

PACKET

AUG 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

Monday, August 21, 2017

6:30 p.m.

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

REVISED Proposed Agenda

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

- 6:30 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Discuss Strategy with Respect to Negotiations with Non-Union Personnel, Police Chief, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (3) to Discuss Strategy with Respect to and in Preparation for Collective Bargaining with the Police, Fire, AFSCME 1, and Library Unions Representing Town Employees, 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, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6), to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to Wayland Meadows, LLC, Lot 8, Old Sudbury Road, because a Public Discussion of these Matters may have a Detrimental Effect on the Litigating, Negotiating or Bargaining Position of the Town
- 7:00 pm 2.) Call to Order by Chair
- Review Agenda for the Public; Announcements
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Vote to Approve Memorandums for Collective Bargaining Agreements
- 7:15 pm 5.) Interviews and Potential Vote to Appoint to Boards and Committees
1. Zoning Board of Appeals
 - David Katz
- 7:30 pm 6.) Discuss Next Steps for Library Project; Discuss Process to Consider Re-use of Library Building at 5 Concord Road
- 7:50 pm 7.) Vote to Open Special Town Meeting Warrant
- 7:55 pm 8.) Vote to Submit Special Town Meeting Articles; Discuss Criteria for Inclusion of Articles in Warrant
1. Pay Unpaid Bills
 2. Current Year Transfers
 3. Fund FY18 Across the Board Increase for Non-Union Staff
 4. Accept Gifts of Land
 5. Fund FY18 Increase for Town Clerk
 6. Change Date Circuit Breaker

**BOARD OF SELECTMEN
Monday, August 21, 2017
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REVISED Proposed Agenda Page Two

- 8:30 pm 9.) Town Administrator Evaluation – Solicit Feedback on Draft Composite Evaluation
- 8:40 pm 10.) Discuss Charge for Proposed Town Advisory Committee for Chapter 40B
- 8:55 pm 11.) Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(7), to Review and Consider for Approval the Potential Release of the Following Executive Session Minutes on the Following Topics: 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, and to Discuss Strategy with Respect to Litigation in Pending Action regarding Bernstein, et al v. Planning Board, et al, Boelter et al v. Wayland Board of Selectmen and 20 Millbrook Road, and to Discuss Strategy with Respect to and in Preparation for Collective Bargaining with the Police, Fire, AFSCME 1, Library, WESA, Custodial and Food Service Unions Representing Town and School Employees, and to Discuss Strategy with Respect to Negotiations with the Police Union Regarding Withdrawing From Civil Service; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the River's Edge Project at 484-490 Boston Post Road; and to Discuss the Exchange, Purchase, Lease or Value of Real Estate in regard to the Value of Real Property at 87 Old Connecticut Path, Wayland, Commonly Known as Mainstone, because a Public Discussion of these Matters may have a Detrimental Effect on the Litigating, Negotiating or Bargaining Position of the Town:
- APPROVE AND HOLD: August 7, 2017, July 24, 2017, May 15, 2017
- APPROVE AND RELEASE WITH REDACTIONS: June 19, 2017, June 5, 2017, September 26, 2016, October 5, 2015
- 9:05 pm 12.) Executive Session Minutes: Vote to Approve and Hold the Executive Session Minutes of August 7, 2017, July 24, 2017, and May 15, 2017; Vote to Approve and Release with Redactions the Executive Session Minutes of June 19, 2017, June 5, 2017, September 26, 2016, October 5, 2015
- 9:10 pm 13.) Minutes: Review and Vote to Approve Minutes of July 31, 2017 and August 7, 2017
- 9:15 pm 14.) Consent Calendar: Review and Vote to Approve (See Separate Sheet)
- 9:20 pm 15.) Review Correspondence (See Separate Index Sheet)

**BOARD OF SELECTMEN
Monday, August 21, 2017
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REVISED Proposed Agenda Page Three

9:30 pm 16.) Report of the Town Administrator

1. Correspondence
2. Zoning Board of Appeals Membership and Staff Report
3. Annual Town Meeting Schedule
4. Staffing Plan
5. Engineering
6. Housing
7. Land Use Team Project
8. Budget Process
9. Finance Committee

10:00 pm 17.) Selectmen's Reports and Concerns

10:10 pm 18.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any

10:15 pm 19.) Adjourn

(5) ZBA APPOINTMENT

DATE: AUGUST 18, 2017

TO: BOARD OF SELECTMEN

RE: APPOINTMENT TO THE ZONING BOARD OF APPEALS

VOTE: TO APPOINT DAVID KATZ TO THE ZONING BOARD OF APPEALS, EFFECTIVE IMMEDIATELY, FOR A THREE-YEAR TERM TO EXPIRE ON JUNE 30, 2020.

David Katz has expressed interest in serving on the Zoning Board of Appeals. His letter of interest is attached. He has been in contact with the current Chair of the Zoning Board of Appeals, Eric Goldberg.

There is currently one vacancy, for a three-year term that expires June 30, 2020, due to the previous resignation of Michael Connors.

There will be a one-year vacancy on the Board at the end of month, as Eric Goldberg has notified the Town Clerk that he is resigning effective September 1, 2017. His term expires June 30, 2018.

David Katz
7 Sedgemoor Road
Wayland

15 August, 2017

Dear Ms. Anderson – I am writing to express interest in filling the Zoning Board of Appeals vacancy. As a resident of Wayland since 2010 I would like to become more active in the issues impacting our town.

I have attached my resume for review. During my twenty years in the Human Resources field I have gained expertise in data / issue analysis, project management, and arbitration. On a daily basis I am required to understand divergent opinions about complex issues before arriving at my own conclusion. These conclusions are often of great consequence to both my employer and the individuals involved.

I welcome an opportunity to join the Zoning Board of Appeals and would like to meet personally should my qualifications prove sufficient.

Kind Regards,

David Katz

David W. Katz

7 Sedgemoor Road
Wayland, MA 01778

EXPERIENCE

Millipore Sigma / EMD Serono, Billerica, MA
Director, HR

October 2010 – Present

- US Commercial Board member
- Provide ongoing coaching and arbitration to senior executives
- Lead large-scale organizational restructurings
- Develop staffing, retention, and engagement strategies for the US commercial organization

Merck Serono, Geneva, Switzerland
Director, Performance and Rewards

June 2007 – September 2010

- Presented and facilitated discussions about new compensation initiatives to the Merck Serono Executive Management Team
- Directly supported the CEO on Executive Compensation issues
- Lead the creation and roll-out a new performance management process and on-line application for Merck Serono.
- Managed the compensation and benefits integration between Merck KGaA and Serono – 52 countries, 10,000 employees
- Created new company-wide short term incentive plan
- Oversaw the HRIT function and represent HR interests during the IT project planning process

Serono International, Geneva, Switzerland
Pay and Performance Manager

Jan 2004- May 2007

Terra Lycos, Inc. Waltham, MA
Compensation / HRIS Manager

Oct 2000– Dec 2003

Liberty Financial Companies, Boston, MA
Compensation / HRIS Analyst

July 1997– Sept 2000
5/98 – 9/00

EDUCATION

Suffolk University, Boston Massachusetts
Masters of Science Degree in Human Resource Management

University of Rochester, Rochester, New York
Bachelor of Arts Degree in Psychology

DATE: AUGUST 21, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: LIBRARY: NEXT STEPS

(6) LIBRARY NEXT STEPS

THE BOARD WILL DISCUSS WITH THE CHAIR OF THE LIBRARY TRUSTEES THE NEXT STEPS FOR THE LIBRARY PROJECT INCLUDING THE PROCESS TO CONSIDER RE-USE OF THE EXISTING LIBRARY BUILDING AT 5 CONCORD ROAD

BACKGROUND:

- In 2017, Wayland is one of nine communities awarded a grant from the Massachusetts Board of Library Commission (MBLC) for approximately \$10 million to build a new library.
- In order to accept the MBLC grant, Town Meeting must vote to fund the approximately \$28 million project, including the locally funded balance of approximately \$18 million. A Special Election will also be required to approve a ballot question for a capital or debt exclusion (Prop. 2.5). Both actions (Town Meeting and Election) must occur by early January under MBLC requirements. Below please find an explanatory memorandum from Town Counsel.

LOCAL APPROVAL REQUIREMENTS:

- The following is an example timetable, assuming the Library Trustees make a request on August 28th to the Board of Selectmen to place a debt (or capital) exclusion question on a ballot at a Special Election. This is an example only – There is time for the Trustees to submit a later request and for the Special Election to occur at a later time.
 - By August 30th: Library Trustees submit a warrant article to fund the Library Project by the close of the Special Town Meeting Warrant on August 30th. Since funding is likely through a debt exclusion, the funding Article will be written so that the appropriation is contingent on the ballot question.
 - By August 28th: The Library Trustees must provide a request to place a debt (or capital) exclusion question on a ballot at least 14 days prior to a Selectmen's Meeting. (Board Policy) Only the Selectmen may place a question on the ballot (MGL 59 –Section 21 C (a))
 - On September 11th: The Selectmen would approve placement of a debt or capital exclusion on the ballot by a 2/3 vote. (4 of 5) The Board of Selectmen must provide written notice to the Town Clerk 35 days prior to the date of the requested Special Election at which the ballot question will appear. (MGL 54 Section 42 C)
 - Assume September 12th: Notification by Selectmen to Town Clerk. MGL lists the Town Clerk's requirements which occur over a 35 day period.
 - October 17th: Earliest date for Special Election

Note:

- The Special Election may be held before or after the Town Meeting vote.
- The Special Election must be held within 90 days of the Special Town Meeting with certain exceptions.

- If Town Meeting approves funding at Annual Town Meeting and not at Special Town Meeting (if allowed by MBLC), the Town has until September 15th to hold a Special Election.
- If the ballot question is not approved, the Town Meeting appropriation is void.

PLANNING FOR RE-USE OF 5 CONCORD ROAD:

- Prior to Town Meeting discussion some additional committee work is necessary to develop a preliminary plan for the re-use of the existing library at 5 Concord Road.
 - A “threshold” question the Library Trustees might consider is whether the part of the Library that is restricted for library use by the Roby estate could continue to be used for library purposes. If the Trustees decide they do not want a Library use at 5 Concord Road, the Library Trustees could ask the Board of Selectmen to authorize Town Counsel to proceed in Probate Court to remove the restriction imposed by the Roby will.
 - An initial review of re-use options for the existing Library could be made by the Library Planning Committee. The Facilities Director and Town Engineer could provide advice and consultation. The PMBC may be asked to use Library project funds (\$15,000 +/-) for the Library Architect to do conceptual drawings demonstrating alternative uses for 5 Concord Road. Legal opinions are available to support the Committee’s consideration of a possible action in Probate Court.

FROM TOWN COUNSEL:

From: Carolyn M. Murray [<mailto:CMurray@k-plaw.com>]
Sent: Tuesday, July 18, 2017 1:47 PM
To: Balmer, Nan
Cc: Amy E. Kwesell
Subject: Wayland - WFPL -- state grant and town funding

Nan,

Through you, the Board of Library Trustees have requested guidance regarding the process and timing for a Proposition 2 ½ ballot question relating to the library project. The appropriation article associated with this project may be proposed at either the Special Town Meeting scheduled in November or the Annual Town Meeting in the Spring, and you have inquired as to the timing of a related Proposition 2 ½ ballot question. You have not indicated whether the Proposition 2 ½ question would be a debt exclusion, override, or capital expenditure, so my comments address all scenarios.

A Proposition 2 ½ ballot question may be placed on the ballot by the Board of Selectmen (the “Board”) at an Annual Town Election or a Special Town Election, so long as the Board provides written notice to the Town Clerk at least 35 days prior to the date of the election at which the question will appear in accordance with G.L. c.54, §42C. The Proposition 2 ½ election may be called prior to or after the Town Meeting appropriation vote. If the appropriation article is voted upon first, the Town should make the appropriation vote contingent upon approval of the ballot question. In such a case, the ballot question must be presented to the voters within 90 days of a Special Town Meeting vote or by September 15th if the appropriation article occurs at an Annual Town Meeting.

Pursuant to G.L. c.59, §21C(a), only the Board of Selectmen, as the “local appropriating authority” for purposes of Proposition 2 ½, may place a question on the ballot. A 2/3 vote of the Board of Selectmen is required to place a debt exclusion or capital exclusion question on the ballot, and a majority vote is required for an override question. Therefore, the Board must vote to place the question on the ballot with sufficient time to provide written notice to the Town Clerk at least 35 days prior to the election. Furthermore, to ensure compliance with the Board’s Policy, requiring requests for Proposition 2 ½ questions two weeks prior to the Board’s vote, the Board of Library Trustees, are encouraged to review the Selectmen’s meeting schedule to determine the date required for the vote and provide the Selectmen with the request at least 14 days prior to the scheduled meeting. Once the Town has decided whether it plans to have the question appear at a special or regular election and has expected dates, we are happy to assist with providing specific dates by which the requirements must be met.

As mentioned, the Proposition 2 ½ election may be called prior to or after the Town Meeting appropriation vote. Proposition 2 ½ allows municipalities to approve certain appropriations or borrow contingent upon approval of a Proposition 2 ½ override, debt exclusion or capital exclusion. See G.L. c.59, §21C(m). The Town Meeting vote will not be deemed to have taken effect until the approval of the ballot question. If a contingent appropriation is made, the election at which the question appears must be held not later than 90 days after the close of a special town meeting, or by September 15th after an annual town meeting. If the question is not approved by the relevant deadline, then the appropriation is null and void. If the ballot question passes, but Town Meeting does not vote to approve the appropriation or borrowing, the Town may not raise funds outside the levy limit without an appropriation by Town Meeting. Approval from both Town Meeting and the voters of the Town is required for the Proposition 2 ½ override, debt exclusion or capital exclusion to be effective. Of note, the statutory language does not limit the appearance of a Proposition 2 ½ ballot question to only one election. For example, §36-1 of the Town Code requires that the annual election be held before the Annual Town Meeting. If the Proposition 2½ question does not pass on the annual election ballot but Annual Town Meeting approves a contingent appropriation, the Selectmen would have the option to put the ballot question on for a second time, provided the special election is held before September 15.

I hope this information is helpful. Once it is determined whether the Town wishes to have the question appear at a Special Election this Fall or the Annual Town Election in the Spring, please let me know and we can provide further assistance with the necessary timeframe.

Thank you,

Carolyn M. Murray, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110

CC: Chair, Library Trustees
Library Director



Memorandum

To: All Boards, Committees, Commissions, Departments and Staff
From: Board of Selectmen
Date: August 22, 2017
Re: Special Town Meeting, November 14, 2017

The Board of Selectmen voted on Monday, August 21, 2017, to hold a Special Town Meeting on Tuesday, November 14, 2017, at 7:00 p.m. in the Wayland High School Field House, and the warrant for said Special Town Meeting will be open from Wednesday, August 23, 2017, at 8:30 a.m. through Thursday, August 31, 2017, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Thursday, August 31, 2017.

Lea T. Anderson, Chair

Cherry C. Karlson, Vice Chair

Mary M. Antes

Louis M. Jurist

Douglas A. Levine

(8) STM ARTICLES

STM ARTICLES RECOMMENDED TO DATE – 8-18-17

(ARTICLES FROM SELECTMEN IN RED)

	ARTICLE:	PREPARED BY:	APPROVED AND SUBMITTED BY:	STATUS NOTES:
1.	PAY UNPAID BILLS	FINANCE DIRECTOR	BOARD OF SELECTMEN (8/21)	DPW, Schools, and Town Office have unpaid bills of prior year
2.	CURRENT YEAR TRANSFERS	FINANCE DIRECTOR	BOARD OF SELECTMEN (8/21)	<p><u>Septage Fund</u>- The fund will need to either increase or decrease the previously voted FY 18 budget based on ongoing negotiations with the Town of Sudbury. Transfer from free cash will fund the payment from FY 04 – FY 15 legacy costs per septage agreement.</p> <p><u>Wastewater Fund</u>: The Wastewater Commission wants to increase the FY 18 expense budget by \$35,000 to pay for additional expenses, establishing an operating reserve. The funding source would be Certified Retained Earnings</p>
3.	FUND FY 18 ACROSS THE BOARD INCREASE FOR NON-UNION STAFF	HR DIRECTOR / ATA	PERSONNEL BOARD (8/21)	Increase is 2%. Transfer of funds from Salary Reserve for salary settlement account established at 2017 ATM.
4.	ACCEPT GIFTS OF LAND	SELECTMAN		
5.	FUND SETTLED FY 18 TOWN COLLECTIVE BARGAINING AGREEMENTS	HR DIRECTOR / ATA	BOARD OF SELECTMEN (8/21)	Fund first year of settled contracts at 2% increase. Transfer of funds from Salary Reserve for salary settlement account established at 2017 ATM.
6.	FUND FY 18 INCREASE FOR TOWN CLERK	HR DIRECTOR / ATA	BOARD OF SELECTMEN (8/21)	Increase is 2% plus the equivalent of a non-union step increase. Transfer of funds from Salary Reserve for salary settlement account established at 2017 ATM.
7.	TRANSFER OF FUNDS FOR SETTLED FY 18 NON-TEACHER SCHOOL COLLECTIVE BARGAINING AGREEMENTS	ASS'T. SUPERINTENDENT	SCHOOL COMMITTEE	Transfer of funds from Salary Reserve for salary settlement account established at 2017 ATM.
8.	ESTABLISH MARIJUANA MORATORIUM	YOUTH SERVICES DIRECTOR	YOUTH ADVISORY COUNCIL	The YAC is working on a clear presentation of this article and after submission may request an opportunity to discuss with the Selectmen. The Town Planner is scheduling a hearing on the article since it is a zoning bylaw amendment.

9.	CHANGE DATE CIRCUIT BREAKER	DIRECTOR OF ASSESSING/ SELECTMAN	BOARD OF SELECTMEN (8/21)	This article changes the filing deadline for the local Circuit Breaker matching program, one of Wayland's tax relief programs for its senior residents, to coincide with all other exemption programs' filing deadlines and to align with the fiscal year. It does not change the program's eligibility or funding.
10.	FUND LIBRARY PROJECT	LIBRARY TRUSTEES		Chair of trustees is working with MA Board of Library Commissioners (MBLC) on extension to requirement for town to fund project through town meeting vote and possible ballot vote on debt exclusion within 6 months of grant award
11.	AQUEDUCT CONSTRUCTION - STONEBRIDGE ROAD \$40 K INCLUDES SOLAR POWERED FLASHER	CONSERVATION ADMINISTRATOR	CONSERVATION COMMISSION	The aqueduct is currently used by pedestrians, bikers, and dog walkers and improvements are needed at 3 locations for safe use including \$44 K for crossing at Old CT path at Pine brook and another \$44k for a crossing at Stonebrook.
12.	FUNDING FOR DEMOLITION AT 107 OLD SUDBURY ROAD	DPW DIRECTOR	BOARD OF PUBLIC WORKS	The Water Division is seeking \$100,000 from the Water Enterprise fund for the demolition of the structure and appurtenances at 107 Old Sudbury Road, which was acquired through vote at 2016 Fall Town meeting for the purpose of water resource protection and potential upgrade of the Town's water treatment system. Demolition of the existing structure is the first step in preparing the property for future Water Division use.
13.	FUND DESIGN FOR SCHOOL STADIUM PROJECT; FUND DESIGN FOR LOKER FIELD PROJECT (MASTER PLAN FOR HS AND REC ATHLETIC FIELDS)	SCHOOL BUSINESS MANAGER; CHAIR, RECREATION COMMISSION	SCHOOL COMMITTEE; RECREATION COMMISSION	DISCUSSIONS ONGOING – VOTE EXPECTED BY SCHOOL COMMITTEE ON 8/21

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Selectmen DATE RECEIVED: _____

CONTACT PERSON: Brian Keveny TELEPHONE/Day: (508) 358-3611

TELEPHONE/Evening: _____

BOARD VOTE: _____ DATE OF VOTE: _____

TITLE: Pay Previous Fiscal Year Unpaid Bills

COST: _____ NO COST: _____ COST ESTIMATE AVAILABLE ON: _____

TEXT:

To determine whether the Town will vote to:

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

COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission.

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

CONS: There are no apparent arguments against this Article.

SIGNATURE OF CHAIR _____ DATE _____

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Selectmen DATE RECEIVED: _____

CONTACT PERSON: Brian Keveny TELEPHONE/Day: (508) 358-3611

TELEPHONE/Evening: _____

BOARD VOTE: _____ DATE OF VOTE: _____

TITLE: Current Year Transfers

COST: X NO COST: _____ COST ESTIMATE: \$130,090

TEXT:

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

CURRENT YEAR TRANSFERS FY 2018

PURPOSE:	AMOUNT
1 Septage Fund Expenses FY 04 – FY 15	\$68,614
2 Septage Fund Expenses FY 18	\$25,821
3 Dog Officer Expense	\$655
4 Wastewater Budget	\$35,000
TOTAL CURRENT YEAR TRANSFERS	\$ 130,090

FUNDING SOURCES:	AMOUNT
1 Unreserved Fund Balance	\$68,614
2 Unreserved Fund Balance	\$25,821
3 Unreserved Fund Balance	\$655
4 Wastewater Retained Earnings	\$35,000
TOTAL FUNDING SOURCES	\$130,090

COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. These transfers are required for the following reasons:

Septage Fund Expenses FY 04 – FY 15 (\$68,614) This request is to reimburse Sudbury from the Septage account for FY 04 – FY 15 retiree legacy costs paid by Sudbury which were not charged to the Septage fund. Payments are in accord with the amended 2015 Septage Agreement between the Town Wayland and the Town of Sudbury. The Septage Fund does not have sufficient funds remaining, so this appropriation is from the General Fund Unreserved Fund Balance.

Septage Fund Expense FY 18 (\$25,821) This request is to fund Wayland’s 50% share of FY 18 retiree legacy costs attributable to Septage operations. The other 50% will be funded by Sudbury. The Septage Fund does not have sufficient funds remaining, so this appropriation is from the General Fund Unreserved Fund Balance.

Dog Officer Expense (\$655) This request is to fully fund the contract for the Dog Officer. When the FY 18 budget was prepared, the Dog Officer contract was not yet finalized. The line item does not have sufficient funding, so this appropriation is from the General Fund Unreserved Fund Balance.

Wastewater Budget (\$35,000) Due to aging infrastructure and past unanticipated emergency expenditures, the WWMDC wants to add a line item to the FY2018 budget. The item represents expenditures that are required as part of the operation of the WWMDC wastewater collection system. The funding source is existing retained earnings of the WWMDC. The funds will enable adequate response to a failure or disruption of the existing public collection system, provide for routine maintenance of the collection system, and allow for conformance with Massachusetts regulatory requirements associated with DigSafe mark-outs.

PROS: These expenses were not reasonably anticipated when forecasting the FY2018 budget and they represent binding obligations of the Town.

CONS: The Board of Selectmen is not aware of any.

SIGNATURE OF CHAIR _____

DATE _____

ARTICLE FOR FALL TOWN MEETING

SPONSOR: Personnel Board DATE RECEIVED: _____

CONTACT PERSON: John Senchyshyn TELEPHONE/Day: (508) 358-3623

TELEPHONE/Evening: _____

BOARD VOTE: _____ DATE OF VOTE: 7/17/17

TITLE: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

COST: XX NO COST: _____ COST ESTIMATE: 2% increase of FY 18 wages for non-union employees effective July 1, 2017. Seasonal positions are excluded.

Appx cost - \$45,500

TEXT: To determine whether the town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix TBD) previously adopted by the Town for non-union Town employees excluding seasonal positions and vote to transfer from FY 18 budgeted Reserve for Salary Settlement account a sum of money for the purpose of funding the non-union wage increase.

COMMENTS:

At the April 2017 Annual Town Meeting, no wage adjustments were submitted for non-union Town employees as collective bargaining was just beginning with the unions. Now that several contracts have settled, it is appropriate to address wages for the non-union employees for FY 18. The proposed FY 18 increase is consistent with collective bargaining settlements to date. Funds were approved in the FY 18 budget in the Reserve for Salary Settlement account. This article seeks to authorize the Finance Director to transfer funds from said account in the proper amounts to the respective Town Departments whose FY 18 salary accounts are affected by this wage adjustment.

PROS: The Wage and Classification Plan allows for periodic wage increases for non-union employees and provides for reasonable wage growth over time depending on economic conditions. FY 18 across-the-board increases to the non-union schedules are consistent with recently negotiated collective bargaining agreements for Town union employees.

CONS: Employees are sufficiently compensated under the existing wage scales.

SIGNATURE OF CHAIR _____ DATE _____

Town Counsel Approval _____ DATE _____

ARTICLE FOR FALL TOWN MEETING

SPONSOR: Personnel Board DATE RECEIVED: _____
CONTACT PERSON: John Senchyshyn TELEPHONE/Day: (508) 358-3623
TELEPHONE/Evening: _____
BOARD VOTE: _____ DATE OF VOTE: 7/17/17
TITLE: TOWN UNION COLLECTIVE BARGAINING AGREEMENTS 2017 - 2020

COST: XX NO COST: _____ COST ESTIMATE: FY 18 Estimated Cost is Attached
_____ by Contract _____

TEXT: To determine whether the Town will vote to transfer from FY 18 budgeted Reserve for Salary Settlement account a sum of money for the purpose of funding FY 18, the first year of the collective bargaining agreements reached between the Town of Wayland and (insert the name of each union that has settled).

COMMENTS:

The Town has reached agreement with (insert the name of each union that has settled) for successor collective bargaining agreements for the period of July 1, 2017 through June 30, 2020. In accord with M.G.L. Chapter 150E, Section 7 the new employee cost items for FY 18, the initial year of the contract, are being presented to Town Meeting for funding. Funds were approved in the FY 18 budget in the Reserve for Salary Settlement account. This article seeks to authorize the Finance Director to transfer funds from said account in the proper amounts to the respective Town Departments whose FY 18 salary accounts are affected by these settlements.

PROS: The negotiated FY 18 settlements represent a fair wage adjustment in the marketplace and fall within the guidelines provided by the Finance Committee.

CONS: Employees are sufficiently compensated under the existing wage scales.

SIGNATURE OF CHAIR _____ DATE _____
Town Counsel Approval _____ DATE _____

ARTICLE FOR FALL TOWN MEETING

SPONSOR: School Committee DATE RECEIVED: _____

CONTACT PERSON: _____ TELEPHONE/Day: _____

TELEPHONE/Evening: _____

BOARD VOTE: _____ DATE OF VOTE: _____

TITLE: SCHOOL UNION COLLECTIVE BARGAINING AGREEMENTS 2017 - 2020

COST: _____ NO COST: XX COST ESTIMATE: _____

TEXT: To determine whether the Town will vote to transfer from FY 18 budgeted salary reserve account to the School Department budget a sum of money for the purpose of paying for negotiated and contractually binding wage settlements. .

COMMENTS:

At the April 2017 Annual Town Meeting, FY 18 funding was approved for a settlement with the Wayland Teachers Association. Since that time the School Committee has settled contracts covering FY18 with the Public Employees' Local Union 1116 Custodians and Maintenance, Wayland Educational Secretaries Association, and non-union positions. The settlements were within the financial guidelines provided by the Finance Committee.

Funds were approved in the FY 18 budget in the Reserve for Salary Settlement account. This article seeks to authorize the Finance Director to transfer funds from said account in the proper amounts to the School Department for FY18 to support the negotiated wage adjustments.

PROS: The transfer of funds is necessary for the School Department to pay for the cost of negotiated and contractually binding wage settlements. The negotiated settlements represent a fair wage adjustment in the marketplace and fall within the guidelines provided by the Finance Committee

CONS:

SIGNATURE OF CHAIR _____ DATE _____

Town Counsel Approval _____ DATE _____

ARTICLE FOR FALL TOWN MEETING

SPONSOR: Board of Selectmen DATE RECEIVED: _____

CONTACT PERSON: John Senchyshyn TELEPHONE/Day: (508) 358-3623

TELEPHONE/Evening: _____

BOARD VOTE: _____ DATE OF VOTE: _____

TITLE: COMPENSATION FOR TOWN CLERK

COST: XX NO COST: _____ COST ESTIMATE: Cost - \$3,996

TEXT: To determine whether the town will vote to fix the salary for the Town Clerk, pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2017, and vote to transfer from FY 18 budgeted Reserve for Salary Settlement account a sum of money for the purpose of funding the Town Clerk salary increase. The salary is printed below.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2017</u>	<u>FY 2018</u>
Town Clerk	\$ 70,504.00	\$ 74,500.00

COMMENTS:

At the April 2017 Annual Town Meeting, no wage adjustment was submitted for the Town Clerk. The above increase includes a 2% across-the-board increase, which is also proposed for all regular non-union staff, and includes the approximate value of a non-union step increase. Funds were approved in the FY 18 budget in the Reserve for Salary Settlement account. This article seeks to authorize the Finance Director to transfer funds from said account in the amount identified to the Town Clerk salary line.

PROS: The proposed wage allows for the equivalent of a periodic wage and step increase consistent with the proposed FY 18 salary charts for non-union employees and provides for reasonable wage growth over time depending on economic conditions. The FY 18 across-the-board portion of the increase is consistent with recently negotiated collective bargaining agreements for Town union employees.

CONS: Employees are sufficiently compensated under the existing wage scales.

SIGNATURE OF CHAIR _____ DATE _____

Town Counsel Approval _____ DATE _____

**ARTICLE FOR SPECIAL TOWN MEETING
NOVEMBER 2017**

SPONSOR: Board of Selectmen DATE RECEIVED: _____
CONTACT PERSON: Ellen Brideau TELEPHONE/Day: 508-358-3658
Director of Assessing TELEPHONE/Evening: _____
BOARD VOTE: _____ DATE OF VOTE: 8-21-17
CHANGE FILING DEADLINE FOR CIRCUIT BREAKER MATCH
TITLE: PROGRAM

COST: _____ NO COST: COST ESTIMATE: _____

TEXT: To determine whether the Town will vote to amend the Code of the Town of Wayland by modifying paragraph G in Section 19-8 of the Code of the Town of Wayland by deleting the crossed-out text and inserting the underlined text as follows:

G. Local Circuit Breaker Program. Applications for senior tax relief under the Town Circuit Breaker program must be filed with the office of the Board of Assessors no later than ~~December 31~~ April 1 of the year ~~in which the original tax filing was due~~ to which the tax relates, or within three months after the bill or notice of assessment was sent, whichever is later.

COMMENTS: This article changes the filing deadline for the local Circuit Breaker matching program, one of Wayland's tax relief programs for its senior residents, to coincide with all other exemption programs' filing deadlines and to align with the fiscal year. It does not change the program's eligibility or funding.

The Circuit Breaker income tax credit is for persons age 65 and older with low to moderate-income. Qualifying senior citizens may claim a credit on their State income tax returns for the real estate taxes paid on their Wayland residential property. In addition, the Town matches the Circuit Breaker Income Tax Credit with a like reduction in the local real estate tax. More information and instructions for filing can be found on the Assessors and the Council on Aging websites.

