
- Maintain minutes and documents
- Discuss only matters for which executive session is lawfully called
- Conduct roll call votes of all votes taken during executive session

Slide 26.

**Executive Session Purpose: 1**

"To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual."

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

**Executive Session Purpose 1**

**"To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual."**

If an executive session is held, such individual shall have the following rights:

- To be notified in writing at least 48 hours prior to the proposed executive session
- To request that the session be open
- To be present at such executive session during deliberations which involve that individual
- To have counsel or a representative present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session
- To speak on his or her own behalf
- To cause an independent record to be created by audio-recording or transcription, at the individual's expense



Slide 27.



### Executive Session Purpose: 2

"To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel."



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

### Executive Session Purpose 2

"To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel."

- When discussing the contract of nonunion personnel, presumption that professional competence of the individual has already been discussed in open session
- When negotiating a non-union contract in executive session, if the public body reaches an agreement, it must still vote to execute the agreement in open session following executive session
- A public body should identify the specific nonunion personnel with whom it is negotiating before entering executive session, unless public disclosure of that information would compromise the purpose for secrecy
- While we generally defer to the judgment of public bodies on this issue, a body must be able to demonstrate a reasonable basis for this claim if challenged

Slide 28.



### Executive Session Purpose: 3

"To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares."



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

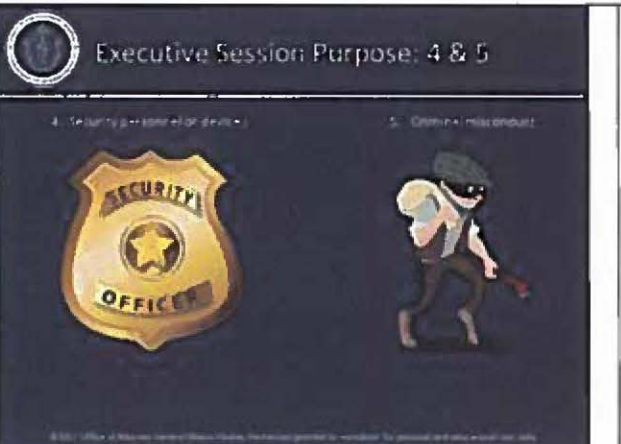
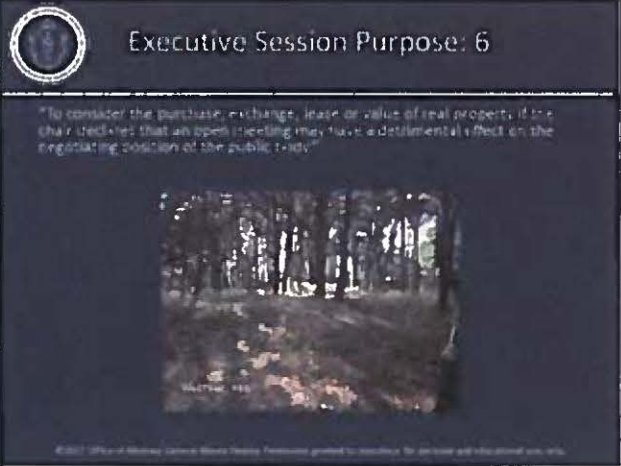
---

### Executive Session Purpose 3

"To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares."

- Chair must declare that deliberating during an open session would have a detrimental effect
- Litigation must be pending or be imminently threatened
- May approve final terms and execute a collective bargaining agreement in executive session; Should disclose in open session following execution
- A public body should identify the specific collective bargaining unit or litigation matter before entering executive session, unless public disclosure of that information would compromise the purpose for secrecy
  - While we generally defer to the judgment of public bodies on this issue, a body must be able to demonstrate a reasonable basis for this claim if challenged



|                  |  |   |
|------------------|--|---|
| <p>Slide 29.</p> |  <hr/> <hr/> <hr/> <hr/>                                      | <p><u>Executive Session Purposes 4 &amp; 5</u></p> <p>Purpose 4: Security personnel or devices</p> <p>Purpose 5: Criminal misconduct</p>  |
| <p>Slide 30.</p> |  <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> | <p><u>Executive Session Purpose 6</u></p> <p>“To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.”</p> <ul style="list-style-type: none"> <li>• Must be to consider purchase, sale, lease or value of real property</li> <li>• Chair must declare that discussing during an open session would have a detrimental effect on negotiating position</li> <li>• Generally, the body should identify the specific piece of property it plans to discuss before entering executive session, unless disclosure of this information would compromise the purpose for secrecy <ul style="list-style-type: none"> <li>○ While we generally defer to the judgment of public bodies on this issue, a body must be able to demonstrate a reasonable basis for this claim if challenged</li> </ul> </li> </ul> |

Slide 31.



### Executive Session Purpose: 7

*"To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements."*



---

---

---

---

---

---

---

---

### Executive Session Purpose 7

- “To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.”
- Must cite a statute that requires confidentiality or closed session
- The body should disclose information unless public disclosure would compromise the purpose for secrecy
  - While we generally defer to the judgment of public bodies on this issue, a body must be able to demonstrate a reasonable basis for this claim if challenged

Slide 32.



### Executive Session Purpose: 8

*"To consider or interview applicants for employment or appointment by preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening."*



---

---

---

---

---

---

---

---

### Executive Session Purpose 8

“To consider or interview applicants for employment or appointment by preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening.”



- Preliminary screening committee cannot include a quorum of the public body; may include people who are not members of the public body
- May only interview/screen candidates during a preliminary screening in executive session; once there are finalists, all additional screening must be conducted in open session
- Chair must declare that an open meeting will have a detrimental effect in obtaining qualified applicants

Slide 33.

**Executive Session Purposes 9 & 10**

9. Confer with mediator on litigation or decision

10. Trade secrets in the course of activities conducted by a public body as an energy supplier

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

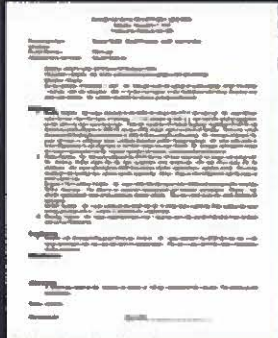
Executive Session Purposes 9 & 10

**Purpose 9: To confer with a mediator on a litigation matter or other decision**

**Purpose 10: To protect trade secrets in the course of activities conducted by a public body as an energy supplier**

Slide 34.

**Meeting Minutes**



- Minutes must state the date, time, place of the meeting, and list of members present or absent
- Minutes must include:
  - A summary of discussion of each topic
  - Decisions made and actions taken, including a record of all votes
  - List of documents and other exhibits used by the body at the meeting, including by remote participants

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

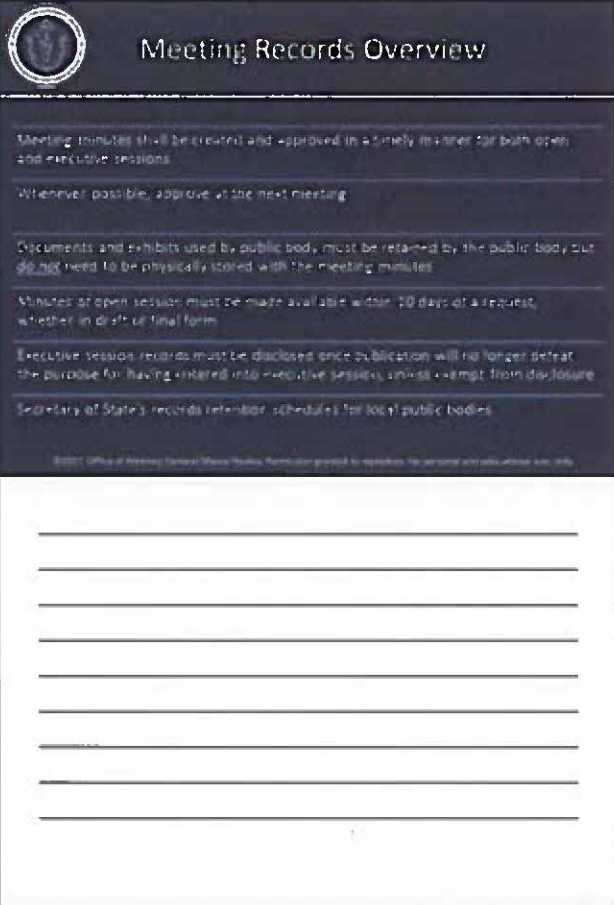
---

Meeting Minutes

- Minutes must state the date, time, place of the meeting, and list of members present or absent
- Minutes must also include:
  - A summary of discussion of each topic
  - Decisions made and actions taken, including a record of all votes
  - List of documents and other exhibits used by the body at the meeting, including by remote participants
  - Name(s) of any member who participated remotely and the reason under 940 CMR 29.10(5) for his or her remote participation
- Secret ballots are explicitly prohibited



Slide 35.



**Meeting Records Overview**

Meeting minutes shall be created and approved in a timely manner for both open and executive sessions.

Whenever possible, approve at the next meeting.

Documents and exhibits used by public body must be retained by the public body but do not need to be physically stored with the meeting minutes.

Minutes of open session must be made available within 10 days of a request, whether in draft or final form.

Executive session records must be disclosed once publication will no longer defeat the purpose for having entered into executive session, unless exempt from disclosure.

Secretary of State's records retention schedules for local public bodies.

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

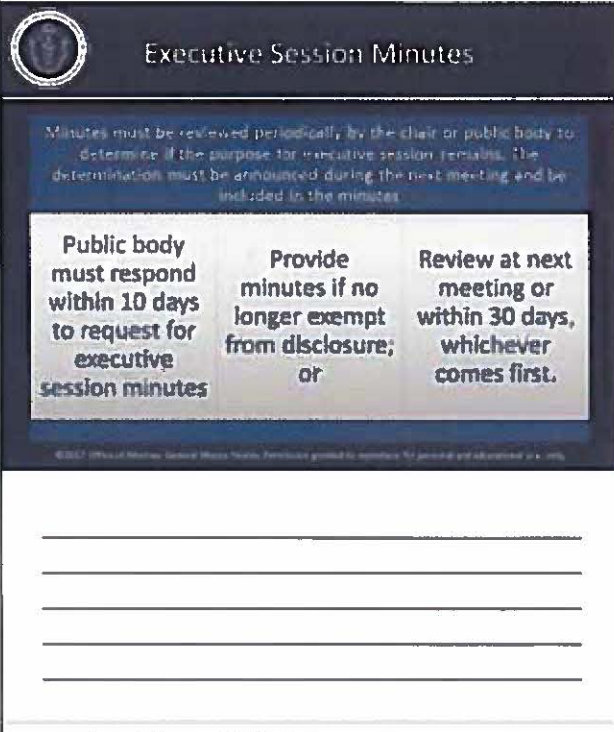
---

---

Meeting Records

- Meeting minutes shall be created and approved in a timely manner for both open and executive sessions
  - Whenever possible, approve at the next meeting
- Documents and exhibits used by public body must be retained by the public body but do not need to be physically stored with the meeting minutes
- Minutes of open session must be made available within 10 days of a request, whether in draft or final form
  - Executive session records must be disclosed once publication will no longer defeat the purpose for having entered into executive session, unless exempt from disclosure
  - Secretary of State's records retention schedules

Slide 36.



**Executive Session Meeting Minutes**

Minutes must be reviewed periodically by the chair or public body to determine if the purpose for executive session remains. The determination must be announced during the next meeting and be included in the minutes.

|  |   |  |
|--|---|--|
| Public body must respond within 10 days to request for executive session minutes | Provide minutes if no longer exempt from disclosure; or | Review at next meeting or within 30 days, whichever comes first. |
|--|---|--|

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

---

---

Executive Session Meeting Minutes

- Minutes must be reviewed periodically by the chair or public body to determine if the purpose for executive session remains; that determination must be announced during the next meeting and be included in the minutes
- Public body must respond within 10 days to a request for executive session minutes
- Provide minutes if no longer exempt from disclosure; or
- Undertake review at its next meeting or within 30 days, whichever comes first



Slide 37.

Document Used at a Meeting

Documents used by a public body during an open meeting are public records!

But, the following materials are exempt from public disclosure:

- Performance Evaluations NOT created by members of the public body
- Application materials, other than resumes

---

---

---

---

---

---

Documents Used During an Open Meeting

Documents used by a public body during an open meeting are public records.

However, exemption from disclosure are:

- Materials used in a performance evaluation of an individual bearing on his/her professional competence that were not created by members of the body for purposes of evaluation
- Materials used in deliberations about employment or appointment of individuals, including applications and supporting materials but excluding resumes, which must be disclosed

Slide 38.

Complaint Process  
Step 1: The Complainant

---

---

---

---


---

---

OML Complaint Process: Step 1

- Complaint shall be filed in writing with the public body within 30 days of the alleged violation, or if it could not reasonably have been known at the time, then within 30 days of the date the complainant reasonably should have discovered the alleged violation
- Complaint Form, found at the Division of Open Government website, completed and sent to chair of public body
- For local public bodies, copy also filed with municipal clerk

Slide 39.



**Complaint Process**  
Step 2: The Public Body

**Chair disseminates the complaint for response within 14 business days**

May delegate responsibility for responding after public body review

Public body may request an extension of time to respond for good cause

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---


---

OML Complaint Process: Step 2

Chair must disseminate the complaint to the members of the public body; the public body has 14 business days in which to respond and inform Division of Open Government of remedial action taken

- May delegate responsibility for responding after public body review
- Public body may request from the Director of the Division an extension of time to respond for good cause

Slide 40.



**Complaint Process**  
Step 3: The Attorney General's Office

**If the complainant is not satisfied with the resolution of the complaint by the public body, he/she may file the complaint with the Division 30 days after the complaint is filed with the public body**

Complaints must be filed with the AGO within 90 days of the date of the original alleged violation

- The AGO will not review allegations that were not raised in the initial complaint filed with the public body
- Complaints filed with the Attorney General's Office, and documents submitted with the complaint, are considered a public record

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

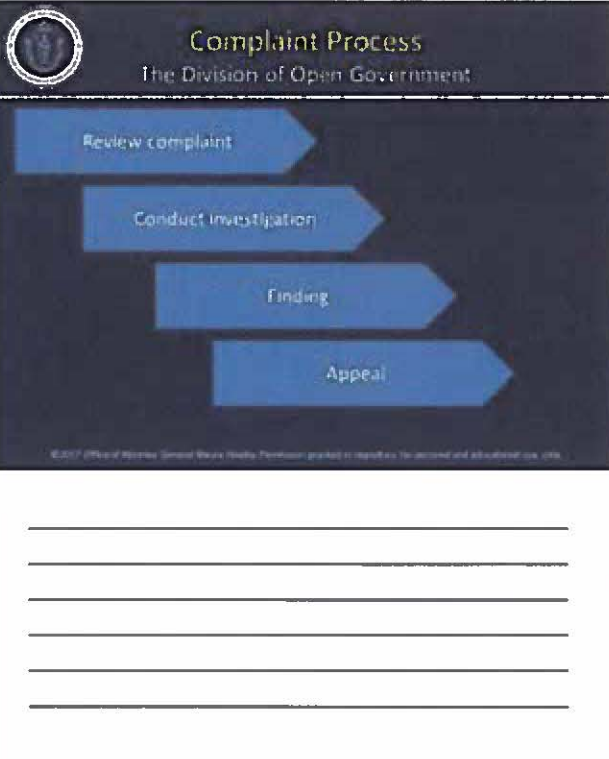
---

OML Complaint Process: Step 3

If the complainant is not satisfied with the resolution of the complaint by the public body, he/she may file the complaint with the Division of Open Government 30 days after the complaint is filed with the public body

- To be considered timely, complaints must be filed with the AGO within 90 days of the date of the original alleged violation
- The Attorney General's Office will not review allegations that were not raised in the initial complaint filed with the public body
- In most circumstances, complaints filed with the Attorney General's Office, and documents submitted with the complaint, are considered a public record

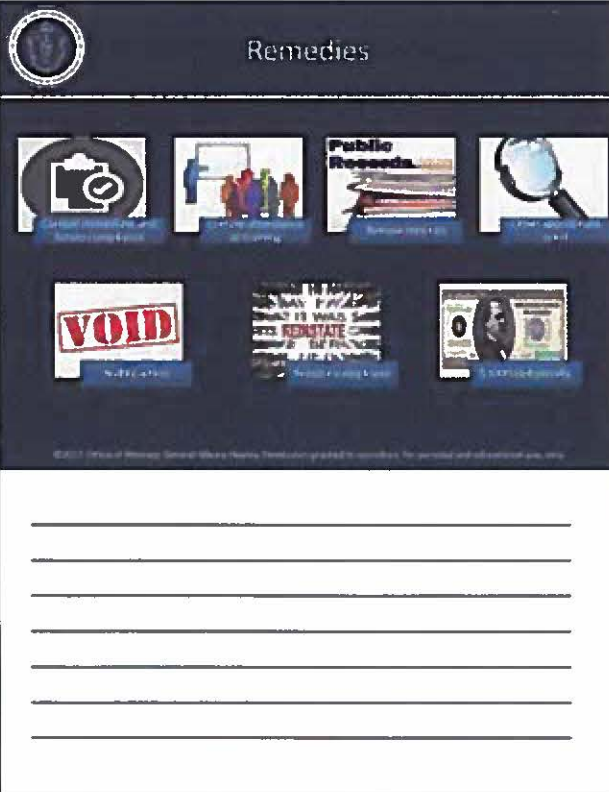
Slide 41.



