



# TOWN OF WAYLAND

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## BOARD OF SELECTMEN

JOHN BLADON  
STEVEN J. CORREIA  
THOMAS J. FAY  
JOSEPH F. NOLAN  
SUSAN W. POPE

## Board of Selectmen Meeting Minutes October 3, 2011

**Attendance:** John Bladon, Steven Correia, Thomas Fay, Joseph Nolan, Susan Pope  
**Also Present:** Town Administrator F. Turkington, Secretary M. DiNapoli

Chair T. Fay called the meeting of the Board of Selectmen to order at 7:05 p.m. in the Large Hearing Room and reviewed the agenda for the viewing public.

**Public Comment** Kim Cook, 12 Ellie Lane, repeated her assertion from last week's public comment that the Board was refusing to identify the town employees involved in setting the overlay amount. She also said that T. Fay and S. Correia had given the false impression that the law regarding the overlay had changed. S. Correia corrected her by noting that the change they referred to was in the guidelines. K. Cook said that millions of dollars were being charged to the taxpayers that were not approved by the Board of Assessors, and that the town had submitted fraudulent paperwork to the Department of Revenue. J. Nolan disputed her characterizations, and said her assertions were factually incorrect. S. Correia said the Department of Revenue forms are completed in the same manner as most other towns. T. Fay invited her to meet offline with members of the Board, the Board of Assessors and the Finance Committee.

**A2. Interview Candidates for Appointment to Boards and Committees** Allison Tobia and Deborah Seidman appeared before the Board to interview for appointments to the 375th Anniversary Commemoration Committee. D. Seidman said they would like to reach out to younger people, and she outlined several of her ideas for the upcoming celebrations. Sam Potter appeared before the Board to interview for an appointment to the Wastewater Management District Commission. He said he currently serves on the Economic Development Committee, and he is the liaison to the Wastewater Management District Commission. The Board asked if he would serve on both boards; he said yes, depending on time constraints. T. Fay said that Laurie Hojlo had withdrawn her name from consideration for the Senior Tax Relief Committee.

**A3. Review Proposed Modification to Charge of Cable Advisory Committee** Steven Allen, Cable Advisory Committee, appeared before the Board to request a change to the committee's mission statement and a reduction in the number of members. F. Turkington said the town's Municipal Area Network (MAN) has a dual purpose: to provide connectivity for town buildings and schools, and to provide functionality to WayCAM. He suggested that the oversight of the MAN by the Cable Advisory Committee be limited to the use of the MAN for broadcasting. S. Correia moved, seconded by J. Nolan, to accept the revised mission statement for the Wayland Cable Advisory Committee, limiting its oversight of the MAN to the functionality of WayCAM. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. S. Correia moved, seconded by S. Pope, to reduce the number of members in the Cable Advisory Committee from eight members to five members. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

**A7. Consider and Approve Consent Calendar** S. Pope moved, seconded by J. Bladon, to approve the consent calendar. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

**A6. Discussion and Approval of Land Exchange Agreement with Twenty Wayland, LLC, Relative to Easements for Construction of Wastewater Treatment Facility** F. Turkington advised the Board that the land exchange agreement with Twenty Wayland relative to easements for the wastewater treatment facility was still in draft form and will be finalized for a vote at the next meeting.

**A10. Selectmen's Reports and Concerns** J. Nolan moved, seconded by S. Pope, to increase the number of members of the 375<sup>th</sup> Anniversary Commemoration Committee from nine members to ten members. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by J. Bladon, to appoint Allison Tobia and Deborah Seidman to the 375<sup>th</sup> Anniversary Commemoration Committee for terms to expire on December 31, 2013. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. J. Bladon moved, seconded by J. Nolan, to appoint Sam Potter to the Wastewater Management District Commission effective Thursday, October 13, 2011, for a term to expire on June 30, 2014. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

**A5. Review and Approve Policy Goals and Objectives for October 2011-September 2012** S. Pope moved, seconded by S. Correia, to approve the policy goals and objectives for October 2011-September 2012. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

**A8. Review Correspondence** The Board reviewed the week's correspondence. J. Nolan said the town should support the revitalization and expansion of its sidewalks.