The current filing deadline of December 31 presents operational and administrative challenges for the financial operations of the Town. The December deadline requires the Town to leave open each Fiscal Year's budget more than six months into the next Fiscal Year because credits are for the prior fiscal year. In addition, because tax credits can only be

applied to the fiscal year in which the credit was received, applications received after the June 30 end of fiscal year receive a refund check instead of a tax credit. Refund checks generate additional work on behalf of the Tax Collectors office and the Accounting Office.

The Assessor’s Office processes approximately 130 local Circuit Breaker applications annually with 80-90 applying prior to the 4th quarter real estate bill being due. The remaining applications are processed after the 4th quarter payment and require the disbursement of a paper check and should generate a 1099 tax form. The amount of the match has been \$1070 for several years.

Please see the chart below for a comparison of this change in deadline:

Wayland Circuit Breaker Town Match

<u>Current Process: FY 2017</u>	<u>Proposed Process: FY 2018</u>
Calendar Year 2017: 1/1/17-12/31/17	Fiscal Year 2018: 7/1/17 - 6/30/18
Applicant uses MA 2016 Income Tax Filing	Applicant to use MA 2016 Income Tax Filing
Applicants began applying January 2017.	Applicants apply
Applications received prior to April 30, 2017 received a credit to their tax bill.	July 1, 2017 to April 1, 2018 and receive a credit to their tax bill.
Applications received after April 30, 2017 to December 31, 2017 receive a paper check.* MA Law does not allow credits received in one fiscal year to be applied to a future fiscal year.	All applications will be processed prior to 4 th Quarter Tax Bills being due. No need for paper checks.

*These checks should generate an IRS 1099 form annually.

The Board of Assessors, the Board of Selectmen and the Senior Tax Relief Committee voted to [support] this article. *To be updated if votes occur.*

ARGUMENTS IN FAVOR: Senior applicants for all other exemption programs are required to use their prior year federal tax returns to determine eligibility. Utilizing the same tax filing year for all programs will streamline the process and create uniformity.

Changing the application due date brings the Circuit Breaker application due date into alignment with all other Town run residential tax relief programs.

Changing the deadline will streamline the financial administration of the local Circuit Breaker program for the Finance Department, the Assessors, the Tax Collector and the Council on Aging.

ARGUMENTS OPPOSED: There may be confusion around changing the deadline which can be addressed with training workshops and written materials.

There are some residents who only qualify for the Circuit Breaker match every other year. Since the same tax return will be used for two years during the transition period, there may be some residents who do not qualify for the Circuit Breaker match two years in a row.

SIGNATURE OF CHAIR	_____	DATE	_____
TOWN COUNSEL REVIEW	_____	DATE	_____

August 17, 2017

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

Dear Board of Selectmen,

Beginning in early September 2016, the Finance Committee began reviewing the Town's budgets and capital items for fiscal year 2018 to be presented to the voters at the Annual Town Meeting in April, 2017. The Finance Committee met regularly with the Town Administrator, the Finance Director, and individually with the heads of the major departments to review the Town's operating and capital budgets.

The Finance Committee, which helps plan for budget items based on available funds and overall need, expressed frustration during a recent meeting because members are being asked to consider monetary articles at Special Town Meeting. By asking the Public to consider financial items multiple times versus one time per year, it is more difficult for Taxpayers to understand the impact of requested financings.

The Committee does not wish to support or detract from any of the proposals being discussed and recognizes those which have a true need should be presented now, but that need should be demonstrated by the requesting board or committee.

The Committee maintains a policy that monetary items be brought to Annual Town Meeting except in the case of emergencies and have extenuating circumstances, concerns regarding public safety or regulatory requirements. The Committee is requesting that the Board of Selectmen consider moving any money related items other than salary related articles to the Annual Town meeting. The items currently being evaluated should be reviewed along with other Town priorities.

Challenges

- The town is currently operating in fiscal year 2018, which began July 1 and will end on June 30, 2018. If approved at Town Meeting in November, these purchases would be allocated in the Town's FY 2018 budget.
 - This year we set out to be predictable to avoid a downgrade from our Aaa rating by Moody's.
 - The Finance Committee will be hosting a meeting with the Town's financial advisor with one of the topics being how much debt the Town can borrow before it jeopardizes its Aaa rating.
-

- For the Finance Committee to create informed recommendations, they need time to research and deliberate. Given the Committee's scheduled workload it should be afforded more time.
- As of the time of the Committee's last meeting, the Finance Committee was unclear as to the effect any projects being considered have on current capital plans and future needs. Without a specified Capital Improvement Budget for the next fiscal year, including any items to be funded in the current fiscal year, and a Capital Improvement Program including recommended capital improvements for the following five fiscal years, our adjustment to the FY18 Capital Plan in any way would be inefficacious.
- These items have the potential to have a direct effect on resident's tax bills in FY 2018. If the proposed money articles are passed, there are two potential sources of funding, free cash or taxation. Use of free cash to fund one-time expenses is preferred but not recommended due to pressures by Moody's. As a community, we have been fortunate to be able to maintain a very strong free cash position.

Summary

For the Board of Selectmen to be more informed about the impact of their financial decisions, the Finance Committee would like to share its findings resulting from the newly developed financial model. The model will assist the Town to understand the financial impact of potential decisions being made now and in the future. The model considers current policies as well as both potential capital and operating expenses over the next 5 years and the overall Town's indebtedness.

Thank you for consideration, and we look forward to coordinating the Committee's presentation.

Very truly yours,

Dave Watkins

Dave Watkins
Chairman, Wayland Finance Committee

DiNapoli, MaryAnn

From: DiNapoli, MaryAnn
Sent: Friday, August 04, 2017 12:02 PM
To: Aida Gennis (wgs3155@gmail.com); Anette Lewis; Anne Harris; Betsy Soule (bsoule@mwlegal.org); Bill Steinberg (bills@saxeinvestments.com); Chris Brown; Christopher T Cullen; Colleen Sheehan (sheehansofwayland@gmail.com); Dave Bernstein (dave.bernstein@comcast.net); David D'Orlando (ddorlando@comcast.net); David Watkins; Deb Cohen; Dennis Berry (dennisj.berry@gmail.com); Douglas J. Leard (dougleard@realtour4u.com); Elisa Scola; Elisabeth Brewer MD; Ellen Grieco; Ellen Tohn (etohn@comcast.net); Eric B. Goldberg (egoldberg@wcfllp.com); fred@knightway.org; Gretchen Schuler (ggschuler@verizon.net); 'James E. Riley'; Jerome Heller (heller.j@comcast.net); Jonathan Saxton (jonsax@comcast.net); Kevin Goodwin; 'Larry Kiernan'; Lea Anderson (landerson@wayland.ma.us); Mary Antes (mantes@wayland.ma.us); Mary Antes (mantes2@verizon.net); Michael P. Lowery (lowery.mike@gmail.com); 'Rachel Bratt'; Rebecca MacGregor (becca.macgregor@gmail.com); Rebecca R. MacGregor (rmacgregor@wcfllp.com); Rebecca Stanizzi; Richard Turner (rickypt@verizon.net); Sarah Greenaway (sarah.m.greenaway@gmail.com); sfkoffman@mediaone.net; Sherre Greenbaum (sherregreenbaum@gmail.com); Susan Rufo (srufo@comcast.net); Susan Weinstein (sweinstein@alum.wellesley.edu); Thruston Wright (aquaticlss@aol.com); Toni Moores (1073tonimoores@gmail.com); William Sterling (bill@sterlingarchitects.com); Woody Baston; Arthur Unobskey; Balmer, Nan; Berry, Alfred; Boggia, Brian; Bottan, Susan; Brideau, Ellen; Brodie, Jessica; Capasso, Jane; 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
Subject: Special Town Meeting Articles
Attachments: STM Warrant Article Form.doc

All:

The Board of Selectmen will open the November 14, 2017 Special Town Meeting Warrant on Wednesday August 23rd AT 8:30 am and will close the Warrant on Wednesday August 30th at 4:30 pm. Below is the current list of known, potential articles.

The Selectmen request the following:

Please provide all warrant articles in final form at submission and include on the Article form all of the requested information except for Town Counsel approval. Please note that included in this information is a sponsoring board vote & the date of the vote, any cost of the article and a draft of the Article pro's and con's which have in the past been written by the Finance Committee and which may be re-drafted by the Finance Committee prior to the publication of the STM warrant. The Selectmen will not accept "placeholder" articles.

Thanks!

(10) 40B ADVISORY GROUP

The Town Advisory Group (Chapter 40B)

Created as an ad-hoc committee by the Board of Selectmen, the Town Advisory Group will serve on a temporary basis to provide technical assistance to the Zoning Board of Appeals during the pendency of the Chapter 40B comprehensive permitting process for the proposed residential developments located at 24 School Street and 113-119 Boston Post Road.

The Advisory Group may be comprised of up to seven members appointed by and serving at the pleasure of the Board of Selectmen for an indefinite term that is intended to conclude once the comprehensive permitting process ends for both proposed developments. The members of the Advisory Group may include one member each from the Planning Board, Conservation Commission, Board of Health, Board of Public Works, Board of Selectmen, Wayland Housing Partnership, and one or two non-interested members of the public at-large. The Town's professional staff is expected to support the Advisory Group from time to time, including members of the Police and Fire Departments.

The purpose of the Advisory Group is to provide support to the Zoning Board of Appeals during its public hearings. Under Chapter 40B, the ZBA steps into the shoes of all other municipal boards and departments that would otherwise have jurisdiction, and must make informed judgments on subject matters that are ordinarily within the purview of those other boards and officials. The ZBA's function under the statute is to hold a public hearing, and make an ultimate decision whether to grant or deny a comprehensive permit, which often involves making decisions on the applicant's numerous requests for waivers from bylaws and regulations otherwise managed by other boards and officials. Through the framework of the Advisory Group, the knowledge and advice of these other boards and officials can be consolidated and communicated efficiently to the ZBA during the permitting process, without interfering with the ZBA's statutory role.

The specific functions of the Advisory Group are:

- 1) To provide support to the Zoning Board of Appeals during its public hearing by providing relevant, technical information to the ZBA during the 40B permitting process;
- 2) To ascertain information requested by the ZBA from Wayland land use departments or boards, or other relevant town departments;
- 3) To review and comment on information submitted by others, including the project proponent, project opponents, and other interested parties; and
- 4) To make recommendations on areas of inquiry and investigation, and identify subject matter expert consultants where appropriate.

Date of Adoption:

(11) EXECUTIVE SESSION MINUTES

DATE: AUGUST 18, 2017
TO: BOARD OF SELECTMEN
RE: EXECUTIVE SESSION MINUTES

REQUESTED ACTION: Vote to take the following actions regarding the approval of executive session minutes.

VOTE TO APPROVE AND HOLD THE EXECUTIVE SESSION MINUTES OF:

August 7, 2017
July 24, 2017
May 15, 2017

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

June 19, 2017
June 5, 2017
September 26, 2016
October 5, 2015

(12) MINUTES

DATE: AUGUST 18, 2017
TO: BOARD OF SELECTMEN
RE: MINUTES

REQUESTED ACTION: Vote to approve and release the minutes of:

July 31, 2017

August 7, 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

DRAFT

Board of Selectmen
Meeting Minutes
July 31, 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

Absent: L. Jurist, D. Levine

Also Present: Town Administrator Nan Balmer

A1. 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 and noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

A2. Public Comment There was no public comment.

A3. Liquor Licenses: Vote to Approve Change of Manager, 110 Grill The Board met with the new 110 Grill manager, Christine Barone, and its counsel Kevin Eriksen to discuss the Change of Manager application. C. Barone discussed her background with the Board. M. Antes asked how the restaurant is doing. C. Barone said they are doing fantastic.

M. Antes moved, seconded by C. Karlson to approve the Change of Manager application for Christine Barone at the 110 Grill CW Wayland LLC dba 110 Grill, at 171 Commonwealth Avenue. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0.

A4. Interview and Potential Vote to Appoint to Boards and Committees: Cultural Council (one 1-year vacancy, one 2-year vacancy, one 3-year vacancy, Kathy Trogolo

Kathy Trogolo appeared before the Board to interview for a position on the Cultural Council. She reviewed her background and interest in serving on the council. She stated she grew up in Wayland, attended the schools and was involved in the arts. C. Karlson said she's thrilled to have new faces and talent on the Cultural Council.

C. Karlson moved, seconded by M. Antes to appoint Kathy Trogolo to the Cultural Council, effective immediately, for a three-year term to expire on June 30, 2020. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0.

A5. Vote to Approve Agreement with the Weston School Committee to Transport Students to Minuteman School Business Administrator Susan Bottan came before the Board to discuss the transport of students to Minuteman. At this time, 10 students are enrolled for the upcoming year and working with Weston to combine transportation services, Wayland's cost will be \$24,031. S. Bottan said Town Counsel

reviewed the agreement and made recommendations, and now she will work with B. Keveny on receiving a reimbursement for this service. L. Anderson stated a resident inquired why the two vans that Wayland owns can't be used. S. Bottan said those vans are not usually available in the afternoon because they are typically used for athletics. N. Balmer said that B. Keveny remains concerned that the Minuteman line item will go over budget even though transportation estimates were included, because more students are enrolled this year. She thanked S. Bottan for taking the lead on this and other projects that come up.

C. Karlson moved, seconded by M. Antes to authorize the agreement with Weston Public Schools for transportation services for Wayland residents enrolled in Minuteman Technical Regional Vocational School during the 2017-2018 school year. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0.

A6. Presentation of MassWorks Grant by Town Planner; Vote to Approve Submission of Application Town Planner S. Sarkisian gave the Board a brief history of Wayland's past bids for a MassWorks grant. He said they had a positive meeting with the MassWorks staff, and they gave him advice on how to improve this application. The request is for \$2.4 million to complete water infrastructure to benefit the Town, the River's Edge project and Sudbury. S. Sarkisian has contacted various entities for letters of support and is including information on River's Edge to demonstrate the Town's commitment. The decision will be made in October. The Board thanked S. Sarkisian for his perseverance on this project.

C. Karlson moved, seconded by M. Antes, to approve the submission of the MassWorks grant application and authorize the Town Planner to submit the application and authorize the Town Administrator to write a support letter from the Board of Selectmen. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0.

A8. Town Administrator Evaluation – Receive Board Responses

L. Anderson collected everyone's individual evaluations in hard copy and requested that each member now email her the evaluation in Word. J. Senchyshyn had evaluations from L. Jurist and D. Levine. L. Anderson will consolidate the documents into one evaluation for distribution at the next meeting on August 7th or the following one.

A9. Minutes: No minutes were ready for approval.

A10. Consent Calendar: Review and Vote to Approve (See Separate Sheet) M. Antes moved, seconded by C. Karlson, to approve the Consent Calendar. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. C. Karlson noted that John Pugh resigned from the EDC due to relocation, so there will be another opening on that committee. She said it was good to see the determination on the housing production plan. The Board said they are interested to see the final cost certification for the Commonwealth Residences on Rte. 30.

A12. Report of the Town Administrator

1. Correspondence

N. Balmer briefly discussed item #1 in correspondence and said the 40B application for Mahoney's site project was received and distributed as required.

2. Cell Tower

N. Balmer said the issue of cell towers has been a work in progress for a while. She said the Town Engineer is best suited for researching this issue and is currently working to identify all potential town owned sites to report back to the Board. Other boards will be involved as well. N. Balmer noted that this is one of those tough public policy issues, but the Town Engineer is in communication with Verizon and it makes most sense to work with them and have it be a public discussion. At this time, there is no cell tower application in front of the Zoning Board of Appeals. She noted that Wayland is not party to the agreement brought up at public comment last meeting regarding the Wayland Rod and Gun Club.

3. Request for Funding for Historic Preservation on Rail Trail

E. Doucette found funds for this out of existing CPA money. No action required from the BOS.

4. FY19 Budget Process N. Balmer said the staff wanted a simple process this year. She described the staff's proposed FY19 Budget process from the time of the issuance of the Finance Committee's budget guidelines through the submission of the operating and capital budgets by elected boards to the Finance Committee.

5. ClearGov N. Balmer reported the Finance Committee recommended the town continue with ClearGov until they get more use out of it and suggested assigning it to IT. There are concerns about data being up to date. N. Balmer said she's worried she doesn't have someone to manage it. N. Balmer said they have until August 28th to decide.

A7. Discuss River's Edge Advisory Committee/Project Management Responsibilities

N. Balmer updated the Board on the River's Edge process. Becky Stanizzi, River's Edge Advisory Committee (REAC), joined the conversation. N. Balmer would like to reconvene REAC to discuss their ongoing responsibilities and to determine if they can coordinate with town staff working on this project.

When the issue of releasing executive session minutes came up, C. Karlson suggested they discuss with town counsel what elements should stay in executive session in case the transaction does not close. R. Stanizzi briefly described her meeting with S. Sarkisian about the MassWorks grant and the town's chances.

A13. Selectmen's Reports and Concerns

M. Antes stated she was wondering about the request to reconstitute the COA/CC.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A15. 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 8:20 p.m. YEA: L. Anderson, M. Antes, C. Karlson
NAY: none. ABSENT: L. Jurist, D. Levine ABSTAIN: none. Adopted 3-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of July 31, 2017

1. None

Items Included as Part of Agenda Packet for Discussion During the July 31, 2017 Board of Selectmen's Meeting

1. Memorandum of 7/28/17 to Board of Selectmen re: Interview and Potential Appointment of Kathy Trogolo to the Cultural Council
2. Memorandum of 7/28/17 to Board of Selectmen re: 110 Grill Change of Manager
3. Memorandum of 7/28/17 from John Senchyshyn, Human Resources Director/Assistant Town Administrator, re: Agreement with the Weston School Committee to Transport Students to Minuteman
4. Memorandum of 7/28/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: River's Edge Advisory Committee/Project Management Responsibilities
5. Report of the Town Administrator for the Week Ending July 28, 2017



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

DRAFT

Board of Selectmen
Meeting Minutes
August 7, 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, Douglas A. Levine (arrived 7:06 p.m.)

Absent: Louis M. Jurist

Also Present: Assistant Town Administrator/Human Resources Director John Senchyshyn

A1. Open the Meeting and 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; and to Discuss Strategy with Respect to and in Preparation for Collective Bargaining with the Police, Fire, AFSCME 1, Library, WESA, Custodial and Food Service Unions Representing Town and School Employees, because a Public Discussion of these Matters may have a Detrimental Effect on the Litigating, Negotiating or Bargaining Position of the Town At 7:01 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 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; and to discuss strategy with respect to and in preparation for collective bargaining with the Police, Fire, AFSCME 1, Library, WESA, Custodial and Food Service Unions representing Town and School employees. The Chair declared that a public discussion of these matters may have a detrimental effect on the litigating, negotiating or bargaining 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 and Assistant Superintendent of Schools Brad Crozier.

The Board returned to open session at 7:35 p.m.

A2. Call to Order by Chair Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:35 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.

A3. Public Comment

J. Currier, 22 Algonquin Path and representing the Dudley Pond Association, expressed strong support of the School Committee's recommendation to the Board of Selectmen to enter into a contract with HDR Holdings LLC for the school bus parking.

A. Carr, 183 Main St., stated she lives right near the Middle School and is happy to hear there is an alternative solution in the works for the school bus parking and hopes the Board of Selectmen will support the School Committee's recommendation.

A. Michaels, 30 Joyce Road, stated she's very supportive of the School Committee's recommendation and said it's clear they care about the 800 signatures that were collected regarding school bus parking.

T. Rist, 7 Adams Lane, said he concurred with everything that was mentioned during public comment and wanted to mention speeding near the schools and feels it is also a major safety issue that needs to be taken into consideration.

J. Zullo, Claypit Hill Road, supports the school bus parking contract. He then discussed the purchase and sale of the Rivers Edge property. C. Karlson noted that there are no taxpayer funds going into the development of the River's Edge Project.

L. Segal, 9 Aqueduct Rd., stated that there is some math missing on the River's Edge graph that was being discussed by J. Zullo. C. Karlson noted that the resident brought the graph to support his discussion.

A4. Interview and Potential Vote to Appoint to Boards and Committees: Conservation Commission, Thomas Klem

Thomas Klem appeared before the Board to interview for a position on the Conservation Commission. He reviewed his background and interest in serving on the commission. He works in the Biotechnology industry and has previously served on the Board of Health and the Cable Advisory Committee. The Board asked him questions about how he would handle certain situations that might arise and how his background in bio-tech could be an asset. M. Antes moved, seconded by D. Levine to appoint Thomas Klem to the Conservation Commission, effective immediately, for a term to expire on June 30, 2020. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A5. Town Review Potential Special Town Meeting Articles:

1. **Fund Construction of Aqueduct Crossings** Conservation Administrator Linda Hansen discussed the need to fund the construction of three aqueduct crossings. She provided a handout with a draft STM article, a cost proposal and two maps of the crossings. She said people are using the crossings already, so this is a pressing safety issue that needs to be addressed. Funds for this would be a new request that has not been on the capital plan. The Board requested that the article form be fully populated before submission.

2. **Fund Design for High School Athletic Field Master Plan Projects** Facilities Director Ben Keefe and School Committee member Jeanne Downs briefly discussed the history of the athletic fields and facilities. J. Downs explained the athletic complex and fields were not a part of the High School building project in 2012, so they have needed improvements for a long time and the High School athletic facility was on the 5-year Capital Plan. Environmental concerns have been identified with placement of the existing turf field. She described each of the phases of the projects at the high school and Loker Recreation/Conservation area and related design fees. D. Levine asked if it made sense to do three phases in separate articles. J. Downs said the School Committee decided to issue it as a single combined article with one benefit being financial efficiencies when doing it all together. B. Keefe said construction would start in spring of 2018 and hopefully be completed by spring of 2019, but definitely by fall of 2019. C. Karlson asked if there has been any outreach to Loker Conservation area neighbors. J. Downs said there has not been any outreach yet. C. Karlson stated that they haven't heard from the Finance Committee if they are accepting money articles this fall and she also reminded B. Keefe and J. Downs that they are expecting articles in final form when submitted this year.

3. **Fund FY18 Across the Board Increase for Non-Union Staff**

J. Senchyshyn said this article addresses the wages for non-union employees for FY18 with an increase of 2%. The proposed increase is consistent with the collective bargaining settlements to date. Funds were approved in the FY18 budget in the Unclassified: Reserve for Salary Settlement account, so this is a reallocation rather than a new funding request. There are no suggested language changes to the bylaws with this article.

4. Fund FY18 Town Collective Bargaining Agreements

J. Senchyshyn discussed the FY18 Town Collective Bargaining Agreements with the Board. He said Town Counsel advised the town to take the agreements to Town Meeting for funding for FY18. He said there was money put into the budget in Unclassified: Reserve for Salary Settlement, and this article reallocates those funds. J. Senchyshyn anticipates four of six town contract settlements will be ready for this STM.

- 5. Fund FY18 Wage Increase for Town Clerk** J. Senchyshyn said there was some discussion of the Town Clerk's salary at the 2017 Annual Town Meeting, but the recommended salary was unchanged from FY17 because contract negotiations were ongoing. This number is based on a 2% across-the-board increase, which is also proposed for regular non-union staff, and a salary adjustment equivalent to a step increase. Again, these funds were set aside in the FY18 budget and this article is a reallocation of those funds. The Town Clerk will go before the Personnel Board on September 11 to discuss this.

A6. Review of New Positions for Departments under the Board of Selectmen J. Senchyshyn said he sent out a request last week to department heads. He said Police Chief R. Irving put in a request for one Police Officer and Fire Chief D. Houghton plans to put in a request for 4 firefighters again. Both Police and Fire Departments have the same reasoning and background information supporting their request as they did last year. One new position being requested this year is that of Assistant Facilities Director/Project Manager. The position would assist B. Keefe with all the new and ongoing construction projects. L. Anderson inquired if any additional positions will be requested by departments. He said he's only heard from one board that will want to increase hours for one position so far.

A9. Update on Town Administrator Evaluation L. Anderson said she collected input from each Selectman at the last meeting and spent a few days consolidating all the information into one document, using the same process from last year. She handed out a draft copy in paper form to each member and gave J. Senchyshyn a copy for public record. Each member is to review the draft and make notes and changes if needed and be ready to discuss it at the next meeting.

A10. Minutes: Review and Vote to Approve Minutes of July 24, 2017 C. Karlson moved, seconded by M. Antes, to approve the minutes of July 24, 2017, as amended. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0. The minutes of July 31, 2017, were not available.

A11. Consent Calendar: Review and Vote to Approve (See Separate Sheet) M. Antes moved, seconded by C. Karlson, to approve the Consent Calendar. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. L. Anderson pointed out a letter that offered a different view on the school bus parking issue than was expressed at tonight's public comment. C. Karlson noted that Sudbury Valley Trustees is holding its annual meeting at Mainstone Farm which she thought was a lovely idea.

A7. Review School Committee Recommendation on School Bus Parking School Department Business Manager S. Bottan and School Committee chair Ellen Grieco discussed the recommendation included in the Board of Selectmen's packet to enter a contract with HDR Holdings, LLC for school bus parking. S. Bottan went over what the Town would pay per year. L. Anderson said the charts were very helpful in the packet since it was a complicated issue and that this is just for review tonight. C. Karlson asked if it was time sensitive. S. Bottan said they could complete an agreement within 90 days so there is plenty of time. L. Anderson said there are other things they need to consider as well. S. Bottan expects to hear back from Weston & Sampson in December with the feasibility study results regarding the potential use of the old landfill site. For this contract, S. Bottan said the next step is for E. Doucette to reach out to Town Counsel and share the Town's response and ensure the sample agreement in the RFP is refined so it reflects the real response and agreement.

C. Plumb, Bald Rock Road, asked about the legality of parking school buses near the playground. S. Bottan said she believed it was legal.

A8. Discuss 40B Work Group D. Hill, Chair of Planning Board and D. Levine discussed creating a 40B advisory group, comprising of members of the Board of Selectmen, Planning Board, Board of Health, Board of Public Works and Conservation. D. Levine said towns like Carlisle has been successful using an advisory group when dealing with a 40B application. He said it makes a lot of sense with one big advantage that it can open the lines of communication with improved conversation between the advisory group and the ZBA. He thinks the ZBA will find it helpful and demonstrate the Town's responsiveness to help it through the complicated 40B process.

D. Hill discussed his experience working with ZBA's in other communities. He has found this advisory structure effective. He said Wayland currently doesn't have a ZBA with a lot of 40B experience and having the best and brightest helping them with the application is ideal. He said the ZBA's role is to remain neutral so the advisory group can better speak to the town's interests.

C. Karlson noted that there is already is a monthly land use meeting where departments get together to discuss such issues, although she's not sure if they would meet to specifically discuss 40B applications. D. Hill said he's hesitant to just rely on staff. C. Karlson said what is resonating with her is the question of who is advocating for the town for these projects and how does the town take a leadership role? L. Anderson asked D. Hill if advisory groups have made a significant difference for towns that have them. D. Hill said yes, they have made a difference. C. Karlson asked if it is worth working on a draft charge of this to discuss at the next meeting and getting Town Counsel's opinion on the idea.

L. Segal, speaking as a private resident, said that Town Counsel advised that if such a group was created it should post public meetings and be open to the public. She asked that everyone watch the recording of last Thursday's hearing.

A13. Report of the Town Administrator

1. Correspondence No additional comments.

2. Memorandum to Finance Committee on Finance Committee Projects and Staff Support

C. Karlson said it's very formal and it slows the process but hopefully it makes it better not just slower.

A14. Selectmen's Reports and Concerns C. Karlson reported attending the EDC meeting last week, and they are still interested in working on the Route 20 Corridor from an economic development perspective. Based on public comment, she thought some time should be spent talking about River's Edge finances so

residents can better understand the facts. She said she was hoping to talk about the Library tonight due to the time constraints on the state grant. L. Anderson said she had to take it off the agenda. C. Karlson said she wants to discuss what the Town can afford to do with regards to the potential STM funding articles. L. Anderson said she reached out to Lincoln's Board of Selectmen Chair James Craig and had a good conversation with him about the field at Oxbow Meadows. She said he had reasonable concerns about some of the accommodations that were discussed like buffers, lights and the timing of the traffic study. She also thanked Recreation Chair A. Foster for his work and responsiveness with the project.

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. Adjourn There being no further business before the Board, D. Levine moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:34 p.m. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 7, 2017

1. August 2017 Newsletter, Conservation Commission
2. Draft Article for Special Town Meeting on funding Aqueduct Crossings, cost estimates for construction and maps (2) of the crossings, from L. Hansen

Items Included as Part of Agenda Packet for Discussion During the August 7, 2017 Board of Selectmen's Meeting

1. Memorandum of 8/4/17 to Board of Selectmen re: Appointment of Thomas Klem to the Conservation Commission
2. Memorandum of 8/7/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Notes for August 7 Meeting and Potential Special Town Meeting Articles
3. Memorandum of 8/7/17 from Susan Bottan, School Business Administrator, to Board of Selectmen, re: Recommendation to Enter into Contract with HDR Holdings, LLC for School Bus Parking for FY 2019 through FY 2021
4. Draft Minutes of July 24, 2017
5. Report of the Town Administrator for the Week Ending August 4, 2017

(16) TOWN ADM REPORT

TOWN ADMINISTRATOR'S REPORT WEEK ENDING AUGUST 18, 2017

1. CORRESPONDENCE

No comments this week

2. ZONING BOARD OF APPEALS MEMBERSHIP AND STAFF REPORT

Membership: Two volunteers came forward for two positions. If the Board appoints Mr. Katz, Mr. Katz could be sworn in and be seated as part of the panel for the Mahoney's hearing on Tuesday 8/22.

Staffing: Ten 40 B hearings are planned (5 per application). The Building Department staff is not available to attend hearings. The Building Department Assistant is willing to produce minutes from recordings for all hearings. We are working with WayCam to record all meetings. As an alternative, there will be an audio recording

3. STAFFING PLANS, ORGANIZATION / ENGINEERING: I am working with an outside vendor to evaluate the organization of personnel in the Town Administrator's Office / Human Resources Department, Accounting Office, and Treasurer's Office and will be prepared to discuss staffing and recruitment options, with the emphasis on replacement of the HR Director / ATA. I am also working with the HR Director to evaluate the organization of Public Works, Engineering, and Wastewater, Survey and Facilities to integrate the management of these functions.

4. HOUSING: The staff of the Regional Housing Services Office (RHSO) will be in contact with the Wayland Housing Authority to discuss what might be included in a written program or contract to manage affordable housing monitoring. The next step would be to meet with a small group of housing representatives (HP, WHA, AHT) to consider whether a combination of WHA and RHSO could be recommended to the Town as the housing support team.

5. LAND USE TEAM: The Land Use Team continues to work toward the Selectmen's goal of greater integration in permitting processes and customer service. The Health Director chairs the Land Use Team and reports:

June 21, 2017-This was the last regularly held Land use/Concerned Buildings Task Force/At risk round table meeting. These meetings are held monthly where department heads meet to discuss new and ongoing projects, hot topics, status of buildings of concern, and touch base on

other potential at risk situations (some related to vacant buildings). Upcoming meeting to be scheduled likely for early/mid Sept.

July 13, 2017-Meeting held on new permitting program for Land Use Departments. Board update provided to you previously.