OML Complaint Process: AGO Review

- Step 4: Acknowledgment
- Step 5: Request for documents and interviews
- Step 6: Has there been a violation?
- Step 7: Was the violation intentional?
- Step 8: Was the action taken by the public body adequate?
- Step 9: Resolution
- Step 10: Public body appeal

Slide 42.




Remedies


- Compel immediate and future compliance
- Compel attendance at training
- Compel public release of minutes or other materials
- Nullify any action taken in violation of the Open Meeting Law
- Reinstatement an employee and make whole
- Impose a civil penalty of up to \$1,000 on a public body for each intentional violation
- Other appropriate relief



Slide 43.

 **Judicial Complaint Process**

Attorney General or 3 or more registered voters may initiate a civil action to enforce the Open Meeting Law



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

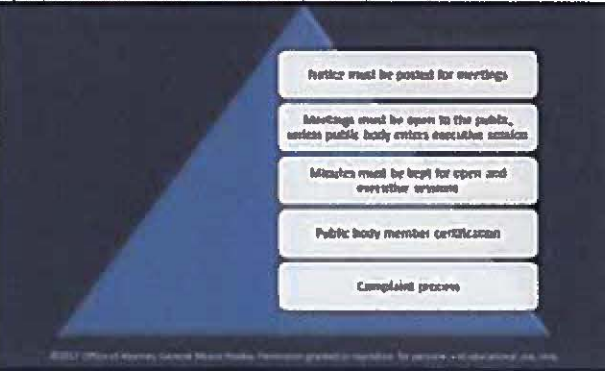
---

Alternative Complaint Process

- Attorney General or 3 or more registered voters may initiate a civil action to enforce the Open Meeting Law
- Must file in Suffolk Superior Court for state public bodies
- For all other public bodies, must file in superior court in any county in which the public body acts or meets

Slide 44.

 **Review**



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

Review

- 1) Notice must be posted for meetings
  - 48 hours in advance, except for emergency
  - Include date, time, place, and sufficiently detailed list of topics chair reasonably anticipates will be discussed
- 2) Meetings must be open to the public, unless public body enters executive session
  - Discussion must fit within one of 10 purposes for executive session
- 3) Minutes must be kept for open and executive sessions
  - Must include summary of discussion for each topic
  - Must contain a list of documents & exhibits used at the meeting
- 4) Public body member certification
- 5) Complaint process
  - Must be filed with public body first
  - Alternative complaint process in Superior Court



Slide  
45.



### Resources

Attorney General's Open Meeting Law Website

<http://www.mass.gov/ago/openmeeting>

- Open Meeting Law: G.L.c. 30A, §§ 18-25
- Regulations: 940 CMR 29.00
- Guide
- FAQs
- Checklists
- Determination Letters

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

### Resources

Attorney General's Open Meeting Law Website:

<http://www.mass.gov/ago/openmeeting>

- Open Meeting Law: G.L. c. 30A, §§ 18-25
- Regulations: 940 CMR 29.00
- Guide
- Checklists
- FAQs
- Determination Letters

Slide  
46.



### Contact Information

Office of Attorney General  
Division of Open Government  
One Ashburton Place  
Boston, Massachusetts 02108  
[openmeeting@state.ma.us](mailto:openmeeting@state.ma.us)  
(617) 963-2540

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

### Division Contact Info

Office of Attorney General  
Division of Open Government  
One Ashburton Place  
Boston, Massachusetts 02108

OML Email: [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us)

OML Hotline: (617) 963-2540

Slide 47.

**Who the AGO Serves & How**

**Who:**  
The Commonwealth

- Residents of the Commonwealth and their public interests
- State departments, officers, and commissions
- Groups of consumers

**How:**  
Four Major Ways this Work is Executed

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

The Attorney General's Office

The Attorney General represents:

- Residents of the Commonwealth and their public interest
- State departments, officers, and commissions
- Groups of consumers

Slide 48.

**Public Protection & Advocacy Bureau**  
Description

Protecting students against predatory for-profit schools.  
Ensuring that workers are paid the wages they are owed.  
Combating discrimination by landlords and employers.  
Keeping struggling homeowners in their homes through loan modifications, and  
Fighting for consumers against scams and other deceptive business practices.

**Divisions of the Public Protection & Advocacy Bureau**

- Child Investigations
- Consumer Protection
- Fair Labor
- Insurance and Financial Services
- Civil Rights
- CAAD/HomeCare

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use, only.

---

---

---

---

---

---

---

---

Public Protection & Advocacy Bureau

- Protecting students against predatory for-profit schools;
- Ensuring that workers are paid the wages they are owed;
- Combating discrimination by landlords and employers;
- Keeping struggling homeowners in their homes through loan modifications; and
- Fighting for consumers against scams and other deceptive business practices.

Slide 49.



### Where the AGO is located

Attorney General Maura Healey and her staff engage with over 100 city and town of the Commonwealth. The Attorney General's Office also runs a statewide Consumer Advisory and Response Division and supports over thirty regional local consumer and face to face mediation programs, which you may choose to contact.



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

### AGO Offices

Boston  
One Ashburton Place and  
100 Cambridge St.

Central Massachusetts  
10 Mechanist St., Worcester

Western Massachusetts  
1350 Main Street, Springfield

Southeastern Massachusetts  
105 Williams St., New Bedford

Slide 50.



### Contact Us

[www.mass.gov/ago](http://www.mass.gov/ago)

617-727-2200



File a complaint about an Unfair or Deceptive Trade Practice  
617-727-8400

[www.eform.ago.state.ma.us](http://www.eform.ago.state.ma.us)

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

### Attorney General's Office Contact Info


Website: [www.mass.gov/ago](http://www.mass.gov/ago)

Main Phone: 617-727-2200

Consumer hotline: 617-727-8400

File a consumer complaint:  
[www.eform.state.ma.us](http://www.eform.state.ma.us)

Slide 51.

 **Resources**  
Have a Complaint or Question?

**General Assistance**  
Consumer Hotline (617) 727-8400  
E-Complaint Form: [www.eform.ago.state.ma.us](http://www.eform.ago.state.ma.us)

**Specific Hotlines**  
HomeCorps (617) 573-5333  
Fair Labor (617) 243-5337  
Fair Labor Division (617) 727-3465  
Civil Rights Division (617) 727-2200  
Medicaid Fraud Tipline (617) 963-2360  
Insurance Fraud Tipline (617) 537-5330  
Insurance & Health Care Consumer Helpline (888) 830-6277

©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

---

---

---

---

---

---

---

---

**AGO Resources**

Consumer Hotline: (617) 727-8400

HomeCorps.....(617) 573-5333

Elder Hotline.....(888) 243-5337

Fair Labor Division.....(617) 727-3465


Civil Rights Division.....(617) 727-2200

Medicaid Fraud Tipline...(617) 963-2360


Insurance Fraud Tipline...(617) 537- 5330

Insurance & Health Care Consumer Helpline.....(888) 830-6277

Slide 52.

 **Thank You from the Attorney General**

Attorney General  
Maura Healey is the chief lawyer and law enforcement officer of the Commonwealth of Massachusetts.



©2017 Office of Attorney General Maura Healey. Permission granted to reproduce for personal and educational use only.

**Attorney General Maura Healey thanks you for attending today's presentation!**





# HOUGHTY'S HEROES



*Monthly News from the Wayland Fire Department*

Volume Six

May 2017

**Young Hero Award** – On April 3<sup>rd</sup> the Fire Department visited, along with State Fire Marshal Peter Ostroskey, all of the teachers, staff and many family members at Happy Hollow School. The reason for the visit was to present a 5<sup>th</sup> grader with a "Young Hero's Award" for her actions in finding smoke in her house during the February school vacation. This was a surprise to Anastasia Vavrick who was given certificates from the State Fire Marshal, the Senate and the Fire Department. Anastasia along with her brother were given Junior Firefighter T-shirts to mark the event and the pride we have in them for doing all the right things when they needed to. Sparky the Fire Dog was also on hand to show his pride for Anastasia remembering all the things she was taught in the SAFE program.



**Radios** – The Department recently received seven mobile radios from the Commonwealths Department of Fire Services through the state surplus program. These radios are only a few years old, but the Commonwealth no longer needed them since they received new state of the art digital equipment (we run on analog). Being in the right place at the right time, the Chief was able to acquire the radios and accessories valued at approximately \$950.00 each. These radios will be installed in the new apparatus and will be replacing some radios that are 10 to 15 years old.

**CERT** - The public education group of the Fire Department has been busy working with Emergency Management in the training of the next group of the Citizen Emergency Response Team (CERT). These dedicated volunteers have spent hours in training with the firefighters on First Aide, CPR, building collapse, and search and rescue. In total, nine Wayland residents will graduate with their counterparts from Sudbury on the evening of May 8<sup>th</sup> at the the Public Safety Building. These groups of people are important to the town's Emergency Response Plan, with one of the main missions being to open and run our shelter at the middle school whenever it is needed.





**Under Construction** - Every week for the past several weeks the fire apparatus manufacturer, Pierce, has been sending us "baby pictures" on the build of our new engine. It is anticipated the truck will be shipped to the local dealer the second week of May and be delivered to Wayland by month's end. After a few weeks of training the new Engine 2 will be in service and running out of Station 2. The new Ladder truck will be built by the same manufacturer, and it is scheduled to arrive in September.



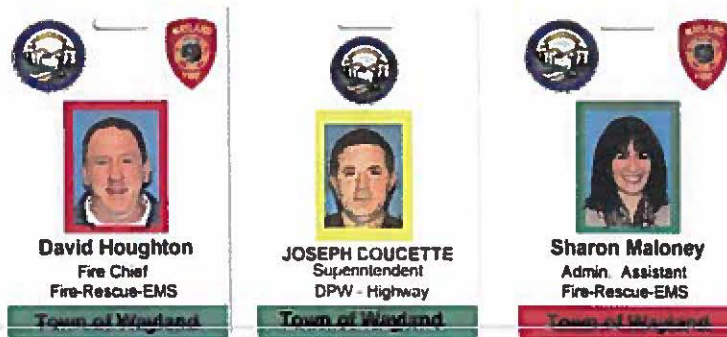
**Open Burning** - For the first time in many years, the Fire Department did not respond to a single out of control permit fire or a brush fire this Spring. There were 330 permits issued this year, and other than a few calls for smoke in the area, there were no problems with open burning or any other outside fires.

**Fit Testing** – As part of firefighter health and safety, every year firefighters need to have their breathing masks “fit tested” to be sure they give a good tight seal while conducting several exercises. Fire District 14 allows each community in the district to borrow the equipment and perform the testing in house which saves the town money by eliminating the need to hire an outside vendor to conduct these tests.



**Ambulance Inspections** – On April 5<sup>th</sup> the Department went through the most intense inspection on the Ambulances and EMS records we have ever had. The new state inspector spent the entire day with us and left nothing uninspected. Overall we made out very well and have put into effect a plan of correction for any item that was deemed deficient. This was our annual license renewal inspection, and we are now at the highest level of preparedness than we ever have been. It was a very busy, stressful day, but thanks to the work of the Assistant Chief and the on duty shift working with me, we have our license for another year!

**ID's** - The Town of Wayland has embarked on a town wide picture identification program. This program not only IDs our employees, but it has also been expanded to include the Medical Reserve Corp and the Citizen Emergency Responses Team members. The ID has two purposes: first, to provide each town employee with a picture ID, and second, to note the level of access and decision making authority an employee has at an emergency event for their department. For access level, we use green for the cold zone, yellow for the warm zone, and red for the hot zone. This is the color framing the employee's photograph. For authority levels, we use green for full authority, yellow for limited authority, and red for no decision making authority for their department. This color is on the bottom border of the ID.

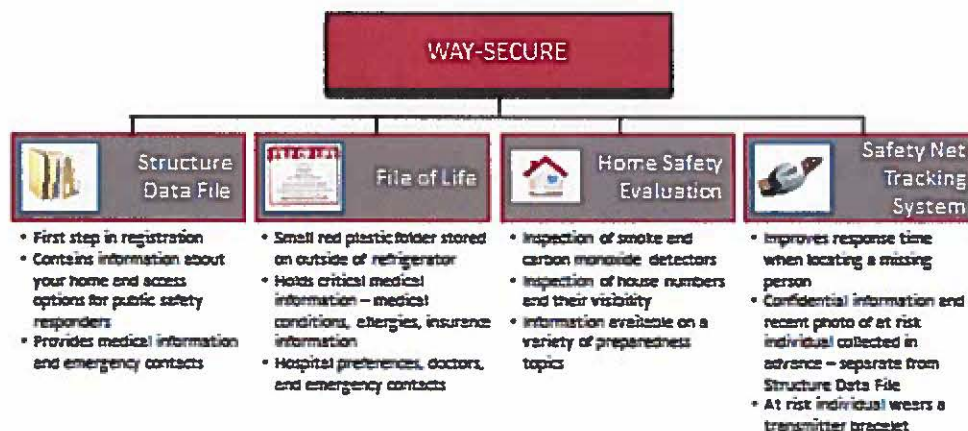




**WAY SECURE** - The Fire Department is proud to be able to roll out a new program in June titled WAY-SECURE. This program is something that, as Chief, I have wanted to accomplish for some time. We have partnered with the Council on Aging to help us be sure we have met the mark and help get the message out to the people to whom we could provide this service. The program is made up of several components that allow residents to feel safe and secure at home while allowing first responders to have tools and information to help them when they need it most. Everything from lock boxes, File for Life, and structure file data kept on file for easy access, to a new tracking device technology that allows first responders to locate people who tend to wander are components of the program. The best part of the program is that anyone can utilize one or all of the features FREE of charge. Although the program will first reach out to our older residents, we will be offering the services to any resident that would like to take part. Two informational sessions have been scheduled: Tuesday June 13<sup>th</sup> at 10:30 a.m. and Wednesday June 21<sup>st</sup> at 7:00 p.m., both at the Senior Center. We hope to attract residents and family members to inform them of the program and answer any questions they may have.