**A4. Joint Session with Finance Committee to Discuss Cash Reserves, Status of FY2012 Budget, and Consider Whether to Call a Special Town Meeting to Modify the Funding Sources of FY2012 Budget** The Board was joined by the Finance Committee and Finance Director Michael DiPietro to discuss cash reserves and the FY2012 budget. Cherry Karlson, Chair, Finance Committee, said the Finance Committee spent a number of years building free cash through conservative budgeting, keeping in mind the town's Aaa bond rating and the commitment to avoid an override. She said the committee has agreed to tighten its budget forecasts to bring the free cash level back down, and she distributed a chart of free cash as compared to the budget from Fiscal Years 1994 to 2012, which will be posted on the town website. She noted that no overrides are currently projected as far as FY16. She said the tax rate can be changed on the recapitulation sheet to the Department of Revenue without a Special Town Meeting. By the end of the year, she said the town's free cash could be brought to approximately 10%, and then in two years it will be roughly 8%, but that would bring a potential override closer. She also said free cash could be applied to unfunded liabilities or capital projects. Tom Greenaway, Finance Committee, said the committee agrees that free cash is too high, and they are making an effort to bring it down. F. Turkington said if the Board wants to meet the Department of Revenue deadline of December 31, a Special Town Meeting must be called by Monday, October 17. He also reviewed the procedures and timeline should a Special Town Meeting be called by petitioners. T. Fay opened the meeting to public comment.

**Public Comment Related to Town Finances** Steve Glovsky, 36 Shaw Drive, said the high tax rate is contributing to decreasing home values, and it is critical that the rates be lowered as soon as possible. George Harris, 8 Holiday Road, said his tabulation of all the town's reserves totaled \$16.2 million, or 24% of the

budget. He refuted the notion that a reduction in free cash - for example, to 7% of the budget - would have any impact on Wayland's Aaa bond rating. He also said the free cash would not have to be regenerated, as it should never have been generated at all. Tony Boschetto, 23 Brook Trail Road, thanked the Board of Selectmen and Finance Committee for considering a Special Town Meeting. He questioned whether the free cash would have been approved at the 2011 Annual Town Meeting had the voters known that it would grow to over \$10 million, and that when all accounts are considered, the total is closer to \$20 million. He said the Board of Assessors validated the amount of the overlay, but much of the previous risk will be mitigated over the coming year. He noted the school continues to maintain revolving accounts that could be returned to free cash, and finally, he asked the Board to call a Special Town Meeting to allow the residents to make a decision. Donna Bouchard, 72 Concord Road, thanked T. Fay, S. Correia, J. Bladon, and members of the Finance Committee for engaging in dialogue with her. She said the town is in a good financial position and there is no need to continue to bank excess funds; the most prudent thing to do now is to provide tax relief to residents. She said if the Board doesn't decide to call a Special Town Meeting tonight, then a petition will be started tomorrow. She expressed concern about the process of estimating receipts, and said the boards are not involved enough in the oversight of the budget. T. Greenaway disputed the claim that Wayland is at the top of the list for free cash, because the criteria used in the analysis is different than that used by the DOR. He said the Finance Committee has always been diligent about getting accurate projections of receipts. Kim Cook, 12 Ellie Lane, said Wayland has the highest tax rate in Massachusetts, and she dismissed the notion of avoiding overrides; she said the residents should have the chance to vote for or against an override if necessary. J. Nolan said the town has reserves because of prudent fiscal planning, and all options for the use of the reserve should be considered. Participants discussed the potential dollar amount of the tax relief and the impact on the budget. S. Correia said it was clear at the 2011 Annual Town Meeting that the Finance Committee was building cash reserves, and there will be a 2012 Annual Town Meeting to consider the issue again. He said the Board would like to come to a solution and provide some tax relief without the need for a Special Town Meeting. S. Pope said she would like to see the tax rate lowered, but there are many variables to consider, and she would like more information. F. Turkington noted there is sufficient time after next week's meeting for residents to generate a petition. J. Bladon said there are conflicting objectives, ranging from immediate tax relief to avoiding an override. He said more information is needed, and he asked the Finance Committee to provide a tax relief package for the Board to evaluate. Paul Grasso, Finance Committee, said he favors a gradual approach to maximize tax relief without endangering services. David Gutschenritter, Finance Committee, explained how reducing the free cash now by lowering the tax rate would cause a shortfall that would require higher tax rates the following year. David Bernstein, 25 Glezen Lane, acknowledged that the town should have a financial buffer, but while a generous amount of free cash makes it easier to budget, it also makes it harder on the taxpayers. Bill Steinberg, Finance Committee, said it is vital that the residents make clear what capital projects they support, so the town can make the proper financial decisions. He noted that no capital expenditure is made without Town Meeting approval. T. Fay said the Board of Selectmen will meet with the Finance Committee over the next week to consider proposals for a town meeting and make its decision by the next Board meeting. Board members discussed limiting the article to the matter at hand. Linda Segal, 9 Aqueduct Road, asked that the proposed article be posted on the website; T. Fay said the timing would not make that possible. Louis Jurist, 86 Sears Road, expressed concern about the timing of a Special Town Meeting, as it would be too rushed for thoughtful consideration, and the holiday season would limit the ability of citizens to get involved. He said he would prefer to have more information and address the issue at the 2012 Annual Town Meeting. T. Fay thanked the Finance Committee and residents for joining the meeting tonight.