July 18, 2017-Meeting held with IT, and several representatives of Land Use(BoH, Bldg, Cons) to discuss recent IT plans for document management with respect to potential reorganization of office space (due to newly vacant space in former Survey Dept. area). Focus was on existing paper files & file cabinets in Building/Health/Conservation, and questions regarding current storage areas, potential merging of files and working toward a central area for paper files/filing cabinets. IT is waiting to meet with the State Archivist during site visit with Town Clerk. There are many questions for the State Archivist regarding public records rules and/day forward document management/requirements for paper files/scanning and search/categorizing methods, etc. Follow up meeting date pending.

August 15, 2017-Concerned buildings site visits conducted (new and old for status check) with myself and Chief Houghton. Updates on situations being provided by Chief Houghton.

6. BUDGET PROCESS

The Finance Team worked with the Finance Director to prepare his presentation to the Department Heads on August 6th. We expect operating and capital budget requests to be before the Selectmen and other elected officials in late September. The detail budget format introduced last year by Elizabeth Doucette will be continued for FY 19 for all departments. Attached are budget instructions.

7. FINANCE COMMITTEE: I met with the Finance Committee and reviewed the Finance Team's response to the Finance committee's requests. The Finance Committee was agreed with the staff's suggested approaches. A first step will be for the Treasurer to set up a meeting in early September with the Financial Advisor to present a debt plan. At least one Selectman should attend. The town's plan for the management of debt and free cash will be a strong factor in Moody's six month review scheduled for later in September.

8. UPDATES / OFF AGENDA – NOT FOR DELIBERATION

- Route 20 Project: Town staff met with MA DOT representatives to plan for the resurfacing of Route 20 and sidewalk reconstruction eastbound to Weston from Route 27 in September. The project will occur at night. There will be a reverse 9-1-1 notification and sign boards
- School Bus Contract: The Police Chief requests the School Department retain a traffic engineer to review safety at the proposed contractual site for parking school buses.
- Act to Ensure Access to Marijuana: See attached from KP Law.



MEMORANDUM

TO: All Department Heads
FROM: Brian Keveny, Finance Director
DATE: August 17, 2017
SUBJECT: FY 2019 Capital and Operating Budget Instructions

The Finance Committee has not approved the FY 2019 Budget Guideline. It is expected that the final FY 2019 Capital and Operational Guidelines will be finalized in September 2017.

There will be a meeting with the Finance Director for all department heads on **Thursday, August 17th at 9:15 a.m.** in the Selectman's meeting room. I will discuss the Town's financial outlook for FY19 and the process of submitting your operating and capital budget requests and answer questions regarding the Town's finances. Budget deadlines are summarized at the end of this memo.

Finance Director will be available to assist with explaining the budget process.

Purpose of Memo:

The purpose of this memorandum is to provide an overview of the FY 2019 Capital and Operating Budget process in advance of the Finance Committee FY 19 Budget Guideline. When the final guideline is published in September you will be able to modify your budget requests based on the goals and objectives of the Finance Committee Guideline.

Key department budget points:

- The Finance Committee final guideline will determine the overall objective of the FY 19 Budget and identify if the departmental budgets are to be level service, level funded or some other criteria.
- Review your FY 17 budget to actual reports and identify any large turnback. A schedule of turnbacks resulting from FY 17 appropriations is attached for review. Determine if your FY 19 budget could be impacted by FY 17 turnbacks.
- In preparing your FY 19 Personnel Services budget be aware that the FY 18 Personnel Services budget does not include any settled contract increases. As a result your FY 19 Personnel Services budget submission should not include any FY 18 or FY 19 COLA increases.
- FY 17 final budget to actual MUNIS reports will be emailed to you as well as the FY 18 budget report.

FY 2019 Departmental Budget Preparation

FY 2019 Operating Budget Requests: Operating budget requests are to be based on amounts deemed necessary to operate the departments. Identify in your budgets any changes to departmental operations that would either increase or decrease funding in FY 19. Please take into consideration cost changes related to utilities and any settled wage contracts. Detail any changes in your FY 19 budget by completing the Explanatory Statements of Changes Form.

Operating budget requests for each department are to be submitted on the FY19 Budget Detail form with detail entered that totals each line item account number amount. The FY19 Budget Detail form, an example of the level of detail required and a copy of your department's FY18 Budget Detail form will be provided. Please submit completed **DRAFT FY19 Budget Detail forms to Beth Doucette via email by Friday, September 8.** *(Note that budgets are subject to revision throughout the approval process).*

FY 2019 DRAFT Capital Requests: DRAFT Capital Requests for each department are to be submitted, together with the Operating Budget Requests, with as much detail and backup information as possible, in any format (The CIP Form is not required at this time). Please submit **DRAFT FY19 Capital Requests to Beth Doucette via email by Friday, September 8.**

Salary Items: In FY 18 departmental personnel services budgets were appropriated based on FY 17 wages and any steps. Your estimated FY 19 budget should be based on the FY 18 budget plus any obligated steps. Do not include any COLA increases in your initial FY 19 budget. If salary contracts are settled and approved at Town Meeting, you will need to adjust your personnel services budgets in November to include such settlements. If you are intending on adding staff to your department then include the estimated salary cost of each new employee in your initial budget. Prior to insertion into your FY 19 budget proposal, any proposed new employees should first be approved by your supervisory board or supervisory authority. This paragraph does not apply to the School Department.

New FY 2019 Requested Employees: In addition to proposed changes in personnel being discussed with your respective supervisory boards, committees, or authority, any such changes will also need to be presented to the Wayland Personnel Board. Forms to request new employees or changes to existing positions will be provided on August 17th. A schedule of meeting dates will be published in September. As noted above, and with the approval of your supervisor or supervisory board, include the cost of the proposed new employees in your initial personnel services budgets.

Non-salary Items: These accounts should be budgeted at the amounts anticipated to provide the same service during FY19. In addition, if you are required to provide a new service or discontinue a service include the costs of these changes in your initial budget submission.

Review and Approval Process: After submission of your department's completed FY19 Budget Detail form it must then be reviewed and approved by the respective supervisory boards, committees, or authority by **Monday, September 25.** The approved FY19 Budget Detail form shall then be forwarded to Beth Doucette by **Tuesday, September 26** for review by the Town Administrator.

Following the completion of this process, each department will enter their budget in the Munis financial system by **Friday, October 27th at noon.**

Department Budget Preparation Summary:

The Finance Committee will publish the FY 2019 Budget Guideline in September.

- Include in your budget:
 - New proposed employees and new or discontinued services.
 - Highlights of budget changes.
 - Key issues facing your department.
- Review your FY 2017 final expenditure reports and identify the cause of any large appropriation turnbacks as this may affect your Fiscal 2019 budget.
- Identify any new services that you may need to provide in FY 2020 thru FY 2023.
- The “Explanatory Statement of Changes” will be required for each departmental budget.
- Submit completed DRAFT FY19 Budget Detail forms and DRAFT Capital Requests to Beth Doucette via email by **Friday, September 8.**
- Review and obtain approval of your budgets with your respective boards, committees, or supervisory authorities by **Monday, September 25.**
- Forward approved Budget Detail forms to Beth Doucette via email by **Tuesday, September 26.**
- Operating budgets shall be submitted through the MUNIS financial system by **Friday, October 27th at noon.**

FY2019 Capital Budget Requests: The precise amount available has not been determined and will depend on funding sources and length of borrowing terms to create a capital budget without increased tax impact to our residents.

The Finance Committee will follow the Capital Improvement Plan (CIP) again this year. As a reminder, the capital budget includes all items with a cost of \$25,000 or greater and a useful life of 5 or more years. All Capital Budget items must be included in your Capital Budget request and NOT be submitted as separate Town Meeting articles.

The CIP form is the same as the previous year. Please use the expandable window to describe your CIP in detail. In addition:

- Complete a separate “CIP Request Form” for each request as well as the summary excel file outlining your projects over the next 5 years. Attached is a copy of the “CIP Request Form” and “5 YEAR CAPITAL PLAN” template. Note: the evaluation criteria should be completed for FY 2019, FY 2020 and FY 2021 requests only. Cost should include or identify any study or design costs.
- Complete a 5-year capital project plan in Excel for FY -19 thru FY- 23.
- Make sure you fully complete the CIP Request Form. The forms will be reviewed by the Finance Director and by the liaisons from the Finance Committee and the Board of Selectmen (lists attached). Forms that have not been fully completed will be returned and should be completed where noted by the reviewer. If the forms are then returned incomplete, they will be deemed unacceptable and will not be reviewed for consideration.
- All building related requests (major repairs and new buildings) need to flow through Ben Keefe, Public Buildings Director. He will submit the final CIP form for those requests.
- Amounts requested for outer years should reflect your best estimate of the future cost for purchase/repair since the cost 3 or 4 years from now would be more than the current cost to purchase/repair.
- We expect most items on the existing CIP plan will be carried forward from the last years forecast.

- Requests that are to be funded with CPA funds, such as new fields or historic preservation should also be included. The Community Preservation Committee must approve the funding sources for the project prior to being submitted as part of your capital request.
- The default funding is borrowing, cash capital and free cash. If there are any other available sources of funding or partial funding, identify the source at the bottom of the form.
- Please be prepared to discuss the status of all your open capital projects and provide estimated completion dates as well as anticipated unexpended funds. Prior to consideration of new capital projects, estimated completion dates and estimated costs to complete previously approved projects will be required.
- **DEFINITION OF CAPITAL PROJECT:** Estimated cost of \$25,000 or more and a useful life of 5 years or more. Includes the construction or reconstruction of existing capital assets, municipal buildings, recreational facilities, roads, landfills, and acquisition of land, equipment, vehicles and other personal property.
- Please complete a Separate CIP Request Form for ALL Projects for Period FY 19 - FY 23
- Complete Five – Year Capital Plan Summary (Excel) FY 19 – FY 23
 - Requires completion of evaluation criteria for FY 19, 20 and 21 only
 - Requires complete explanation of reasons for any changes to last year's five-year plan
 - Cost estimates must be well documented for FY 19, 20 and 21.
 - Please review and refer all capital projects for buildings with Ben Keefe.

OUTSTANDING CAPITAL PROJECTS

- Before submitting any Capital Requests for FY19 and beyond, please review your existing capital projects. Close out the balances of those projects that have been completed and prepare a written status report for each outstanding project that includes a completion date and expected turnback figure. Please note all outstanding capital projects that were approved at Annual Town Meeting 2015 and prior that have not been completed will be closed out on October 27th unless a compelling case is presented to the Finance Committee prior to October 6th as to why the project should remain open.

The deadline for submitting capital requests is Friday, September 29th at noon to Brian Keveny, Finance Director, electronically by e-mail.

* * *

To summarize:

1. **Meeting:** Department Head meeting with the Finance Director, Thursday, August 17th at 9:15 a.m.
2. Completed DRAFT Operating Budget Detail forms and DRAFT Capital Requests shall be submitted via email to Beth Doucette by Friday, September 8.
3. Review and approval of your budgets with your respective boards, committees, or supervisory authorities shall be completed by Monday, September 25.
4. Approved Budget Detail forms shall be submitted to Beth Doucette via email by Tuesday, September 26.
5. **Capital:** The CIP request forms for Fiscal 2019, 2020 and 2021, 5-year summary excel file and any additional attachments need to be submitted electronically by e-mail to Brian Keveny, Finance Director at bkeveny@wayland.ma.us by Friday, September 29th at noon. Name each CIP file starting with your department name, fiscal year and then the capital item, example "Fire CIP Request FY19 – Ambulance" etc.
6. Operating budgets shall be submitted through the MUNIS financial system by Friday, October 27th at noon..

As in past years, all budget meetings with the Finance Committee will be scheduled during Monday evenings in January. The Finance Committee is also considering reviewing both your departmental budget and CIP forms at the same time prior to January. More information on this will follow. The dates and specific times for these department budget hearings will be distributed later.

We thank you in advance for your assistance in the budget process.

Summary of Timeline:

- 1) **FY 19 MUNIS budget module open August 18th**
- 2) **FY19 DRAFT Operating Budget Detail forms and DRAFT Capital Requests due by September 8th**
- 3) **Review and approval of Operating Budget Detail with your respective boards, committees, or supervisory authorities completed by September 25th**
- 4) **Approved Budget Detail forms submitted to Beth Doucette by September 26th**
- 5) **CIP and 5-year capital plan due by September 29th**
- 6) **FY 19 Operating budget submitted through MUNIS financial system by October 27th**

Important Reminders:

- 1) **Review both Capital and Operating Budgets with your respective supervisory or supervisory authority prior to submitting budgets.**
- 2) **Review all proposed new employees with your respective supervisory or supervisory authority prior to meeting with the Wayland Personnel Board.**

Town of Wayland, Ma					
DEPARTMENT	FINAL FISCAL 2017 BUDGET	FISCAL 2017 ACTUAL	FISCAL 2017 ENCUMBRANCE	FISCAL 2017 VARIANCE BUDGET / ACTUAL	Turnback as % Budget
SELECTMEN	30,000.00	17,575.00	1,000.00	11,425.00	38.08%
TOWN OFFICE SALARY	465,375.00	460,581.00	-	4,794.00	1.03%
TOWN OFFICE EXPENSES	81,500.00	63,923.00	7,898.00	9,679.00	11.88%
PERSONNEL BOARD SALARY	5,000.00	2,431.00	-	2,569.00	51.38%
PERSONNEL BOARD EXPENSES	10,000.00	4,430.00	450.00	5,120.00	51.20%
FINANCE SALARY	348,794.00	347,969.00	-	825.00	0.24%
FINANCE EXPENSE	56,700.00	55,060.00	-	1,640.00	2.89%
ASSESSOR SALARY	259,626.00	250,216.00	-	9,410.00	3.62%
ASSESSOR EXPENSES	52,250.00	39,392.00	8,989.00	3,869.00	7.40%
TREASURER SALARY	190,104.00	186,737.00	-	3,367.00	1.77%
TREASURER EXPENSES	100,100.00	32,597.00	5,500.00	62,003.00	61.94%
LEGAL	200,000.00	164,082.00	35,204.00	714.00	0.36%
INFORMATION TECH SALARY	275,316.00	234,633.00	-	40,683.00	14.78%
INFORMATION TECH EXPENSES	521,957.00	339,472.00	178,109.00	4,376.00	0.84%
TOWN CLERK SALARY	125,781.00	125,233.00	-	548.00	0.44%
TOWN CLERK EXPENSES	17,330.00	13,634.00	3,180.00	516.00	2.98%
ELECTIONS SALARY	37,908.00	36,738.00	-	1,170.00	3.09%
ELECTIONS EXPENSES	11,770.00	11,694.00	-	76.00	0.65%
REGISTRAR SALARY	275.00	275.00	-	-	0.00%
REGISTRAR EXPENSES	5,000.00	4,598.00	-	402.00	8.04%
CONSERVATION SALARY	170,402.00	143,561.00	-	26,841.00	15.75%
CONSERVATION EXPENSES	48,700.00	42,447.00	5,425.00	828.00	1.70%
PLANNING SALARY	105,000.00	98,090.00	-	6,910.00	6.58%
PLANNING EXPENSES	4,500.00	3,035.00	-	1,465.00	32.56%
SURVEYOR SALARY	169,118.00	169,041.00	-	77.00	0.05%
SURVEYOR EXPENSES	31,412.00	26,796.00	1,000.00	3,616.00	11.51%
FACILITIES SALARY	277,932.00	265,945.00	-	11,987.00	4.31%
FACILITIES EXPENSES	880,500.00	703,802.00	36,977.00	139,721.00	15.87%
MISC COMMITTEES	47,275.00	23,588.00	21,946.00	1,741.00	3.68%
				-	
TOTAL GENERAL GOVERNMENT	4,529,625.00	3,867,575.00	305,678.00	356,372.00	7.87%
POLICE SALARY	2,356,693.00	2,350,058.00	-	6,635.00	0.28%
POLICE EXPENSES	310,110.00	261,150.00	21,505.00	27,455.00	8.85%
JOINT COMMUNICATIONS SALARY	496,675.00	482,735.00	-	13,940.00	2.81%
JOINT COMMUNICATIONS EXPENSES	27,100.00	26,999.00	-	101.00	0.37%
EMERGENCY MANAGEMENT	23,000.00	16,441.00	6,500.00	59.00	0.26%
DOG OFFICER	22,000.00	21,977.00	-	23.00	0.10%
FIRE SALARY	2,492,921.00	2,345,969.00	-	146,952.00	5.89%
FIRE EXPENSES	258,400.00	256,868.00	883.00	649.00	0.25%
BUILDING & ZONING SALARY	311,497.00	278,234.00	-	33,263.00	10.68%
BUILDING & ZONING EXPENSES	52,001.00	42,909.00	-	9,092.00	17.48%
				-	
TOTAL PUBLIC SAFETY	6,350,397.00	6,083,340.00	28,888.00	238,169.00	3.75%

Town of Wayland, Ma					
DEPARTMENT	FINAL FISCAL 2017 BUDGET	FISCAL 2017 ACTUAL	FISCAL 2017 ENCUMBRANCE	FISCAL 2017 VARIANCE BUDGET / ACTUAL	Turnback as % Budget
WAYLAND PUBLIC SCHOOLS	37,722,833.00	37,169,539.00	483,611.00	69,683.00	0.18%
MINUTEMAN REGIONAL SC	93,215.00	93,215.00	-	-	0.00%
TOTAL EDUCATION	37,816,048.00	37,262,754.00	483,611.00	69,683.00	0.18%
HIGHWAY SALARY	1,030,407.00	939,666.00	-	90,741.00	8.81%
HIGHWAY EXPENSES	302,500.00	254,160.00	44,737.00	3,603.00	1.19%
SNOW REMOVAL SALARY	200,000.00	176,405.00	-	23,595.00	11.80%
SNOW REMOVAL EXPENSES	585,000.00	585,000.00	-	-	0.00%
TRANSFER STATION	65,000.00	41,821.00	-	23,179.00	35.66%
PARKS SALARY	556,441.00	550,556.00	-	5,885.00	1.06%
PARKS EXPENSES	293,000.00	265,556.00	18,897.00	8,547.00	2.92%
TOTAL PUBLIC WORKS	3,032,348.00	2,813,164.00	63,634.00	155,550.00	5.13%
BOARD OF HEALTH SALARY	679,384.00	676,423.00	-	2,961.00	0.44%
BOARD OF HEALTH EXPENSES	179,356.00	146,315.00	2,889.00	30,152.00	16.81%
VETERANS SERVICES	48,000.00	36,548.00	383.00	11,069.00	23.06%
C.O.A. SALARY	207,486.00	204,743.00	-	2,743.00	1.32%
C.O.A. EXPENSES	56,000.00	52,393.00	611.00	2,996.00	5.35%
YOUTH SERVICES SALARY	222,400.00	221,078.00	-	1,322.00	0.59%
YOUTH SERVICES EXPENSES	4,075.00	3,775.00	-	300.00	7.36%
TOTAL HEALTH / HUMAN SERVICES	1,396,701.00	1,341,275.00	3,883.00	51,543.00	3.69%
LIBRARY SALARY	823,000.00	788,488.00	-	34,512.00	4.19%
LIBRARY EXPENSES	233,200.00	232,530.00	29.00	641.00	0.27%
RECREATION SALARY	172,000.00	158,939.00	-	13,061.00	7.59%
TOTAL CUTURAL	1,228,200.00	1,179,957.00	29.00	48,214.00	3.93%
DEBT	7,507,251.00	7,470,289.00	-	36,962.00	0.49%
RETIREMENT ASSESSMENT	4,235,414.00	4,235,414.00	-	-	0.00%
UNCLASSIFIED	-	-	-	-	-
INSURANCE GENERAL	628,157.00	621,417.00	-	6,740.00	1.07%
INSURANCE 32B	7,165,000.00	6,720,157.00	351,988.00	92,855.00	1.30%
MEDICARE TAX	628,000.00	627,037.00	-	963.00	0.15%
UNEMPLOYMENT	50,000.00	28,407.00	-	21,593.00	43.19%
POLICE / FIRE DISABILITY	15,000.00	1,389.00	-	13,611.00	90.74%
RESERVE FOR SALARY ADJ	9,449.00	-	-	9,449.00	100.00%
OCCUPATIONAL HEALTH	8,000.00	4,356.00	240.00	3,404.00	42.55%
BUY BACK	40,000.00	27,921.00	-	12,079.00	30.20%
TOWN MEETING	100,000.00	63,645.00	-	36,355.00	36.36%
STREET LIGHTING	130,000.00	122,850.00	7,605.74	(455.74)	-0.35%
RESERVE FUND	29,403.00	-	-	29,403.00	100.00%
TOTAL UNCLASSIFIED / OTHER	20,545,674.00	19,922,882.00	359,833.74	262,958.26	1.28%
TRANSFER TO OTHER FUNDS-Capital	87,301.00	87,301.00	-	-	-
CASH CAPITAL	185,000.00	185,000.00	-	-	0.00%
USE OF FREE CASH FOR CAPITAL	466,001.00	466,001.00	-	-	0.00%
RECREATION TRANSFER	482,618.00	482,618.00	-	-	-
OVERLAY	620,322.00	-	-	620,322.00	100.00%
TRANSFER TO FUND 24- FEMA	180.00	180.00	-	-	-
TRANSFER TO SEPTAGE	-	7,615.00	-	(7,615.00)	-
TRANSFER TO OPEB	215,285.00	215,285.00	-	-	0.00%
INTERFUND BORROWING TO WATER	-	500,000.00	-	(500,000.00)	-
TOTAL TRANSFERS	2,056,707.00	1,944,000.00	-	112,707.00	5.48%
STATE ASSESSMENTS & CHARGES	181,522.00	147,287.00	-	34,235.00	18.86%
TOTAL UNAPPROPRIATED	181,522.00	147,287.00	-	34,235.00	18.86%
Totals	77,137,222.00	74,562,234.00	1,245,556.74	1,329,431.26	1.72%

Explanatory Statement of Changes In Expenses Template

Department/Committee/etc. (name of your entity): _____

Item description	Salary or Expense type	FY 18 Appropriated	FY 19 Proposed	Change	Detailed explanation/supporting rationale
Salaries	Salary			\$0.00	
				\$0.00	
Contract services	Expense			\$0.00	
Training	Expense			\$0.00	
Dues	Expense			\$0.00	
Supplies	Expense			\$0.00	
				\$0.00	
All Other-Net					
		\$0.00	\$0.00	\$0.00	
Total		\$0.00	\$0.00	\$0.00	



@waylandflncom

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS
01778

FINANCE COMMITTEE

STEVEN CORREIA
JEN GORKE
CAROL MARTIN (Vice Chair)
KLAUS SHIGLEY
WILLIAM STEINBERG
GEORGE UVEGES
DAVE WATKINS (Chair)

FINAL FINANCE COMMITTEE FY19 LIAISON ASSIGNMENTS

No	Subject	Organization	Primary	Backup
1.)	Governance	Board of Selectman	Dave Watkins	Carol Martin
		Town Administrator	Dave Watkins	Carol Martin
		Finance Director	Dave Watkins	Carol Martin
2.)	General Government	Town Clerk	Dave Watkins	Carol Martin
		Information Technology	Dave Watkins	
		Personnel Board	Dave Watkins	Carol Martin
		Historical Commission	Dave Watkins	Carol Martin
		Historical District Commission	Dave Watkins	Carol Martin
		Public Ceremonies Committee	Dave Watkins	Carol Martin
3.)	Finance	Board of Assessors	George Uveges	
		Treasurer's Office	George Uveges	
		Commissioner of Trust Funds/Trustee of the Allen Fund	George Uveges	
4.)	Education & Library	School Committee	Klaus Shigley	Carol Martin
		Board of Library Trustees	Jen Gorke	Bill Steinberg
5.)	Planning & Natural Resources	Conservation Commission	Steve Correia	
		Community Preservation Committee	Carol Martin	Steve Correia
		Sudbury, Assabet and Concord River Stewardship Council	Steve Correia	
		Planning Board	Bill Steinberg	
		Town Surveyor	Bill Steinberg	
		Zoning Board of Appeals	Bill Steinberg	
		Permanent Municipal Building Advisory Committee	Bill Steinberg	
Energy Initiatives Advisory Committee	Steve Correia			
6.)	Public Services	Board of Health	Klaus Shigley	
		Facilities	Bill Steinberg	George Uveges
		Inspection/Building Department	Bill Steinberg	
		Department of Public Works	Carol Martin	George Uveges
		Surface Water Quality Committee	Steve Correia	
		Recreation Commission	Bill Steinberg	
		Wastewater Management District Commission	Bill Steinberg	
7.)	Public Safety	Fire Department	George Uveges	Jen Gorke



 @waylandfincom

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS
01778

FINANCE COMMITTEE

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KLAUS SHIGLEY
WILLIAM STEINBERG
GEORGE UVEGES
DAVE WATKINS (Chair)

FINAL FINANCE COMMITTEE FY19 LIAISON ASSIGNMENTS

No	Subject	Organization	Primary	Backup
		Police Department	Jen Gorke	George Uveges
		Auxiliary Police	Jen Gorke	George Uveges
		Local Emergency Planning Committee	George Uveges	Jen Gorke
		Dog Control Officer	Jen Gorke	
8.)	Community Services	Council on Aging	Carol Martin	Steve Correia
		Senior Tax Relief Committee	Steve Correia	
		Wayland Community Fund	Steve Correia	
		Veteran's Agent	Steve Correia	
		Youth Advisory Committee	Steve Correia	
		Wayland Housing Authority	Carol Martin	
		Cultural Council	Steve Correia	
		Department of Economic Development	Steve Correia	

Instructions for Using the Excel Capital Form

The Finance Committee uses a special Macro enabled excel form to collect Capital Improvement Plan Requests as indicated below:



TOWN OF WAYLAND
41 GARDENSTATE ROAD
WAYLAND, MASSACHUSETTS 01772

CAPITAL APPROPRIATION REQUEST
FY18 - FY22 (FIVE YEARS)

1 PROJECT INFO

2 Included in Prior 5 Year Capital Plan? Yes/No

3 PROJECT SPONSOR

4 Sponsor (Advocate) Name

5 APPROVING DEPARTMENT

6 Contact Name and Email Address

7 PROJECT DESCRIPTION

8 PROJECT JUSTIFICATION

9 EVALUATION COSTS (Applicable current year budget requests only)

Category	Year 18	Year 19	Year 20	Year 21	Year 22	TOTAL	Comments
A. CAPITAL EXPENDITURE							
B. MAINTENANCE							
C. CAPITAL REPLACEMENT							
D. OPERATIONAL							
E. TOTAL							

10 EXPENDITURE SCHEDULE: please provide detailed supporting schedule for 2018 to 2022

Account	How to Code	2018	2019	2020	2021	2022	TOTAL	Comments
1. OPERATIONAL								
2. CAPITAL								
3. MAINTENANCE								
4. REPLACEMENT								
TOTAL								

11 OPERATIONAL BUDGET IMPACT

Item	YES	NO	IF YES please provide details
1. Will this Capital Request generate new revenue?			
2. Will this Capital Request increase operating costs?			
3. Will this Capital Request decrease operating costs?			
4. Will this Capital Request impact personnel?			

12 FUNDING SOURCE

Item	YES	NO	IF YES please provide details
1. Will this Capital Request be paid by?			
1. Sponsoring Dept Capital			
2. CSA Funds			
3. Unassigned Funds			
4. Other			

13 BUDGET DETAILS

1. Project Number: _____

2. Title: _____

3. Description: _____

4. How is this project being funded? _____

5. Priority: _____

No	Description	Instructions	Warrant Map
1	Project Info: <u>Project Title</u>	Provide a 3-5 word general description of the request so people can easily understand.	2
2	Project Info: <u>Included in Prior 5 Year Capital Plan</u>	Yes or No Answer. This indicates whether this is a new request or something that was included in a previous year's plan.	9
3	Project Sponsor: <u>Sponsor (advocate) Name</u>	This is the Title of the person who has the role of Department Head. Please do not use their name.	3

No	Description	Instructions	Warrant Map
4	Project Sponsor: <u>Contact Information</u>	This is the email address of the lead person responsible for the Capital Request. This is used to communicate and coordinate the development of the Capital Plan.	
5	Approving Body/Vote: <u>Contact Name and Email Address</u>	This field is used to capture the main representative and the Town Organization responsible for creating the Plan.	
6	Approving Body/Vote: <u>Date and Quantum of Vote</u>	As part of the proposed process, the ultimate Board, Committee etc. responsible for requesting the Capital Improvement Plan will vote and record the results of the vote on the form.	
7	Project Description	The Project description is a detailed description of the Capital Improvement Plan. This box will automatically expand when you type into it. If you have any issues, please make sure macros are enabled in our version of Excel.	4
8	Project Justification	The Project justification is an overview of why this Capital Improvement Plan has been requested and an understanding of the due diligence that has been performed. This box will automatically expand when you type into it. If you have any issues, please make sure macros are enabled in our version of Excel.	5
9	Evaluation Criteria	This is related to funding requested in the current year only. This is used to help prioritize the need for the Capital Improvement Plan when compared to other competing requirements of the Town. Questions A through E should be evaluated based on the following criteria: <ul style="list-style-type: none"> • Does not meet or does not apply • Partially meets criteria • Fully meets Criteria 	
10	Expenditure Schedule	This section is critical. For this Capital Improvement Plan, all costs should be accounted for the current and subsequent 5-year period. A Single Capital Improvement Plan is required for the current year and a schedule that supports the costs associated with subsequent year should be documented so that the Committee can evaluate the	12, 13, 14

No	Description	Instructions	Warrant Map
		long term impact on Town Finances. Appendix A shows an example schedule.	
11	Operational Budget Impact	This section is used to help prioritize the Capital Improvement Plan. If you choose yes, please provide a detailed description.	
12	Funding Sources	It is important that we exhaust all sources of potential funding prior to making a borrowing request. For items marked yes, please provide sufficient details.	10
13	Warrant Details: <u>Request Number</u>	This is the order in which the CIP is printed and referred to in the Warrant	1
13	Warrant Details: <u>Department</u>	This is the department where this CIP will be implemented.	1,3
13	Warrant Details: <u>Schedule</u>	Provide the Fiscal year this CIP pertains to (e.g. Fiscal Year 2018)	8
13	Warrant Details: <u>Relationship to General Plan</u>	Provide a detailed description as to how the CIP relates to the general plan adopted for the Town.	5
13	Warrant Details: <u>History</u>	Provide historical context for how why the CIP is needed.	7

NEW POSITION REQUEST FORM

Department: _____

Job Title _____

Full-Time: _____

Part Time: _____

If Part-time; # hours/weeks: _____

Estimated
Hourly Rate: _____

Estimated
Annual Rate _____

Effective Date Requested: _____

Section A: Estimated Annual Costs:

Base Wages _____

Overtime _____

Stipends _____

Clothing Allowance _____

Other (specify) _____

Subtotal Estimated Personnel Expense _____

Additive @ 40%
(Insurances, retirement, etc.) _____

Total Estimated Personnel Related Expenses _____

Non Personnel Related Costs
(Computer, office, furniture, etc.) _____

Total Estimated Related Expenses _____

Section B: Funding

Projected Funding Source _____

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

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

Department Head: _____ Date: _____

Oversight Board or
TA Approved _____ Date: _____

Personnel Board Recommendation:

Recommended: _____ Not Recommended: _____

Vote: _____ Date _____

POSITION MODIFICATION REQUEST FORM

Department: _____

Job Title: _____

Current Status:

Full-time: _____

Part-time: _____

Temporary: _____

Requested Status:

Full-time: _____

Part-time: _____

Temporary: _____

Effective Date Requested: _____

Section A: Estimated Costs:

Base Wages _____

Overtime _____

Stipends _____

Clothing Allowance _____

Other (specify) _____

Total Estimated Personnel Related Expenses _____

Section B: Change in Duties to be Performed

Section C: Justification for the Request

Department Head: _____

Date: _____

Oversight Board or

TA Approval: _____

Date: _____

AN ACT TO ENSURE SAFE ACCESS TO MARIJUANA A GUIDE TO THE REVISED LAW LEGALIZING RECREATIONAL USE OF MARIJUANA AUGUST 2017

On the November 2016 state election ballot, Massachusetts voters approved Question 4 to allow the non-medical (hereinafter “recreational”) use of marijuana by adults in the Commonwealth (Chapter 334 of the Acts of 2016, entitled, “The Regulation and Taxation of Marijuana Act”). We issued a guide to the new law in January, 2017. On July 28, 2017, Governor Baker signed the General Court’s revised law on the subject, “An Act to Ensure Safe Access to Marijuana” (the “Act”), adopted as Chapter 55 of the Acts of 2017.