## Summary of WAY-SECURE

A program of the Wayland Fire Department and our community partner, the Wayland Council on Aging, in conjunction with the Wayland Police Department, to protect residents with serious medical or cognitive conditions



**GOTCHA** – On May 3<sup>rd</sup> the on duty shift officer was requested to meet Police and Conservation staff at 60 Old Sudbury Road for a report of illegal hazardous waste being dumped. On arrival two drums of unidentified chemicals were found with no leaking or spilled product noticed. Through the tremendous efforts of the Conservation staff and their “field camera”, a clear image of a pickup truck with the drums in the back along with a clear image of the license plate was made available to us. The State’s Department of Environmental Protection (DEP), and a Detective from the Wayland Police Department are working to find the person responsible. The Fire Department secured the drums in a non- public safe area and is working with DEP on the identification class of the chemicals, as well as a proper method for disposal.



**Roller Coaster Ride** - The driver from the car in the picture below should be playing the lottery. He actually came out of the car without a scratch thanks to seatbelts and airbags. The car was involved in an accident with two other cars, rolled several times, hit a stone wall and landed on its side. Lesson learned... WEAR YOUR SELT BELT.







# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Monthly Update

### April 2017

On April 11<sup>th</sup>, officers responded to a motor vehicle crash involving a car and a motorcycle. Upon arrival officers discovered that a Wayland woman had rear-ended a stopped motorcycle in the area of 221 Commonwealth Road. The motorcyclist complained of minor injury but did not go to the hospital. The woman operating the vehicle was administered field sobriety tests which she failed. She was arrested for Operating Under the Influence of Alcohol, 3<sup>rd</sup> Offense, Reckless Driving, and Open Container of Alcohol. The woman refused to take a breath test to determine her blood alcohol content. She was held overnight and arraigned at Framingham District Court the next day.

Two people were arrested for Operating After Suspension during the month and on April 13<sup>th</sup>, a Dedham woman was arrested on a warrant out of Quincy District Court after she was observed by an officer travelling on Route #20.

On Saturday, April 29<sup>th</sup>, the Wayland Police Department participated in the "Prescription Drug Take Back Day" sponsored by the U.S. Drug Enforcement Agency. A Wayland police officer was on hand to process the drugs that were turned in by the public at the Wayland Public Safety Building. During the four-hour period, members of the public turned in over 400 pounds of prescription drugs. These drugs were turned over to the Drug Enforcement Agency for proper disposal.

During the month of April, the department worked with members of the Domestic Violence Services Network to provide a class for adult women on self-defense. The class was very successful and generated many positive responses from those that attended. The department intends to expand this program and has a second class scheduled for June. Shortly after posting the class, it was filled to the maximum of 25 participants.

On April 11<sup>th</sup> several members of the department participated in the "White Ribbon Ceremony and Flag Raising" that was held at the Community Room of the Public Safety Building. Many officers had provided short film clips to be used in the public service announcement prepared by the Wayland, Lincoln, Sudbury Domestic Violence Roundtable.



Robert Irving  
Chief of Police



## Wayland Police Department Detective Division Report for April 2017

### INVESTIGATIONS

Larceny over \$250 – Rich Valley Road  
Residential Burglary/Larceny over \$250 – Windy Hill Road  
Larceny over \$250 – Andrew Avenue  
Flim/Flam Investigation – Andrew Avenue  
Sexual Assault – Commonwealth Road  
Sexual Assault – Assist out of town agency

### MEETINGS/TRAININGS

In Service Training  
Youth Advisory Committee  
Community based justice  
Wayland Cares  
Pre-Prom Meeting

### MISCELLANEOUS

Framingham District Court – MV/Criminal Hearings  
Distracted Driver grant

### COMMUNITY SERVICES

Council on Aging – Prescription take back  
Law Day Ceremony – Framingham District Court  
RESIST – Self-defense class  
RAD Class set up  
DEA Prescription drug take back day  
Adult RAD class set up

---

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

Officers of the Wayland Police Department attended the following training programs during the month of April 2017:

***In-Service***

MPTC

Boylston Academy

Jarrold Kullich

Christopher Custodie

April 3-6, 2017

April 10-13, 2017

***In-Service***

MPTC

Reading Academy

William Smith

Tyler Castagno

April 10-13, 2017

April 24-17, 2017

---

Irving, Robert

---

**From:** Information - MA Chiefs of Police <info@masschiefs.org>  
**Sent:** Thursday, April 06, 2017 3:09 PM  
**To:** Irving, Robert  
**Subject:** Congratulations to Wayland PD!

## Congratulations to Wayland PD!



### ***Safewise***

has named the

***100 Safest Cities in America 2017***, and the Wayland Police Department, led by Chief Robert Irving, was named #3 in the country!

#3: Wayland, Massachusetts

Previously #2

Wayland, Massachusetts, is a familiar face on our 100 Safest Cities in America list. In 2016, Wayland was the second-safest city in the nation, and its nearly 14,000 residents should still be proud of its top-five status. Besides favorable data that reflects very low violent and property crime in Wayland-the city had only six incidents in 2015-the proactive program WaylandCares keeps youth away from substance abuse to prevent public safety problems. The group is active in the local middle and high schools and often brings in speakers to address other issues that pose risks to teens, like internet safety.

Population: 13,679

Violent Crimes per 1,000: 0.07

Property Crimes per 1,000: 0.40

See where your town stands at:

<http://www.safewise.com/safest-cities-america>

Chief Mark K. Leahy, Ret.

Executive Director

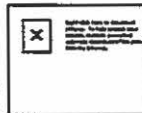
Massachusetts Chiefs of Police Association, Inc.

353 Providence Road

South Grafton, MA 01560

Office: (508) 375-7790

Cell: (508) 922-8370



Municipal Police Institute, Inc., 353 Providence Road, South Grafton, MA 01560

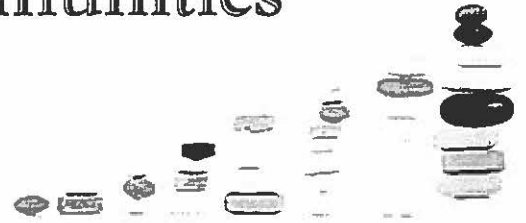
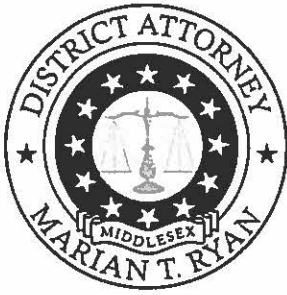
[SafeUnsubscribe™ chief@waylandpolice.com](mailto:chief@waylandpolice.com)

[Forward\\_email](#) | [Update\\_Profile](#) | [About\\_our\\_service\\_provider](#)

Sent by [info@masschiefs.org](mailto:info@masschiefs.org)



# Partners Protecting Our Communities



Are your pills piling up?

## Middlesex Drug Take-Back Program

Funded in part by Middlesex District Attorney Marian Ryan

Safely dispose of expired or unwanted prescription and over-the-counter medicines.

Eliminating unused and unwanted medications from your home will help keep your family, your environment and your community safe.

Illegal use and abuse of prescription drugs is an epidemic in communities across the Commonwealth. According to the National Institute on Drug Abuse, more than 52 million people over age 12 have used prescription drugs non-medically. Seventy percent say they got the drugs from friends or family.

By properly disposing of your unused or expired medication, you can help us fight this epidemic by limiting the access to these powerful drugs. You are also making a difference for our planet by disposing of medications in an environmentally-sound way.

Medications can be disposed of 24 hours a day at your local police station.

Clean out your medicine cabinet today!

Marian Ryan  
Middlesex District Attorney

Chief Robert Irving  
Wayland Police Department

### SAFE & SECURE DROP OFF

WAYLAND POLICE  
38 COCHITUATE ROAD  
WAYLAND, MA 01778

### APPROVED ITEMS

- \*Prescription & Over-the-Counter Meds
- \*Vitamins
- \*Medication Samples
- \*Veterinary Medications
- \*Narcotics

### NON-APPROVED ITEMS

- \*Needles(any type)
- \*IV Bags
- \*Personal Care Products
- \*Hydrogen Peroxide
- \*Inhalers
- \*Thermometers/Mercury Items
- \*Empty Containers(*these are safe to dispose of in your recycling bin*)

## Irving, Robert

---

**From:** Malcolm Astley <malcolmastley@icloud.com>  
**Sent:** Thursday, April 13, 2017 11:16 AM  
**To:** Houghton, David; Irving, Robert  
**Subject:** Thank you!

Dear Chiefs,

We were so appreciative of your support, your involvement, and that of your men and women in the White Ribbon Ceremony, Flag Raising and PSA. It was truly a fine community event and step, signaling to all that we together will take on dismantling the harm and injustice involved in the related violence, just as we have taken on so many other forms of harm and unfairness in our country, from slavery to women's lack of the right to vote.

Your advice of various kinds was so appreciated, and your taking part meant a great deal to us and the community, especially while you calmly handled the demands as well of your normal day.

Please thank your men and women for us as well.

With appreciation,

Malcolm Astley

## Irving, Robert

---

**From:** Sylvia C Diaz <scdiaz@me.com>  
**Sent:** Sunday, April 09, 2017 12:32 PM  
**To:** Irving, Robert  
**Cc:** apsler@verizon.net; Berger, Jamie; Jena Salon  
**Subject:** RESIST self-defense class

Dear Chief Irving and Ms. Apsler,

I want to thank you, the Wayland Police Department and, Ms. Apsler, of DVSN, for sponsoring the RESIST self-defense class, and allowing the women of Wayland the opportunity to learn and awaken their innate abilities to defend themselves in an attack situation. This class is empowering! I walk around with much more confidence knowing that I have the tools to get away from an attacker.

I've spoken to several of my friends and they all are interested in taking the class. I hope, and urge, you to continue to sponsor it in Wayland as it does help women either confirm or regain their confidence, and not be fearful.

I also want to thank Jena, an excellent teacher and coach, Dan from DVSN, and the members of the WPD, Det. Sgt. Jamie Berger, Det. Tyler Castagno, and Officer Jarrod Kullich, for making such formidable opponents I hope I didn't hurt them too badly with my kicks and elbows. Also, Officers Mark Herbert, Shane Bowles and Lynnet Sloan for their support and encouragement.

If there's ever anything I can do for either organization, please let me know.

Best,

Sylvia

**Irving, Robert**

---

**From:** K.A. Mulvey <kamulvey3@gmail.com>  
**Sent:** Saturday, April 08, 2017 2:42 PM  
**To:** Irving, Robert  
**Subject:** Self Defense Course

Hi Chief Irving,

Thank you so much for running the Self Defense course this past week. It was a great experience for me. I am so glad I had the opportunity to be a part of it. I would highly recommend this course to other women.

Jena was a great instructor and I learned a lot from her in a short period of time. I also wanted to let you know that Jamie, Tyler, Shane, Mark and Jarrod were all really supportive and encouraging throughout the course.

On another note, I wanted to let you know how great it has been for me to get to know most of the WPD over the past few years. I am always around town and your officers are always visible and I know I could approach any one of them at any given time.

It is great to feel so safe living here in Wayland.

Thanks again,  
Kerri



## Irving, Robert

---

**From:** Junghanns, Julia  
**Sent:** Monday, April 10, 2017 7:41 PM  
**To:** Irving, Robert  
**Subject:** Self Defense class

Hi Chief,

I just wanted to send you a note regarding the self-defense class that I took last week. I wanted to chat with you about it today when I saw you and didn't get a chance. I can't say enough about the class, it was really awesome and empowering for all who attended! I learned so much about how to be more aware and using my voice (which I probably do too much of anyway ☺), I was ready for more simulations once I finally got the hang of it. I loved the class and would take it again in a heartbeat and made sure that I told Nan all about it today after we met. Thanks to Jamie, Jena, Dan, Tyler, Shane, Mark, Lynette, and all Wayland Police involved who did an amazing job and should be congratulated for offering something like this to women in Wayland. We had no idea what we could do to defend ourselves and we are thankful for this and hope for more training like this in the future.

Thanks,  
Julia

Julia Junghanns, R.S., C.H.O.  
Director of Public Health  
Town of Wayland  
Health Department  
41 Cochituate Road, 01778

508-358-3617 ph  
508-358-3619 fax

email: [jjunghanns@wayland.ma.us](mailto:jjunghanns@wayland.ma.us)



**Public Health**  
Prevent. Promote. Protect.

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

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record. This e-mail is intended to be conveyed only to the designated recipient(s) named above. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Women's Post Self Defense Survey Wayland 4 4 17

14 participants

13 respondents

Some respondents gave multiple answers per question

1) What was your favorite part of the course?

- Simulations (8)
- Sense of empowerment after fighting (3)
- Recognizing I am not helpless (2)
- Learning specific techniques (2)
- Normalization of my fear and feelings regarding safety (1)
- Atmosphere of class (1)

2) Was there anything that could be improved?

- No (12)
- Weapon defense (1)
- Mores simulations (1)

3) What was the most helpful part of the course?

- Specific techniques (10)
- Simulations (6)
- Empowerment (4)
- Using your voice (4)
- Learning you have choices (2)
- Learning defense can be simple (1)

4) Is there anything you felt was unnecessary?

- No (14)

5) Did the course match with your expectations?

- Exceeded (9)
- Yes (5)

6) Did you learn the value of using your voice? Were you given the time to practice this skill?

- Yes (14)

7) Do you better understand your ability to use your instincts to defend yourself?

- Yes (14)
-

#### 8) Additional Comments:

- I really can't find the best words to describe how amazing this class was! We all have warriors inside of us and it was so great to tap into that rage and fighting instinct in such a real-life way. Thank you again for hosting, coaching and supporting all of us. Jena and Dan were incredible!!! All the Wayland PD officers who participated were incredible!
- Thank you SO much for providing this class! I absolutely loved it and would do it again in a heartbeat. I think every woman should learn more about self-defense, it's so important and we are so lucky that this class was offered in Wayland. I already have friends and my sisters asking me to show them moves. It really is a great opportunity for women to learn to protect themselves and it is so empowering to learn that we can actually fight for ourselves.
- This class was invaluable. I really enjoyed learning different techniques to help defend myself. It was nice to take it with my good friends and meet some really strong brave women too. I definitely think every woman should take this class. I am so happy that the Wayland Police Department invested their time and money to offer this class to the women of Wayland. I hope that they do more so more women can take advantage of it.
- Thank you again for such an amazing experience!! I wish you would run this course on a regular basis. It was so worthwhile. THANK YOU!
- This course is empowering. Every woman should take a course like this. I hope that it continues to be offered by the Wayland Police Department
- I feel this is an AWESOME course! Probably the best I could have had in such a short 6 hour period. I just feel bad that they could accept only 15-16 participants. I strongly feel that every women should undergo this course. It is extremely helpful and is a MUST for every woman. If there are more sessions of this course in future, I will very HIGHLY recommend it to all the women I know!
- Thanks so much for all you do and for bringing this class to Wayland. It was a huge success and I know people are asking for it to come back again, hoping for more simulations!!! ☺
- Everything about the course was fantastic and I will certainly recommend it to any of my friends if/when Wayland puts another class together!
- It was an awesome experience and I am so glad I had the opportunity to take the class. This is something I would love to do again, so please let me know of any classes/sessions in or around the Wayland area that would be great.
- I felt great and proud of myself after completing that night.
- The course helped boost my confidence in my own self and gave me a lot of insight and what I can do to protect myself.
- The best piece of advice you gave which really resonated with me was "just do something" I understand how at least doing something, yelling, punching, dropping my body weight can really help change the situation in my favor.
- Great instructor, very supportive atmosphere.
- Thank you to Jena and Dan for you time and knowledge and patience for the 2 days during our class.
- Jena, Dan and all the officers were so informative and encouraging throughout the process. I can't see how the course could be made any better.