**A8. Review Correspondence** J. Bladon reported on the Operational Review Committee. He said the committee is taking comments from various bodies and will meet tomorrow night; he expects that a mid-November deadline will give them sufficient time to complete their work.

**A9. Report of the Town Administrator** F. Turkington discussed logistical concerns and timing in the event that a Special Town Meeting is called. He expressed his concerns about the potential meeting; he noted the gap between the free cash voted at the Annual Town Meeting and the current free cash is less than 2%. He also pointed out that a reduction in the tax rate will not appear until February 1, 2012 tax bills, just six months earlier than when it would occur based on Finance Committee's FY2013 budget guidelines. Based on the town charter, no expenditures can be made without the approval of the residents, and due to the lack of flexibility in the budget, estimates of revenues and expenses must be conservative to avoid deficits. J. Bladon moved, seconded by S. Correia, to extend the charge and duration of the Operational Review Committee to November 15, 2011. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington reviewed upcoming agenda topics and meeting schedules, and he updated the Board on the progress of the town center project.

**A10. Selectmen's Reports and Concerns** J. Nolan suggested that the Board implement more structure in regard to public comment, such as a time limit. S. Correia agreed, and added that the speaker should state their name, address, and the topic of their comment. S. Pope agreed as well. J. Bladon agreed that a time limit should be set, and that any accusatory or profane comments should be stopped immediately. S. Pope noted that the father of former Selectman Doug Leard had passed away. The Board agreed that October office hours will be held by S. Pope and J. Nolan at the Wayland Library on October 22 at 3:00 p.m.

**A11. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** T. Fay said there were no additional topics.

**A12. Adjourn** There being no further business before the Board, J. Bladon moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 9:58 p.m. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed For Use by the Board of Selectmen at the October 3, 2011 Meeting:**

1. Obituary, September 27, 2011, of Johnson H. Leard, father of former Selectman Doug Leard
2. Email dated October 1, 2011, from Laurie Ann Hojlo to Frederic E. Turkington, Jr., Town Administrator, re: Withdrawal from Consideration for Senior Tax Relief Committee
3. Email dated October 2, 2011 from Judith Blanchard Kennedy, 4 Emerson Road, to Selectmen, Advocating for Property Tax Relief
4. Chart prepared by Finance Committee member Thomas Greenaway Showing History of Free Cash as Percentage of Budget from 1994 to 2012 Fiscal Years