The Act makes numerous changes to the laws that were approved by the voters. The most significant changes from the municipal perspective involve the licensing process, the optional local tax surcharge, and amendments to the optional local restrictions or prohibitions that may be considered. Additionally, the Act will soon repeal Chapter 369 of the Acts of 2012, entitled “An Act for the Humanitarian Medical Use of Marijuana,” and move the statutory requirements for the limited cultivation, distribution, possession and use of marijuana for medical purposes into a new G.L. c.94I. This guide will summarize the key points.

CURRENT TIMELINE

AUGUST 1, 2017 Cannabis Advisory Board	Appointment of a 25-member Cannabis Advisory Board, with members appointed by a variety of officials and organizations, charged with making recommendations on guidelines, rules, and regulations for the recreational use of marijuana. The President (or a designee) of the Massachusetts Municipal Association shall hold one seat.
SEPTEMBER 1, 2017 Cannabis Control Commission	Appointment of a five-member Cannabis Control Commission (“CCC”), by the Governor, Attorney General and Treasurer. The CCC will have authority to adopt regulations and issue licenses for commercial production and sale of marijuana, much like the Alcoholic Beverages Control Commission for alcohol. The CCC shall also assume authority over the licensing of medical marijuana treatment centers, which will be transferred from the Department of Public Health before December 31, 2018.
MARCH 15, 2018 CCC Adoption of Regulations	Adoption of regulations, guidelines and protocols by the CCC for the issuance of licenses for recreational marijuana establishments. The CCC must additionally make necessary accommodations and promulgate special regulations for the counties of Dukes and Nantucket by May 1, 2018.

April 1, 2018 License Applications Begin	Acceptance of applications by the CCC for recreational marijuana licenses pursuant to G.L. c.94G will begin not later than April 1. IMPORTANT: The CCC will be governed by the zoning bylaws or ordinances in effect at the time of application . Municipalities must inform the CCC of any bylaw or ordinance that would make the applicant noncompliant if the license is issued.
June 1, 2018 License Issuance	The CCC may begin issuing licenses, prioritizing applications under statutory criteria. The CCC must approve or deny applications within 90 days.

ZONING MORATORIA

The emerging area of marijuana regulation presents many policy and planning issues for municipalities. A zoning moratorium, which would impose a temporary limit on the ability of applicants to locate marijuana establishments within a municipality, is a powerful tool available to municipalities to provide additional time to consider how a community will regulate marijuana uses.

Many municipalities have already adopted a zoning moratorium on locating a recreational marijuana facility. In light of the revisions to Chapter 94G, it appears that the Attorney General will continue to approve such moratoria for towns. We recommend that municipalities not seek to impose a moratorium beyond December 31, 2018. A moratorium may be important if a municipality is considering seeking a prohibition or other limitation but may not be able to have the bylaw or ordinance in place before April 1, 2018. A sample zoning moratorium is attached.

LOCAL REGULATION UNDER G.L. c.94G, §3

Municipalities may regulate the time, place and manner of marijuana establishment operations and may adopt ordinances and bylaws that impose reasonable safeguards on the operation of marijuana establishments, provided they are not “unreasonably impracticable.” Ordinances and bylaws may also restrict licensed cultivation, processing and manufacturing of marijuana that is a “public nuisance,” establish restrictions on public signs related to marijuana establishments and establish a civil penalty for violation of an ordinance or bylaw.

Municipalities seeking to prohibit or otherwise limit the number or types of marijuana establishments within a community must follow the method revised by the General Court to impose such limitations.

Prohibitions or Limitations Permitted by Bylaws or Ordinances

Pursuant to G.L. c.94G, §3, a municipality may prohibit or limit recreational marijuana establishments by bylaw or ordinance with respect to the following:

- prohibit the operation of one or more types of marijuana establishments;

- limit the number of marijuana retailers to fewer than 20 per cent of the number of retail off-premises alcoholic beverage licenses issued under G.L. c.138 by the municipality; or
- limit the number of any type of marijuana establishment to fewer than the number of medical marijuana treatment centers registered to engage in the same type of activity in the municipality.

The procedure for adopting a bylaw or ordinance to prohibit or limit the number of recreational marijuana establishments has significantly changed.

- If a municipality voted in *favor* of Question 4 on November 8, 2016 [i.e., a majority of voters casting ballots voted “yes” on the question], then two votes must be taken before an ordinance or bylaw can be effective – (1) it must be approved by the voters by ballot at an annual or special election, and (2) the ordinance or bylaw must be approved by the local legislative body.
- If a municipality voted *against* Question 4, a ballot question is not required and the ordinance or bylaw may be adopted by the local legislative body. This special provision will expire on December 31, 2019, after which the two-step process requiring a ballot question and legislative approval will apply to all municipalities.

Chapter 94G, §3 now provides the general form for a ballot question. The question must include the entire proposed bylaw or ordinance and also directs that the City Solicitor/Town Counsel prepare a brief summary that makes clear the number and types of marijuana establishments that will be permitted to operate. As with all ballot questions, pursuant to G.L. c.54, §42C, a City or Town Clerk must receive notice of the ballot question, with the full legislation text and counsel summary, no less than 35 days prior to the date of the election. Sample ballot questions are attached.

Additional Issues to Consider When Imposing Prohibitions or Limitations

The Act is silent on several issues concerning the adoption of local legislation. These issues include:

Zoning v. General Legislation: The language in the Act is ambiguous with respect to whether a bylaw or ordinance implementing a prohibition or limitation must be zoning or general in nature. We recommend that a municipality consider adopting both a general and a zoning bylaw or ordinance to prohibit or limit recreational marijuana establishments. A general bylaw or ordinance may serve to protect the Town from zoning issues such as zoning freezes and “grandfathering” of existing uses. A lower quantum of vote is also required to pass a general bylaw. The Attorney General has already approved zoning bylaws imposing prohibitions and limitations on recreational marijuana establishments. The Attorney General has also approved a similar general bylaw, but recommended that the town adopt a zoning bylaw as well. This is an evolving issue that will also involve different policy considerations. Samples of bylaw/ordinance language are attached.

Agreement of Bylaw or Ordinance Language with Ballot Question: For municipalities subject to the two-step approval process for implementing a prohibition or limitation, it is important that the bylaw or ordinance approved by ballot be the same or substantially similar as that approved by the local legislative body in order to avoid any challenge to its validity.

Conversion of Existing Marijuana Treatment Centers

The prior law required a city or town to allow a recreational marijuana establishment to be located in “any area in which a medical marijuana treatment center is registered to engage in the same type of activity.” The new Act rescinded that requirement, but added a new requirement prohibiting a zoning bylaw or ordinance from preventing a medical marijuana establishment, licensed by the Commonwealth on or before July 1, 2017, from converting to a recreational marijuana establishment “engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment engaged in the same type of activity.” It is important to note, however, that such a conversion may be prohibited if the municipality has adopted a total prohibition of all recreational marijuana establishments by ordinance or bylaw.

Petition for Ballot Question to Permit Marijuana “Cafés”

The procedure for allowing consumption on the premises where marijuana is sold remains unchanged from the previous legislation. A petition, which must be signed by at least 10% of the registered voters, is the only mechanism to put this question on a ballot, and it can only appear on a ballot for the biennial state election, the next of which will be held in November 2018.

Marijuana Growing and Cultivation

As our previous memorandum indicated, Chapter 351 of the Acts of 2016 amended the Zoning Act, G.L. c.40A, §3, to provide that the “growing, cultivation, distribution or dispensation of marijuana” does not qualify for the agricultural exemption under the Zoning Act. The new Act expressly adds, however, that municipalities are not precluded “from establishing zoning bylaws or ordinances which allow commercial marijuana growing and cultivation on land used for commercial agriculture, aquaculture, floriculture, or horticulture.”

HOST COMMUNITY AGREEMENTS

The Host Community Agreement (HCA) provision in G.L. c.94G, §3 was substantially revised to cover both recreational and medical marijuana establishments. The Act now requires that recreational marijuana establishments and medical marijuana treatment centers enter into such agreements with host communities. The Act authorizes a “reasonable” community impact fee but caps it at no more than 3% of the establishment’s gross sales and limits the terms of the agreement to no more than five years. The Act does not preclude renegotiation of a HCA at the end of the initial five-year term. The Act continues to require that a host community agreement only include community impact fees that are “reasonably related” to the costs imposed upon the municipality by the operation of the marijuana establishment. The municipality is required to document its costs.

TAXATION ON SALE OF RECREATIONAL MARIJUANA

The Act increases the amount of local tax that municipalities may impose on the “sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city or town” to 3% of the total sales price, an increase from 2%.

- If a municipality wishes to adopt the local sales tax, it must accept G.L. c.64N, §3 by a vote of its Town Meeting, Town Council, or the approval of a City Council and Mayor. If a municipality has already accepted §3, a new vote of the legislative body will be required in order to increase a sales tax rate between 2% – 3%.
- This local tax does not apply to sales of marijuana or marijuana product between marijuana establishments.

The Act, at G.L. c.64N, §2, increased the amount of state tax on sales of recreational marijuana from the original 3.75% up to 10.75%.

CHANGES TO MEDICAL MARIJUANA LAWS

The Act makes a number of significant changes to the regulation of medical-use marijuana including the following:

- The eventual repeal of chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana.”
- The adoption of a new Chapter 94I – “Medical Use of Marijuana.”
- The transfer of the oversight and regulation of medical-use marijuana to the Cannabis Control Commission.
- The continuation of the Department of Public Health regulating medical-use marijuana in the short-term under its existing regulatory scheme, 105 CMR 725, until the transfer of oversight and regulation is complete. This transfer must occur on or before December 31, 2018.

We will address these changes in more depth in a separate update.

PERSONAL USE OF RECREATIONAL MARIJUANA

The following personal use of recreational marijuana is permitted under the Act:

- Persons 21 years of age or older may possess two ounces or less of marijuana. G.L. c94C, §32L.
- Within a person’s “primary residence,” a person may possess up to 10 ounces of marijuana and any marijuana produced on the premises for personal use by not more than six marijuana plants. If there is more than one grower at the residence, there may be up to 12 plants cultivated on the premises.
- A person may give away or transfer without “remuneration” to a person age 21 years or older up to one ounce of marijuana, of which no more than five grams may be in the form of marijuana concentrate, provided that such transfer is not advertised or promoted to the “public.”
- A person 21 years of age or older may also possess or manufacture marijuana accessories or sell such accessories to a person 21 years of age or older.



The following are significant limitations imposed on personal use of recreational marijuana under the Act:

- Cultivation and processing marijuana plants may not be visible from a public place.
- Marijuana or marijuana products exceeding 1 ounce within the person's place of residence must be secured by a lock.
- No person shall consume marijuana in a public place or smoke marijuana where smoking tobacco is prohibited. The term "public place" is not defined in the Act but is generally understood to include areas both privately and publicly owned to which the public have rights of access by invitation, either express or implied.
- Open containers of marijuana or marijuana products are prohibited in the passenger area of any motor vehicle.

FURTHER DEVELOPMENTS

We shall continue to monitor developments in this changing area of the law, particularly as the proposed regulations of the CCC are made public.

In the meantime, if you have any questions concerning regulation or recreational marijuana, please contact Attorneys Joel Bard (jbard@k-plaw.com), Katherine Laughman (klaughman@k-plaw.com), or Brian Riley (briley@k-plaw.com) at 617.556.0007. Members of our Labor and Employment Practice Group are also available to assist with employment-related questions.

MODEL MORATORIUM WARRANT ARTICLE

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section ____, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section ____, "Temporary Moratorium on Recreational Marijuana Establishments:"

Section ____ Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Section ____ Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

Section ____ Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action relative thereto.



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT BAN
WARRANT ARTICLES FOR MUNICIPALITIES REQUIRING A BALLOT
VOTE**

ZONING BYLAW ARTICLE:

To see if the Town will vote to amend the Town’s Zoning Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], “Marijuana Establishments”:

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

This Section shall be effective upon passage by the voters at a Town Election.

Or take any action relative thereto.

GENERAL BYLAW ARTICLE:

To see if the Town will vote to amend the Town’s General Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], “Marijuana Establishments”:

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

This Section shall be effective upon passage by the voters at a Town Election.

Or take any action relative thereto.

SAMPLE



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT BAN
WARRANT ARTICLES FOR MUNICIPALITIES NOT REQUIRING A
BALLOT VOTE**

ZONING BYLAW ARTICLE:

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], "Marijuana Establishments":

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

Or take any action relative thereto.

GENERAL BYLAW ARTICLE:

To see if the Town will vote to amend the Town's General Bylaw by adding a new Section [INSERT BYLAW SECTION REFERENCE HERE], **MARIJUANA ESTABLISHMENTS**, that would provide as follows, and further to amend the Table of Contents to add Section [INSERT BYLAW SECTION REFERENCE HERE], "Marijuana Establishments":

Section [INSERT BYLAW SECTION REFERENCE HERE]

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of _____.

Or take any action relative thereto.



The Leader in Public Sector Law

**MODEL RECREATIONAL MARIJUANA ESTABLISHMENT
BALLOT QUESTION FOR IMPOSING LIMITATION OR PROHIBITION**

Shall this [City or Town] adopt the following [bylaw or ordinance]?

[Insert solicitor/counsel summary]

[Insert full text of bylaw or ordinance]

SAMPLE



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, August 21, 2017
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road Wayland

CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through July 31, 2017, Invoice 191, Account 5673-01M: \$2,349.70
3. Vote the Question of Approving the Authorization of the Chair to Sign on Behalf of the Board of Selectman the Project Funding Agreement and Any Amendments Thereto, between the Town of Wayland and the Massachusetts School Building Authority (MSBA) for the Loker School Project
4. Vote the Question of Approving and Signing the Letter to Massachusetts Emergency Management Agency re: Letter of Intent and Non-Federal Cost Share Commitment for 2017 Pre-Disaster Mitigation
5. Vote to Authorize the Chair to Sign the Contract with TEC on Behalf of the Zoning Board of Appeals for a Traffic Peer Review for the 40B Project at 24 School Street for \$3,750 to be Paid by the Applicant
6. Vote to Authorize the Chair to Sign the MassHousing Partnership 40B Technical Assistance Application for the Cascade Project

DEUTSCH WILLIAMS BROOKS
DeRENSIS & HOLLAND, P.C.
ONE DESIGN CENTER PLACE, SUITE 600
BOSTON, MASSACHUSETTS 02210-2327
(617) 951-2300
Fax (617) 951-2323

RECEIVED

AUG - 7 2017

Board of Selectmen
Town of Wayland

INVOICE FOR LEGAL SERVICES

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

Page 1
08/03/2017
Account No. 5673-01M
Invoice No. 191

Attn: Town Administrator

Labor

TOTAL CURRENT INVOICE	2,349.70
BALANCE DUE	<u>\$2,349.70</u>



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Kenneth Keefe
PUBLIC BUILDINGS DIRECTOR
TEL. (508) 358-3786
www.wayland.ma.us

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

DATE: August 18, 2017

TO: Nan Balmer, Town Administrator

FROM: Kenneth "Ben" Keefe, Public Buildings Director

RE: Project Funding Agreement for Loker Windows and Doors Accelerated Repair Project

REQUESTED ACTION:

Vote the Question of Approving the Authorization of the Chair to sign on behalf of the Board of Selectman the Project Funding Agreement and any amendments thereto, between the Town of Wayland and the Massachusetts School Building Authority (MSBA) for the Loker School Project.

BACKGROUND:

The subject Project Funding Agreement between the Town of Wayland and the Massachusetts School Building Authority (MSBA) is the MSBA's standard form establishing the duties and responsibilities of both parties regarding the grant administration and funding for the Loker Project.

The Loker Project consists of replacing all the exterior windows and doors at Loker Elementary School, very similar to the project recently completed at Claypit Hill Elementary School.

The terms and conditions in the Project Funding Agreement are the same as those used for the Claypit Hill Project. Town Counsel has reviewed the agreement and advised that the Board of Selectman is the proper governing body to execute the agreement.

Respectfully Submitted

Kenneth "Ben" Keefe



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
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LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

August 21, 2017

Massachusetts Emergency Management Agency
Hazard Mitigation Unit
Attn: Sarah White
400 Worcester Road
Framingham MA 01702

RE: Letter of Intent and Non-Federal Cost Share Commitment for
2017 Pre-Disaster Mitigation

Dear Ms. White,

Through this letter, the Town of Wayland wishes to be considered for 2017 Pre-Disaster Mitigation Grant funding to update our Local Multi-hazard Mitigation Plan. Our current plan was approved on March 16, 2012 and expired on March 16, 2017.

In addition, we commit to providing a non-federal cost of \$4,500.00, which is 25% of the total cost of the planning project we will undertake, if awarded. The non-federal cost share will be comprised of staff time and town funds.

Our community is committed to making our town more resilient from natural hazards and reducing our overall vulnerability. We will be addressing all of the following hazards in our plan; Flood, Dam Failure, Hurricane/Tropical Storm, Earthquake, Landslide, Severe Winter Weather, Wildland Fire, Tornado, Drought, Extreme Temperatures. We focus on our hazards of greatest concern which are flooding, severe winter weather and high wind events associated with hurricanes or tornados. In our community, we believe the greatest vulnerability exists in the floodplain of the Sudbury River. Residential homes and businesses have been affected by flooding as recently as 2010, when the Sudbury River overflowed its banks, cresting at four feet above flood stage, causing widespread flooding that damaged homes and other structures. This event also made a number of roads impassable. Additionally, we are vulnerable to power outages and roof collapses during high wind or major snow and ice events.

The community is committed to emergency preparedness and hazard mitigation and has funded an emergency management budget that supports the work of local emergency responders and the Local Emergency Planning Committee (L.E.P.C).

Wayland will implement the planning process by utilizing the Wayland L.E.P.C. which is chaired by Doug Leard. The existing committee includes the Wayland Police Chief (Emergency Management Director), Fire Chief (Emergency Management Coordinator), and town officials from virtually every department. The Wayland Citizens Emergency Response Corps and the Medical Reserve Corps are also part of the L.E.P.C.

We hope you consider our commitment for our Hazard Mitigation Planning Update and include our community in the 2017 application to the Federal Emergency Management Agency for funding. We look forward to this opportunity.

Sincerely,

Lea Anderson
Board of Selectmen Chair

cc: Town Administrator Nan Balmer
L.E.P.C. Chair Doug Leard
Police Chief/E.M. Director Robert Irving
Fire Chief/Deputy E.M. Director David Houghton



65 Glenn Street | 169 Ocean Blvd.
 Lawrence, MA 01843 | Unit 101, PO Box 249
 Hampton, NH 03842
 T:978.794.1792 | T:603.601.8154
 TheEngineeringCorp.com

CLIENT AUTHORIZATION

- New Contract
 Amendment No.:

Project No.: _____
 Date: August 15, 2017

Project Name: Traffic Peer Review – Proposed 40B Housing Proposal
 24 School Street - Wayland, MA

Client: Ms. Elizabeth Reef, Administrator
 Town of Wayland ZBA
 41 Cochituate Road
 Wayland, MA 01778

Fee Proposal	
Initial Peer Review	\$1,700.00
Response to Comments Review	\$750.00
Meeting Labor	\$1,200.00
Expenses & Admin Fee	\$100.00
TOTAL	\$3,750.00

Requested by: Joe Peznola, Hancock Assoc.

- Lump Sum Time & Expenses
 Cost + Fixed Fee Other
 Estimated Date of Completion: As required by Town

Scope of Services:

The Town of Wayland Zoning Board of Adjustment (Client) is retaining TEC, Inc. to perform traffic engineering services associated with the review of a Comprehensive Permit application for a proposed 40B residential development to be located at #24 School Street in Wayland. TEC will conduct a review of the Applicant’s traffic study and site plan and prepare a letter summarizing the findings of a peer review for submission to the Town’s ZBA. The following provides a summary of the scope of services associated with this effort:

Task 1 – Traffic Engineering Peer Review

- Perform site visit to confirm the current traffic operations and physical geometry of the intersections surrounding the site, and reasonableness of sight distance measurements at driveway intersections.
- Conduct a review of the study and any supporting materials, which will focus on the following items:
 - Adequacy of study area
 - Applicability of adjustment factors, modeling assumptions, and study methodology
 - Comparison of methodologies to Massachusetts Department of Transportation (MassDOT), Town of Wayland, and industry standards
 - Relative accuracy of traffic volume calculations and modeling analysis
 - Traffic impacts of the proposed development on the immediately adjacent intersections
 - Potential need for off-site improvements to mitigate the project-related traffic impacts
 - Adequacy of pedestrian and vehicular accommodations for the site, including existing and proposed infrastructure
 - General safety characteristics of proposed access/egress in terms of sight distance, turning radii, configuration, appropriate signage, lane markings, and traffic control
 - Review of the site plan for accessibility, parking, and circulation considerations
- Prepare a technical letter documenting the results of TEC’s review

Task 2 – Response to Comments Review

TEC anticipates that the Applicant’s site engineer and/or traffic engineer will prepare a Response to Comments document to respond to the peer review report discussed above. TEC has assumed that the Applicant will issue one (1) Response to Comments document, for which TEC will potentially provide additional peer review services. Following review of the Response to Comments documents, TEC will prepare a final peer review report. Copies of each peer review report will be delivered to the Wayland ZBA within approximately two (2) weeks of receipt of the Response to Comments document.

Task 3 – Meetings & Expenses

The following services will be billed on a time-and-expenses basis as the effort can vary depending on the amount of staff and public / client interest in the project:

- Attend two (2) public meetings with the ZBA to present the results of the traffic peer review. This effort assumes a total of 4 hours of travel time and meeting participation per meeting. The next scheduled hearing is planned for Thursday, September 7, 2017.

Engineering labor, meeting time, and expenses may include time associated with preparation of graphics and other materials for the meeting, reproduction, travel expenses, etc.

TEC will not exceed a total labor and expenses fee of \$3,750.00 for the labor and expenses noted above, unless approved by the Client. If requested by the Client, TEC staff will be available to perform supplemental services or attend additional project-related meetings.

Note:

Should the Applicant's consultants prepare additional response to comments or supplemental analysis documents, TEC will be available to review these documents at a commensurate increase in the labor fee. TEC will secure written approval from the Client prior to completing any out-of-scope services. Email authorizations are acceptable as a Notice-to-Proceed on subsequent tasks.

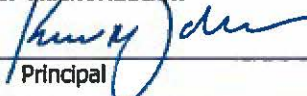
Time associated with the scope of services listed above and any supplemental services will be billed in accordance with the ENGINEER's standard billing rate and fee schedule (see Attachment A).

Prepared by: Kevin R. Dandrade, P.E., PTOE **Project PM:** Kevin R. Dandrade, P.E., PTOE

Please execute this Client Authorization for TEC, Inc. to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to TEC.

Subject to attached terms & conditions Subject to terms & conditions in our original agreement

TEC, Inc. Authorization

By 

Title Principal

Date 8/15/2017

Client Authorization *(Please sign original & return)*

By

Title

Date



Part II

TEC, Inc. TERMS AND CONDITIONS OF AGREEMENT (Numbers 1 thru 25)

The engagement of TEC, Inc. (TEC) by the Client is under the following terms and conditions. These terms and conditions are integral to the collective Agreement between Client and TEC.

1. The fee estimate for the proposed Scope of Services is valid for 45 days from the date of Proposal.
2. Payment to TEC is the sole responsibility of signatory of this Agreement and is not subject to third party agreements.
3. All schedules in the Scope of Services commence upon receipt of a signed Agreement and, if requested, a retainer. All retainer amounts will be applied to the last invoice.
4. Invoices will be rendered monthly and become due upon receipt. Any invoice outstanding for more than 30 days after date of invoice will be subject to a financing charge of 1-1/2 percent per month.
5. Should it become necessary to utilize legal or other resources to collect any monies rightfully due for services rendered under this Agreement, TEC shall be entitled to full reimbursement of all such costs.
6. Invoice payments must be kept current for services to continue. If the Client fails to pay any invoice due to TEC within 30 days of the date of invoice, TEC may, without waiving any other claim or right against Client, suspend services under this Agreement until TEC has received all amounts due TEC and its Consultants and Subcontractors.

If TEC is performing services for the Client under multiple projects, invoice payments must be kept current on all projects. Client acknowledges TEC's right to suspend services and withhold plans and documents, as provided above, if payments are not current on all projects. If services are suspended for 30 days or longer, upon resuming services TEC shall be entitled to expenses incurred in the interruption and resumption of its services. If services are suspended for 90 days, TEC shall be entitled to expenses incurred in the interruption and resumption of its services and fees for remaining services shall be equitably adjusted.

7. TEC agrees to carry the following insurance during the term of this Agreement:
 - Workmen's Compensation and Employer's Liability Insurance in compliance with statutory limits.
 - Comprehensive General Liability Insurance including Products Completed, Contractual, Property, and Personal Injury coverage with combined single limits of \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
 - Excess Umbrella Coverage for Personal Injury, Bodily Injury, and Property Damage with a limit of \$1,000,000 per claim and in the aggregate.
 - Professional Liability Insurance with a limit of \$1,000,000 per claim and in the aggregate.
 - Automobile Liability Insurance including non-owned and hired automobiles with the following limits:
 - Bodily Injury \$500,000 each person, \$500,000 each occurrence
 - Property Damage \$100,000 each occurrence

Certificates of insurance will be furnished upon request. If the Client requires additional insurance coverage, and it is available, Client agrees to reimburse TEC for such additional expense.

8. The Client and TEC shall at all times indemnify and save harmless each other and their officers, and employees on account of any claims, damages, losses, litigation, expenses, counsel fees, and compensation arising out of any claims, damages, personal injuries and/or property losses sustained by or alleged to have been sustained by any person or entity, to the extent caused by the negligent acts, errors or omissions of the indemnifying party, its employees, or subcontractors in connection with the Project, and/or under this Agreement.
9. TEC shall not be responsible for failure to perform or for delays in the performance of services which arise out of causes beyond the control and/or without the fault or negligence of TEC.
10. TEC shall be entitled to rely on the accuracy and completeness of data, reports, surveys, requirements and other information required to be provided by Client under this Agreement.
11. Client agrees to the fullest extent permitted by law, to indemnify and hold harmless TEC, its officers, employees and subconsultants from and against any and all claims, suits, demands, liabilities costs, including reasonable attorneys fees and defense costs caused by, arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products or material that exist on, about or adjacent to the job site.
12. TEC's services will be performed on behalf of and solely for the benefit and exclusive use of Client for the limited purposes set forth in the Agreement. Client acknowledges that TEC's services require decisions which are not based upon science, but rather upon judgmental considerations. Client may not delegate, assign, sublet or transfer its duties or interest in this Agreement without the written consent of TEC.
13. In the performance or furnishing of professional services hereunder, TEC, and those it is responsible for, shall exercise the degree of skill and care customarily accepted as good professional practices and procedures by members of the same profession currently practicing under similar conditions in the same locality ("Standard of Care").

Consistent with this Standard of Care, the services shall conform to applicable laws, codes, ordinances and regulations of any governmental agency having jurisdiction over the project, at the time services are rendered. TEC shall perform its services as expeditiously as is consistent with the Standard of Care and with the orderly progress of the Work.
14. TEC shall not be required to sign any documents, no matter by whom requested, that would result in TEC's having to certify, guaranty or warrant the existence of conditions that TEC cannot ascertain. Any certification provided by TEC shall be provided based on TEC's knowledge, information and belief subject to the preceding sentence, and shall be given in TEC's professional opinion consistent with the Standard of Care. TEC shall be compensated for any work necessary to verify project compliance with regulatory standards for purposes of such certification.

TEC, Inc. Terms and Conditions of Agreement (Continued)

15. Client hereby agrees that to the fullest extent permitted by law, TEC's total liability to Client and any persons or entities claiming by, through or under the Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project and/or this Agreement from any cause or causes including, but not limited to TEC's negligence, errors, omissions, strict liability, statutory liability, indemnity obligation, breach of contract or breach of warranty shall not exceed the lesser of \$50,000 (fifty thousand dollars) or contract value.

16. All documents including Drawings and Specifications (whether in hard or electronic form) prepared by TEC pursuant to the Agreement are instruments of service with respect to the Project. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse by Client or a third person or entity authorized by Client without written verification or adaptation by TEC for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to TEC; and the Client, shall release, indemnify and hold harmless TEC from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle TEC to additional compensation at rates to be agreed upon by TEC and the third person or entity seeking to reuse said documents.

If any information hereunder is provided in electronic format, Client recognizes that such plans, documents or other information recorded on or transmitted as electronic media, including CADD documents ("Electronic Documents") are subject to undetectable alteration, either intentional or unintentional, due to, among other causes, transmission, conversion, media degradation, software error, or human alteration. Electronic Documents are provided to Client for informational purposes only and not as record documents.

17. To the extent permitted by law, TEC retains the copyright in all written work products, including plans, specifications, calculations, computer programs, and computer generated materials in any form, produced in connection with the work under this agreement, unless otherwise agreed to in writing by an authorized TEC representative. Subject to Term No. 16 above, TEC licenses to Client the use of all written work products, including plans, specifications, calculations, and computer generated materials in any form, produced in connection with the work under this agreement on a non-exclusive basis.

18. All questions in dispute under this Agreement shall be submitted to non-binding mediation. On the written notice of either party to the other of the election to submit any dispute under this Agreement to mediation, each party shall designate their representative and shall meet within ten (10) days after the service of the notice. The parties themselves shall then attempt to resolve the dispute within ten (10) days of meeting. Should the parties themselves be unable to agree on a resolution of the dispute, then the parties shall proceed with mediation in accordance with the mediation rules of the American Arbitration Association. The cost of mediation shall be borne equally by both parties. This process shall be considered as a condition precedent to moving to a more formal or judicial process.