- Great course! I'd recommend it to anyone. Instructor and her team are fantastic!
  - I was so impressed with the professionalism and seriousness with which the topic was treated. I felt like Jena, Dan and the police were really rooting for us. We learned so much and yet it didn't feel too overwhelming. I want everyone I know to take this course.
  - This was a wonderful course and Jena is a fantastic instructor and role model. I wish I had some constructive feedback for you, but I don't know how you could have made this any better! Thank you.
  - I hope many more women have the opportunity to take a class like this - this was a rewarding, enriching and enlightening experience. I walked away with skills and concepts I only inquired in this program and in the days since has stayed with me.
  - I've often worried that I would freeze or simply just not know what to do if I was ever attacked. I now feel better knowing that I would DO something and that I reacted quicker than I thought I would. I really feel so empowered and know that everything is a choice. I can choose to run in the morning but can choose to do things that will help me be safer. It is MY choice not the bad people who prey on other people.
  - The tips, approach and support was invaluable. The instructors were engaging, motivating, knowledgeable and incredibly skilled at guiding, teaching and coaching every woman in our group. The design of the program seemed really on point.
  - I was so impressed with the professionalism and seriousness with which the topic was treated. I felt like Jena, Dan and the police were really rooting for us. We learned so much and yet it didn't feel too overwhelming. I want everyone I know to take this course.
  - There was such a positive energy and spirit that pulsed through the room during each of the session. It was a fast-paced program that lay the groundwork for an empowering experience for each woman in the group. As a 40 year old woman, I was simple astonished I had NEVER taken a self defense class or thought to seek one out. I feel grateful/blessed this class was offered.
  - Jena was an exceptional teacher - he energy level was impressive and her direct, inspiring and action-oriented approach left me invigorated and inspired to put myself in a position of power if need be. She is an outstanding coach and teacher.
  - Thanks so much to Jena and the Wayland police force.
  - I've often worried that I would freeze or simply just not know what to do if I was ever attacked. I now feel better knowing that I would DO something and that I reacted quicker than I thought I would. I really feel so empowered and know that everything is a choice. I can choose to run in the morning but can choose to do things that will help me be safer. It is MY choice not the bad people who prey on other people.
  - Thank you again for such an amazing experience!! I wish you would run this course on a regular basis. It was so worthwhile. THANK YOU!
  - Thanks again!! Great class!!
  - It really was so amazing.
-



**Wayland Free Public Library  
Board of Library Trustees**

**Minutes of Meeting on Wednesday, January 4, 2017  
School Committee Room, Wayland Town Building  
41 Cochituate Road, Wayland, Massachusetts**

**Present:** Library Director Dana Mastroianni, Trustees Aida Gennis (Chair, presiding), Sally Cartwright, Anne Heller, Mark Peter Hughes, Suzanne Woodruff

**Absent:** Lynne Lipcon

**Call to Order:** 8:04 a.m.

**Visitors and Public Comment**

Former Trustee Nan Jahnke attended the meeting and took the minutes.

Mrs. Cartwright reminded Trustees that the Town will hold a Public Records Workshop on Wednesday, January 11. She will attend the workshop with Ms. Mastroianni; others may attend if they wish. Mrs. Gennis noted that nomination papers will be available for Town elections on Friday, January 6; both she and Mrs. Lipcon may run for re-election, as their terms are up. There were no other visitors and no public comment.

**Minutes and Reports**

No minutes were submitted for approval at this meeting. The January monthly reports will be presented at another meeting later in the month. Ms. Mastroianni noted that the two open staff positions have been filled and the new staff members will be settled in by mid-January. She also reported that John Moynihan, the Town’s project manager for the flood mitigation project at the Library, will address Trustees on the project in February.

Mrs. Gennis reported that Mrs. Cartwright is conducting a review of all meetings of the Trustees and Library Planning Committee held during the Library Planning and Design Study, including joint meetings and meetings that failed to achieve quorums, to be sure that all have proper minutes and documents. She also noted that the major Library trust fund, the Millennium Fund, may have been improperly characterized as an endowment fund in the monthly Financial Reports. Mrs. Gennis will seek the advice of Town Counsel about the characterization. If it is in fact incorrect, Ms. Mastroianni will arrange for the description of the fund to be changed to “Millennium Fund” in upcoming financial reports and also on the Library website.

After seeking Trustees’ opinions about a Library program proposed by Transition Wayland, a community group dedicated to economic and energy sustainability, Ms. Mastroianni said she would use \$200 of her discretionary funds to purchase rights to view “A Small Good Thing,” a documentary about living simply. The discretionary funds are given by the Friends of the Library.

## **Warrant Article**

Mrs. Gennis presented a draft of a warrant article that the Board of Trustees will offer at Annual Town Meeting in April asking (1) that the town accept the preliminary design for a new library at 195 Main Street as described in the forthcoming application for a state library construction grant and (2) that the town authorize the Board of Selectmen and/or Board of Library Trustees to “apply for, accept, and expend” such a grant. Passage of such an article is required by the Massachusetts Board of Library Commissioners before the town’s application can be finalized and considered for funding.

Mrs. Gennis wrote a first draft of the article based on advice from the state grant consultant and on examples from other towns that have applied for construction grants; she has also requested advice from Town Counsel. Trustees reviewed the wording and made some suggestions; they also discussed what to include in the comments and in the list of pros and cons that the Selectmen have requested. In particular, Trustees discussed how best to make it clear that (1) the designs are preliminary and can be revised if and when the project goes forward; (2) the town will vote on an application that has already been submitted but not yet decided on; and (3) the article DOES NOT commit taxpayer funds to the project (such an appropriation can only be made by a separate vote or votes, through the town’s process, after the grant is awarded, e.g., in fall 2017, spring 2018, or thereafter).

Mrs. Gennis will present a second draft at the Trustees’ meeting on January 11.

## **Grant Application**

Mrs. Gennis reported that Ann Knight, the former Library Director, continues to work on the application for a state library construction grant, with the goal of having a strong draft ready for review by the Permanent Municipal Building Committee (PMBC) on January 6 and a final draft for vote by the Board of Library Trustees on January 18.

## **Project Points**

Trustees heard reports on four issues that had recently arisen in the Library Planning and Design Study. First, Mrs. Gennis reported that the design team has determined that the best place to locate a **septic system** for a proposed library on the 195 Main Street site is under the parking lot. Second, with a septic field sited in that location, the parking lot will need to be paved with a **permeable material**. Third, Mrs. Gennis noted that a reconsideration of **materials for the façade of the building** concluded with no change after the PMBC endorsed the current specifications. Fourth, Mrs. Gennis explained again that the **total project cost estimate** of \$29 million includes escalation costs and approximately \$750,000 to \$1 million in costs properly charged to the Town (e.g. for demolition of the former Highway Garage and traffic mitigation) that are subsumed under the grant for the opportunity for state payment.

A fifth concern, about **debt service costs** for the project, cannot yet be resolved as the calculation depends on final costs estimates, grant awards (if any), timing of construction, private fundraising, the size of the bond, and the debt schedule.

## **Project Funding**

Trustees revisited an earlier discussion about what kinds of private fundraising, if any, they would commit to or support for the construction of a new public library in the event the town receives a grant from the Massachusetts Public Library Construction Program. The state asks for this information in the application for a construction grant, and the Trustees feel they should investigate all avenues for containing the taxpayers' contribution to such a project, including, e.g., through the state grant itself, other grants, trust funds, and private fundraising.

First, Trustees reviewed the privately donated trust funds already under the Trustees' control in the Millennium Fund. Mrs. Gennis and Mrs. Heller reviewed the history of that fund for Trustees, noting that planning for the campaign began in 1993 and fundraising began some years later. The goal of the campaign was to support Library services and programs that were not covered by the Town budget, and to lay some financial groundwork for an expanded library with modern, 21<sup>st</sup>-century library services (hence the name, Millennium Fund). At the close of the campaign, in 2002 or 2003, hundreds of donations had been received totaling about \$350,000. Since then other donations and bequests have been added to the fund, whose balance now stands at approximately \$800,000.

Trustees discussed how much of that fund they would be willing to commit to construction of a new library at 195 Main Street if the town decides to go ahead with that project. After discussion, Trustees expressed a unanimous willingness to commit \$500,000 from the Millennium Fund as a lead gift or seed donation to a private fundraising campaign. No formal vote was taken as Trustees wish to see how the grant application fares before making a firm commitment.

Trustees then reviewed some preliminary ideas about private fundraising that are being developed by a town resident who has professional experience in fundraising for nonprofit organizations. Mrs. Gennis hopes to have a full draft of that plan for Trustees' review at a meeting later this winter. The plan will likely include a three-stage campaign, the services of a professional campaign manager, and solicitation of donations both big and small through such traditional vehicles as outright gifts, matching grants, and naming opportunities. Trustees discussed what a likely fundraising goal might be for Wayland and the Library; they then expressed a unanimous willingness to consider a \$1.5 million goal, over and above the \$500,000 that could be donated from the Millennium Fund. Again, no formal vote was taken as Trustees wish to see how the grant application fares before making a firm commitment.

In the meantime, Mrs. Gennis will ask Town Counsel about the mechanisms that would have to be put in place in order to make a sizeable commitment from the Millennium Fund and to establish and operate a major private fundraising campaign for a Town project.

### **Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

- Mrs. Woodruff drew Trustees' attention to Bennett Public Library, in Billerica, an example of an historical library building that has been repurposed for another town use (as a rental facility) after the Library moved to a new facility. "The Bennett" currently operates as a 501(c)3 nonprofit organization governed by a 12-member board of directors.

- Ms. Mastroianni noted that the Library and the High School recently agreed to co-sponsor a Lunar Celebration event in honor of Chinese New Year. The Library will help with publicity, bring some books and information to the event, and draw attention to the Library's collection of Chinese language materials.

**The Meeting Was Adjourned at 10:27 a.m.**

**Documents for This Meeting**

- Agenda for Meeting, January 4, 2017
- Draft of "Funding Sources" chart for grant application to the Massachusetts Public Library Construction Program
- Draft of warrant article for Annual Town Meeting titled "Town Approval and Authorization in Support of a Library Building Grant Application"

**Next Meetings**

- Wednesday, January 11, 2017, 8 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 18, 2017, 8 a.m., Raytheon Room, Wayland Free Public Library

Respectfully submitted by Nan Jahnke, a friend of the Wayland Free Public Library



**Wayland Free Public Library  
Board of Library Trustees**

**Minutes of Meeting on Wednesday, January 11, 2017  
Raytheon Room, Wayland Free Public Library  
5 Concord Road, Wayland, Massachusetts**

**Present:** Library Director Dana Mastroianni, Trustees Aida Gennis (Chair, presiding), Sally Cartwright, Anne Heller, Lynne Lipcon, Suzanne Woodruff

**Absent:** Mark Peter Hughes

**Call to Order:** 8:08 a.m.

**Visitors and Public Comment**

Former Library Director Ann Knight attended a portion of the meeting and participated in discussion of the grant application to the Massachusetts Public Library Construction Program (MPLCP). Former Trustee Nan Jahnke attended the meeting and took the minutes until 10 a.m., when Mrs. Cartwright took over. There were no other visitors.

In public comment, Mrs. Gennis thanked the Trustees, members of the Library Planning Committee, members of the Permanent Municipal Building Committee (PMBC), members of the Tappé design team, and others who helped secure the unanimous approval of the PMBC (4-0) on January 10 for the application soon to be submitted to the Massachusetts Board of Library Commissioners for a public library construction grant.

Mrs. Cartwright reported that the Library hosted a good program on Wayland aqueducts on Sunday, January 8, but noted that the Raytheon Room was very hot and crowded. Poor HVAC regulation in the meeting room is a common complaint from visitors.

There was no other public comment.

**Minutes and Reports**

After correcting a date in the minutes of December 14, 2016, Trustees voted unanimously (5-0) to accept those minutes and also the minutes of December 21, 2016 (motion by Mrs. Lipcon, seconded by Mrs. Cartwright).

The January monthly reports will be presented at a meeting later in the month. Trustees briefly discussed suggested changes to the "Dashboard Statistics" report that Assistant Director Sandy Raymond has been preparing each month for Trustees. The report is time-consuming to prepare but valuable not only to Trustees, but also to the public, and the Trustees would like to make it more available to the public in some form. After discussion, Trustees proposed that Ms. Mastroianni and Ms. Raymond evaluate the feasibility of producing a full report for Trustees just every other month, but also preparing a monthly one-page pullout of information that could be made available to Trustees in their monthly

packet and to the public through various channels including, e.g., handouts in the Library and publication on the Library website, in the Library e-newsletter, and on social media. Ms. Mastroianni will report back to Trustees on their conclusions.

### **Drainage Project**

Discussion of the flood mitigation work undertaken in the fall has been postponed to a meeting in February when the Town's project director for that work, John Moynihan, will report to Trustees.

### **Staff Changes**

Ms. Mastroianni confirmed that two candidates have accepted positions at the Library and will begin their tenure this month. Tyler Kenney has already begun work as a part-time Reference Librarian/Computer Specialist. Jennifer Smith will serve as the full-time Assistant Youth Services Librarian; she will begin work January 18. These staff changes, which are the result of ordinary staff turnover, entail no change to the Library's staffing level, which remains at 13.7 FTEs.

### **Future Programs**

Mrs. Lipcon reported that she is looking for new dates and snow dates for a winter **Gossels Program** on human dignity led by Karim Nagi, an Egyptian-American performance artist. A date proposed earlier has fallen through. Workable times now include dates in mid- March, early April, and May.

Mrs. Cartwright distributed a fact sheet about the late-winter **Wayland Reads** program, which now includes a young adult book: "Moxie and the Art of Rule Breaking," by Erin Dionne, in addition to the adult selections: "The Art Forger," by B. A. Shapiro, and "Master Thieves," by Stephen Kurkjian. Scheduled events include talks by all three authors, as well as book discussions, a panel discussion, art exhibits and a reception, a presentation on the art theft at the Isabella Stewart Gardner Museum in 1990, and a screening of the film "The Thomas Crown Affair." Mrs. Cartwright and Mrs. Lipcon praised Rachel Sideman-Kurtz and her committee for all their hard work on Wayland Reads to date.

All Wayland Reads events are currently scheduled to be held at the Library, including an after-hours kick-off event. Ms. Mastroianni expressed enthusiasm for the idea of exhibiting artwork throughout the building, not just on the expected exhibit walls in the Raytheon Room, but also upstairs on tables, and even in the stacks. Trustees agreed that the Library could be opened for the after-hours kick-off event, but on Ms. Mastroianni's strong recommendation, stipulated that no alcohol shall be served.

Mrs. Cartwright noted that the Wayland Cultural Council has awarded a grant of \$400 in support of the Wayland Reads program. She asked if additional funds could be drawn from the Library's State Aid account (for publicity and promotion) and Trustees agreed. On a motion by Mrs. Woodruff, seconded by Mrs. Lipcon, Trustees voted unanimously (5-0) to permit expenditures up to \$3,000 from the State Aid account in support of the 2017 Wayland Reads program.

### **Warrant Article**

Mrs. Gennis presented a revised draft of the warrant article that the Board of Trustees will offer at Annual Town Meeting, including some language suggested by Town Counsel in the last week. The article

is due to the Board of Selectmen for review on January 17, along with the comments and the list of pros and cons the Selectmen have asked for.

Outstanding issues include determining whether the Library Planning Committee (LPC) has taken an official vote to recommend the preliminary library design, or will have taken such a vote before Town Meeting in April. While recognizing the difficulty of achieving a quorum of that large committee now that the committee's work is largely done, Trustees agreed that a formal vote would be a good idea. Mrs. Gennis will speak to the LPC chairman, Tom Fay.

Another concern was to be sure that the language of the article preserves the Trustees' control over expenditures from the Library's Millennium Fund for a library building project, and also over any additional funds raised in a capital campaign for a new library. Mrs. Gennis will seek to speak with Town Counsel about fundraising and expenditures of raised funds should the project go forward.

Understanding that several matters still needed to be ironed out, on a motion by Mrs. Lipcon, seconded by Mrs. Cartwright, Trustees voted unanimously (5-0) to accept the article as revised at the meeting, while authorizing Mrs. Gennis to make any changes she feels reasonable after further discussion with interested parties, including Mr. Fay and Town Counsel, prior to submission of the warrant article to the Board of Selectmen for review.