19. Notwithstanding any other provision of this Agreement, neither party shall be liable to the other for any incidental, special, indirect or other consequential damages incurred due to the fault of the other party regardless of the nature of the fault or whether it was committed by the Client or TEC, or their employees, subconsultants, or subcontractors. Consequential damages include, without limitation, liability for loss of use of the Project or existing property, loss of profits, loss of production or business interruption.

20. In entering into this Agreement, Client has relied only upon the representations set forth in this Agreement. No verbal warranties, representations or statements shall be considered a part of this Agreement or a basis upon which the Client relied in entering into this Agreement. No statements, representations, warranties or understandings, unless contained herein, exist between Client and TEC.

21. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or TEC. TEC's services under this Agreement are being performed solely for the benefit of the Client and no person or other entity shall have any claim against TEC because of this Agreement. In addition, nothing herein shall be construed as creating a contractual relationship between the Client and any TEC employee, representative or consultant. The Client agrees that in the event of a dispute regarding this Agreement or the services rendered by TEC hereunder, the Client shall only seek recourse against TEC and waives any right to pursue a claim against TEC's individual directors, officers or employees.

22. Any taxes or fees, enacted by local, state or federal government and based on gross receipts or revenues, will be invoiced to and payable by Client as an additional amount due under this Agreement.

23. This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Massachusetts.

(The following terms are applicable for Project sites located in Massachusetts)

24. In accordance with the Massachusetts General Laws Chapter 21E, the performance of the services contained in this Agreement may require the engagement of a Licensed Site Professional (LSP) registered with the Commonwealth of Massachusetts under Massachusetts General Law Chapter 21A and the regulations promulgated by the Massachusetts Department of Environmental Protection (MADEP) thereunder (collectively the LSP Program). These laws and regulations place upon the LSP certain professional obligations owed to the public, including in some instances, a duty to disclose the existence of certain environmental contaminants to the MADEP. In the event that any site for which TEC has provided LSP services is audited by the Massachusetts Department of Environmental Protection (MADEP) pursuant to the provisions of the Massachusetts Contingency Plan, TEC shall be entitled to additional compensation to provide such services as may be necessary to assist Client in its response to DEP.

25. Client understands and acknowledges that in the event the LSP's obligations under the LSP Program conflict in any way with the terms and conditions of this Agreement or the wishes or intentions of the Client, the LSP is bound by law to comply with the requirements of the LSP Program. Accordingly, Client recognizes that the LSP shall be immune for all civil liability resulting from any alleged and/or actual conflict with the LSP Program. Client also agrees to hold TEC and its LSP harmless for any claims, losses, damages, fines or administrative, civil or criminal penalties resulting from the LSP's fulfillment of its obligations under the LSP Program.

TEC, Inc.

Attachment A

STANDARD HOURLY BILLING RATES

<u>Billing Code</u>	<u>Labor Code</u>	<u>Hourly Rate</u>
180	Technical Professional 18	\$200.00
170	Technical Professional 17	\$190.00
160	Technical Professional 16	\$180.00
150	Technical Professional 15	\$170.00
140	Technical Professional 14	\$160.00
130	Technical Professional 13	\$150.00
120	Technical Professional 12	\$140.00
110	Technical Professional 11	\$130.00
100	Technical Professional 10	\$120.00
090	Technical Professional 09	\$110.00
080	Technical Professional 08	\$100.00
070	Technical Professional 07	\$ 90.00
060	Technical Professional 06	\$ 80.00
050	Technical Professional 05	\$ 70.00
040	Technical Professional 04	\$ 60.00
030	Technical Professional 03	\$ 50.00
020	Technical Professional 02	\$ 40.00
010	Technical Professional 01	\$ 30.00

Reimbursable (travel, sustenance, parking, graphic plots, express mail, courier) and sub consultant expense to be billed at cost plus 10%. An administrative fee of 4% (phone, copies, fax, cell phone, supplies, tools, computer usage) will be invoiced on all labor charges.





Date: August 21, 2017

Ch. 40B Technical Review Assistance Application

Please speak to Community Assistance staff to discuss your project before requesting an application.

Laura Shufelt: 857.317.8582 or lshufelt@mhp.net

CONTACT INFORMATION

Municipal Contact for Application	Nan Balmer, Town Administrator	ZBA Chair	Eric Goldberg	Chief Elected Official	Lea Anderson, Chair, Selectmen
Address	41 Cochituate Road	Address	41 Cochituate Road	Address	41 Cochituate Road
City/Town/Zip	Wayland MA 01778	City/Town/Zip	Wayland MA 01778	City/Town/Zip	Wayland MA 01778
Phone	508-358-7755	Phone	508-358-3600	Phone	508-358-7755
Email	nbalmer@wayland.ma.us	Email	zba@wayland.ma.us	Email	landerson@wayland.ma.us

PROJECT INFORMATION

Project Name: Brookside Cascade Wayland	Developer: Eden Management Inc.
Principals: Steven Zieff	Attorney: Mark Bobrowski
Consultants:	Engineer: Suneeth P. John
Project Address: 113, 115, 117, 119 Boston Post Road (Mahoney's Garden Center), Wayland MA 01778	

DEVELOPMENT SITE & ZBA MEETINGS

Number of Units Proposed: Total 60 Affordable 15

Project Type: Rental Homeownership

Size of Site: 6.49 acres

Age-restricted? Yes No

Date Permit Application Filed with ZBA: 7/25/17

First Hearing Date? 8/22/17

Is 1st Hearing within 30 days of application? Yes No

Day/Time ZBA meets? Tuesday at 7:30 PM

Have hearings been held already for this project? Yes No

If Yes, dates? _____

SITE APPROVAL/ELIGIBILITY LETTER:

What is the source of the project eligibility letter? MassHousing
 Date of Project Eligibility Letter 9/23/16

Please provide a copy of the letter with this application.

Did the municipality submit comments to the Subsidizing Agency? Yes No

Please provide a copy of the comment letter with this application.

What specific review issues would you like assistance?

Technical Assistance in review, oversight, and organization of multiple comprehensive permits before the Board

What are the main municipal concerns with the project?

Does municipal staff or ZBA members have prior experience reviewing comprehensive permits ?

Yes No If yes, how much? _____

Does the municipality have a Housing Production Plan that addresses affordable housing?

Yes No

If yes, is the plan approved by DHCD? Yes No Certified? Yes No

Has the municipality adopted Comprehensive Permit review rules? Yes No

If yes, please include a copy of the rules with this application.

Who is the counsel/attorney for the ZBA on this project?

Amy Kwesell/KP Law, PC

Please list the Comprehensive Permit applications submitted to the municipality in the last 5 years .

NAME OF PROJECT	FUNDING SOURCE	APPROVED/DENIED	DATE
Commonwealth Residences	Private Development	Approved	June 9, 2015
Village Lane	Private Development	Approved	September 7, 2014
97 Stonebridge	Habitat for Humanity	Approved	December 12, 2013

Which consultant does the ZBA prefer?

1. _____

2. _____

SIGNATURE OF CHIEF ELECTED OFFICER

DATE

PRINT NAME AND TITLE

SIGNATURE OF ZBA CHAIR

DATE

PRINT NAME



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
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CHERRY C. KARLSON
DOUGLAS A. LEVINE

**PUBLIC DOCUMENTS PROVIDED TO THE BOARD
OF SELECTMEN FROM AUGUST 4, 2017, THROUGH
AND INCLUDING AUGUST 18, 2017, OTHERWISE
NOT LISTED AND INCLUDED IN THE
CORRESPONDENCE PACKET FOR AUGUST 21, 2017**

Items Distributed To the Board of Selectmen –August 4-18, 2017

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the
Meeting of August 7, 2017**

1. August 2017 Newsletter, Conservation Commission
2. Draft Article from Conservation Commission for November 2017 Special Town Meeting,
“Appropriate Funds to Install Weston Aqueduct Pedestrian Crossings”

**Items Included as Part of Agenda Packet for Discussion During the August 21, 2017
Board of Selectmen’s Meeting**

1. Letter of 8/15/17 from David Katz re: Letter of Interest and Résumé for the Zoning
Board of Appeals
2. Memorandum of 8/21/17 from the Board of Selectmen to All Town Boards and
Committees and Staff re: Special Town Meeting, November 14, 2017
3. Draft Special Town Meeting Articles
4. Draft Minutes of July 31, 2017, and August 7, 2017
5. Report of the Town Administrator for the Week Ending August 18, 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, August 21, 2017
Wayland Town Building
Selectmen's Meeting Room

CORRESPONDENCE

Selectmen

1. Public Comment, Affordable Housing Project at 113-119 Boston Post Road
2. Public Comment, Oxbow Meadows
3. Letter of 8/7/17 from Katharine Lord Klein, KP Law, to Beth R. Klein, Town Clerk, re: Stonebridge Road – Grant of Easements
4. Memorandum of 8/8/17 from Brian Keveny, Finance Director, to Finance Committee, re: Fiscal 2017 Budget Status Report
5. Memorandum of 8/9/17 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Eric Goldberg from the Zoning Board of Appeals
6. Memorandum of 8/9/17 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Matthew Ludwig from the Cultural Council
7. Letter of 8/10/17 from Town Counsel Amy Kwesell, KP Law, to Law Offices of Jeffrey L. Roelofs, PC, re: Bernstein et al v. Wayland Planning Board et al
8. Director of Public Health Report, August 14, 2017
9. Monthly Report, Police Department, July 2017

Minutes

10. Municipal Affordable Housing Trust Fund Board, July 18, 2017
11. Surface Water Quality Committee, August 1, 2017

1

August 7, 2017

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

RECEIVED
AUG 10 2017
Board of Selectmen
Town of Wayland

Dear Board Members:

I am writing to you in regard to a project entitled "Cascade Apartments, 113, 115, 117 & 119 Boston Post Road, Wayland, MA 01778" I fully understand and support the need for affordable housing in Wayland and I know another large development is underway in town which will bring our affordable housing percentage well on its way. **But the Cascade Apartments complex proposes 60 units of which only 25% will be affordable. The rest will go for market value. In the meantime, the residents of the town will be left with a Walmart-size edifice (check the measurements – it's true!) on our historic Boston Post Road.**

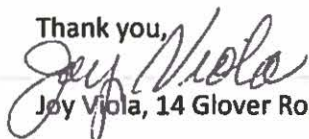
I've no problem with an affordable housing project going in at the old Mahoney's site, but not at the expense of making the entrance to our town look like Rt 9 Framingham's commercial district! **Last year, the residents of this town voted unanimously to place a conservation restriction on over 200 acres of land, Mainstone Farm, to preserve the "semi-rural nature" of Wayland. Town residents made a statement with this vote. A very large statement. How land is used in this town is important to us.**

I have four very specific objections to this proposal which I ask you to please consider:

- 1) The size is totally out of character with the character of the neighborhood surrounding it. It would essentially put a cement commercial-looking building right near the entrance to our rural town.;
- 2) The number of affordable housing units is the bare minimum in this proposed development – only 15 out of the 60 units. Protectwayland.com has a proposal for a smaller development 100 percent affordable;
- 3) The addition of 60-90 cars a day feeding onto the two-lane Post Road will exacerbate the bumper to bumper traffic Route 20 already carries many hours of the day;
- 4) As a past member of the Wayland Conservation Commission, I am very familiar with the Pine Brook and adjoining wetlands abutting this proposed development and this project would have a major negative impact on those wetlands.

Many of us know we need more affordable housing in town and we're happy to work on that. Protectwayland.com has an alternate proposal that would be smaller and better serve the affordable housing need. Please reject the proposal of Cascade Apartments and let our citizens come up with a better plan that will not be an eye-sore in the town, as this project most certainly would be.

Thank you,



Joy Viola, 14 Glover Road, Wayland, MA 01778

60 Cochituate Road
Wayland, MA 01778

15th August 2017

RECEIVED

AUG 17 2017

Board of Selectmen
Town of Wayland

Board of Selectmen
Wayland Town Building
41 Cochituate Road
Wayland MA 01778

Dear Board Members:

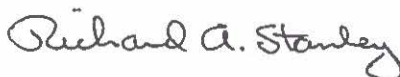
We are writing to ask that you not approve in its current form the development request of Steven Zieff to build a large apartment complex on the site of the former Mahoney's Garden Center.

If built, this development would be extremely damaging to Wayland and would forever adversely alter the character of our town, for at least the following reasons:

- It does not conform in any manner to the Wayland Master Plan, which sets out our long-term goals for our town.
- Its sheer size, coupled with proposed architecture that is completely alien to the architectural styles found in town, will destroy our semi-rural town nature. If this development is allowed, what is to prevent the proliferation of huge concrete structures of similar brutal design anywhere else in town? Is Wayland to become Shopper's World?
- The sewage effluent that would flow into Pine Brook, and thence into the Great Meadows National Wildlife Refuge and the Sudbury River would seriously and adversely affect the sensitive environment found in those locations. We have seen estimates of 3.85 million gallons of septic leachate to be released annually; that is 10,548 gallons of septic tank outflow each day, every day, flowing past Camp Chickami, into the wildlife refuge, and thence into the river. Forever. After all the effort that has gone into cleaning up the Sudbury River, this is not a recipe for environmental progress, but rather for environmental deterioration.
- The added traffic that would be generated by sixty living units, more or less, would aggravate the already serious traffic congestion along the Boston Post Road and would also increase the risk for accidents along that stretch of highway.
- Acceptance of the plan as proposed will assuredly adversely affect property values.

There are other alternatives for redevelopment of the Mahoney site, including a non-profit option that could provide more affordable housing in a smaller and more acceptable structure than would Mr. Zieff's proposal. We urge you to choose an alternative that will not turn Wayland into a clone of Route 9 in Framingham, and that will still provide affordable options for new residents to join our town.

Sincerely,



Dr. Richard A. Stanley, P.E.



Mrs. Barbara L. Stanley

Aug. 6, 2017

To the Town Administrator, Nan Balmer,

As residents of Wayland, we have serious concerns for the proposed building of a 493-foot-long 3-story apartment complex on Route 20 to be named Cascade Apts at 113, 115, 117, and 119 Boston Post Road Wayland, MA 01778. This structure will be the largest of any kind in Wayland and on Rte 20 for 35 miles.

- Our concerns are:
1. The close proximity of a beachfield to a moving year-round stream
 2. Proximity to declared wetlands
 3. The Great Meadows National Wildlife Refuge downstream as well as the Sudbury River
 4. A high water-table beneath the site, and 10,000 gallons of sewage daily
 5. Children at the YMCA's Camp Chickarni play in the Pine Brook and ponds downstream in the summer.
 6. In the event of a major storm or septic failure, contamination would flow down to the above-mentioned at-risk sites and the damage would be impossible to reverse.
 7. Traffic emanating from another 4-way intersection on Route 20 at Rich Valley Road and the access to the complex.

8. A residential area nearby consisting of single family homes
9. a strong likelihood that property values would decline due to traffic increase and the unattractive cement commercial design of the building as well as items 1-8 above.

Thank you for your attention to this very serious matter for our town.

Sincerely,
Susan M. Radzisz
John A. Radzisz

RECEIVED
AUG 18 2017
WAYLAND CONSERVATION COMMISSION

Emi Fong
21 Rich Valley Rd
Wayland, MA 01778
Date 8/15/17

Board of Selectmen and Conservation Commission:
Concern about Building a large apartment complex on the former site of Mahoney Garden Center
Wayland Town Building:
41 Cochituate Road
Wayland, MA 01778

Dear Board of Selectmen and Conservation Commission:

I am writing this letter to the Wayland board of Selectmen and Conservation Commission and I'd like to express my concerns. Right now the Wayland Environment is changing rapidly, in the past several years many large projects and building have been implemented into the community such as the town center and stop and shop, and new apartment complexes. And my biggest concern is building a large apartment complex on the former site of Mahoney's Garden Center. I liked Mahoney's Garden center because they fit in with our neighborhood and the nature of the Wayland community. Now I see big signs saying "Stop the monster" in our neighbor. I very much agree with our neighbor's concerns. Also I read the newsletter from protectwayland.org that stated "THIS BUILDING IS LARGER THAN WALMART". And this fact is an alarming concern to all of us. I am very appreciative to the people who organized protect wayland.org to collect and compile the concern of ALL of our voices so that they may be heard on a larger platform. I also want to protect the nature in Wayland such as native plants and native creatures as well as environmentally like air and quality and water quality. Way before the Stop and Shop came to Wayland our RT20 had excessive amounts of traffic that starts from 6am in the morning as well as afternoon traffic which starts at 4pm. We do not have any RT20 traffic solutions and this building will add more traffic. Also another alarming concern is, the second CVS is being built right next to Wayland residents. This means that our concerns are not being heard. People who are standing up for Wayland truly loves everything about Wayland and have the town's interests at heart. These are the people that the town should protect.

There are also a handful of instances of positive things being done in this town that benefit everybody. And these projects should be at the forefront of talks rather than the interests of the few. I saw more sidewalks being build in Wayland and on the railroad which promotes people's health and wellbeing if people can walk around Wayland easier and more safely. A book I recently read about Walkable cities and walking speed talked about how walking increases the awareness of our surrounding environment. Additionally these changes may also have positive environmental benefits because with increased awareness comes individuals being more inclined to make kinder choices for our environment. Another good thing is renovating the town building which Wayland residents will be able to enjoy. Third thing is,

building a new library. I see how positively impactful a new library can be however, my children have grown up with the current library so we love the current library. I love the building and everything about Wayland library so even relocated library would be preferred, please preserve this current library building as it is a very historic and significant landmark in the town.

Sincerely,

Emi Fong

2

From: tpannorfi@comcast.net <tpannorfi@comcast.net>

Sent: Monday, August 14, 2017 7:25 PM

To: Anderson, Lea

Subject: Tuesday's planning meeting - Oxbow

In addition, tonight's recreation commission meeting/agenda was not posted on the town website until after 10am this morning, far from the 48 hrs notice required by the open meeting law . There are also no meeting notes posted on the website for this commission since May 9th.

I am very concerned about the continued disregard for some of the boards following appropriate rules. Not only do these violations cause the tax payers money, but it tarnishes the town's reputation, waste people's time, and puts the legitimacy of these projects in question.

While I appreciate folks volunteering their time to be on these boards and committees in effort to improve our community, it is my opinion that this project is being pushed through without following the proper process.

Please share with the remainder of the Board of Selectman. Thank you.

Tonya Cunningham

----- Original Message -----

From: Lea Anderson

To: Tonya Cunningham

Sent: August 13, 2017 at 8:36 PM

Subject: Re: Tuesday's planning meeting- Oxbow

Dear Tonya,

I had not seen this yet. Thank you for sending it to me directly.

Lea Anderson

From: tpannorfi@comcast.net <tpannorfi@comcast.net>

Sent: Sunday, August 13, 2017 8:55:39 AM

To: Anderson, Lea

Subject: Fwd: Tuesday's planning meeting- Oxbow

Good morning,

Please see the below email I sent on Thursday to Sarkis. I am not sure if the email has made its way to the board of selectmen yet so my apologizes if this is a duplicate.

Thank you ,
Tonya Cunningham

Sent from XFINITY Connect Mobile App

----- Original Message -----

From: Tonya Cunningham
To: ssarkisian@wayland.ma.us
Cc: Tonya Cunningham, tcunning02129@gmail.com
Sent: August 10, 2017 at 11:27 AM
Subject: Tuesday's planning meeting- Oxbow

Good morning Sarkis,

I was in attendance for this past Tuesday's Town planning meeting as it pertained to the site plan approval for Oxbow Meadows. I listened to the discussion regarding the removal of the clause regarding the 2004 Limited Environmental Study (attached) and have some concerns.

Firstly, the recused chairman was the individual who brought up and led the discussion about removing his point from the decision. He recused himself because he had a prior conflict of interest regarding this site. From my viewpoint, he should not have participated in any part of the discussion and therefore this vote should be invalid. Secondly, while I understand that the planning board has their hands tied on the project, other than parking, it is very disturbing that he stated "no one will tell you the site is safe". It is the responsibility of ALL of us, not just the rec department that we are keeping people and the environment safe, simple as that.

Please forward to the remainder of the planning board. Thank you,
Tonya Cunningham (abutter)

Sent from XFINITY Connect Mobile App

appeals on August 17, 2007

7) The subject application has been reviewed for any impacts on the immediate neighbors or surrounding area.

8) The Town of Wayland conducted a Limited Environmental Site Assessment (ESA) on the property prior to its acquisition. The ESA identified specific areas requiring remediation of lead based paints and asbestos containing materials. The remediation work described was completed as part of the demolition of the existing site features. Demolition was conducted as required by applicable state and federal regulations and in accordance with a Beneficial Use Determination issued by the Massachusetts Department of Environmental Protection.

9) The Board finds that the Traffic Report by TEC was conducted in a manner consistent with

3

KP | LAW

The Leader in Public Sector Law

101 Arch Street, Boston, MA 02110
Tel: 617.556.0007 | Fax: 617.654.1735
www.k-plaw.com

August 7, 2017

Katharine Lord Klein
kklein@k-plaw.com

Ms. Beth R. Klein
Town Clerk
Wayland Town Hall
41 Cochituate Road
Wayland, MA 01778

RECEIVED

AUG - 9 2017

**Board of Selectmen
Town of Wayland**

Re: Stonebridge Road – Grant of Easements

Dear Ms. Klein:

Enclosed please find documents as follows:

1. Original Grant of Easements from the Stonebridge Road Condominium to the Town of Wayland, recorded August 1, 2017 with the Middlesex South District Registry of Deeds in Book 69710, Page 498; and
2. Copy of plan entitled "Plan of Land in Wayland, Massachusetts 89 Stonebridge Road Habitat for Humanity," dated December 5, 2016, recorded with the Middlesex South District Registry of Deeds as Plan 704 of 2017.

I recommend these documents be retained with the land records for the Town.

Very truly yours,



Katharine Lord Klein

KLK/jsh

Enc.

cc: Board of Selectmen
Director of Public Works
Tim Firment, Habitat for Humanity MetroWest

589244/WAYL/0054

10-N



2017 00122720
Bk: 69710 Pg: 498 Doc: EASE
Page: 1 of 10 08/01/2017 02:53 PM

GRANT OF EASEMENTS

This Grant of Easements (this "Easement") is entered into on this 24th day of July, 2017, by and between **Stonebridge Road Condominium**, acting by and through its Trustees (the "Grantor"), created under Master Deed of Stonebridge Road Condominium, dated February 18, 2016 (the "Master Deed"), recorded with the Middlesex South District Registry of Deeds ("Registry of Deeds") in Book 66824, Page 70, as amended by First Amendment, dated March 27 and 28, 2017, recorded with the Registry of Deeds in Book 69091, Page 128, having an address of 89 Stonebridge Road, Wayland, Massachusetts 01778, and the **Town of Wayland** (the "Town"), a Massachusetts municipal corporation, acting by and through its Board of Selectmen, having an address of 41 Cochituate Road, Wayland, Massachusetts 01778.

Whereas, Grantor is the owner of a certain parcel of land, located at Stonebridge Road, Wayland, Massachusetts, and described more particularly in a deed from the Town of Wayland to Habitat for Humanity; Metrowest-Greater Worcester, Inc., recorded with the Registry of Deeds in Book 62732, Page 282 (the "Premises"); and

Whereas, in the deed for the Premises from the Town to Habitat for Humanity Metrowest-Greater Worcester, Inc., the Town reserved an easement for ingress and egress across the Premises for the benefit of a parcel of land shown as "Remaining Land of Town of Wayland," containing 19.24 Acres ± (the "Remaining Land"), on a plan entitled "Plan of Land in Wayland, Massachusetts 89 Stonebridge Road Habitat for Humanity," dated June 24, 2013, recorded with the Registry of Deeds as Plan 492 of 2013, for vehicles, equipment and pedestrian traffic, within an easement area shown as "Proposed Access & Egress Easement," shown on the aforesaid plan (the "Existing Easement"); and

Whereas, a four (4) unit condominium has been created upon the Premises pursuant to the Master Deed, and a Declaration of Trust, dated February 18, 2016, recorded with the Registry of Deeds in Book 66824, Page 94 (the "Condominium"); and

Whereas, the Town desires to extend the Existing Easement across the Premises to the Remaining Land, upon a parcel of land shown as "Proposed Access & Utility Easement" on a plan entitled "Plan of Land in Wayland, Massachusetts 89 Stonebridge Road Habitat for Humanity," dated December 5, 2016 (the "Plan"), recorded with the Registry of Deeds as Plan 704 of 2017 (the "Access and Utility Easement," together with the Existing Easement, the "Easement"); to obtain the right to place utilities within the Easement; and, further, to

K P Law
101 Arch St Fl 12
Boston, Ma. 02110

obtain the right to use the Easement for the purpose of accessing any and all property of the Town easterly and northerly of the Condominium, including, but not limited to, the properties shown on the Plan as “Town of Wayland (Map 37, Lot 32; Book 6108, Page 412);” “Town of Wayland (Map 37, Lot 33; Book 426, Page 517)” and “Town of Wayland (Map 37, Lot 34; Book 355, Page 121)” (collectively, the “Town Properties”); and

Whereas, in exchange for the Easement, the right to place utilities within the Easement and to access the Town Properties, the Town agrees to assume certain responsibilities and obligations for the roadway serving the Condominium; and

Whereas, Grantor is amenable to granting the Town the foregoing easements and rights, on the terms and conditions set forth herein, in exchange for the responsibilities and obligations to be assumed by the Town, subject to such limitations and conditions as set forth herein.

Now, therefore, for consideration paid of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Grant of Easement. Grantor hereby grants and conveys to the Town, with quitclaim covenants, subject to the terms and conditions herein contained, a permanent access easement, to pass and re-pass, in, on, under, over and across the Easement (the “Easement Premises”) for the purpose of passing and repassing, on foot and in motor vehicles, including heavy equipment, from Stonebridge Road to the Town Properties, and a permanent easement for the installation of both overground and underground utilities from Stonebridge Road to the Remaining Land.

2. Access Easement. The access easement granted pursuant to Paragraph 1 shall include the right to make such alterations and/or improvements to the Easement Premises as may be necessary or convenient for the purpose of maintaining safe year-round pedestrian and vehicular access and for the purposes set forth herein, including, without limitation, constructing, maintaining, removing replacing and/or reconstructing from time to time a roadway within the Easement Premises as the Town deems necessary or convenient to exercise the rights granted hereunder, and the rights to pave, grade, add gravel and/or other materials, make drainage improvements, remove trees and other vegetation, landscape and seed to prevent erosion, and create slopes of embankment, all within the Easement Premises, at the Town’s sole cost and expense. All work and improvements performed by the Town shall be in compliance with any and all federal, state and local laws, rules, regulations, and by-laws.

3. Utility Easement. The utility easement granted pursuant to Paragraph 1 shall be for the purpose of installing, constructing, maintaining, repairing, replacing and relocating utilities within the Easement Premises and all appurtenances related thereto, including, but not limited to, water, sewer, drainage, electricity, gas and telephone, in, on, under, over and across the Easement Premises, and the right to enter, pass along, through and across the Easement Premises by foot and motor vehicles, including heavy equipment, as necessary or convenient for the aforesaid purposes. All utilities and appurtenances relating thereto, including, without limitation, any and all pipes, lines, equipment, structures, systems, and other facilities installed

on the Easement Premises by the Town shall be the property of the Town. The Grantor does not convey and the Town does not accept any sewer, water, drainage or other utility pipes, lines, equipment, structures, systems, and other facilities now or hereinafter installed on the Easement Premises by anybody other than the Town.

4. Reservation of Rights. Grantor reserves the right to use the roadway within the Existing Easement for access to the Condominium, so long as such use does not unreasonably interfere with the rights and easements granted herein. Grantor agrees not to construct, install, or place within the Easement Premises any temporary or permanent buildings, structures or other objects, or any trees, shrubbery and/or debris that may interfere with the rights granted hereunder. There shall be no parking within the Easement Premises.

5. Maintenance of Roadway. The Town agrees that it shall be responsible for maintaining the roadway located within the Existing Easement, but not any driveway(s) or parking areas located outside of the Existing Easement and serving the Condominium. The Town shall maintain the roadway in good order and in a condition that allows for adequate, all weather, year round use, including, but not limited to, snow and ice removal. Notwithstanding the foregoing, such road is, and shall remain, a private way.

6. Relocation. The Easement may not be relocated or modified by the Grantor without the prior written consent of the Town, acting by and through its Board of Selectmen.

7. Rights Run with the Land. All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

The Town's Acceptance of this Grant of Easements and a certified copy of the Town Meeting vote taken under Article 12 of the 2017 Annual Town Meeting authorizing said acceptance are attached hereto and incorporated herein.

[Signature Page Follows]

WITNESS our hands and seals on this 27 day of June, 2017.

STONEBRIDGE ROAD CONDOMINIUM
By its Trustees

Habitat for Humanity; MetroWest-
Greater Worcester, Inc., Trustee

By: [Signature]
Name:
Its ~~President~~ Executive Director

By: N/A
Name:
Its Treasurer

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

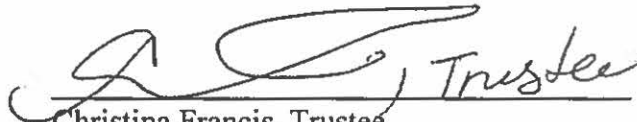
On this 27th day of June, 2017, before me, the undersigned Notary Public, personally appeared W Timothy Firment, who proved to me through satisfactory evidence of identification, which was MADL, to be the President of Habitat for Humanity; MetroWest-Greater Worcester, Inc., the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

[Signature]
Notary Public
My Commission Expires: Feb 19, 2023



ENEK KURETA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 10, 2023

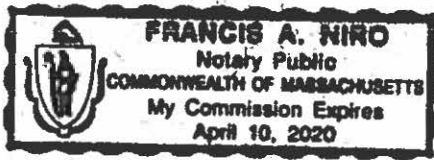
STONEBRIDGE ROAD CONDOMINIUM
By its Trustees

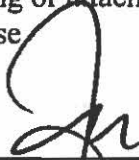

Christina Francis, Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

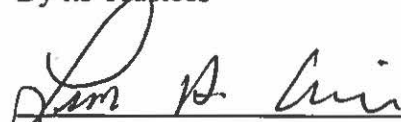
On this 21 day of June, 2017, before me, the undersigned Notary Public, personally appeared Christina Francis, Trustee of the Stonebridge Road Condominium, who proved to me through satisfactory evidence of identification, which was MASS LICENSE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.





Notary Public
My Commission Expires:

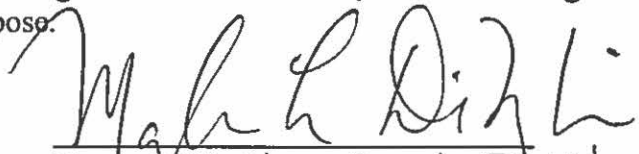
STONEBRIDGE ROAD CONDOMINIUM
By its Trustees


Luis Garcia, Trustee

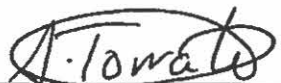
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 6 day of ~~June~~^{July}, 2017, before me, the undersigned Notary Public, personally appeared Luis Garcia, Trustee of the Stonebridge Road Condominium, who proved to me through satisfactory evidence of identification, which was MA drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.