Trustees then turned their attention to the article comments and the pros and cons, developing a good list to work from. On a motion by Mrs. Lipcon, seconded by Mrs. Woodruff, Trustees voted unanimously (5-0) to accept the commentary points and list of pros and cons as discussed for Mrs. Gennis to use as she sees fit.

### **Grant Application**

Mrs. Gennis recapped the PMBC meeting on January 10 for those Trustees who were not present. She reported that, in separate votes, the PMBC voted unanimously (4-0) (1) to approve the Library's application for a state library construction grant; (2) to authorize the chair of the Permanent Municipal Building Committee to sign the required building committee certification in the grant application when the grant is finalized; and (3) to endorse the Library's submission of the warrant article requesting voters' approval of the grant application at Town Meeting. Mrs. Gennis explained that the PMBC will not co-sponsor the warrant article as the committee is constituted as a technical advisory group and does not take a position on articles before Town Meeting.

Unresolved issues for the application include determining who is the "authorizing authority" for the application mentioned on page 58, and aligning the budget numbers given in the Project Estimate section and the Funding Sources spreadsheet; in particular, how monies already expended (e.g., for the Library Planning and Design Study) are to be accounted for. There are also questions about the level of LEED certification. Trustees made a handful of suggestions to improve the application, including clarifying information about mold and parking spaces, but they will wait for the final draft before making comprehensive edits.

**The Meeting Was Adjourned at 10:35 a.m.**

**Documents for This Meeting**

- Agenda for Meeting, January 11, 2017
- Minutes of Trustees Meeting on December 14, 2016
- Minutes of Trustees Meeting on December 21, 2016
- Revised draft of warrant article for Annual Town Meeting titled "Article \_\_: Acceptance of Design for New Library and Approval and Authorization of Library Building Grant Applications"
- Fact sheet titled "Wayland Reads 2017"

**Next Meetings**

- Wednesday, January 18, 2017, 8 a.m., Raytheon Room, Wayland Free Public Library
- Wednesday, January 25, 2017, 8 a.m., location to be determined (tentative)
- Wednesday, February 1, 2017, 8 a.m., location to be determined
- Wednesday, February 15, 2017, 8 a.m., location to be determined
- Tuesday, February 28, 2017, 8 a.m., location to be determined
- Wednesday, March 15, 2017, 8 a.m., location to be determined
- Wednesday, March 29, 2017, 8 a.m., location to be determined

Respectfully submitted by Nan Jahnke, a friend of the Wayland Free Public Library, with help from additional notes taken by Mrs. Cartwright



**Wayland Free Public Library Board of Library Trustees**  
**Minutes of Meeting, January 23, 2017**  
**Wayland Public Library, 8:00 a.m.**

**Present:** Library Director Dana Mastroianni, Aida Gennis (chair), Anne Heller, Suzanne Woodruff, Sally Cartwright, Mark Peter Hughes, Lynne Lipcon. Consultant Ann Knight also attended.

**Public Comment:** None

**Director's Report:** Director Mastroianni stated she had heard from Fred Knight, chair of the Waste Water Management District Commission, that operations' fees for FY2017 for the allocated design flow at 5 Concord Road should be paid from the Facilities budget and that in the next fiscal year there will be a similar charge for the Title V design flow allocated to 5 Concord Road.

**Future Programs:** Mrs. Lipcon reported she had no response yet from the Gossels family regarding availability for a program on March 12. Mrs. Cartwright reported Wayland Reads 2017 continues to move forward favorably with some added events and minor adjustments to the schedule.

**Library Warrant Article for Annual Town Meeting:** Director Mastroianni, Mrs. Gennis, Mrs. Heller, and Mrs. Lipcon will attend the Finance Committee's Town Meeting Warrant Article Workshop on Monday evening, January 23, 2017, to explain the purpose of the article and respond to and take note of any questions. Trustees discussed the need to clearly explain that this article is the last piece of the grant application and must be approved for the grant application to be reviewed by the MBLC. February 6 is the anticipated date for the Library to speak to the article before the Finance Committee.

**MBLC Grant Application:** All Trustees and Director Mastroianni, under the direction of Mrs. Knight, compiled, collated, and tabbed the grant application binders. Eight binders, including the original, will be hand delivered to the MBLC offices in Boston when completed. Deadline is Thursday, January 26, 2017 at 4 p.m. Four other binders were compiled to be used by Director Mastroianni, Trustee Gennis, the Facilities Department, and the Library Reference Department.

**Adjourned:** 11:00 a.m.

**Documents for this Meeting:**

Agenda for Board of Library Trustee Meeting, Monday, January 23, 2017

**Next Meetings:** February 1, 2017 Wayland Public Library, 8:00 a.m.  
February 15, 2017 Wayland Public Library, 8:00 a.m.  
Tuesday, February 28, 2017 Wayland Public Library, 8:00 a.m.

Respectfully submitted by Sally Cartwright January 27, 2017

---

**Wayland Free Public Library  
Board of Library Trustees**

**Minutes of Meeting on Wednesday, February 1, 2017  
Raytheon Room, Wayland Free Public Library  
5 Concord Road, Wayland, Massachusetts**

**Present:** Library Director Dana Mastroianni, Trustees Aida Gennis (Chair, presiding), Sally Cartwright, Mark Peter Hughes, Lynne Lipcon, Suzanne Woodruff; Mr. Hughes left the meeting at 9:50 a.m.

**Absent:** Anne Heller

**Call to Order:** 8:06 a.m.

**Visitors and Public Comment**

Former Trustee Nan Jahnke attended the meeting and took the minutes. There were no other visitors.

In public comment, Mrs. Woodruff praised the work of staff member Elise Katz, who created a display for the Library's participation in the upcoming Lunar New Year Celebration at Wayland High School. There was no other public comment.

**Minutes and Reports**

After correcting punctuation and the spelling of a name in the draft minutes of January 11, 2017, Trustees voted unanimously (5-0) to accept those minutes and also the minutes of January 4, 2017, January 18, 2017, and January 23, 2017.

Mrs. Cartwright is preparing nine sets of procedural minutes documenting the presence of a quorum of Trustees at meetings of other boards and/or public meetings last year; Trustees attended these meetings but they did not deliberate. Most of these meetings were meetings of the Library Planning Committee, and all but one failed to reach a quorum of that body. The meetings were all held in 2016: on February 29, March 21, March 26, April 10, May 17, June 8, June 28, November 2, and November 15.

The February monthly reports will be presented at a meeting later in the month. Ms. Mastroianni reported that Assistant Director Sandy Raymond will prepare the full set of "Dashboard" statistics on a quarterly basis going forward. She also reported that John Moynihan, the Town's project manager for the recent flood mitigation project, will present a report on that project to Trustees in March, not February, as previously arranged. Mrs. Cartwright inquired whether the new server is completely up and running and Ms. Mastroianni said not yet.

**Events and Programs**

Mrs. Lipcon reported that Karim Nagi, an Egyptian-American performance artist, will give a **Gossels Program** at the Library on Sunday, March 12, beginning at 3 p.m. Gossels Programs are funded by the

Gossels Fund for Human Dignity, given by members of the Gossels family in Wayland. Refreshments will be provided by the Friends.

Mrs. Cartwright and Ms. Mastroianni reported that the Library's late-winter **Wayland Reads** program will kick off on Friday, March 17, with an after-hours event sponsored by Arts Wayland. The subject of the month-long event is art, art theft, and forgery. Skinner Auctioneers and Appraisers will have a role, as will local arts and entertainment supporter Joyce Kulhawik. The featured books for this presentation of Wayland Reads are *The Art Forger*, by B. A. Shapiro; *Master Thieves*, by Stephen Kurkjian; and a young adult selection: *Moxie and the Art of Rule Breaking*, by Erin Dionne. Mrs. Cartwright asked whether it would be permissible to hang a banner from the building for the duration of the event and Trustees agreed it would be. Ms. Mastroianni praised all the work done on the program, calling it "a juggernaut."

Ms. Mastroianni passed around a flier for the upcoming **Wayland Lunar New Year Celebration**, co-sponsored by Wayland High School, the Wayland Chinese-American Association, Arts Wayland, and (for the first time) the Library. The celebration, which is described as "a celebration of happiness, peace, harmony, and unity for everyone," will be held on the afternoon of Saturday, February 11. Ms. Mastroianni also reported that a four-part series of **workshops and lectures on Chinese culture** proposed by a Wayland resident is still under development.

### **Massachusetts Public Library Construction Program Grant Application**

Mrs. Gennis announced that the Trustees delivered the town's application for a Massachusetts Public Library Construction Program grant to the Massachusetts Board of Library Commissioners (MBLC) in Boston on Tuesday, January 24, 2017, two days ahead of the deadline. At a meeting of the Library Planning Committee the next day it was discovered that the square footage used for one of the cost calculations was incorrect; the total project estimate is actually about \$30,000 less than originally presented in the application. The application was amended in a timely manner. A copy of the application has been posted on the Library website, and a leaflet of Frequently Asked Questions about the application is now in the works.

Mrs. Gennis also reported that, in unanimous votes (11-0), the Library Planning Committee has formally supported the preliminary design for a library at 195 Main Street, the submission of the grant application, and the warrant article that the Trustees will present at Annual Town Meeting in April asking the town to formally approve the application as well.

### **Warrant Article**

Mrs. Gennis reviewed the warrant article that the Board of Library Trustees will offer at Annual Town Meeting. It asks the town to approve the preliminary design for a new library at 195 Main Street and to authorize the Town to apply for, receive, and expend state grant funds if awarded. Mrs. Gennis noted that the Board of Selectmen voted unanimously (4-0) to approve passage of the article on Monday, January 30.

Mrs. Gennis then presented a set of draft comments that the Trustees have been asked to submit to the Finance Committee for review at its meeting next week, on February 6. Trustees suggested that the

comments be more forceful in stating that there is *no cost associated with the article*, i.e., that appropriation for a building project is an entirely separate step that is contingent on receipt of a grant and subsequent voter approvals. Questions still to be resolved about the comments include how to present escalation factors (which Trustees believe will change if a grant is awarded within the next two years); whether to include concerns about repurposing the building at 5 Concord Road; and how to keep discussion focused on passage of the article, which is the last required step in the application process. Mrs. Gennis explained that a certified copy of the Town Meeting vote will be forwarded to the MBLC and entered in the town's application on page 6, thus completing the application.

Mrs. Gennis proposed that she and other Trustees begin making visits to other Town boards in support of the article beginning in mid-February.

Anticipating concern about a future use for the current library at 5 Concord Road, Mrs. Gennis asked Mrs. Woodruff to finalize her ongoing research into other towns' reuses of older library buildings. Ms. Mastroianni offered to seek additional information through her library directors' listserv. In the meantime, Mrs. Cartwright noted that the Council on Aging has proposed an article for Annual Town Meeting asking for \$95,000 to study the possibility of locating that agency's function at 5 Concord Road if the Library moves to 195 Main Street.

Mrs. Gennis surmised that a legal determination about possible deed or use restrictions on the property and building at 5 Concord Road is unlikely to be forthcoming before Town Meeting—or for years, for that matter. The concern is that the gift of land from Judge Roby in the late 1890s may require there to be a continuing “library function” on that site. Whatever the legal outcome, Mrs. Gennis reported that the state has a fairly broad view of what a “library function” might be or include, and she suggested that Trustees be thinking about what library functions might continue to be hosted at 5 Concord Road if the Library moves to 195 Main Street.

### **Legislative Breakfast**

An MBLC Legislative Breakfast will be held in Sudbury on Friday, February 17. Mrs. Woodruff, Mrs. Lipcon, Mrs. Gennis, Mrs. Cartwright, and Ms. Mastroianni all expressed an interest in attending. The meeting need not be posted as no deliberations will be taken.

### **MLS Meeting**

Trustees supported a proposal for the Library to host a meeting of the Massachusetts Library System at the Library.

### **Engaging New Library Users**

Trustees discussed Ms. Mastroianni's idea of undertaking a campaign to increase the number of library card holders in town, as this hasn't been done in some years. Ideas included advertising in the paper, holding a drawing for new card holders with a prize of a Kindle or other electronic reader (paid for by the Friends), creating a poster for display in the Library, giving stickers or buttons to new card holders, passing out applications at Wayland Reads and other community events, sending applications home in



kindergartners' backpacks, and creating an online application. Trustees encouraged Ms. Mastroianni to go forward.

#### **Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of Meeting**

Mrs. Gennis asked whether a staff member might make some changes to the Library logo in advance of distributing information about the Trustees' warrant article at Town Meeting, and Trustees agreed that would be a good idea. The letterhead for Library stationery especially needs attention as it was not updated with the rest of Library materials when the website was redesigned several years ago. Mrs. Gennis will follow up.

Mrs. Woodruff said it is important to confirm that there is money in the Facilities budget for septic and/or wastewater operations. Ms. Mastroianni will attend to this matter.

Ms. Mastroianni reported that Transition Wayland asked to use a room at the Library to screen the video "Bag It," about plastic bags, other plastics, and pollution.

Ms. Mastroianni noted that some of the newspaper and journal articles currently archived as hyperlinks in the "Libraries in the News" section of the Library website have expired, and that the offerings are thin. She asked if Trustees might check their own files for good articles and perhaps help to preserve them as PDFs. Mrs. Cartwright volunteered to shepherd this effort.

Ms. Mastroianni asked that all Trustees please provide her with the required paperwork documenting that they are in compliance with the requirements for Conflict of Interest training.

**The Meeting Was Adjourned at 10:50 a.m.**

#### **Documents for This Meeting**

- Agenda for Meeting, February 1, 2017
- Minutes of Trustees Meeting on January 4, 2017
- Minutes of Trustees Meeting on January 11, 2017
- Minutes of Trustees Meeting on January 18, 2017
- Minutes of Trustees Meeting on January 23, 2017
- Flier, "Wayland 2017 Lunar New Year Celebration"
- Revised draft of warrant article for Annual Town Meeting titled "Article \_\_: Acceptance of Design for New Library and Approval and Authorization of Library Building Grant Application," with Comments drafted for the Finance Committee
- Cover page, "Massachusetts Public Library Construction Program, 2016-2017 Construction Grant Round Application" with the following pages from the grant application attached:
  - Pages 13-14: Space Summary of Estimated Space Needs, With Seating by Type [chart]
  - Pages 63-64: Wayland Free Library – Grant Project Cost Estimate [chart]
  - Page 66: Costs for Construction Only, Total Project Costs, Eligible Costs [chart]
  - Page 68: containing Section D, Funding Sources [chart]

- “Libraries in the News,” printout of page from the Library website that serves as a clearinghouse for articles about libraries

**Next Meetings**

- Wednesday, February 15, 2017, 8 a.m., location to be determined
- Tuesday, February 28, 2017, 8 a.m., location to be determined
- Wednesday, March 15, 2017, 8 a.m., location to be determined
- Wednesday, March 29, 2017, 8 a.m., location to be determined

Respectfully submitted by Nan Jahnke, a friend of the Wayland Free Public Library

**Wayland Free Public Library  
Board of Library Trustees  
Minutes of Meeting, February 6, 2017  
Wayland Town Building, 6:45 p.m.**

**Present:** Library Director Dana Mastroianni, Aida Gennis, Lynne Lipcon

Trustees did not achieve a quorum. Those present attended the Finance Committee meeting and participated as requested by that committee. Please refer to the Finance Committee meeting minutes of February 6, 2017.

**Documents for this Meeting:**

Agenda for Board of Library Trustee Meeting of February 6, 2017

Respectfully submitted by Lynne Lipcon

---

**Wayland Free Public Library  
Board of Library Trustees  
Minutes of Meeting, February 15, 2017  
Wayland Public Library, 8:00 a.m.**

**Present:** Library Director Dana Mastroianni, Aida Gennis (chair-presiding), Sally Cartwright, Anne Heller, Lynne Lipcon. **Absent:** Mark Hughes, Suzanne Woodruff

**Visitors:** Leah Hart, candidate for Library Trustee

**Public Comment:** Trustees welcomed Mrs. Hart as an observer and acknowledged she was running for a position on the Board of Library Trustees. Mrs. Gennis praised the fun Children's Room YouTube video created by Children's Librarian Pam McCuen.