Notary Public MaryAnn L. DiNapoli
My Commission Expires: Sep 21, 2018

STONEBRIDGE ROAD CONDOMINIUM
By its Trustees

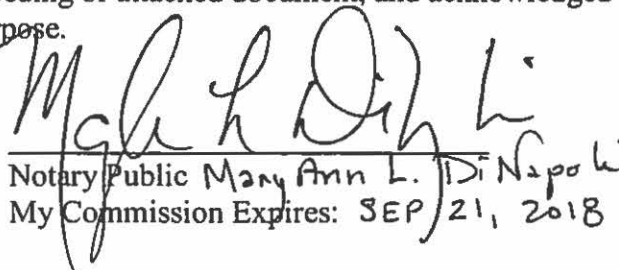


Alexander Torrales, Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

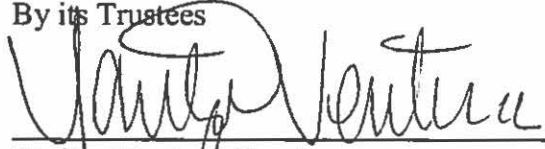
On this 6 day of ^{JULY} ~~June~~, 2017, before me, the undersigned Notary Public, personally appeared Alexander Torrales, Trustee of the Stonebridge Road Condominium, who proved to me through satisfactory evidence of identification, which was MA driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public Mary Ann L. DiNapoli
My Commission Expires: SEP 21, 2018

STONEBRIDGE ROAD CONDOMINIUM

By its Trustees

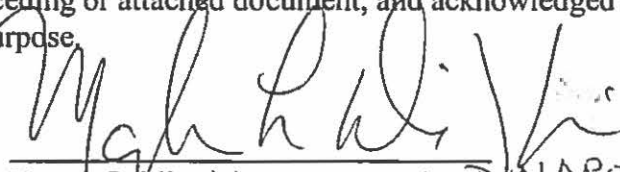


Yaritza Ventura, Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 14 day of June, 2017, before me, the undersigned Notary Public, personally appeared Yaritza Ventura, Trustee of the Stonebridge Road Condominium, who proved to me through satisfactory evidence of identification, which was MA driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary Public MARYANNI L. DINAPOLI
My Commission Expires: SEP 21, 2018

ACCEPTANCE OF GRANT OF EASEMENTS

The Town of Wayland, acting by and through its Board of Selectmen, pursuant to the vote taken under Article 12 of the Wayland 2017 Annual Town Meeting, a certified copy of which is attached hereto, hereby accepts the foregoing Grant of Easements on this 24th day of July, 2017.

TOWN OF WAYLAND,
By its Board of Selectmen

Lea T. Anderson
Lea Anderson, Chair

Cherry C. Karlson
Cherry C. Karlson, Vice Chair

Mary M. Antes
Mary M. Antes

Louis M. Jurist
Louis M. Jurist

Douglas A. Levine
Douglas A. Levine

COMMONWEALTH OF MASSACHUSETTS

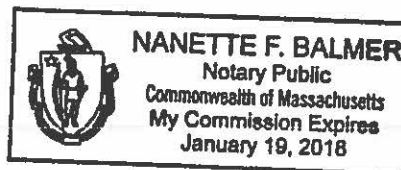
Middlesex, ss.

On this 24th day of July, 2017, before me, the undersigned notary public, personally appeared LEA ANDERSON, CHERRY KARLSON,*, member of the Town of Wayland Board of Selectmen, as aforesaid, proved to me through satisfactory evidence of identification, which was PERSONALLY KNOWN BY ME, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Wayland.

* MARY ANTES, LOUIS JURIST, &
DOUGLAS LEVINE

Nanette F. Balmer
Notary Public
My Commission Expires:

580004v2/WAYL/0054





TOWN OF WAYLAND

MASSACHUSETTS
01778

TOWN CLERK
Beth R. Klein
bklein@wayland.ma.us

ASSISTANT TOWN CLERK
Diane M. Gorham
dgorham@wayland.ma.us

TOWN BUILDING
41 COCHITUATE ROAD

TEL: 508-358-3630
508-358-3631
FAX: 508-358-1683
www.wayland.ma.us

ANNUAL TOWN MEETING VOTE CERTIFICATE

At a legal meeting of the qualified voters of the TOWN OF WAYLAND, held on April 2, 2017, the following business was transacted under Article 12:

ARTICLE 12: AUTHORIZE ACQUISITION OF ACCESS AND UTILITY EASEMENT AT 89 STONEBRIDGE ROAD
--

Moved that the Town authorize the Board of Selectmen to acquire by gift on such terms and conditions as the Board of Selectmen deems appropriate, an access and utility easement on property commonly known as 89 Stonebridge Road, identified as Tax Map 37, Lot 32A, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 62732, Page 282, said easement shown on a plan entitled "Plan of Land in Wayland, Massachusetts 89 Stonebridge Road Habitat for Humanity," dated December 5, 2016, on file with the Town Clerk; and authorize the Board of Selectmen to execute any and all documents as may be necessary or convenient in relation thereto.

VOTED:

IN FAVOR: 170

OPPOSED: 12 MOTION PASSED

A true copy, Attest:

Beth R. Klein
Town Clerk

General Notes

1. THIS PLAN IS THE RESULT OF A FIELD SURVEY AND A REVISION OF THE RECORD MAP OF THE TOWN OF WAYLAND, MASSACHUSETTS, TO CORRECT THE RECORD MAP TO REFLECT THE ACTUAL CONDITIONS ON THE GROUND.
2. THE PLAN SHOWS THE LOCATION AND BOUNDARIES OF THE PROPOSED ACCESS AND EASEMENT AS SHOWN.

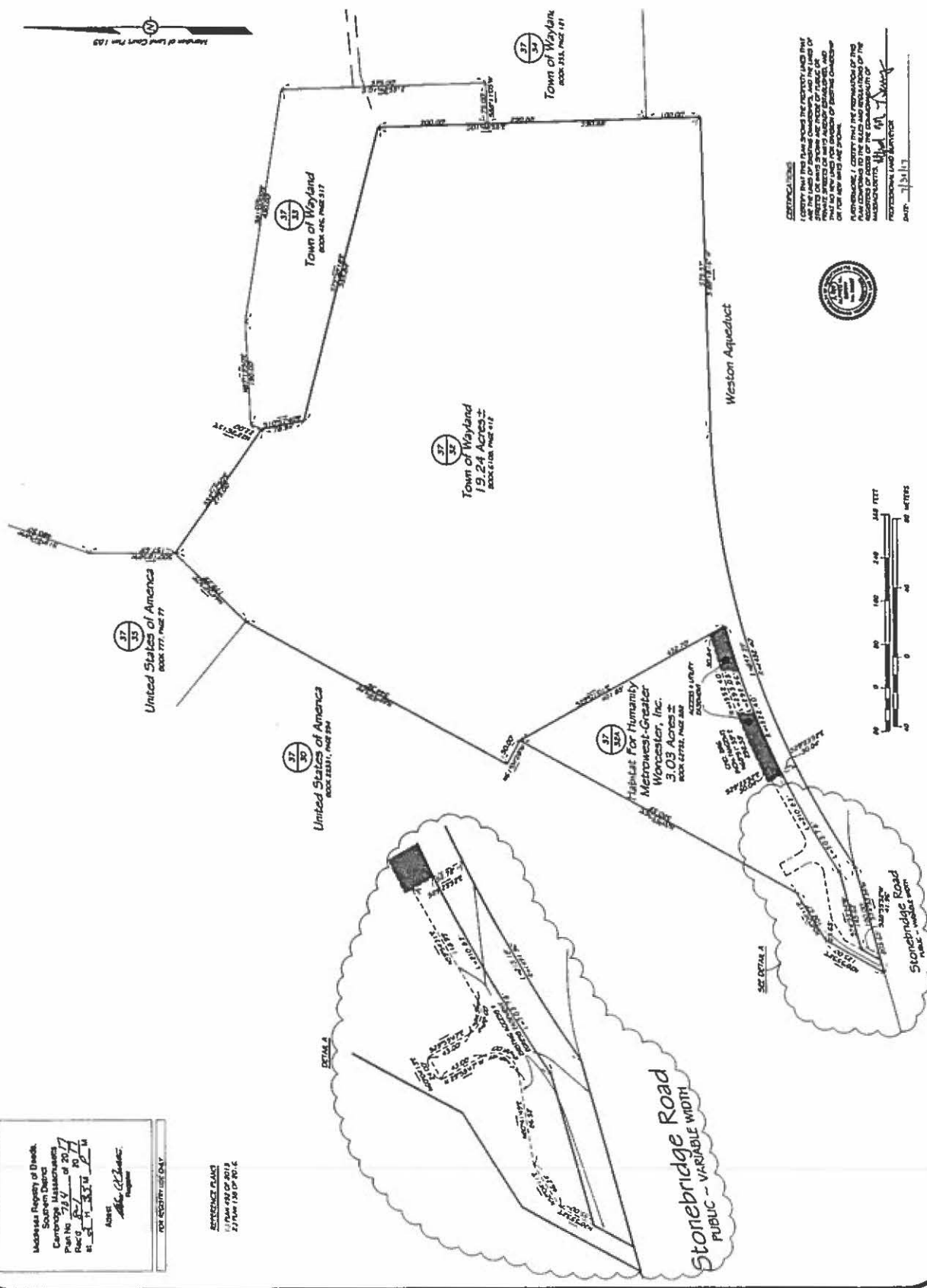
Town of Wayland, Massachusetts

Town Surveyor's Office
100 State Street, 2nd Floor
Wayland, MA 01981

No.	Revisions/Notes	Date

Plan of Land
In
Wayland, Massachusetts
89 Stonebridge Road
Habitat For Humanity

Prepared For: Habitat For Humanity
Date: 1/28/2016
Scale: 1" = 40'



Address: Property of Deed:
Stonebridge Road
Wayland, Massachusetts
Plan No. 712 V of 2017
Book 181, Page 294
Book 181, Page 294

Name: *John J. ...*
Surveyor

FOR REVISION USE ONLY

REFERENCE PLANS
1. PLAN 482 OF 2013
2. PLAN 136 OF 2014

CERTIFICATION

I, the undersigned, being a duly qualified and licensed Professional Land Surveyor in the State of Massachusetts, do hereby certify that the foregoing is a true and correct copy of the original and correct copy of the plan of land as shown on the ground and as shown on the record map of the Town of Wayland, Massachusetts, to which the same has been duly recorded.

Professional Land Surveyor
Date: 1/28/2016

704 OF 2017



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

To: Finance Committee
From: Brian Keveny, Finance Director
Date: August 8, 2017
Subject: Fiscal 2017 Budget Status Report

Please find enclosed the budget status reports for the General Fund, Enterprise Funds, Revolving Funds, Health Insurance, Free Cash and Reserve Fund as of June 30, 2017 for the Town of Wayland. The reports detail actual revenues and expenditures to budget as well as a year to year comparison to Fiscal 2016. We closed the accounting system on August 2nd and the annual financial audit will commence on August 8th. Free Cash is expected to be certified in September by the Massachusetts Department of Revenue. Additionally I have prepared a report showing all open capital projects.

General Fund Expenditures:

Town Departments including unclassified and state assessments expended and encumbered \$38,154,641 or 98% of budget. The School Department has expended and encumbered \$37,653,150 or 99% of budget. The total Fiscal 2017 net-appropriation turn back is \$1,209,109 compared to \$1,847,747 or 1.57% of budget and the Fiscal 2016 rollover turn back is \$108,680. For your review I have prepared an analysis of the Town and School turn backs. The total combined turn back amounts to \$1,317,789 which is less than last fiscal year. I am encouraged that both the total turn back dollar amount and percentage of budget are less than the previous three fiscal years. However the Fiscal 2017 rollover amount of \$1,245,557 is greater than last year. The largest departmental turnback amounts where experienced in the Treasury, Facilities, Information Technology, Fire and School Department. State Assessment charges where less than budget by \$34,265. The Health Insurance turnback was \$92,855 which is lower than any previous years. The Finance Committee transferred \$245,597 to various accounts and the turnback amounted to \$29,403.

General Fund Revenues:

The Town has collected approximately 101% of Property Tax-net of overlay, Local Receipts, Transfers from Other Fund and State Aid budgeted revenue. The Local Receipts category achieved 127% of budget or \$5.6M. The new Modernization Act requires the any surplus bond premium proceeds be reserved in the General Fund Balance account and not closed to Undesignated Fund Balance as was done previously. The amount of surplus bond premium is \$445,000 and is included in the local receipts total. In considering this requirement the adjusted total budgeted revenue collected is 98%. The Department of Revenue recently released guidance on the use of surplus bond proceeds. The proceeds can only be used to fund capital projects similar to the most recent borrowings. I will provide more information on this at a later date.

Strong collections where achieved in the unbudgeted revenue category. Specifically the collections of Deferred Tax and Tax Title revenue exceeded prior year collections by \$683,000. Directly associated with the collections of these two receivables is the Penalties and Interest account in the local receipts category. Collections of Penalties and Interest exceeded prior year by \$321,000. The total collections in these three accounts were significantly greater than any previous fiscal year. For your review I prepared a report showing the collections in Fiscal 2017 compared to prior years. Additionally the collections in these accounts did have an impact on our projected Free Cash. It is not expected that this collection total will continue in Fiscal 2018. The total collection amount of \$2,385,816 includes \$500,000 from the Water Department which is related to the interfund borrowing for 107 Sudbury Road. The Recreation Beach account transferred \$37,174 to the General Fund which represents surplus funds greater than

\$10,000 at fiscal year end. At some point in the future this receipt will need to be resolved with the Recreation Department.

Free Cash

I had reported in the Fiscal 2017 3rd quarter report that the estimated Free Cash at June 30, 2017 would be approximately \$6,010 or 7.68% of budget. For your review I have prepared the revised unadjusted Free Cash estimate and detailed the changes to the 3rd quarter report. The significant changes in the Free Cash amount are related to the June 2017 overlay release of \$508,000, net change in overlay due to abatements \$97,914, increase in budgeted revenue of \$603,000 and the increase in unbudgeted revenue related to Deferred Tax and Tax Title. The estimated unadjusted Free Cash amount is \$7,583,000 or 9.69% of the Fiscal 2018 budget.

Wastewater Enterprise Fund:

Revenue:

The Wastewater Enterprise Fund obtained budgeted revenue collections of \$758,911 or 102% of budget. As is evident in the report, a large amount of the revenue is not budgeted revenue. I will review this condition with the Wastewater staff.

Expenditures:

Total expenses were \$710,789 or 98% of budget which is consistent with prior year. All of the Fiscal 2017 liabilities have been paid. Debt service payments annually account for approximately 64% of the expense budget.

Additionally the Wastewater Commission may request a Fiscal 2018 budget increases of \$30,000 due to new expenditures. The budget increase can be addressed in the Special Town Meeting in November under the Current Year Article Transfer. I am currently working on resolving this issue with Wastewater staff.

Water Enterprise Fund:

Revenue:

The Water Fund collected 90% of direct budgeted revenue or \$3,832,642 and unbudgeted revenue of \$15,339. Actual budgeted revenue collections were greater than prior year in the amount of \$156,659 in large part collections of Water Meter Charges. Actual revenue collected was less than budget by \$393,028.

Expenditures:

The Water Fund has expended \$3,308,690 in operational expenses and \$450,000 capital appropriations. Total fund balance in the fund is \$2,818,397 compared to \$2,897,528 the prior year. Total all expenditures were greater than prior year by \$32,829.

The Board of Public Works and DPW Management have completed a water rate study and are in the process of implementing recommended rate changes.

Respectfully submitted,

Brian Keveny
Finance Director

Town of Wayland
Fiscal 2017
June 30, 2017

General Fund

	Fiscal 2017 Budget	Fiscal 2017 Actual / Encumbered	% Budget Spent
<i>Revenue</i>			
Taxation-net of overlay	62,092,177	62,089,739	100.00%
State Aid	5,011,949	5,011,145	99.98%
Local Receipts	4,400,000	5,602,074	127.32%
Transfers from Other Funds	1,623,125	1,623,125.00	100.00%
Other Sources			
Total	73,127,251	74,326,083	101.64%
Non Budgeted	-	2,385,816	n/a
Total Revenue	73,127,251	76,711,899	104.90%
<i>Expenditures</i>			
Town Budget-net of overlay	38,794,067	38,154,641	98.35%
School Budget	37,722,833	37,653,150	99.82%
Total Expense	76,516,900	75,807,791	99.07%

Water Enterprise Fund

	Fiscal 2017 Budget	Fiscal 2017 Actual	% Budget Spent
<i>Revenue</i>			
Operating revenue	4,241,009	3,847,981	90.73%
Use of Water Capital	-	-	0.00%
Unbudgeted Revenue	-	-	0.00%
Total Revenue	4,241,009	3,847,981	90.73%
<i>Expenditures</i>			
Operating expenses	3,791,009	3,308,690	87.28%
Use of Water Capital	450,000	450,000	100.00%
Total Expense	4,241,009	3,758,690	88.63%
Unbudgeted Expense	-	-	0.00%
Total Expenses	4,241,009	3,758,690	88.63%

Wastewater Enterprise Fund

	Fiscal 2017 Budget	Fiscal 2017 Actual	% Budget Spent
<i>Revenue</i>			
Operating revenue	743,411	758,911	102.08%
Total Revenue	743,411	758,911	102.08%
<i>Expenditures</i>			
Operating expenses	743,411	710,789	95.61%
Total Expense	743,411	710,789	95.61%

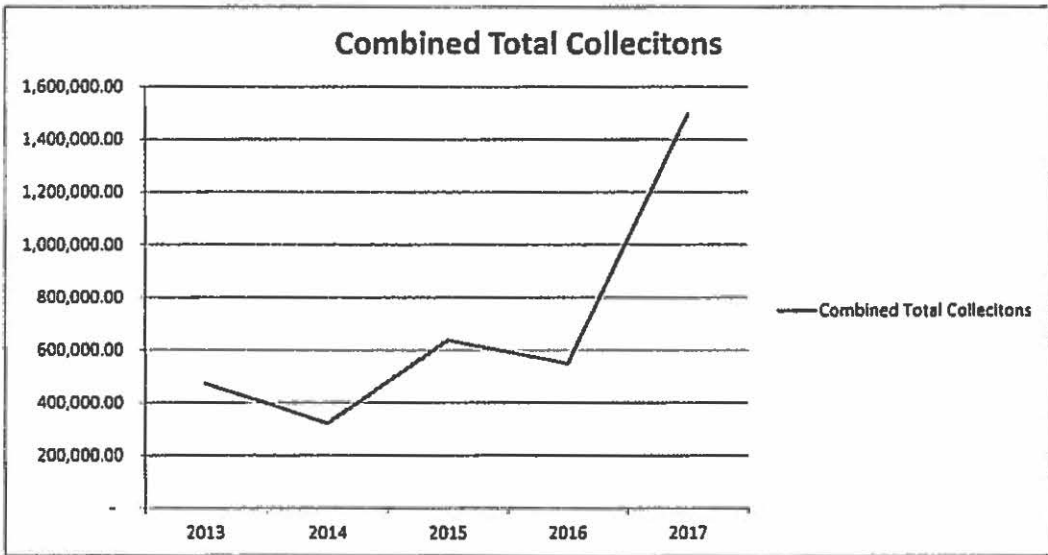
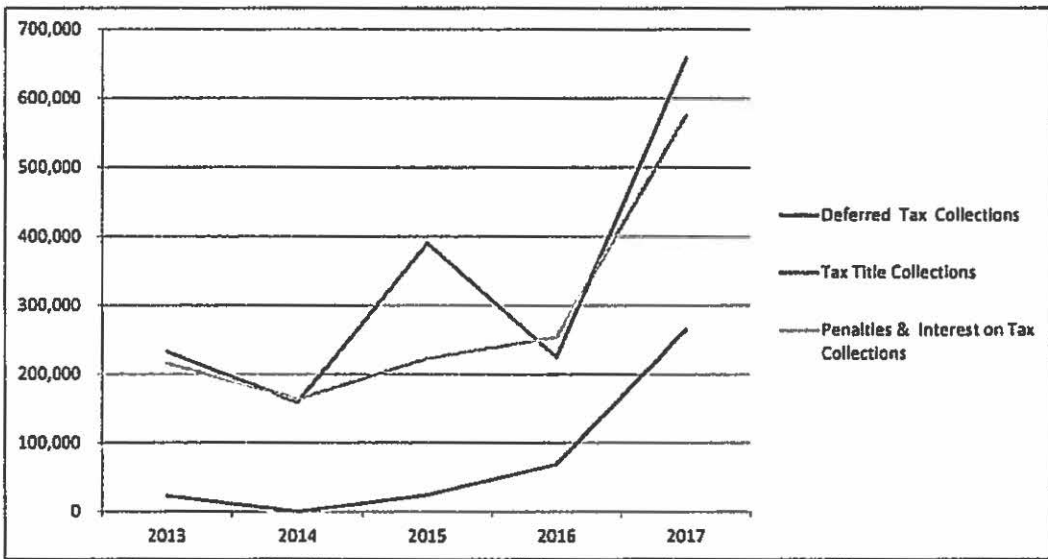
Town of Wayland, Massachusetts
General Fund Revenue Report
Fiscal 2017
June 30, 2017

	Fiscal 2016 YTD-Actual	Fiscal 2017 YTD-Actual	Fiscal 2017 Budget	\$ Variance 2017 / 2016	B / A Fiscal 2017 \$ Variance	% of Budget Collected
Taxation:						
Real Estate	56,844,073	61,305,568	61,911,399	4,461,495	(605,831)	99.02%
Personal Property	738,108	784,171	801,100	46,063	(16,929)	97.89%
Dvarlay	-	-	(620,322)	-	620,322	0.00%
Total	57,582,181	62,089,739	62,092,177	4,507,558	(2,438)	100.00%
State Aid:						
School Construction						
Local Aid : Cherry Sheet						
Chapter 70	3,710,313	4,042,462	4,042,462	332,149	-	100.00%
Charter Tuition Assessment	14,734	-	-	(14,734)	-	0.00%
Unrestricted Aid	833,306	869,138	869,138	35,832	-	100.00%
Veterans Benefits Chapter 115	40,017	34,503	4,943	(5,514)	29,560	698.02%
Exemption : Vets, Blind, Surviving Spouse	5,522	4,016	34,382	(1,506)	(30,366)	13.68%
State Owned Land Reimbursement	61,759	61,026	61,024	(733)	2	100.00%
Other Aid	9,001	-	-	(9,001)	-	0.00%
Total	4,674,652	5,011,145	5,011,949	336,493	(804)	99.98%
Local Receipts:						
Motor Vehicle Excise	2,519,190	2,517,328	2,194,596	(1,862)	322,732	114.71%
Other Excise	220,634	237,712	215,000	17,078	22,712	110.56%
Penalties and Interest	254,304	575,528	250,000	321,224	325,528	230.21%
Payment in Lieu of Taxes	63,049	46,251	50,000	(16,798)	(3,749)	92.50%
Fees	590,166	1,227,015	590,000	636,849	637,015	207.97%
Licenses and Permits	945,107	799,793	940,000	(151,314)	(146,207)	84.45%
Special Assessments	7,780	6,392,000	5,000	(1,388)	1,392	127.84%
Fines and Forfeits	62,452	44,773	62,000	(17,679)	(17,227)	72.21%
Investment Income	88,782	153,282	88,000	64,500	65,282	174.18%
Miscellaneous Recurring	-	-	5,404	-	(5,404)	0.00%
Total	4,751,464	5,602,074	4,400,000	850,610	1,202,074	127.32%
Transfers from other funds:						
Fund 24-Ambulance	360,000.00	360,000.00	360,000	-	-	100.00%
Fund 24-Council on Aging	-	1,373.00	1,373	-	-	100.00%
Fund 24-Transfer Station	47,726.00	71,961.00	71,961	24,235.00	-	100.00%
Fund 24-Recreation	91,215.00	15,887.00	15,887	(75,528.00)	-	100.00%
Fund 25-Food Service	239,966.00	270,401.00	270,401	30,435.00	-	100.00%
Fund 25-BASE	213,818.00	220,101.00	220,101	6,273.00	-	100.00%
Fund 25-TCW	217,702.00	233,506.00	233,506	15,804.00	-	100.00%
Fund 25-Full Day Kinder	38,129.00	34,118.00	34,118	(4,011.00)	-	100.00%
Fund 61-Water	331,725.00	338,601.00	338,601	6,876.00	-	100.00%
Fund 62-Septage	34,368.00	52,708.00	52,708	-	-	100.00%
Fund 63-Wastewater	24,288.00	24,669.00	24,669	-	-	100.00%
	1,598,947.00	1,623,125.00	1,623,125	4,084.00	-	100.00%
Total Budgeted Revenue	68,607,244	74,326,083	73,127,251	5,698,745	1,198,832	101.64%
Unbudgeted Revenue:						
Tax Title Liens	225,210	657,703	-	432,493	-	0.00%
Prior Year RE collections	384,236	636,091	-	251,855	-	0.00%
Fund 24-Recreation-New FY 17 accounts	-	482,618	-	482,618	-	0.00%
375th Account Closeout	-	22,230	-	22,230	-	0.00%
School OPEB	115,018.00	50,000	-	(65,018)	-	0.00%
Water Interfund Borrowing	-	500,000	-	500,000	-	0.00%
Septage ATM 2016 Transfer	17,517	-	-	-	-	0.00%
Transfer from Recreation 530 Beach	0	37,174.00	-	-	-	0.00%
Total Unbudgeted Revenue	741,981	2,385,816	-	1,624,178	2,385,816	0.00%
Total All Revenue	69,349,225	76,711,899	73,127,251	7,322,923	3,584,648	104.90%

Town of Wayland, Ma					
DEPARTMENT	FINAL FISCAL 2017 BUDGET	FISCAL 2017 ACTUAL	FISCAL 2017 ENCUMBRANCE	FISCAL 2017 VARIANCE BUDGET / ACTUAL	Turnback as % Budget
SELECTMEN	30,000.00	17,575.00	1,000.00	11,425.00	38.08%
TOWN OFFICE SALARY	465,375.00	460,581.00	-	4,794.00	1.03%
TOWN OFFICE EXPENSES	81,500.00	63,923.00	7,898.00	9,679.00	11.88%
PERSONNEL BOARD SALARY	5,000.00	2,431.00	-	2,569.00	51.38%
PERSONNEL BOARD EXPENSES	10,000.00	4,430.00	450.00	5,120.00	51.20%
FINANCE SALARY	348,794.00	347,969.00	-	825.00	0.24%
FINANCE EXPENSE	56,700.00	55,060.00	-	1,640.00	2.89%
ASSESSOR SALARY	259,626.00	250,216.00	-	9,410.00	3.62%
ASSESSOR EXPENSES	52,250.00	39,392.00	8,989.00	3,869.00	7.40%
TREASURER SALARY	190,104.00	186,737.00	-	3,367.00	1.77%
TREASURER EXPENSES	100,100.00	32,597.00	5,500.00	62,003.00	61.94%
LEGAL	200,000.00	164,082.00	35,204.00	714.00	0.36%
INFORMATION TECH SALARY	275,316.00	234,633.00	-	40,683.00	14.78%
INFORMATION TECH EXPENSES	521,957.00	339,472.00	178,109.00	4,376.00	0.84%
TOWN CLERK SALARY	125,781.00	125,233.00	-	548.00	0.44%
TOWN CLERK EXPENSES	17,330.00	13,634.00	3,180.00	516.00	2.98%
ELECTIONS SALARY	37,908.00	36,738.00	-	1,170.00	3.09%
ELECTIONS EXPENSES	11,770.00	11,694.00	-	76.00	0.65%
REGISTRAR SALARY	275.00	275.00	-	-	0.00%
REGISTRAR EXPENSES	5,000.00	4,598.00	-	402.00	8.04%
CONSERVATION SALARY	170,402.00	143,561.00	-	26,841.00	15.75%
CONSERVATION EXPENSES	48,700.00	42,447.00	5,425.00	828.00	1.70%
PLANNING SALARY	105,000.00	98,090.00	-	6,910.00	6.58%
PLANNING EXPENSES	4,500.00	3,035.00	-	1,465.00	32.56%
SURVEYOR SALARY	169,118.00	169,041.00	-	77.00	0.05%
SURVEYOR EXPENSES	31,412.00	26,796.00	1,000.00	3,616.00	11.51%
FACILITIES SALARY	277,932.00	265,945.00	-	11,987.00	4.31%
FACILITIES EXPENSES	880,500.00	703,802.00	36,977.00	139,721.00	15.87%
MISC COMMITTEES	47,275.00	23,588.00	21,946.00	1,741.00	3.68%
TOTAL GENERAL GOVERNMENT	4,529,625.00	3,867,575.00	305,678.00	356,372.00	7.87%
POLICE SALARY	2,356,693.00	2,350,058.00	-	6,635.00	0.28%
POLICE EXPENSES	310,110.00	261,150.00	21,505.00	27,455.00	8.85%
JOINT COMMUNICATIONS SALARY	496,675.00	482,735.00	-	13,940.00	2.81%
JOINT COMMUNICATIONS EXPENSES	27,100.00	26,999.00	-	101.00	0.37%
EMERGENCY MANAGEMENT	23,000.00	16,441.00	6,500.00	59.00	0.26%
DOG OFFICER	22,000.00	21,977.00	-	23.00	0.10%
FIRE SALARY	2,492,921.00	2,345,969.00	-	146,952.00	5.89%
FIRE EXPENSES	258,400.00	256,868.00	883.00	649.00	0.25%
BUILDING & ZONING SALARY	311,497.00	278,234.00	-	33,263.00	10.68%
BUILDING & ZONING EXPENSES	52,001.00	42,909.00	-	9,092.00	17.48%
TOTAL PUBLIC SAFETY	6,350,397.00	6,083,340.00	28,888.00	238,169.00	3.75%