**Minutes:** No meeting minutes were available for approval.

**Financial/Statistical Reports:** Budget expenditures are on track for this point in the fiscal year. Director Mastroianni has discussed budget spending with all staff involved in purchasing to ensure best practices. Circulation statistics continue to be robust, especially Speed Reads and streaming services. Assistant Director Sandy Raymond was complimented by the Trustees for a wonderful job creating visual graphs and statistics for a 2016 year-in-review, emphasizing areas of the library that support access, learning, and community.

**Director's Report:**

**FY18 Budget Update:** Director Mastroianni provided the Trustees with an update on the FY2018 budget. The original budget request of \$1,086,200 submitted in September was adjusted to \$1,071,077 in early January to reflect staff changes. The Town Administrator has recommended a lower budget of \$1,059,593 as part of a review of all Town departments, which Director Mastroianni has made clear is not sustainable for the Library's core needs and certain services, particularly website design and maintenance, must be included in the budget. At this point it is unclear what budget numbers will be presented at Annual Town Meeting in April.

**Recent Programs:** Director Mastroianni reported two recent programs, one on Golden Retrievers and their history and one on the science of love, were well attended. She also attended the Lunar New Year Celebration with Children's Librarian Pam McCuen and reported a very successful, fun, family event that the Library was happy to help promote.

**Staffing:** Candidates have been interviewed for the Technical Service clerk position.

**Conflict of Interest:** Trustees were reminded to complete the Conflict of Interest forms for the Town Clerk.

**New Library Users:** Director Mastroianni would like to engage local businesses to post information about library programs, services, and information about signing up for a library card.

**Library Server:** The new server installation is nearly complete with the backup data still to be completed.

**Off The Shelf:** The first "Off the Shelf" column for the local newspaper was written by Reference Librarian Andy Moore. He wrote about Wayland Reads 2017. Trustees complimented Director Mastroianni for the introduction of this new feature highlighting library services and programs and complimented Mr. Moore on such an engaging and well written article.

**Professional Development:** Director Mastroianni would like to offer the new assistant youth services librarian, Jen Smith, financial assistance to attend the ALA conference in

---



Chicago. Professional development funds and Friends of the WPL will help defray the cost should she be able to attend.

Library Legislative Breakfast will be held Friday, February 17 in Sudbury. Director Mastroianni, Mrs. Gennis, and Mrs. Woodruff will attend.

#### **Future Programs:**

**Gossels:** Mrs. Lipcon confirmed the Gossels Fund for Human Dignity program with Karim Nagi will be Sunday, March 12, at 3:00 p.m. in the north apse of the Library. The study tables will be removed from the reading area to allow seating for attendees in that space. She will ask the Friends of the WPL to provide refreshments. Mrs. Lipcon requested all to encourage friends and neighbors to attend the program. Mrs. Lipcon was also approached by the Democratic Town Committee which inquired whether the Library would co-sponsor the purchase and viewing of a film by Debbie Irving, "Wake Up White." While the program was of interest, Trustees wondered whether the Republican Town Committee could be engaged to co-sponsor the film and program as it did not seem a prudent use of the Library's Gossels Fund money at this time.

**Wayland Reads:** Mrs. Cartwright gave all trustees an updated list of events for Wayland Reads 2017. There truly are programs for all interests. Librarian Rachel Sideman Kurtz has done a wonderful job building the full list of programs starting March 17 and ending May 7. Promotion is ongoing with banners hung, programs being produced, a great "Off the Shelf" article in the local paper, and a table at Russell's Winter Farmers' Market on Saturday. Displays are also up in the Library.

**ESOL:** Ginny Steele, the leader of the ESOL program offered at the Library, has asked for a Trustee to act as a liaison to better communicate ESOL information to the BoLT. Mrs. Cartwright will take on that role.

**Name Change for the Millennium Endowment Fund:** Trustees discussed eliminating the word "endowment" from the title of the Millennium Endowment Fund to better reflect its nature as a gift fund. Mrs. Lipcon moved to change the name of The Millennium Endowment Fund to The Millennium Fund. Motion was seconded by Mrs. Heller. Vote 4-0 in favor. The Trustees of Funds will be notified. Director Mastroianni will facilitate the necessary changes to the Library documents and to the website.

**Donation Box Request:** Mrs. Gennis received a request by Dignity Matters, a recently formed non-profit sited in Wayland that collects personal hygiene items for homeless women, if a donation box could be located at the Library. While Trustees recognize the importance of the mission and need for collection sites there were concerns about very limited space at the Library to accommodate this request. The Trustees acknowledged that a similar request by the Sudbury-Wayland-Lincoln Domestic Violence Roundtable had been honored for several years before a book drop and book display units were added to the main floor. It was acknowledged that if the Library were in a larger space, this and similar requests could be considered. The Trustees declined the request but would like to help promote the cause, and Mrs. Gennis will communicate the Trustees decision and suggest a presentation by the group be considered.

**Library Stationary:** Mrs. Heller will work with Emily Kristofek to update the Library's letterhead, using the new logo.

**Town Counsel Opinion Regarding Roby Will and Deed:** New Town Counsel, KP Law, has written an opinion on the possible use restriction at 5 Concord Road. The opinion seems to corroborate the two previous legal opinions that a portion of the Roby property, approximately

one half acre, may have a restriction of use and that it may even rise to the level of a public charitable trust. Further clarification of a restriction could be sought by direction of the probate court. Any dissolution of a public charitable trust could be challenged in court by the public. It is unclear what level of use constitutes acceptable library use to fulfill the interpretation of such a trust. Would a reading room, self-check out, or a book drop be acceptable? And how much of the current Library building is on the half acre parcel? Questions remain on the future use of 5 Concord Road.

**Library Article for Annual Town Meeting:** Director Mastroianni reported that at the Finance Committee meeting on Monday, February 13 the Finance Committee voted 3-2-1, to support the passage of the Library's article. Director Mastroianni stressed to the committee that the current Library building does not meet the needs of the community. She also clarified that this article is required for the Massachusetts Board of Library Commissioners to review the grant application for consideration of Massachusetts Public Library Building Program grant funds. Trustees will need to simplify and clarify the need for passage of the article at Annual Town Meeting in April. A FAQ is being developed to help educate the public. The article and an explanation will be added to the Library's website. Mrs. Gennis may ask Tappé Architects to attend a public meeting to help raise awareness and educate the public about the preliminary design and the possibilities of a new library. Young families can potentially be educated through the school Parent Teacher Organizations. Librarian Elise Katz and Emily Kristofek will work on displays for the Library and members of the Library Planning Committee will also be enlisted to help with the education effort. All Trustees will continue to keep other town committees and boards informed of the process.

**Adjourned:** 11:05 a.m.

**Documents for this Meeting:**

- Agenda for Board of Library Trustee Meeting, Wednesday, February 15, 2017
- Wayland Circulation Statistics
- Financial Statistics
- Wayland Free Public Library - The Year in Review (created 1/10/2017)
- Wayland Free Public Library - Director's Report - February 2017
- Wayland Reads 2017 event list
- Finance Committee 2/13/17 meeting - Library notes, email from D.Mastroianni and L. Hart.
- Town Administrator's Report Week Ending February 10, 2017.
- KP LAW opinion letter re: Town Public Library Restriction-5 Concord Road, dated February 8, 2017
- Article\_\_:Acceptance of Design for New Library and Approval and Authorization of Library Building Grant Application with Finance Committee Comments
- Library Trustees submit grant application for new library - text of article for Town Crier

**Next Meetings:**

Tuesday, February 28, 2017 Wayland Town Building, 8:00 a.m.

Respectfully submitted by Sally Cartwright, February 23, 2017.

---

**Wayland Free Public Library  
Board of Library Trustees  
Minutes of Meeting, February 28, 2017  
Wayland Town Building, 8:00 a.m.**

**Present:** Library Director Dana Mastroianni, Aida Gennis (chair-presiding), Anne Heller, Lynne Lipcon, Mark Peter Hughes, Suzanne Woodruff, Sally Cartwright

**Visitors:** Leah Hart, Mike Lowry

**Public Comment:** There was no public comment.

**Minutes of Meeting of February 15, 2017** were approved.

**Financial/Statistical Reports:** Monthly reports were reviewed at the February 15th meeting.

**Director's Updates:**

**Campaign to Engage New Library Users:** Director Mastroianni is working with Emily Kristofek to design some visuals to encourage everyone in town to have a library card. She envisions the public relations program running from mid-March to mid-April.

**Staff:** The standard Human Resources background checks are in process for the technical services clerk candidate.

**Meeting Room Policy and Application:** Director Mastroianni proposed some revisions to the current "Use of the Raytheon Room-Policy Statement" and "Application Form for Use of the Raytheon Room." Most notably, Director Mastroianni would like more information on the purpose of the group requesting to use the room, a point person with contact information, and clarification of commercial organizations use of collected emails. She would also like groups expecting to use the library's technology to conduct a practice session before the program to eliminate last minute technical difficulties. The fees for using the room were also discussed. Director Mastroianni will work on the draft revisions and trustees will revisit the discussion at a future meeting.

**Budget FY18:** Director Mastroianni reported the FY18 budget request of \$1,071,077 was approved by the Finance Committee. The Town Administrator would like the Library to use State Aid money more regularly even though the amount available is unpredictable. State Aid funds are not be part of the operating budget and may not be considered as part of the operating budget for state accreditation purposes. The purchasing gap that occurs annually at the end of the fiscal year will be covered by using State Aid funds.

Director Mastroianni requested that State Aid money be used now to purchase two new book drops. Mrs. Lipcon moved to allow up to \$8,500 from State Aid to be used to purchase two replacement book return bins. Mrs. Heller seconded. Vote 6 - 0 in favor. Trustees discussed the possibility of enhancing the bin exteriors with graphics, or student artwork.

**Future Programs:**

**The Gossels Fund for Human Dignity** program will feature Karim Nagi on Sunday, March 12 at 3:00 p.m. Mrs. Lipcon will be placing posters around town and encouraged all to email friends and family to attend. Mr. Hughes will pursue promoting the event on the Library's social media outlets like Facebook, Twitter, and Instagram.

---

**Wayland Reads:** Mrs. Cartwright reported on an enthusiastic response to the theme and the books while promoting the Wayland Reads 2017 program at Russell's Winter Farmers market on February 18th. Programs and buttons were distributed. Mrs. Lipcon praised librarian Rachel Sideman-Kurtz for her phenomenal work in organizing a varied and thorough Wayland Reads program. There was discussion of possibly borrowing the Council on Aging van for the SOWA tour in May. There were concerns about the cost, liability, and whether riders not participating in the SOWA tour would be on the van going to different locations and delaying its arrival for the tour. It was suggested that informal car pools could be organized the day of the event leaving from the Library parking lot.

**Other Programs:** Director Mastroianni continues to work with a presenter on a possible Chinese/American culture series. She also has ideas for programs on non-traditional medicine, depression, and service monkeys. Helping Hands is the service monkey organization and a Wayland family participates in the training of the monkeys. This may be a good program for The Great Presenter series.

Director Mastroianni would like to make better use of the area where the Friends of the Library sign now hangs at the bottom of the staircase to promote events. Mrs. Heller thought the Friends would be amenable as long as the sign was available to promote the twice-yearly book sales and to thank the volunteers.

**Library Article for Annual Town Meeting:** Mrs. Gennis said the Finance Committee is trying to address future financial implications for each article in the Warrant. For the Library article, the comments describe what the Finance Committee believes the debt impact would be if a grant is awarded and the town approves a library building project at a later date. Mrs. Gennis stressed the importance of explaining to all that the article does not ask for any funding at this time. Its purpose is to complete the grant application so it can be considered by the MBLC for a grant with responses coming in July 2017. Mr. Lowry said he will oppose the article as he considers the scope and scale of the proposal to be too large. He stated he wishes to keep the current library at 5 Concord Road, and prefers that a branch library in Cochrane be established again. Mrs. Lipcon explained a branch library has been considered in the past and it is costly. She also explained the changing roles of libraries and that there are many creative options for 5 Concord Road. Mrs. Heller stated it is short sighted to cut off options now without letting the grant application be reviewed. Mrs. Woodruff and Mrs. Gennis both stressed a town use of the building can be found. Mrs. Cartwright reminded all that an expansion and redesign of the current library building destroys the building's best features.

There are two upcoming League of Women Voters sponsored forums to help educate Wayland voters on the articles in the warrant. Warrant Night is March 9. Candidates Night is March 16. Mrs. Gennis has been invited to attend and will bring handouts to help clarify the article. A draft FAQ handout was discussed with some minor edits suggested.

Tappé Architects will be invited to present at two community information sessions to explain the preliminary design concept, the library building program, and the limitations of 5 Concord Road. It must be stressed that a new or expanded library has been studied, researched, and discussed for more than 15 years. Input has been solicited from the community multiple times the current Study's work, through earlier focus groups, surveys, development of long range plans, an earlier building feasibility study, and an even earlier Library Planning Committee's work. A consistent theme all these years has been that the current building is overcrowded, not serving the needs of our residents, the lot is constrained and without enough space for expansion. Possible dates for the Tappé presentation are March 23, 25, 29, and 30; one evening and one day-time preferred. The Library Planning Committee will also help in the education effort.



**State Budget and Effect on Delivery of Library Services:** Mrs. Gennis encouraged all to advocate for state budget library line items by writing to our state representatives and the members of the Ways and Means Committee.

**Town Counsel Opinion on Roby Bequest:** The unanswered questions on the Roby will and deed remain a concern. Is there a minimum requirement that constitutes the building being used as a library, and what portion of the building is within the Roby deed? Mr. Lowry believes these questions will not be answered before Annual Town Meeting. He also stated any legal action taken to remove the restriction will be challenged. All were reminded that the Library will be at 5 Concord Road for at least four more years should a grant be awarded and the Town fund the building project this July.

**Design Changes to Library Logo and Stationery:** Mrs. Heller has been working with Emily Kristofek and Director Mastroianni to sharpen the Library logo used on the website to create new letterhead for the Library and for the Millennium Fund. Several options were shown. Mrs. Heller will continue to work with Emily to tweak the color and the alignment.

**Other Concerns of the Director:** Director Mastroianni has received a request to use the Raytheon Room for five dance practice sessions by the New England Malawalee group. Trustees did not think a dance practice was the best use of the Library's very limited space.

Assistant Youth Services Librarian, Jen Smith, would like to have t-shirts for participants in the summer reading program. She estimates the cost to be about \$2,000 for an estimated 350 participants. The theme is "Build a Better Community." Mrs. Lipcon suggested children might be invited to design the t-shirt. Director Mastroianni thought that might be an idea for the future but timing may not work for this summer's program. Director Mastroianni will also ask the Friends to help fund the t-shirts.

**Adjourn:** 10:45 a.m.

**Documents for this Meeting:**

- Agenda for Board of Library Trustee Meeting, Tuesday, February 28, 2017
- Minutes of Meeting of February 15, 2017
- Website Page on Meeting Room Policy
- Annual Town Meeting Article Text and Finance Committee Comments
- Preliminary Designs Diagrams for Warrant
- FAQ for Article XX
- WPL Application Form for Use of Raytheon Room - draft revisions
- Use of the Raytheon Room - Policy Statement - draft revisions
- E-mail Trustee Listserv re: Advocacy for State Budget
- Samples of Library Letterhead and Envelope with new Logo
- Wayland Reads 2017 Program Guide

**Next Meetings:**        Wednesday, March 15, 2017, WPL, 8:00 a.m.  
                                  Wednesday, March 29, 2017, WPL, 8:00 a.m.

Respectfully submitted by Sally Cartwright, March 13, 2017.

---

**Wayland Free Public Library  
Board of Library Trustees**

**Minutes of Meeting on Wednesday, March 15, 2017  
Raytheon Room, Wayland Free Public Library  
5 Concord Road, Wayland, Massachusetts**

**Present:** Trustees Aida Gennis (Chair, presiding), Sally Cartwright, Mark Peter Hughes, Lynne Lipcon, Suzanne Woodruff; Mr. Hughes left at 10 a.m.

**Absent:** Library Director Dana Mastroianni, Trustee Anne Heller

**Call to Order:** 9:04 a.m.

**Visitors and Public Comment**

Leah Hart, who is running for a position on the Board of Library Trustees, attended the meeting. Former Trustee Nan Jahnke attended the meeting and took the minutes. There were no other visitors.

In public comment, Mrs. Gennis announced that discussion of the Director's Report would be postponed to the next meeting as Ms. Mastroianni is ill and cannot attend the meeting; program updates, operations reports, and other topics may also be postponed.

**Minutes and Reports**

On a motion by Mrs. Lipcon, seconded by Mrs. Cartwright, the draft minutes of February 1, 2017, were approved unanimously (5-0).

**Events, Campaigns, and Program Updates**

In a discussion of efforts to engage new library users, Trustees and Ms. Hart discussed ways to put **social media** (e.g., Facebook, Twitter, and Instagram) to good use, including an invitation for people to vote on their favorite books and videos of patrons telling why they enjoyed a particular book. Mrs. Lipcon noted that two programs, Ask Edgar and Sprout Social, can be used to automatically post messages to multiple platforms. Mr. Hughes and Ms. Hart will carry this work forward.

Trustees recognized Mrs. Lipcon for her work on the very successful program offered at the Library on Sunday, March 12, featuring **Karim Nagi**, an Egyptian-American performance artist who shared music from the Arab and Islamic world and spoke about difficulties crossing cultural boundaries. More than 100 people attended the performance. The Main Reading Room was taken over for audience seating, causing some inconvenience to patrons, but the reviews of the program were very positive. The program was supported by the Gossels Fund for Human Dignity.

Mrs. Cartwright reported that the **Wayland Reads** program is ready to go, with the kickoff event scheduled for Friday, March 17.

## **Town Meeting Warrant**

Mrs. Gennis reported that she had attended a warrant articles review session and fielded questions about the Trustees' article, Article 11, which asks the town to approve the preliminary design for a new library at 195 Main Street and to authorize the Town to apply for, receive, and expend state grant funds if they are awarded. Cost and reuse of the building at 5 Concord Road were the principal issues raised. Mrs. Cartwright reported that the article was well received at a recent meeting of the Friends of the Library. Mrs. Gennis and Ms. Hart are prepared to speak about the article at Candidates' Night, on March 21. Trustees will also attend two upcoming community forums to update the public on new Library plans and the construction grant application. Mrs. Cartwright and Mr. Hughes will attend the meeting on March 23, and Mrs. Gennis and Mrs. Lipcon will attend the meeting on March 25. Representatives from Tappé Architects, who led the design team for the Library Planning and Design Study, will make the presentations; Mrs. Gennis will present background information and respond to questions about the warrant article.

Mrs. Gennis reviewed the article one last time, as it appears in the warrant, and drew attention to the budget articles, also in the warrant, which present the Library's requested \$1.071 million budget for FY2018, on the operations side, and a \$19 million placeholder for Library construction in FY2019, in the Capital Plan.

## **Legal Matters**

Mrs. Gennis reported that there is some uncertainty about whether and how much the Library Director and the Trustees can "advocate" for Article 11. At issue is a general prohibition on using Town resources to advocate for or against an article that will appear on a ballot asking for debt exclusion. Article 11 does not appear on such a ballot, nor does it make any request for appropriation (by debt exclusion or otherwise), nor does it identify any future such request or ballot measure. However, Town Counsel is concerned that because the article might entail a subsequent request for Town building funds at some later date, the Director and the Trustees should exercise an abundance of caution in all public communications about the article, being careful not to advocate for its passage.

Several Trustees, including Mrs. Cartwright, felt strongly that such reasoning is tenuous, arguing that, on the contrary, it is the Trustees' *duty* to advocate for the article that they are presenting to Town Meeting; they agreed the Director's duty may be different.

Mrs. Gennis also found the Town Counsel's reasoning to be more conservative than warranted, noting that many events must transpire before any ballot question could be put to the voters; for example, Article 11 must pass, the state must award a grant, the Trustees must decide to go forward with the project, and a date must be chosen for public vote. None of these eventualities is certain, she said, much less scheduled. Seeing no direct tie between Article 11 and a future ballot question, she agreed that Trustees should be free to advocate for their article. Mrs. Gennis will contact the State Office of Campaign Finance for more information on this matter.

On another legal front, Trustees continued their discussion of possible use restrictions at 5 Concord Road. As it appears that any such restrictions would concern only the Roby portion of the building and lot, Trustees wondered how the Town might allocate different uses to different portions of the site in the event the Library program moves to 195 Main Street. Perhaps the downstairs of the historic Roby portion of the building could be used for Friends' activities; perhaps the upstairs portion could be used for a reading room and ongoing Friends Book Sale; perhaps the mezzanine area could be reserved for archives and local history collections, perhaps managed in partnership with one of the historical boards or the Wayland Historical Society. Should the new library project go forward, Trustees hoped a committee might be formed to explore all options for repurposing the entire building at 5 Concord Road. Perhaps the Library Planning Committee could be enlisted to spearhead this effort, which Trustees felt should include both residents and Town officials. In the meantime, Mrs. Woodruff distributed her preliminary report on the reuses of other historical library buildings in Massachusetts for Trustees' review, and it was gratefully received. Mrs. Gennis will continue to explore whether action is required in Probate Court, and if so, who should take it.

### **Communications for Town Meeting**

Trustees reviewed the public information pieces being distributed in advance of Town Meeting, including two articles to the *Wayland Town Crier* (one on the current library at 5 Concord Road and another on the proposed library at 195 Main Street), a trifold brochure of Frequently Asked Questions, and two fliers. Trustees advised Mrs. Gennis to model her podium speech on the talk she gave at the League of Women Voters Issues Night, and to stick to the point of seeking endorsement for the application; other issues may be addressed as they arise from the floor. Trustees also approved Mrs. Gennis's selection of slides for presentation at Town Meeting: one of the article language and another showing a map and plan of the site at 195 Main Street.

### **Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of Meeting**

Mrs. Cartwright, on behalf of the Friends, asked whether the empty planting beds alongside the walkway to the side entrance to the Library might be used as a children's teaching garden. Trustees agreed, pending approval from Ms. Mastroianni.

Mrs. Lipcon asked Trustees to consider dates for a final event in appreciation of former Library Director Ann Knight, to be held at Mrs. Lipcon's house later in the spring.

**The Meeting Was Adjourned** at 11:34 a.m.

### **Documents for This Meeting**

- Agenda for Meeting, March 15, 2017
- Minutes of Trustees' Meeting on February 1, 2017
- Director's Report, March 2017
- Circulation Report, February 2017
- Financial Reports, Town Funds and Other Funds, 03/13/2017
- Draft flier, "Public Forums: Update on New Library Plans and Construction Grant Application"



- Draft flier: “Article11: It’s Simple”
- Draft trifold brochure: “The Library Construction Grant Application”
- Preliminary report on reuses of other historical library buildings in Massachusetts, prepared by Trustee Suzanne Woodruff

**Next Meeting**

- Wednesday, March 29, 2017, 8 a.m., location to be determined

Respectfully submitted by Nan Jahnke, a friend of the Wayland Free Public Library

**Wayland Free Public Library  
Board of Library Trustees  
Minutes of Meeting, March 30, 2017  
Wayland Town Building, 8:00 a.m.**

**Present:** Aida Gennis (chair-presiding), Lynne Lipcon, Mark Peter Hughes, Sally Cartwright, Suzanne Woodruff and Trustee-elect Leah Hart. Director Dana Mastroianni. Absent: Anne Heller.

Also in attendance: John Moynihan, Project Manager MEMA Drainage Mitigation Project.

**Public Comment:** Trustees congratulated Mrs. Gennis and Mrs. Hart for successful re-election and election to the Board of Library Trustees.

Trustees praised Mrs. Lipcon for her years of service to the town and the Library. Trustees expressed appreciation for her tireless advocacy for the Library and its mission, her collaborative and thoughtful approach to tasks, and her balanced wisdom. Director Mastroianni expressed her appreciation for Mrs. Lipcon's time, diplomacy and tact. Mrs. Lipcon stated she will remain a willing and helpful friend to the Library and feels she is leaving the Board in very capable hands.

**Minutes of Meetings of February 6 and February 28** were unanimously approved.

**Financial/Statistical Reports:** Budget is on track year to date. Circulation of Express Books has soared. Director Mastroianni will use State Aid money to help balance the materials budget to keep up with the Express Book expenses at the end of the fiscal year.

**Director Updates:**

**Book Drop:** Mr. Hughes has been investigating collaborating with the Wayland High School Maker Space & Innovation class to possibly create a book drop. It could be a dynamic community building project and very timely since two of the book drops are in need of replacement.

**Campaign to Engage New Library Users:** Director Mastroianni described "The Keys to the Kingdom" campaign to encourage all to sign up for a library card. Posters have been placed at town buildings and businesses and a notice is running on WayCam TV.

Mrs. Lipcon mentioned how convenient the "Book Club in a Bag" was. Director Mastroianni will use the "Off the Shelf" news space to help bring more awareness of this service to the public.

**Staff:** Christine Zate has been hired as the new tech services clerk. Jan DeMeo, head of circulation, has announce her retirement in June. Director Mastroianni is investigating the requirements for the position as to whether a candidate should have an MLS degree for this position, as it does not currently require an MLS degree.

**Great Presenters:** Programming has been outlined for the next series.

A brief blurb to promote Wayland Reads was submitted for the next tax bill.

**Other Programming:** Director Mastroianni is considering history themed programs on the race to the pole and the loss of the warship "Quincy"; also, a program entitled "Barn Raising for Seniors."

The annual Friends Library Staff Appreciation luncheon will take place on April 12. This year the buffet luncheon spread will be enhanced with an opportunity for staff to sign up for a shoulder massage, all sponsored by The Friends of the Library in appreciation for the outstanding service the staff provides.

Director Mastroianni will attend a MLS program on advocacy all day on April 11.

---

**Summer Reading Program:** Assistant Children's Librarian, Jen Smith, will purchase t-shirts for participants of this year's summer reading program. Trustees thought the idea and the excitement generated would be well worth the cost of the t-shirts, estimated at \$1800.

**Donation Basket Requests:** As in previous years, the Sudbury-Wayland-Lincoln Domestic Violence Roundtable has requested permission to place a donation basket at the Library. Trustees all applaud their work and support a donation basket on site. Trustees discussed general guidelines on donation collections; no more than one organization a month and organizations should be responsible for their own publicity. The previous request by Dignity Matters was reconsidered and will be allowed at a later date. Trustees also agreed that each request would be considered independent of other requests.

**Flood Mitigation Project Update:** Project manager, John Moynihan, reported all the drainage pipes are installed and the heavy digging is done. Heavy rain has delayed the final steps in the project, but they will be done soon. Most of the spring work will be on the Depot Rail Trail area. Pavement repairs will be done at the Library along with some landscaping. Director Mastroianni asked for early notice of any heavy equipment that might disrupt access to the library. Mr. Moynihan is still working out some financial overruns due to the multiple change orders required due to many unforeseen buried obstacles that had to be removed. Mr. Moynihan is meeting with MEMA, FEMA, and Tighe & Bond to resolve any issues. Mrs. Gennis asked who is responsible for maintaining and clearing the drainage areas. Mr. Moynihan suggested DPW should have a drainage maintenance plan.

**Requests for Raytheon Room Use and Policy:** Trustees discussed the general policy on Raytheon Room use which is best described as the director's best judgement on a case by case basis. The Library cannot accommodate all requests. The room use policy should reflect and support the Library's mission.

Director Mastroianni has received requests from several organizations for use of the Raytheon Room in the near future. Requests range from non-profit educational groups, to local book groups, to health professionals, and college planning professionals.

**Library Article for Annual Town Meeting:** Mrs. Gennis distributed a draft copy of her Article 11 podium speech. Trustees made minor suggestions for edits. Seven minutes is the maximum time allowed for presenting the Article. The "Library Construction Grant Application Article 11 Questions and Answers" flyer, along with the "Article 11 It's Simple" flyer, will be set out on the information tables at the entrance to Town Meeting. There will be two slides for the presentation of the Article; one showing the site plan submitted in the application and one showing the text of the motion. Mrs. Gennis is pleased that she has been contacted by many wishing to speak in favor of the article. Speakers will be reminded that they have a maximum of two minutes at the microphone. Director Mastroianni will be able to attend Town Meeting and be seated with the Trustees.

Mrs. Gennis encouraged all to explain the article to family, friends and neighbors, and to encourage them to attend Town Meeting.

Information at the two public forums held March 23 and 25, was presented very well by Tappé Architects and Mrs. Gennis. The March 23 presentation was filmed by WayCam and should be available for viewing on-line. Trustees thought there were good discussions at the forums.

**Research on Re-use of Library Buildings:** Mrs. Woodruff presented an overview of her research of other towns' re-use of library buildings. There were a variety of outcomes for library buildings including uses by other town departments, conversion to innovation centers, and custody by preservation groups. Mrs. Lipcon outlined the process used in Weston which may

---

be beneficial to informing a successful process for Wayland. The MBLC may have more insight into other successful reuse plans. Louise Brown will be asked if she would be willing to contact Patience Jackson, a former MBLC grant overseer, for her expertise. Mrs. Woodruff will also continue researching the topic.

**Update on Roby Bequest:** A town map of 5 Concord Road with the original Roby parcel superimposed on it shows the portion of the current Library building falling within the Roby parcel that may be subject to a public charitable trust. Trustees discussed many options and questions concerning use and re-use that will need further investigation.

**Payment for Consultant Ann Knight:** Trustees unanimously approved the use of State Aid funds, up to \$4000, to pay for the services of retired Director Ann Knight, as a consultant, in the preparation of the MBLC construction grant application.

**Adjourn:** 11:20 a.m.

**Documents for This Meeting:**

- Agenda for Meeting of March 30, 2017
- Minutes of Meetings for February 6 and February 28, 2017
- Town of Wayland Plan of Wayland Free Library Concord Road, 2-21-2017
- Report on Research on Library Re-use by Mrs. Woodruff
- Statistical and Financial Reports from March 13, 2017
- Library Construction Grant Application Article 11 Q & A
- Article 11 It's Simple flyer
- Article 11 Podium Speech- draft
- Sample e-mail Message to Supporters
- WFPL Director's Report March 2017

**Next Meetings:**

- Wednesday, April 5, 2017, WPL, 8 a.m.
- Wednesday, April 19, 2017, WPL, 8 a.m.
- Wednesday, May 10, 2017, WPL, 8 a.m.
- Wednesday, May 24, 2017, WPL, 8 a.m.
- Wednesday, June 7, 2017, WPL, 8 a.m.
- Wednesday, June 21, 2017, WPL, 8 a.m.

Respectfully submitted by Sally Cartwright April 17, 2017



**Wayland Free Public Library  
Board of Library Trustees  
Minutes of Meeting, April 5, 2017  
Wayland Town Building, 8:00 a.m.**

**Present:** Aida Gennis (chair-presiding), Anne Heller, Mark Peter Hughes, Suzanne Woodruff, Sally Cartwright, Leah Hart. Library Director Dana Mastroianni

**Public Comment:** Mrs. Gennis welcomed newly elected Trustee Leah Hart. Mrs. Hart will take a behind-the-scenes tour of the Library building with Director Mastroianni. Mrs. Gennis also cited useful Trustee resource material available on the MBLC website.

**Meeting Minutes** for March 15 and March 30 were not yet available. Previously approved meeting minutes of February 28 we unanimously re-approved with slight corrections.