Town of Wayland, Ma					
DEPARTMENT	FINAL FISCAL 2017 BUDGET	FISCAL 2017 ACTUAL	FISCAL 2017 ENCUMBRANCE	FISCAL 2017 VARIANCE BUDGET / ACTUAL	Turnback as % Budget
WAYLAND PUBLIC SCHOOLS	37,722,833.00	37,169,539.00	483,611.00	69,683.00	0.18%
MINUTEMAN REGIONAL SC	93,215.00	93,215.00	-	-	0.00%
TOTAL EDUCATION	37,816,048.00	37,262,754.00	483,611.00	69,683.00	0.18%
HIGHWAY SALARY	1,030,407.00	939,666.00	-	90,741.00	8.81%
HIGHWAY EXPENSES	302,500.00	254,160.00	44,737.00	3,603.00	1.19%
SNOW REMOVAL SALARY	200,000.00	176,405.00	-	23,595.00	11.80%
SNOW REMOVAL EXPENSES	585,000.00	585,000.00	-	-	0.00%
TRANSFER STATION	65,000.00	41,821.00	-	23,179.00	35.66%
PARKS SALARY	556,441.00	550,556.00	-	5,885.00	1.06%
PARKS EXPENSES	293,000.00	265,556.00	18,897.00	8,547.00	2.92%
TOTAL PUBLIC WORKS	3,032,348.00	2,813,164.00	63,634.00	155,550.00	5.13%
BOARD OF HEALTH SALARY	679,384.00	676,423.00	-	2,961.00	0.44%
BOARD OF HEALTH EXPENSES	179,356.00	146,315.00	2,889.00	30,152.00	16.81%
VETERANS SERVICES	48,000.00	36,548.00	383.00	11,069.00	23.06%
C.O.A. SALARY	207,486.00	204,743.00	-	2,743.00	1.32%
C.O.A. EXPENSES	56,000.00	52,393.00	611.00	2,996.00	5.35%
YOUTH SERVICES SALARY	222,400.00	221,078.00	-	1,322.00	0.59%
YOUTH SERVICES EXPENSES	4,075.00	3,775.00	-	300.00	7.36%
TOTAL HEALTH / HUMAN SERVICES	1,396,701.00	1,341,275.00	3,883.00	51,543.00	3.69%
LIBRARY SALARY	823,000.00	788,488.00	-	34,512.00	4.19%
LIBRARY EXPENSES	233,200.00	232,530.00	29.00	641.00	0.27%
RECREATION SALARY	172,000.00	158,939.00	-	13,061.00	7.59%
TOTAL CUTURAL	1,228,200.00	1,179,957.00	29.00	48,214.00	3.93%
DEBT	7,507,251.00	7,470,289.00	-	36,962.00	0.49%
RETIREMENT ASSESSMENT	4,235,414.00	4,235,414.00	-	-	0.00%
UNCLASSIFIED	-	-	-	-	-
INSURANCE GENERAL	628,157.00	621,417.00	-	6,740.00	1.07%
INSURANCE 32B	7,165,000.00	6,720,157.00	351,988.00	92,855.00	1.30%
MEDICARE TAX	628,000.00	627,037.00	-	963.00	0.15%
UNEMPLOYMENT	50,000.00	28,407.00	-	21,593.00	43.19%
POLICE / FIRE DISABILITY	15,000.00	1,389.00	-	13,611.00	90.74%
RESERVE FOR SALARY ADJ	9,449.00	-	-	9,449.00	100.00%
OCCUPATIONAL HEALTH	8,000.00	4,356.00	240.00	3,404.00	42.55%
BUY BACK	40,000.00	27,921.00	-	12,079.00	30.20%
TOWN MEETING	100,000.00	63,645.00	-	36,355.00	36.36%
STREET LIGHTING	130,000.00	122,850.00	7,605.74	(455.74)	-0.35%
RESERVE FUND	29,403.00	-	-	29,403.00	100.00%
TOTAL UNCLASSIFIED / OTHER	20,545,674.00	19,922,882.00	359,833.74	262,958.26	1.28%
TRANSFER TO OTHER FUNDS-Capital	87,301.00	87,301.00	-	-	-
CASH CAPITAL	185,000.00	185,000.00	-	-	0.00%
USE OF FREE CASH FOR CAPITAL	466,001.00	466,001.00	-	-	0.00%
RECREATION TRANSFER	482,618.00	482,618.00	-	-	-
OVERLAY	620,322.00	-	-	620,322.00	100.00%
TRANSFER TO FUND 24- FEMA	180.00	180.00	-	-	-
TRANSFER TO SEPTAGE	-	7,615.00	-	(7,615.00)	-
TRANSFER TO OPEB	215,285.00	215,285.00	-	-	0.00%
INTERFUND BORROWING TO WATER	-	500,000.00	-	(500,000.00)	-
TOTAL TRANSFERS	2,056,707.00	1,944,000.00	-	112,707.00	5.48%
STATE ASSESSMENTS & CHARGES	181,522.00	147,287.00	-	34,235.00	18.86%
TOTAL UNAPPROPRIATED	181,522.00	147,287.00	-	34,235.00	18.86%
Totals	77,137,222.00	74,562,234.00	1,245,556.74	1,329,431.26	1.72%

Deferred Tax and Tax Title Collections Actual- Fiscal 2015- Fiscal 2017								
Fiscal Year	Deferred Tax Collections	% Chg	Tax Title Collections	% Chg	Penalties & Interest on Tax Collections		Combined Total Collectitons	% Chg
2013	23,372	0.00%	233,160	0.00%	216,296	0.00%	472,828.00	
2014	0	-100.00%	159,499	-31.59%	163,911	-24.22%	323,410.00	-31.60%
2015	24,680	100.00%	390,423	144.78%	223,338	36.26%	638,441.00	97.41%
2016	69,024	179.68%	225,210	-42.32%	254,304	13.87%	548,538.00	-14.08%
2017	265,107	284.08%	657,703	192.04%	575,528	126.31%	1,498,338.00	173.15%



Town of Wayland
Fiscal 2017
Health Insurance Report
June 30, 2017

	Fiscal 2017 Budget	12-Month Actual	Estimated Turnback	% of Total Budget
<i>Fiscal 2017</i>				
Health Insurance	6,930,900.00	6,800,790.73	130,109.27	1.88%
Incentive Waiver	176,600.00	197,697.50	(21,097.50)	-11.95%
Life Insurance	16,000.00	16,453.45	(453.45)	-2.83%
Other Expenses	41,500.00	57,202.34	(15,702.34)	-37.84%
	<u>7,165,000.00</u>	<u>7,072,144.02</u>	<u>92,855.98</u>	<u>1.30%</u>
<i>Fiscal 2016</i>				
	2016 Budget	12-Month Actual	Estimated Turnback	% of Total Turnback
Health Insurance	6,714,218.00	6,370,389.33	343,828.67	5.12%
Incentive Waiver	150,000.00	176,669.01	(26,669.01)	-17.78%
Life Insurance	16,000.00	13,984.16	2,015.84	12.60%
Other Expenses	45,000.00	28,360.77	16,639.23	36.98%
	<u>6,925,218.00</u>	<u>6,589,403.27</u>	<u>335,814.73</u>	<u>4.85%</u>
FY 17 / FY 16 variance	<u>239,782.00</u>	<u>482,740.75</u>	<u>(242,958.75)</u>	<u>-3.55%</u>

Fiscal 2017 Voted Transfers		Reserve Fund
FY 2017 Budget	Status	275,000.00
Total voted transfers:		
Town Surveyor	Complete	(4,262.00)
Building Department	Complete	(37,500.00)
Vocational Education	Complete	(24,597.00)
General Insurance	Complete	(81,157.00)
Library Drainage	Complete	(19,301.00)
Legal	Complete	(25,000.00)
Town Clerk Elections	Complete	(1,600.00)
Dog Officer	Complete	(500.00)
Surveyor Salary	Complete	(1,000.00)
State FEMA	Complete	(180.00)
Board of Health	Complete	(2,500.00)
Medicare Tax	Complete	(48,000.00)
Total transferred:		(245,597.00)
Estimated Turnback:		29,403.00

FREE CASH ANALYSIS - June 30, 2017				
	Actual FY 2016	Projected FY 2017 Mar-17	Dollar Variance Mar - June	Projected FY 2017 Jun-17
	ACTUAL	ESTIMATED		ACTUAL
General Fund / Unappropriated Budgets	72,414	75,634		
Free Cash Balance beginning year:	6,479	4,641		4,641
Uses of Free Cash				
<i>Current year increase</i>	(190)	(270)	(65)	(335)
Energy Fall TM	(29)	-	-	0
FY 16 Fall TM	(150)	-	-	0
Future use of Free Cash to support Articles	-	-	-	0
Overlay to support subsequent year budget	(301)	(500)	-	(500)
Additional use to support CY budget	(2,000)	-	-	0
Support subsequent year operating budget	(1,500)	(500)	-	(500)
OPEB Funding subsequent year	(215)	(221)	-	(221)
Capital Projects subsequent year	(410)	(219)	-	(219)
Recreation Revolving Transfer GF to Rec	(482)	-	-	-
Article 19 ATM	(56)	-	-	-
DOR adjustments- various fund deficits	(145)	-	-	-
Total	(5,478)	(1,710)	(65)	(1,775)
Sources of Free Cash				
<i>Net change in year to year overlay</i>	17	-	613	613
Amortization of MSBA	5	5	-	5
Prior year recovery	462	145	-	145
Current year unbudgeted revenue	-	-	-	-
OPEB transfers to General Fund	115	50	-	50
Recreation Revolving Transfer Recreation to GF	-	482	-	482
Prior Year Real Estate / PP revenue	513	990	303	1,293
Account Closeouts	0	22	37	59
Bond Premium	113	-	-	-
Current year excess revenue over budget	327	150	603	753
Prior year rollover appropriation turnback	241	100	8	108
Turnbacks-Current Year (Equals 1.50% of CY Budget)	1,847	1,135	74	1,209
Total	3,640	3,079	1,638	4,717
Net annual source & use change:	(1,838)	1,369	0	2,942
Free Cash Balance Beginning Of Next Fiscal Year	4,641	6,010	1,573	7,583
Free Cash as % of next year budget	6.14%	7.68%		9.69%

Town of Wayland, Massachusetts
Wastewater Enterprise Fund
Fiscal 2017
Quarterly Report , 03/31/2016

	Fiscal 2017 Budget	Fiscal 2017 Actual	% Budget Collected / Expended	\$ Variance Budget / Actual	Fiscal 2016 Actual	\$ Variance FY 17 / FY 16
Operating Revenue:						
Penalties and Interest	-	8,912	0.00%	8,912	1,032	7,880
Wastewater User Charges	265,941	295,690	111.19%	29,749	257,233	38,457
Liens	-	7,123	0.00%	7,123	3,890	3,243
Detterments	278,441	25,990	9.33%	(252,451)	23,661	2,329
Betterment Interest	199,029	4,766	2.39%	(194,263)	5,915	(1,149)
Betterment paid in advance	-	-	0.00%	-	-	-
Betterment TC RE	-	197,700	0.00%	197,700	199,332	(1,632)
Betterment TC Int	-	175,414	0.00%	175,414	182,003	(6,589)
Unapportioned WW betterment TC	-	25,052	0.00%	25,052	90,904	(65,852)
Unapportioned WW betterment TC-Int	-	1,207	0.00%	1,207	2,451	(1,244)
Interest on Savings	-	4,352	0.00%	4,352	4,683	(331)
Misc. revenue	-	12,705	0.00%	12,705	500,671	(487,966)
Total	743,411	758,911	102.08%	15,500	1,271,765	(512,854)
Operating Expenditures						
Personal Services	33,552	25,994	0.00%	7,558	28,283	(2,289)
Expenditures	207,718	225,445	108.53%	(17,727)	178,443	47,002
Funded Debt	477,472	459,350	96.20%	18,122	467,601	(8,252)
Total	718,742	710,789	98.89%	7,953	674,327	38,462
Other Financing Sources / (Uses)						
Transfers to General Fund	24,669	-	0.00%	24,669	-	-
Total	24,669	-	0.00%	24,669	0	0
Total YTD Revenues	743,411	758,911	102.08%	15,500	1,271,765	(512,854)
Total YTD Expenditures	743,411	710,789	95.61%	7,953	674,327	36,462
FUND BALANCE						
Undesignated Fund balance		1,327,899				
Reserve for expenditure- Fiscal 2014		-				
Current outstanding encumbrances		-				
YTD expenditures (Current Year & FY 16 rollover)		(710,789)				
YTD revenues		758,911				
Undesignated Fund balance-June 30, 2014		1,376,021				

Town of Wayland, Massachusetts
Water Enterprise Fund
Fiscal 2017
Quarterly Report, 06/30/17

	Fiscal 2017 Budget	Fiscal 2017 Actual	% Budget Collected / Expended	\$ Variance Budget / Actual	Fiscal 2016 Actual	\$ Variance FY 17 / FY 16
REVENUES						
<i>Operating Revenue:</i>						
Penalties and Interest	25,000	25,750	97.09%	750	24,808	942.00
Water Meter Charges	3,916,009	3,340,210	117.24%	(575,799)	3,261,788	178,424.00
Liens	0	89,899	0.00%	89,899	122,452	(32,553.00)
Water Administration Fee	200,000	288,492	69.33%	88,492	304,738	(16,246.00)
Water Service Order	40,000	54,850	72.93%	14,850	28,269	26,581.00
Misc. Revenue	50,000	26,625	187.79%	(23,375)	42,541	(15,916.00)
Interest on Savings	10,000	6,816	146.71%	(3,184)	6,728	88.00
Transfers from Capital	0	15,339	0	15,339	0	15,339.00
Total	4,241,009	3,847,981	90.73%	(393,028)	3,691,322	156,659.00
EXPENDITURES						
<i>Operating Expenditures:</i>						
Personal Services	778,470	624,068	124.74%	154,402	675,805	(51,737.00)
Expenditures	1,564,637	1,249,239	125.24%	315,398	1,340,710	(91,451.00)
Funded Debt	1,105,664	1,093,105	101.15%	12,559	1,064,054	29,051.00
Indirect Fringe Transfers to GF	338,601	338,601.00	0.00%	0	331,725.00	(6,876.00)
Indirect Fringe Transfers to GF and OPEB	3,657	3,657.00	0.00%	0	3,567.00	(90.00)
Total	3,791,009	3,308,690	87.28%	482,319	3,415,861	(121,103.00)
OTHER FINANCING TRANSFERS TO WATER CAPITAL						
<i>Other Financing Uses:</i>						
Transfers to Capital Projects / Unbudgeted expense	450,000	450,000	0	0	310,000	(140,000.00)
<i>Other Financing Sources:</i>						
Water Surplus to Fund 42	-	-	-	-	-	-
Water Revenue to General Fund	-	-	-	-	-	-
Total YTD Revenues	4,241,009	3,847,981	1	(393,028)	3,691,322	156,659.00
Total YTD Expenditures	4,241,009	3,758,690	1	482,319	3,725,861	32,829.00
FUND BALANCE						
		2017				
Undesignated Fund balance		2,897,531				
YTD expenditures (Current Year & FY 16 rollover)		(3,927,116)				
YTD revenues		3,847,982				
Total Fund Balance 6/30/2014		2,818,397				

Town of Wayland, Massachusetts
Major Town Revolving Funds
Comparison Report: Q4 2017 to Q4 2016
June 30, 2017

	24220900 Ambulance Revolving Fund			24494000 Transfer Station Fund			24652000 Recreation Revolving Fund		
	FY 2017 Actual	FY 2016 Actual	FY 17 / FY 16 Variance	FY 2017 Actual	FY 2016 Actual	FY 17 / FY 16 Variance	FY 2017 Actual	FY 2016 Actual	FY 17 / FY 16 Variance
Beginning Fund Balance-7/01/16	1,242,929	1,182,117	60,812	231,235	305,269	(74,034)	944,608	664,507	280,101
REVENUE:									
Revenue from services :	726,644	616,925	109,719	390,801	409,071	(18,270)	-	-	-
Revenue from programs:	-	-	-	-	-	-	-	-	-
Beach	-	-	-	-	-	-	2,150	138,745	(136,595)
Field Permits	-	-	-	-	-	-	176,276	119,716	56,560
Summer Camps	-	-	-	-	-	-	305,031	249,022	56,009
Youth Programs	-	-	-	-	-	-	212,584	236,405	(23,821)
Adult Programs	-	-	-	-	-	-	62,196	74,397	(12,201)
Misc revenue	-	-	-	-	-	-	(11,022)	-34,964	23,942
Pre K Programs	-	-	-	-	-	-	21,853	22,213	(360)
Ski Programs	-	-	-	-	-	-	34,482	32,109	2,373
Other Programs	-	-	-	-	-	-	3,190	2,115	1,075
Seasonal events	-	-	-	-	-	-	12,617	4,413	8,204
Transfer from Other Fund	44,211	-	44,211	-	-	-	-	-	-
Total	770,855	616,925	153,930	390,801	409,071	(18,270)	819,357	844,171	(24,814)
EXPENDITURES:									
Operating Expenditures									
Personal Services	-	-	-	141,035	144,898	(3,863)	204,170	154,930	49,240
Expenses	68,678	77,113.00	(8,435)	304,707	290,097	14,610	361,381	316,391	44,990
Total	68,678	77,113.00	(8,435)	445,742	434,995	10,747	565,551	471,321	94,230
Other Financing Sources / (Uses)									
Transfers to Other Funds	875,000	479,000	396,000	88,000.00	48,110.00	39,890.00	499,091.00	92,749.00	406,342
Total	875,000	479,000	396,000	88,000.00	48,110.00	39,890.00	499,091.00	92,749.00	406,342.00
Total YTD Revenues	770,855	616,925	153,930	390,801	409,071	(18,270)	819,357	844,171	(24,814)
Total YTD Expenditures	943,678	556,113	387,565	533,742	483,105	50,637	1,064,642	564,070	500,572
Year to date Fund Balance total:									
Beginning Fund Balance-7/01/16	1,242,929	1,182,117	60,812	231,235	305,269	(74,034)	944,608	664,507	280,101
Total YTD Revenues	770,855	616,925	153,930	390,801	409,071	(18,270)	819,357	844,171	(24,814)
Total YTD Expenditures	943,678	556,113	387,565	533,742	483,105	50,637	1,064,642	564,070	500,572
Balance 06/30/17:	1,070,106	1,242,929	(172,823)	88,294	231,235	(142,941)	699,323	944,608	(245,285)

TOWN OF WAYLAND
 FISCAL 2017
 CAPITAL PROJECT ACTIVITY REPORT
 6/30/2017
 FUND 40-TOWN CAPITAL

Ending Balance
 CASH

40141103	58500	- ASSESSOR EQUIPMENT	22,171.05
40155203	58500	- IT CAPITAL ATM 2014	49,282.20
40155104	58500	- IT CAPITAL SP TM 2013	63,596.92
40155700	58500	- FY 17 DATA CENTER PATCH MANGT	9,467.00
40171404	58215	- DAM REPAIR SP TM 2013	25,000.00
40171403	58215	- DAM REPAIRS	91,054.00
40171405	58205	- CONSERVATION ATM 2014	28,908.00
40192103	58201	- TOWN BUILDING REPAIRS	23,198.44
40192203	58201	- FY 13 BUILDING REPAIRS	63,913.90
40192703	58201	- TOWN BUILDING REPAIRS ATM 2014	11.50
40193003	58201	- STATION 2 REPAIR ATM 2014	33,720.06
40193103	58201	- ENERGY UPGRADES ATM 2014	52,067.00
40193300	58201	- FY 16 TOWN BUILDING REPAIR	27,774.86
40193400	58201	- FY 16 PUBLIC SAFETY SEWER PUMP	50,000.00
40193500	58201	- FY 16 LIBRARY OIL TANK REMOVAL	25,000.00
40193600	58201	- FY 16 STATION 2 SEPTIC AND PAVING	35,000.00
40193700	58502	- FY 16 TOWN MOTOR POOL	513.00
40193800	54199	- FY 17 TRANSFER ST IMPROVEMENT	43,925.00
40194100	54199	- FY 17 RECONFIG ROUTE 30 / PLAIN ST	27,323.95
40194200	54199	- FY 17 RECONFIG FIVE PATHS	42,078.13
40193900	54199	- FY 17 OLD DPW DEMO	327,180.00
40222500	54199	- FY 17 FIRE RESCUE AND PUMP TRUCK	15,763.00
40222400	54199	- FY 17 LADDER AND FIRE TRUCK	950,000.00
40222600	54199	- FY 17 COCHITUATE APTS FIRE SUPP	154,982.50
40227103	58201	- STATION 2 REPAIR	4,284.00
40422803	58500	- H-19 DUMP TRUCK ATM 2014	728.92
40423503	58500	- BOBCAT ATM 2014	572.44
40423803	58502	- HIGHWAY VEHICLES	5,807.37
40424203	58202	- NEW DPW FACILITY STUDY	7,131.00
40424205	54199	- NEW DPW BUILDING STM 2013	307,976.07
40424303	58215	- HGWY ROADWORK DESIGN (27/30)	26,401.44
40424403	58215	- HGWY TRAFFIC CALMING	165.54
40424503	58300	- DRAINAGE IMPROVEMENTS	7,049.67
40425003	58300	- PARKLAND / CHARLES ATM 2014	57,272.20
40425103	58300	- CULVERT REPAIRS ATM 2014	82,160.00
40425400	58300	- FY 16 TRANSFER ST CULVERT REPAIR	100,000.00
40425500	58300	- FY 16 DPW LIGHT TRUCKS	106.00
40425700	58500	- FY 16 DPW P-34 CHIPPER	1,097.00
40425900	58500	- FY 16 DPW HEAVY DUTY EQUIPMENT	31.50
40426003	58500	- FY 16 RT 30 and RT 27 Easement	101.00
40494403	54199	- FY 17 SHED UPGRADE CONSERV	30,000.00
40494403	58215	- TF STATION CAPPING	331.86
40494803	58300	- CEMETERY EXPANSION ATM 2014	94,734.85
40495100	54199	- FY 17 ROAD CONSTRUCTION	573,504.44
40495200	54199	- FY 17 CEMETERY EXPANSION	50,000.00
40495500	54199	- FY 17 HEAVY EQUIPMENT	27.79
40495600	54199	- FY 17 SWAP LOADER	4,900.00
40495700	54199	- FY 17 TRANSFER ST COMPACTOR	40,000.00
40545702	54199	- FY 16 STM ENERGY RESILIENCE	29,403.00
40545802	54199	- FY 16 STM LIBRARY DESIGN	35,180.53
40545902	54199	- FY 16 COA FEASIBILITY STUDY	111,799.21
40612900	54199	- FY 17 SEWER BETTERMENT LIBRARY	56,000.00
40650503	58215	- FIELD IMPROVEMENTS ATM 2014	12,019.79
40650800	52100	- FY 16 RECREATION FIELD MAINT	24,057.58
40650700	54199	- FY 17 HAPPY HOLLOW PLAYGROUND	3,844.76
40651903	58215	- CEMETERY SITE IMPROVEMENTS	10,707.18
40652303	58215	- BEACH IMPROVEMENTS	540.61
40651304	58215	- RECREATION FIELD IMP 2013	36,963.53
40652700	54199	- FY 17 REC FACILITIES PLAN	60,000.50

TOTAL 3,762,888.27

FUND 41-SCHOOL CAPITAL				Ending Balance CASH
41507964	55451	3445	FY 17 HAPPY HOLLOW PHONE	7,426.61
41507964	55451	3447	FY 17 HAPPY HOLLOW FURNITURE	2,331.88
41607694	55451	3448	FY 17 LOKER FURNITURE	14,961.88
41797964	55451	3449	FY 17 FOOD SERVICE EQUIPMENT	53,950.00
41177964	55451	3450	FY 17 CUSTODIAL EQUIPMENT	438.71
41177964	55451	3451	FY 17 HAPPY HOLLOW FLOOR TILE	62,155.00
41607948	55451	3452	FY 17 LOKER TILE	65,000.00
41607948	55480	3453	FY 17 LOKER DOOR AND WINDOW	138,817.65
41407948	55451	3709	CLAYPIT FLOOR TILE ATM 2014	1,174.00
41407948	55451	3710	CLAYPIT DOORS / WINDOWS ATM 2014	(356,295.19)
41407948	55564	3781	FY 16 CLAYPIT DOOR AND WINDOW	398,951.82
41407948	55451	3712	HAPPY HOLLOW FLOOR TILE ATM 2014	2,970.86
41407948	55451	3714	MIDDLE SCHOOL WINDOWS ATM 2014	(224,585.91)
41407948	55480	3792	FY 16 MIDDLE SCHOOL WINDOWS	250,000.00
41407948	55451	3715	MIDDLE SCHOOL AIR COND ATM 2014	70,000.00
41407948	55451	3716	LOKER SECURITY ATM 2014	6,556.97
41407948	55451	3717	LOKER KITCHEN ATM 2014	199,981.59
41172164	55564	3763	FY13 CAPITAL EQUIPMENT-OTHER	128.70
41417964	55564	3764	FY14 CAPITAL EQUIPMENT SP TM 2013	1,176.53
41152166	55564	3765	CLAYPIT FURNITURE AMT 2014	4,363.12
41152166	55564	3766	HAPPY HOLLOW FURNITURE 2014	5,086.47
41152166	55564	3768	MIDDLE SCHOOL FURNITURE 2014	400.00
41407948	55564	3780	FY 16 PHONE UPGRADE	4,260.08
41152166	55564	3782	FY 16 CLAYPIT FURNITURE	3,155.11
41407948	55480	3783	FY 16 HAPPY HOLLOW FLOOR TILE	7,917.42
41407948	55480	3784	FY 16 HAPPY HOLLOW ART / CAFÉ ROOM	126,782.23
41407948	55480	3785	FY 16 HAPPY HOLLOW PAVING	52,000.00
41152166	55564	3786	FY 16 HAPPY HOLLOW FURNITURE	2,109.63
41407948	55480	3789	FY 16 LOKER TILE REPLACEMENT	73,908.00
41407948	55564	3790	FY 16 LOKER FURNITURE	371.28
41407948	55480	3791	FY 16 LOKER WIRING	14,748.89
41152166	55480	3793	FY 16 MIDDLE SCHOOL FURNITURE	8,642.80
41116048	55480	3705	HIGH SCH RENOVATIONS/PLANNING	74,034.00
40222200	58502		FY 16 FIRE OFFICER VEHICLE	0.18
TOTAL				1,072,920.21
FUND 42-WATER CAPITAL				
42452903	58300		- PEMBERTON RD UPGRADE	59,988.00
42453700	58502		- FY 16 WATER VEHICLES	12,933.41
42453800	58502		- FY 16 WATER MAIN REPLACEMENT	69,268.86
42453900	58300		- FY 16 WATER METER REPLACEMENT	200,000.00
42454300	58300		- FY 17 WATER METERS	200,000.00
42454400	58300		- FY 17 WATER TANK CLEANING	235,300.00
42454000	54199		- FY 17 PUMP STATION UPGRADE	496,340.35
42454100	54199		- FY 17 STONEBRIDGE RD WATER MAIN	930,254.94
42454200	54199		- FY 17 WATER MAIN REPLACEMENT	658,357.37
42454500	54199		- FY 17 PURCHASE 107 SUDBURY	-
TOTAL				2,862,442.93
FUND 44- WASTEWATER				
44443103	58201		- WASTEWATER PLANT	239,741.95
TOTAL				239,741.95



TOWN OF WAYLAND

MASSACHUSETTS
01778

5

TOWN CLERK
Beth R. Klein, CMC
bklein@wayland.ma.us

ASSISTANT TOWN CLERK
Diane M. Gorham
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

Date: August 9, 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 on August 9, 2017 and is effective September 1, 2017:

Eric Goldberg
Term Expires: June 30, 2018

Zoning Board of Appeals

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
Geoffrey Larsen, Commissioner
ZBA members
Eric Goldberg

Klein, Beth

From: DiNapoli, MaryAnn
Sent: Wednesday, August 09, 2017 9:16 AM
To: Klein, Beth; Gorham, Diane
Subject: FW: Resignation from Zoning Board of Appeals

From: Balmer, Nan
Sent: Wednesday, August 09, 2017 9:13 AM
To: DiNapoli, MaryAnn
Subject: Fwd: Resignation from Zoning Board of Appeals

Nan Balmer
(508) 237-1330

2017 AUG -9 AM 10:51
TOWN OF WAYLAND
TOWN CLERK

Begin forwarded message:

From: "Goldberg, Eric" <egoldberg@wcnllp.com>
Date: August 8, 2017 at 3:14:35 PM EDT
To: "Balmer, Nan (nbalmer@wayland.ma.us)" <nbalmer@wayland.ma.us>, "landerson@wayland.ma.us" <landerson@wayland.ma.us>
Cc: "Goldberg, Eric" <egoldberg@wcnllp.com>
Subject: Resignation from Zoning Board of Appeals

Town Administrator Balmer and Selectman Anderson,
It is with great sadness that I write at this time to formally submit my resignation from the Wayland Zoning Board of Appeals, effective September 1, 2017. Although my current appointment does not expire until June 2018, after sixteen years of service on the Board, it was my intention to remain only until the conclusion of the two pending Chapter 40B affordable housing projects. However, due to my mother's unexpected passing on August 1, 2017, I will be relocating to Peabody in early September. It has been a great privilege to serve the Town and its residents all these years as a member of the Board. Thank you.

- Eric

Eric B. Goldberg

egoldberg@wcnllp.com | Tel: 781.235.5500 | Fax: 781.235.5577 | Direct Dial: 781.247.8031

Wellesley Office Park, 20 William Street | Suite 130, Wellesley, MA 02481

wcnllp.com



WILCHINS | COSENTINO | NOVINS LLP



TOWN OF WAYLAND

MASSACHUSETTS
01778

6

TOWN CLERK
Beth R. Klein, CMC
bklein@wayland.ma.us

ASSISTANT TOWN CLERK
Diane M. Gorham
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

Date: August 9, 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 on August 9, 2017 and is effective August 9, 2017:

Matthew Ludwig
Term Expires: June 30, 2019

Cultural Council

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
Jonathan Saxton, Chair
Matthew Ludwig

Klein, Beth

From: DiNapoli, MaryAnn
Sent: Wednesday, August 09, 2017 8:26 AM
To: Klein, Beth; Gorham, Diane
Subject: FW: Wayland Art Council Resignation

-----Original Message-----

From: Matthew Ludwig [<mailto:qtrnotematt@verizon.net>]
Sent: Tuesday, August 08, 2017 10:19 PM
To: DiNapoli, MaryAnn
Cc: kebrewton@gmail.com; jonsax@comcast.net
Subject: Wayland Art Council Resignation

Ms. DiNapoli,

I am currently serving my second three year term with the Wayland Arts Council. I have really enjoyed the experience. However, I will be attending college outstate this fall. Unfortunately, I will not be able to finish my term on the Arts Council. Please accept this email as my resignation. If you need any additional information or have any questions, please feel free to contact me.

Matthew Ludwig

RECEIVED

AUG 14 2017

Board of Selectmen
Town of Wayland

Amy E. Kwesell
akwesell@k-plaw.com

August 10, 2017

Jeffrey L. Roelofs, Esq.
Law Offices of Jeffrey L. Roelofs, P.C.
44 Merrimac Street
Newburyport, MA 01950


Re: David Bernstein, et al. v. Wayland Planning Board, et al.
Middlesex Superior Court, C.A. No. 0881CV00552

Dear Mr. Roelofs:

Enclosed for filing pursuant to Superior Court Rule 9A, please find an original and one copy of Defendants' Opposition to Plaintiffs' Motion to Enforce Judgment on Count II and for Attorney's Fees and Costs and Defendants' Cross Motion for Clarification.

Thank you for your attention to this matter.

Very truly yours,



Amy E. Kwesell

AEK/sml

Enc.

cc: Town Administrator
✓ Board of Selectmen
Planning Board
Mark J. Lanza, Esq.
John Harkavy, Esq.

589627/WAYL/0040

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2008-00552

DAVID BERNSTEN, ET AL.,

Plaintiffs,

v.

WAYLAND PLANNING BOARD, et al,

Defendants.

HELEN N SKEEN and
DOUGLAS SCARA,

Intervenors.