**Library Article at Annual Town Meeting:** Trustees expressed appreciation for the preparation and work that went into achieving a vote in favor of Article 11 (202-91) to complete the Massachusetts Public Library Construction Program grant application. Mrs. Gennis will submit a letter to the editor thanking the community for their support. There was discussion of the opposing arguments and questions raised at Town Meeting. Although this Town Meeting was not the time to argue most of the opposing points since the application hasn't been submitted nor reviewed by the state yet, Trustees felt it was a good overview of areas that will need to be explained and clarified in the future. Mrs. Gennis suggested Trustees brainstorm all the positive benefits and opportunities a new library would present while we wait for our grant decision. Mrs. Gennis reported there are still some outstanding bills for the legal opinions requested regarding the Roby bequest. Mrs. Gennis will check with the Permanent Municipal Building Committee whether there are any outstanding Planning & Design bills. Trustees wondered whether unpaid legal bills could be paid from any remaining funds, if any, from the Study.

**Monthly Reports** will be presented at the next Trustee meeting.

**Director's Report:** Director Mastroianni reported a member of the MBLC grant application review committee recently toured the Library to give the committee a firsthand account of the spaces, uses, and deficiencies of the building and its location. Mr. Hughes suggested a "deficiencies of the library building" video might be a useful tool in the future.

Director Mastroianni would like to schedule a staff training program focused on customer service presented by Biblio-Ease on Thursday morning, September 21. The library would be closed during the training and would open at 1 p.m. Mrs. Woodruff moved to allow up to \$500 be spent from State Aid to support this program. Mr. Hughes seconded the motion. Trustees voted 6-0 in favor.

---

**Programs:** Director Mastroianni was contacted by an individual who wishes to present a retirement planning program he is calling "Barn Raising for Seniors". He informed Director Mastroianni that he is also presenting this program at the Council on Aging. Director Mastroianni will look into collaborating with the CoA.

"Fake It Until You Make it: Fake News and You in the New Era" is scheduled for April 24.

Mrs. Cartwright reported Wayland Reads is going strong. The presentation by Judy Schurgin has been rescheduled to May 2 from April 11. The Council on Aging may offer their members a field trip in the CoA van for the SOWA art tour in May.

Mrs. Heller reminded all of the Friends of the Library Spring Book & Bake Sale scheduled for April 28 - 30 at the Town Building.

**Next Meetings:**      Wednesday, April 19, WPL, 8:00 a.m.  
                                 Wednesday, May 10, WPL, 8:00 a.m.  
                                 Wednesday, May 24, WPL, 8:00 a.m.  
                                 Wednesday, June 7, WPL, 8:00 a.m.  
                                 Wednesday, June 21, WPL, 8:00 a.m.

**Adjourn:** 9:45 a.m.

**Documents for this Meeting:**

                                 Agenda for Board of Library Trustees Meeting, April 5, 2017  
                                 Revised Minutes of Meeting of February 28, 2017

Respectfully submitted by Sally Cartwright, April 12, 2017

---

TOWN OF WAYLAND  
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)  
APRIL 11, 2017 @ 08:00AM  
WAYLAND TOWN BUILDING – SELECTMENS MEETING ROOM  
41 COCHITUATE ROAD  
WAYLAND, MA 01778  
MEETING MINUTES – DRAFT

MASSACHUSETTS PUBLIC RECORDS LAW

Exemption (n) applies to: records, including, but not limited to, blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons or buildings, structures, facilities, utilities, transportation, cyber security or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (c) of section 10 of chapter 66, is likely to jeopardize public safety or cyber security.<sup>99</sup> This exemption is intended to secure the safety of persons and public places by restricting access to records that may have been previously open to public inspection. The nature of the exemption requires a records custodian to make some value judgment regarding the requester in order to decide whether to release the information sought. Making such a value judgment is specifically antithetic to the previously expounded presumptions that all records are public records and all requesters shall be treated uniformly. The legislature was informed in writing of this radical and disparate change in the Public Records Law but chose to retain the language thereby clearly indicating its intent to provide records custodians with the discretion to withhold applicable records. A records custodian should review a request for such records promptly and completely to gather all facts surrounding the request. The records custodian is not prevented from engaging the requestor in conversation by asking the requestor to voluntarily provide additional information in order to reach a “reasonable judgment,” but a records custodian may not “require” the requester to provide personal information.

**Members Present:**

Nan Balmer (Town Admin.), John Senchyshyn (ATA/HRD), Brendan Decker (GIS), Fire Chief David Houghton (WFD), Asst. Supt. Brad Crozier (Schools), Ben Keefe (Dir. Facilities), Police Chief Robert Irving (WPD), Joe Gordon (CERT), Ruth Mori (MRC & BOH), Lt. Pat Swanick (WPD), Geoffrey Larsen (Bldg), Joe Doucette (DPW), Lea Anderson (BOS), Don Millette (DPW - Water), Linda Hansen (ConCom), Julie Secord (COA), 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

8:07AM Doug asked if there were any questions or comments on the meeting minutes of January 25, 2017. Hearing none, Doug asked for a motion to accept minutes from 12/16/15, motion made by John Senchyshyn and seconded by Chief Irving. Vote: Unanimously approved.

8:10AM Doug began the meeting by asking each department head to present:

- 1) Three (3) of their departments most **CRITICAL ASSETS**. These are critical assets that the department **MUST** protect (people, property, information, etc.). Ranking them by priority: #1, #2 and #3.
- 2) Each Department is to discuss the current **THREATS** to these critical assets (cyber attack, weather event, fire, flood, etc.)
- 3) Each Department is to discuss the potential **VULNERABILITIES OR WEAKNESSES** that may exist.
- 4) Lastly, each Department should discuss a potential plan to protect your critical assets. The purpose of this exercise is to have you understand what your critical assets

are and to think about what your plan would be to protect those critical assets in an emergency.

**\*\*Below is an outline of the responses from each department. (If I missed a department or something please let me know by sending me an email and I will update the information posted. Thank you!)**

**Department: Police**

- I. Critical Assets
  - 1. Personnel (officers & dispatch)
  - 2. Communications - redundancy
  - 3. Data systems
  
- II. Current Threats
  - 1. Funding
  - 2.
  - 3. Need to protect information
  
- III. Vulnerabilities/Weaknesses
  - 1.
  - 2.
  - 3.
  
- IV. Potential Plan To Protect the Critical Assets
  - 1. Rely on mutual aid (Law Enforcement Council)
  - 2.
  - 3.

**Department: Administration/Town Building**

- I. Critical Assets
    - 1. Ability to contact staff in an emergency (communication)
    - 2. Information Technology – ability to meet payroll
    - 3. Town's financial system
  
  - II. Current Threats
    - 1. Natural disaster
    - 2. Cyber attack
    - 3.
  
  - III. Vulnerabilities/Weaknesses
    - 1. Where to operate from if the town building is severely damaged
    - 2.
-



- 3.
- IV. Potential Plan To Protect the Critical Assets
  1. Establish personnel roles, badges
  - 2.
  - 3.

**Department: Schools**

- I. Critical Assets
  1. Buildings
  2. Staff
  3. Ability to transport students
  4. Ability to communicate with schools, staff, transportation
- II. Current Threats
  1. Availability of staff
  2. Sudden damage to schools (i.e. former Claypit Hill School roof collapse)
  3. Natural disaster
- III. Vulnerabilities/Weaknesses
  - 1.
  - 2.
  - 3.
- IV. Potential Plan To Protect the Critical Assets
  1. Potential use of high school as a shelter?
  - 2.
  - 3.

**Department: Board of Health**

- I. Critical Assets
    1. Medical counter measures (i.e. vaccine availability)
    2. MRC & Tax work off for volunteers
    3. Physical files are all paper based
  - II. Current Threats
    1. Ability to activate volunteers when needed (communications)
    2. Access to Strategic National Stockpile
    - 3.
  - III. Vulnerabilities/Weaknesses
    1. Ability to receive & store vaccine
-

- 2.
- 3.

**IV. Potential Plan To Protect the Critical Assets**

- 1.
- 2.
- 3.

**Department: GIS**

**I. Critical Assets**

1. Communications & data access
2. People
3. Equipment

**II. Current Threats**

- 1.
- 2.
- 3.

**III. Vulnerabilities/Weaknesses**

- 1.
- 2.
- 3.

**IV. Potential Plan To Protect the Critical Assets**

- 1.
- 2.
- 3.

**Department: Conservation Commission**

**I. Critical Assets**

1. Rice Road Dam
- 2.
- 3.

**II. Current Threats**

1. Dam structure
2. Potential water flow and damage (inundation study needed)
- 3.

**III. Vulnerabilities/Weaknesses**

- 1.
-

- 2.
- 3.

**IV. Potential Plan To Protect the Critical Assets**

- 1.
- 2.
- 3.

**Department: Department of Public Works**

**I. Critical Assets**

1. Staffing
2. Equipment/Buildings
3. Storm water drainage & infrastructure
4. Communications with staff and town

**II. Current Threats**

1. Natural disasters
2. Sabotage
3. Flooding

**III. Vulnerabilities/Weaknesses**

- 1.
- 2.
- 3.

**IV. Potential Plan To Protect the Critical Assets**

1. Have mutual aid with Sudbury
2. DPW has back-up power
3. ? back-up for wastewater disposal

**Department: DPW - Water**

**I. Critical Assets**

1. Physical infrastructure
2. Water storage
3. Treatment plant & well sites

**II. Current Threats**

1. Contamination (intentional or accidental)
-

2. Computer/IT technology to operate system
  3. Availability of chemicals for water treatment
- III. Vulnerabilities/Weaknesses
1. Cyber threats
  - 2.
  - 3.
- IV. Potential Plan To Protect the Critical Assets
1. Has a plan as required by DEP Regulations
  2. Back-up power
  - 3.

**Department: Information Technology**

- I. Critical Assets
1. Infrastructure – Public Safety & Schools
  2. Fiber Plant
  - 3.
- II. Current Threats
1. Fiber Plant redundancy, the path??
  2. Use of personal devices – virus infection to town system
  - 3.
- III. Vulnerabilities/Weaknesses
- 1.
  - 2.
  - 3.
- IV. Potential Plan To Protect the Critical Assets
1. Plans to work with neighboring communities
  - 2.
  - 3.

**Department: Fire**

- I. Critical Assets
1. Staff
  2. Communications
  3. Equipment & apparatus
- II. Current Threats
1. Funding
  2. Need to protect data/information
  - 3.
-



III. Vulnerabilities/Weaknesses

- 1.
- 2.
- 3.

IV. Potential Plan To Protect the Critical Assets

- 1.
- 2.
- 3.

Department: Community Emergency Response Team (CERT)

I. Critical Assets

1. Shelter availability – back-up shelter
2. Equipment (trailer) mobility
3. Volunteers
4. Communications with volunteers and town

II. Current Threats

1. Weather events/natural disasters
- 2.
- 3.

III. Vulnerabilities/Weaknesses

- 1.
- 2.
- 3.

IV. Potential Plan To Protect the Critical Assets

1. Suggested CERT & MRC trailers not be stored together
2. Plans to connect WMS solar to generator
- 3.

Department: Council on Aging

I. Critical Assets

1. Staffing
2. Information Technology – paper & data
3. Van drivers availability (CDL license required)

II. Current Threats

1. Active shooter and egress concerns
2. Flooding
- 3.

---

III. Vulnerabilities/Weaknesses

- 1.
- 2.
- 3.

IV. Potential Plan To Protect the Critical Assets

- 1.
- 2.
- 3.

Department: Facilities

I. Critical Assets

1. Availability of plans
- 2.
- 3.

II. Current Threats

- 1.
- 2.
- 3.

III. Vulnerabilities/Weaknesses

- 1.
- 2.
- 3.

IV. Potential Plan To Protect the Critical Assets

- 1.
- 2.
- 3.

**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.

10:00AM Meeting adjourned.

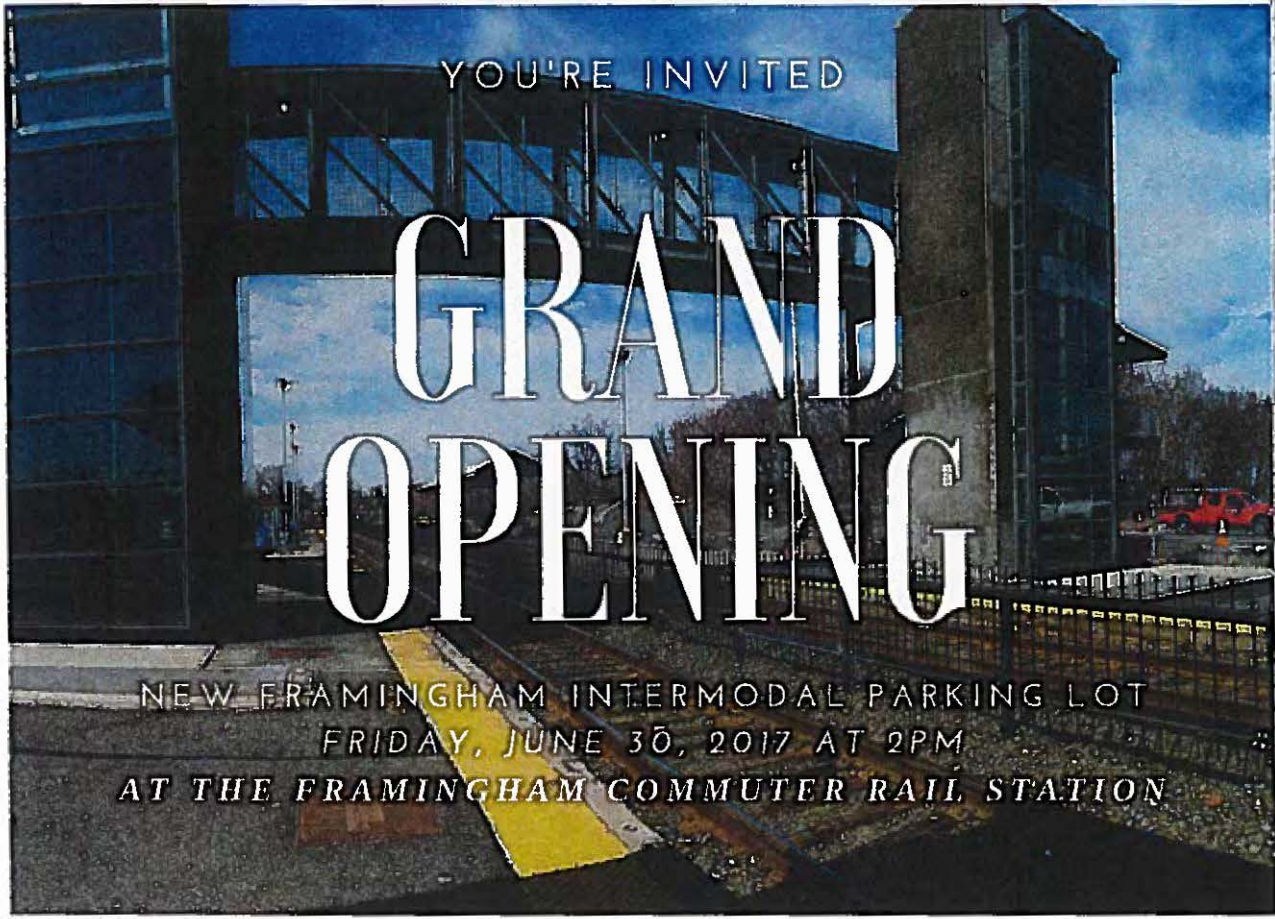
Respectfully submitted!

Doug Leard, Chairman  
Local Emergency Planning Committee

**NEXT MEETING MAY 22, 2017 – AGENDA TO FOLLOW**

---

15



YOU'RE INVITED

# GRAND OPENING

NEW FRAMINGHAM INTERMODAL PARKING LOT  
FRIDAY, JUNE 30, 2017 AT 2PM  
AT THE FRAMINGHAM COMMUTER RAIL STATION