DEFENDANTS' OPPOSITION TO
PLAINTIFF'S MOTION TO ENFORCE
JUDGMENT ON COUNT II AND FOR
ATTORNEY'S FEES AND COSTS AND
DEFENDANTS' CROSS MOTION FOR
CLARIFICATION

I. INTRODUCTION

On May 29, 2015, Defendants, Wayland Planning Board, William Steinberg, Albert I. Montague, Jr., Daniel Mesnick, Kevin Murphy, and Lynne Dunbrack, as members of the Wayland Planning Board, and Annette Lewis as associate member of the Wayland Planning Board ("Defendants" or "Town") filed a Motion for Temporary Relief from Judgment on Count II of Plaintiffs' Amended Complaint which was allowed by the court on August 26, 2015. The Judgment, from which Defendants were seeking relief, was entered by the Court in 2008 ("Consent Judgment"). On March 14, 2016, Defendants filed a Motion to Dismiss Plaintiffs' Complaint and a Motion for Further Temporary Relief from Judgment and for Permanent Relief from Judgment ("Motion for Permanent Relief"). In their Motion for Permanent Relief, Defendants sought relief from Section I (G)(4) of the Consent Judgment that required the implementation of final traffic mitigation measures. By Memorandum of Decision dated March 27, 2017, the Court granted the Defendants' Motion for Permanent Relief as to Section I(G)(4)

("Court Order"). Plaintiffs subsequently filed a Motion for Award of Attorneys' Fees and Costs, which Motion was denied by the Court on May 24, 2017.¹

After the Court's Order on March 27, 2017, Plaintiffs David and Kathleen Bernstein and Jeffrey and Jill Porter ("Plaintiffs") sent a purported Notice of Default to the Town dated May 19, 2017. Exhibit D attached to Plaintiffs' Motion to Enforce Judgment on Count II and For Attorney's Fees and Costs ("Motion to Enforce"). In Plaintiffs' Notice of Default, they once again alleged that the Town had breached the Judgment by serving and filing with the Superior Court, in 2016, a motion to dismiss the action in which the Consent Judgment was issued and an accompanying motion for permanent relief from Consent Judgment seeking an order vacating the Consent Judgment in its entirety. In addition, Plaintiffs alleged that the Town had breached the Judgment "by failing to promptly implement the traffic mitigation measures that the Court upheld in its November 9, 2016 decision – being all of the measures required by the Consent Judgment except the permanent turn prohibitions and physical restrictions set forth in Section I.G.4. The only allegations contained in the Plaintiff's May 19, 2017 Notice of Default not previously raised by Plaintiffs are the Town's alleged failure to re-install and enforce sign restrictions as set forth in sections I.F.5, I.F.6, I.F.7 and I.G.2. The removal of the signs was authorized by the Court's August 26, 2015 decision allowing the Town's Motion for Temporary Relief from Judgment. In addition to Plaintiffs' insistence that the signs be re-installed, the Plaintiffs sought to have the Town resume police patrols to enforce turn restrictions set forth in section I.F.8. of the Consent Judgment. Exhibit D attached to Motion to Enforce.

In response to the Notice of Default, the Town agreed to re-install the signs identified in sections I.F.5 and I.F.6 of the Consent Judgment. Exhibits E, F, and G attached to Motion to

¹ Plaintiffs then filed a Motion for Reconsideration on June 15, 2017 which was also denied. Additionally, the Plaintiffs appealed the denial of their Motion for Award of Attorneys' Fees and Costs to the Massachusetts Appeals Court on June 20, 2017.

Enforce. The Traffic Mitigation Measures identified in Sections I.F.7, I.F.8 and I.G.2, however, are not consistent with the Court's March 27, 2017 Order granting the Town's Motion for Permanent Relief from Judgment as to Section I.G.4., because they seek to enforce the same turn restrictions from which the Town sought, and from which the Court granted, relief. The Town proposed that the parties meet to discuss potential resolution of the dispute. The parties held a meeting on July 11, 2017. While the parties did not resolve their disputes at the meeting, it was the Town's understanding that discussions would continue. Town Counsel was tasked with contacting the traffic engineer retained by the Town as part of the above referenced litigation. If the issues could not be resolved between the parties, Defendants intended to file a motion with the Court seeking clarification of the Court's March 27, 2017 Order and its application to the turn restrictions that the Plaintiffs were insisting be implemented. To Defendants surprise, Plaintiffs, without first conferring with them, chose to file a Motion to Enforce.

As will be set forth in more detail below, Plaintiffs' Motion to Enforce is nothing more than a regurgitation of their past arguments and their repeated attempt to have Defendants pay their attorneys' fees (fees which the Plaintiffs are incurring by filing such repetitive motions). The traffic signs and police patrols in dispute are duplicative of those that the Court granted relief from in the March 2017 Order. Defendants hereby oppose Plaintiffs' Motion to Enforce and request that this honorable Court clarify the March 27, 2017 Order and how that Order affects the turn restrictions and police patrol to enforce the turn restrictions that the Plaintiffs seek to have implemented.

II. FACTUAL BACKGROUND

A. Relevant Sections of Consent Judgment

In Plaintiffs' Motion to Enforce, they seek to have the Town implement the Traffic Mitigation Measures contained in Sections I.F.7, I.F.8 and I.G.2 of the Consent Judgment.

Those sections state as follows:

I.F.7. Weekend 11-6 turn Prohibitions, Glezen Lane – Route 27: Wayland shall prohibit left-turns from Glezen Lane westbound onto Route 27 southbound and prohibit right-turns from Route 27 northbound onto Glezen Lane eastbound on Saturdays and Sundays 11:00 a.m. to 8:00 p.m.

I.F.8. Police Patrols: Wayland shall provide directed police patrols to target speed enforcement and compliance with turn-restrictions implemented pursuant to this Judgment at least four (4) times per calendar month during any of the following periods

- a. weekends 11:00 a.m. – 6:00 p.m. (to be expanded to 9:00 a.m. – 6:00 p.m. if additional mitigation measure 3, below is, triggered)
- b. weekdays 6:00 a.m. – 7:00 p.m.

The Plaintiffs acknowledge that extraordinary emergency circumstances could prevent Wayland from complying with the provisions of this paragraph. In the event such circumstances occur, Wayland shall not be in breach of this Judgment.

I.G.2 Weekday and Extended Weekend Turn Prohibitions, Glezen Lane – Route 27
If any weekday Maximum specified in Section 1(B) is exceeded during a 13-week Reporting Period, prohibit left-turns from Glezen Lane westbound onto Route 27 southbound and prohibit right-turns from Glezen Lane westbound. The Court's March 27, 2017 Order granted the Town's request for relief from section I.G.4 which states as follows:

I.G.4. Permanent Turn Prohibitions and Physical Restrictions, Glezen Lane – Route 27: Prohibit left-turns from Glezen Lane westbound onto Route 27 southbound and prohibit right-turns from Routh 27 northbound onto Glezen Lane eastbound at all times (24 hours, 7 days, year-round) and install and maintain physical restrictions effectively prohibiting such turns, as described in Exhibit 4 hereto-if, after implementation of measure 3 above, traffic volumes during the weekday 9:00 a.m. – 4:00 p.m. period or Saturdays or Sundays exceed forty (40%) percent of the Baseline Traffic Volume (specified in Section I(B) as adjusted pursuant to Section I(C)), or if traffic volumes during the weekday 6:00 a.m.-9:00 a.m. period

or 4:00 p.m. – 7:00 p.m. period exceed fifteen (15%) percent of the Baseline Traffic Volume (specified in Section I(B) as adjusted pursuant to Section I(C)).

B. Relevant Testimony From Evidentiary Hearing

At the evidentiary hearing in this matter held on December 1, 2016, Town of Wayland Fire Chief David Houghton (“Fire Chief”) testified about the delay in the response time if the turn restrictions as contained in the Consent Judgment were imposed. The Fire Chief was questioned on why the emergency response vehicles could not simply disregard traffic signs. In response to the questions the Fire Chief testified that it is the policy of the Fire Department that emergency responders not go against signage. He agreed when asked that it was not state law, but rather Department policy.

Similarly, when Town of Wayland Police Chief Robert Irving (“Police Chief”) testified, he stated that the turn restrictions posed a safety hazard. While emergency response vehicles can disregard signs, he testified that it is sometimes not safe to do. Police need to get to a call quickly as possible, but also as safely as possible. When asked about having a sign allowing emergency response vehicles to make the turns, he said such signs were not common and he thought it was a bad idea. He also testified about the police patrols contained in the Consent Judgment and in doing so stated that having the Police Department dedicated to one place at certain times would take away from other areas. He believed that having the turn restrictions would lead to motorists making dangerous and illegal u-turns and that the restrictions would cause delay in response time to some houses. In addition to the testimony regarding safety concerns for emergency response vehicles, the Police Chief testified that if the turn-restrictions were put in place that school buses would have no where to turn around on Route 27 or Glezen Lane.

Furthermore, there are currently nine speed bumps on Glezen Lane, a large number for a roadway of that length, which makes speeding on the road all but impossible.

III. ARGUMENT

The provisions of the Consent Judgment that Plaintiffs now seek to have the Town implement, are either the same, encompassed in and/or wholly related to enforcement of the Permanent Turn Prohibitions to and from Glezen Lane contained in Section I.G.4. of the Consent Judgment from which the Court granted the Town relief. Section I.F. is entitled “Initial Traffic Mitigation Measures.” Section G.4 seeks to make the turn prohibitions set forth in Section I.F.7 permanent. While the Town and Plaintiffs should have perhaps highlighted for the Court, the duplicative nature of the provisions in the sense that one set forth “initial” turn restrictions while the other made those turn restrictions “permanent,” the Plaintiffs’ insistence that the Town implement the provisions knowing of the Court’s Order, lacks common sense and is nothing short of abuse of process.

As set forth above, Section I.F.7 seeks to have the Town prohibit “left-turns from Glezen Lane westbound onto Route 27 southbound and prohibit right-turns from Route 27 northbound onto Glezen Lane eastbound.” Section I.G.4 seeks to have the Town permanently prohibit those same “left-turns from Glezen Lane westbound onto Route 27 southbound and prohibit right-turns from Route 27 northbound onto Glezen Lane eastbound.” It would be inconsistent with the Court’s Order based on safety concerns raised by the Town, for the “Initial Traffic Mitigation Measures” seeking the same turn prohibitions for which the Court granted relief to be implemented now.

Likewise, the turn prohibitions set forth in Section G.2, are the same as restrictions from which the Court granted the Town relief. Specifically, the Court granted the Town relief from the prohibition of left-turns from Glezen Lane westbound onto Route 27 southbound and right-

turns from Route 27 northbound onto Glezen Lane eastbound, the same turns Section G.2. seeks to prohibit. The prohibitions contained in Section G.2 which prohibits those turns for certain days and hours are encompassed in the permanent turn restrictions contained in Section G.4. The Plaintiffs' demand that the Town implement the turn prohibitions contained in Section G.2. is inconsistent with the Court's March 27, 2017 Order.

Finally, because the Court granted the Town relief from implementing the traffic measures set forth in Section G.4., the police patrols set forth in Section I.F.8, to enforce compliance with those measures, the turn restrictions, are redundant. Common sense dictates that if there are no turn prohibitions there can be no police enforcement of the same. Again while perhaps the Defendants should have been more clear in their request to the Court, the provisions which Plaintiffs now seek to have implemented clearly go against the purpose of the Town's request for relief and the Court's Order granting the Town's request for relief from having to implement turn restrictions contained in the Consent Agreement to and from Glezen Lane onto Route 27. The Plaintiffs' Motion to Enforce is nothing more than form over substance.

The only argument Plaintiffs make in their Motion to Enforce to distinguish the traffic enforcement prohibitions is reference to G.L. c. 89, § 7B which allows emergency response vehicles to drive through an intersection of ways contrary to traffic signs and signals regulating traffic at such intersections. Plaintiffs' Motion to Enforce, p. 4, fn. 2. The Fire Chief testified at the evidentiary hearing however, that it is the policy of the Fire Department that emergency responders not go against signage, albeit agreeing with Plaintiffs' Counsel that it was not state law, but rather was Fire Department policy. Similarly, the Police Chief testified that while emergency response vehicles can disregard signs, it is sometimes not safe to do so. In addition,

the Police Chief testified that the turn restrictions would not only pose a problem for emergency response vehicles, but that it would lead to more illegal u-turns and would leave school buses with no where to turn around on Route 27. The reality is, is that there are now nine (9) speed bumps located on Glezen Lane that significantly slow down traffic and deter those who are seeking a quicker path between Route 27 and Route 126 from using Glezen Lane. Exhibit A.

The court, in its March 27, 2017 Decision recognized the safety concerns of the turn restrictions and the fact that even without a mounted curb preventing the left-turn (similar to signage), safety concerns would not be addressed, by stating:

The court finds that the implementation of the Final Measures raises significant safety concerns that were not fully considered at the time the parties entered into the Consent Judgment. In addition, certain observations relating to safety were made when the turn restrictions were temporarily in place. Finally, the purpose of the Consent Judgment was to address safety issues relating to increased traffic on Glezen Lane by permanently preventing vehicles from turning right onto Glezen Lane from Route 27, and left onto Route 27 from Glezen Lane. The plaintiffs' proposed alternative designs that do not include a raised curb, would not achieve that purpose, and thus, would not be in compliance with Section I (G)(4). In any event, since the Town Fire and Police Department policies do not permit emergency vehicles from violating traffic restrictions, mountable curbs would not cure the safety problems, nor would they address Chief Irving's concerns about the turn restrictions generally or the safety issues associated with school buses. Memorandum of Decision and Order on Town of Wayland's Motion for Permanent Relief from Judgment dated March 27, 2017, p. 6-7.

While perhaps the Defendants could have been more clear that if the Court allowed relief from Section I.G.4, relief from Sections I.G.2 and I.F.7 and I.F.8 should necessarily follow, the fact that they did not should not mean that common sense should not prevail as the traffic restrictions and police patrols that the Plaintiffs now seek be enforced are inconsistent with the Court's March 27, 2017 Order. Accordingly, Defendants seek to have the Court clarify its March 27, 2017 decision, to encompass the traffic enforcement measures contained in Sections I.F.7, I.F.8 and I.G.2.

IV. CONCLUSION

For all of the reasons set forth above, Defendants request that this honorable Court deny Plaintiffs' Motion to Enforce Judgment on Count II and For Attorney's Fees and Costs be denied and that Defendants Cross-Motion for the Court to Clarify the March 27, 2017 Decision as it relates to the traffic enforcement measures that Plaintiff seeks to have enforced be allowed.

DEFENDANTS,

WAYLAND PLANNING BOARD

By their attorney,


Deborah I. Ecker (BBO# 554623)
Amy E. Kwesell (BBO# 647182)
KP Law, P.C.
Town Counsel
101 Arch Street, 12th Floor
Boston, MA 02110-1109
(617) 556-0007
decker@k-plaw.com
akwesell@k-plaw.com

Dated: August 1, 2017

CERTIFICATE OF SERVICE

I, Amy E. Kwesell, hereby certify that on the below date, I served a copy of the foregoing Defendants' Opposition to Plaintiff's Motion to Enforce Judgment on Count II and for Attorney's Fees and Costs and Defendants' Cross Motion for Clarification by first-class mail, postage prepaid, to the following counsel of record:

Jeffrey L. Roelofs, Esq.
Law Offices of Jeffrey L. Roelofs, P.C.
30 Green Street
Newburyport, MA 01950

John Harkavy, Esq.
Law Office of John B. Harkavy
89 Woodside Avenue
Wellesley, MA 02482

Mark J. Lanza, Esq.
9 Damonmill Square
Suite 4A4
Concord, MA 01742

Dated: September 10, 2012

Amy E. Kwesell
Amy E. Kwesell

WAYL/588847v4/0040



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOS

RECEIVED

AUG 17 2017

Board of Selectmen
Town of Wayland

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

Wayland Board of Health Director's Report August 14, 2017

File alley project update: this project has been on hold for the past month due to summer vacations and schedules. We plan to begin work again in the next couple of weeks.

Septic work and building approvals- we are very busy with building approvals, septic design reviews and soil testing appointments. There are also many visits to our office by residents, builders/engineers, and for project submittals. We also continue to have numerous meetings with residents to provide guidance for potential home renovations/septic projects.

Camps-Office staff continues to conduct camp inspections throughout the camp season. So far this season we have permitted 12 camps.

Misc.-Darren and Patti covered the office while I was on vacation and they did a great job. All went very well and there were no emergencies. Darren will be on vacation next week.

Legal Orders-258 Commonwealth Road, update on failing septic with tenant occupancy. Soil testing and percolation testing have been conducted on the property. There were no signs of septic breakout on the property at the time of the inspection and during other follow up inspections. The septic design plans are in the works and we hope to see a septic repair plan for review soon.

Beach and pond testing-water samples are gathered weekly and tested for bacteria by a lab throughout the summer at the town beach, also at Dudley Pond. Dudley Pond had a long period of time where bacteria levels were outside of the allowable range as per State DPH regulation. However, recent testing indicates that the bacteria levels are now inside the regulatory range. The town beach has stayed open throughout the summer with no high bacteria readings so far/no closings.

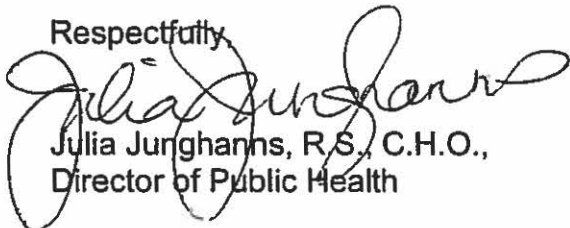
Potential new permit tracking system-A meeting was held to discuss a potential new custom permit tracking system for land use departments. Many department heads attended as well as a representative from IT. Document management plans were also discussed which will need to be considered as well as process improvement and streamlining. Chief H. will touch base with Finance regarding Munis requirements and IT regarding GIS capabilities, Julia will touch base with IT Director regarding document management. The group will reconvene in the near future, likely late August.

10 Shore Drive-I have continued to work with the owner; speaking with her before I went on vacation and then again last week. Today Darren and I conducted a site visit for a progress inspection. There is some progress seen on the property with cleaning up, however there is still much to be done. The owner is requesting an extension to end of October due to health issues and the hot summer weather.

Mosquito Control- We are receiving updates from Mass DPH regularly regarding mosquito testing results and levels of risk for communities within the state. It is a very busy year so far for many communities that have had mosquitoes testing positive for West Nile Virus. At this time Wayland remains at low risk for West Nile Virus and remote risk for EEE. We will continue to monitor the situation and any new reports from the state.

Both the Polystyrene Bylaw and Plastic Bag Bylaw have been approved by the Attorney General's office. The new bylaws will be effective February 4, 2018. We will be doing outreach to share this information with the identified businesses/Food establishments and Farmers Market vendors. A letter was already distributed to all identified food establishments and farmers market vendors(115 letters sent). We have not had one inquiry or telephone call regarding the new bylaw.

Respectfully,



Julia Jurghanns, R.S., C.H.O.,
Director of Public Health



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING
CHIEF OF POLICE

Monthly Update

July 2017

RECEIVED

AUG - 8 2017

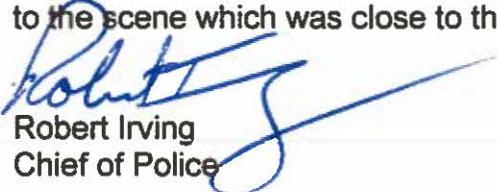
Board of Selectmen
Town of Wayland

On Monday, July 10th, Wayland Detectives arrested a Fitchburg man and charged him with Larceny Over \$250 and Breaking Into a Depository. This arrest was the culmination of an investigation begun on June 19th, following the report of the theft of more than \$30,000 from a Wayland home. Det. Sgt. Jamie Berger and Detective Tyler Castagno executed two search and seizure warrants in Fitchburg and retrieved items believed to have been purchased with the stolen funds. The man was booked at Fitchburg Police Department and subsequently brought to Fitchburg District Court where he was arraigned.

There were two arrests for Operating Under the Influence of Alcohol during the month. On July 7th, a 27 year old Watertown man was arrested by Officer Mark Hebert after police responded to motor vehicle crash on Old Connecticut Path where the vehicle left the road and struck a stone wall. The operator, who was not injured, was determined to be intoxicated at the scene. In addition to the O.U.I. charge, the man was also charged with Operating with a Revoked License, Marked Lanes Violation, Operating an Unregistered and Uninsured Vehicle and Attaching a Wrong Plate to a Motor Vehicle.

On July 14th, a 39 year old Wayland man was charged with Operating Under the Influence of Alcohol and Marked Lanes Violation by Officer Chris Custodie. Police received a report of the erratic operation of a vehicle on East Plain Street. Officer Custodie observed the vehicle on Oak Street and was able to stop the vehicle. The man failed sobriety tests and was placed under arrest. He was later released on a Promise to Appear at Framingham District Court.

On July 20th, Sgt. Charles Akins and Officer Lynnet Sloan responded to Framingham to assist the Framingham Police Department with an armed barricaded suspect who had fired on police. The incident involved numerous officers from local departments and the state police. It was successfully resolved after several hours with the arrest of the suspect without incident. Both Wayland officers were praised by Sudbury Police Chief Scott Nix who had also responded to the scene which was close to the Sudbury town line.


Robert Irving
Chief of Police

Wayland Police Department Detective Division Report for July 2017

INVESTIGATIONS

Larceny over/Fraudulent use of CC – Boston Post Road
Larceny over/Fraudulent use of CC – Boston Post Road
Suspicious Activity - -Wisteria Way
Larceny over/B&E depository – Fuller Road
Larceny over/Fraud – Rice Road
Narcotic Investigation
Tagging – MWRA Aqueduct
Larceny over – Parkland Drive
Larceny over –Rich Valley Road

MEETINGS/TRAININGS

Youth Advisory Meeting
Acton Area Detective Meeting

MISCELLANEOUS

Framingham District/Juvenile Court – MV/Criminal Hearings
Patrol Coverages
Med Box maintenance

COMMUNITY SERVICES

Council on Aging – Prescription take back
Carriage House BBQ
Carriage House Alzheimer's Bike Ride Assist
2017 Citizen Police Academy

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

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

Breath Test Operator
MPTC-Reading

Sgt. Jennifer Ordway

July 18th 2017



Sudbury Police Department Office of the Chief of Police

75 Hudson Road
Sudbury, MA 01776
Business (978) 443-1042
Fax (978) 443-1045
nixs@sudbury.ma.us

Scott Nix
Chief of Police

July 24, 2017

Robert Irving, Chief of Police
Wayland Police Department
38 Cochituate Road
Wayland, MA 01778

Chief Irving,

I wanted to convey how exemplary your officers performed while assisting the Framingham Police Department the evening of July 20, 2017. Sergeant Charles Akins and Officer Lynett Sloan initially arrived to establish a containment perimeter but were quickly thrust into the hot zone. The armed subject was able to flee the area he was initially believed to be held up in ending up in close proximity to their post. They remained poised to prevent the suspect from fleeing into a residential area. Their professionalism and actions reflected positively on themselves as well as the Wayland Police Department.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Nix".

Scott Nix
Chief of Police

Sgt. Akins
Off. Sloan
Personnel File
Nice Job!
A handwritten signature in black ink, appearing to be a name with a stylized flourish.



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

7/31/2017

To: Sgt. Charles Akins, Officer Lynnet Sloan

From: Robert Irving, Chief of Police

Subject: Commendation

I recently received the following documentation from Sudbury Police Chief Scott Nix.

“I wanted to convey how exemplary your officers performed while assisting the Framingham Police Department the evening of July 20, 2017. Sergeant Charles Akins and Officer Lynnet Sloan initially arrived to establish a containment perimeter but were quickly thrust into the hot zone. The armed subject was able to flee the area he was initially believed to be held up in ending up in close proximity to their post. They remained poised to prevent the suspect from fleeing into a residential area. Their professionalism and actions reflected positively on themselves as well as the Wayland Police Department”

Wayland officers and officers from other area towns had been requested to respond to Framingham to assist with a barricaded subject who had fired upon police. The situation was eventually resolved with the surrender of the suspect after several hours of attempted negotiation and searching the area.



Both of you put yourselves in harm's way in an effort to assist our neighboring department and protect the public. I agree with Chief Nix in that your actions reflected positively upon yourselves and the department as a whole. Congratulations on a job well done.

cc: Lt. Pat Swanick
Files



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

7/31/2017

To: Det. Sgt. Jamie Berger, Det. Tyler Castagno

From: Robert Irving, Chief of Police 

Subject: Commendation

On June 19th, 2017 a Wayland resident reported the theft of more than \$30,000.00 from their home.

In the weeks that followed the two of you conducted a thorough and exhaustive investigation that led to the execution of two search warrants and the arrest of a Fitchburg man. Fruits of the crime were seized in an effort to reimburse the Wayland victim.

The work the two of you did on this case is commendable and appreciated. Please keep up the good work.

cc: Lt. Pat Swanick
Files



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

7/5/2017

To: Officer Custodie, Officer Sloan, Detective Castagno, Officer Davis
From: Robert Irving, Chief of Police
Subject: No Sick Leave Bonus

A review of attendance records for the first six months of 2017 reveals that you did not use any sick days from January 1st through June 30th, 2017. In accordance with Article 18, Section 5 of the Police Collective Bargaining Agreement, Officer Custodie will receive an incentive of 2 days' pay. Officer Sloan, Det. Castagno and Officer Davis will receive an incentive of ½ days' pay.

Your excellent record of attendance is commendable and an example of the dedication that you have each demonstrated towards your job with the Wayland Police Department.

I wish you continued good health for the remainder of 2017.

cc: Lt. Swanick
Lisa Dana

July 25, 2017

Dear Wayland Police Department,

On behalf of the Islamic Center of Boston (ICB) in Wayland, we would like to express our heartfelt gratitude for everything you did for our mosque throughout the month of Ramadan and during the Eid holiday. Ramadan and Eid are very busy times for our community and the presence and support of your department made a huge difference in facilitating our religious observations during this time. You went above and beyond, as always, and we are sincerely grateful. From your friends at ICB,

Seena B. Morozog

Dear Police officer

THIS IS A NOTE TO THANK YOU.
THANK YOU FOR RISKING YOUR
LIFE EVERYDAY FOR COMPLETE
STRANGERS.

THANK YOU FOR WORKING DAYS,
NIGHTS, WEEKENDS, HOLIDAYS,
BIRTHDAYS, AND COUNTLESS OTHER
SPECIAL OCCASIONS TO KEEP US SAFE.

THANK YOU FOR CONTINUING TO DO
THE JOB YOU WERE SWORN TO DO
DESPITE ALL THAT IS HAPPENING
AROUND YOU.

YOU ARE STRONG, YOU ARE BRAVE,
YOU ARE A HERO.

YOU WILL ALWAYS HAVE MY
DEEPEST APPRECIATION, RESPECT
AND SUPPORT.

Sincerely,
Manny

Dear Detaine,

Thank you for
all your help in
resolving the issue
of my stolen Watch.
I really appreciate your
hard work!!

Best Regards,
Fred Fowler III

7/13/17

To Whom it May Concern:

I wanted to let you know that both Officers Sloan & Aikens were extremely kind, concerned & helpful in responding to my accident scene. ^{on 7/10/17} Officer Sloan took my report (incident 7966) and Officer Aikens assisted.

Please know that I am extremely grateful for Wayland's professionalism.

Thank you,
David Cavanaugh
136 Plain Rd.
Wayland, MA

01778

**Municipal Affordable Housing Trust Fund (MAHTF)
Meeting Minutes – July 18, 2017**

Attendance: Mary Antes; Bob Duffy; Brian O’Herlihy; and Mike Staiti.

Others in attendance: Brian Boggia, Executive Director – Wayland Housing Authority (arrived at approximately 8:28 PM).

Open Meeting: M. Antes called the meeting to order at 7:32 PM at the Wayland Town Building. B. O’Herlihy agreed to keep the minutes.

Public Comment: None.

Previous Minutes: None.

Materials Discussed/Distributed: None.

Notes:

- 1) No public comment.
- 2) At 7:33 PM, M. Antes moved, seconded by M. Staiti, that the Trustees enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to consider the purchase, exchange, lease or value of real property. M. Antes, Chair, declared that an open meeting discussion with respect to the purchase, exchange, taking, lease or value of real property may have a detrimental effect on the negotiating position of the MAHTF. Roll call vote: YEA: Mary Antes; Bob Duffy; Brian O’Herlihy; and Mike Staiti. NAY: None. ABSENT: S. Greenbaum and S. Weinstein. ABSTAIN: None. Adopted 4-0. The Trustees will reconvene in open session in approximately thirty minutes. M. Antes, Chair, invited attendance by B. Boggia, Executive Director - Wayland Housing Authority, in the event he arrived while the Trustees were meeting in executive session.
- 3) The Trustees reconvened in open session at 8:28 PM.
- 4) M. Antes indicated the next meeting is tentatively scheduled for August 2, 2017. The Trustees agreed to reschedule the next meeting to August 16, 2017 at 7:30 P.M. at the Wayland Town Building.

Adjourn: M. Staiti moved to adjourn the meeting at approximately 8:32 P.M. B. Duffy seconded. Motion approved 4-0.

Respectfully submitted,

Brian T. O’Herlihy

TOWN OF WAYLAND – MINUTES



NAME OF BOARD/COMM: Surface Water Quality Committee
FILED BY: Lisa Newton, Member
DATE OF MEETING: Tuesday August 1, 2017
TIME OF MEETING: 7:30 PM
PLACE OF MEETING: Town Building, Senior Center
ATTENDING: Tom Largy, Lisa Newton, Mike Lowery, Toni Moores.

WSWQC MINUTES 1 August 2017

1. Approval of minutes – unanimous.
2. Public Comments - none
3. Dudley Pond – Mike Lowery
 - a. School bus parking - School Committee has recommended to Board of Selectmen that the Town lease space just off Route 20 in Sudbury.
 - b. E. Coli. Mansion Beach. Counts are lower, but still too high to open beach for swimming.
 - c. Milfoil state. No milfoil or tape grass. Water level is lower.
 - d. Asian clams. Not a problem.
 - e. Pond testing results. Toni took water samples 2017-08-01.
4. Heard Pond – Tom Largy
 - a. Water Chestnut. Hand harvesting proceeded, 12,500 plants pulled, cost \$7300.00.
 - b. NOI for control of milfoil, meeting continued to August 20.
 - c. No evidence of milfoil, reason for disappearance unknown.
5. Lake Cochituate.

Mike reports that Jack and Mike attended a meeting at Natick Town Hall on 27 July 2017 regarding MS4 (municipal separate storm sewer systems) permits. MS4 permitting was to start 2017-07-01, postponed for one year. Geosyntec has developed a model to locate, size and map outfall pipes, estimate impervious surface and predict, N, P and TDS (total dissolved solids) runoff to water bodies. Also, develop recommendations for BMP (best management practices) such as swales for water pollution control.
6. Mill Pond – Tom Largy – Hydroraking Project

Hydroraking was successful. Lots of branches and wire removed as well as sediments. Process created a small submerged island, about 6 to 8 feet across.
7. Committee member's reports and concerns.
8. Next meeting date Tuesday 29 August 2017, 7:30 pm
9. Invoice Approval.

Solitude, \$12,000.00 for Mill Pond clean up.
Toni Moores, \$59.93 for out of pocket costs for Dudley testing.
10. Adjournment – unanimous approval to adjourn at 8:50 pm