



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

FREDERIC E. TURKINGTON JR.  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

BOARD OF SELECTMEN  
JOHN BLADON  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes January 7, 2013

**Attendance:** John Bladon (arrived 6:40 p.m.), Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan (arrived 7:09 p.m.)

**Also Present:** Town Administrator Fred Turkington, Secretary MaryAnn DiNapoli

Vice Chair S. Correia called the meeting of the Board of Selectmen to order at 6:34 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public. He announced that the meeting is being broadcast and videotaped for later broadcast by WayCAM. F. Turkington presented a revised consent calendar.

A swearing-in ceremony was held for Colin Richardson as a firefighter with the Wayland Fire Department.

**A2. Public Comment** Linda Segal, 9 Aqueduct Road, expressed concern about record keeping and procedural matters regarding advisory committees. She noted a discrepancy in the term for the Personnel Board vacancy. F. Turkington said that due to the holidays, records requests may take additional time to be addressed. He said that temporary advisory committees are tasked to provide information to the boards, and it is not necessary for them to take formal votes. He also noted that appropriations can only be voted by the Board of Selectmen. E. Collins said the WaylandCares Sustainability Committee had no minutes or agendas on the website. F. Turkington said the committee members are volunteers, and there is limited staff at the Town Building to accommodate the work of all the committees. Kent George, 15 Indian Dawn, said he supports the appointment of Brian Keveney for Finance Director. In regard to the hiring of an additional police officer and firefighter, he said he felt the town should not add any positions until the issue of the OPEB account is settled, and an analysis of the long-term future cost of an additional staff member is done. George Harris, 8 Holiday Road, said the new committees are not getting any guidance, and that the number of open meeting law complaints is an indication of the non-responsiveness of the boards. David Hill, 54 Orchard Lane, spoke in support of the additional firefighter and police officer positions, and he suggested that the additional costs be absorbed into the existing budget.

**A3. Interview for Appointment of Citizens to Boards and Committees** Jessica Green appeared before the Board to interview for the Personnel Board. She reviewed her work as a labor attorney with Ropes & Gray LLC. The Board asked about her experience with labor relations and her ability to make the time commitment. J. Green said she has worked with other attorneys in formulating strategies, preparing proposals, and meeting at the bargaining table. She said she is able to make the time commitment.

**A4. Ratification of Town Administrator's Appointment of Finance Director** Brian Keveney appeared before the Board to review his background and thank the Board for its consideration of his appointment as Finance Director. The Board discussed the need for transparency, the management of the staff, and the interaction with the Finance Committee. B. Keveney said the biggest challenge will be enhancing financial reporting, improving controls, and making information more readily available. S. Correia said he would like

to see more project management, and B. Keveney said he will examine fund structures. E. Collins moved, seconded by D. Leard, to ratify the appointment of Brian J. Keveney as Finance Director. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A5. Annual Town Meeting Petitioner's Workshop** Chair J. Bladon opened the Annual Town Meeting Petitioner's Workshop at 7:20 p.m. F. Turkington reviewed the procedures. There were no participants. The workshop was closed at 7:21 p.m.

**A6. Presentation of FY2012 Audit by Melanson & Heath** Scott McIntire of Melanson & Heath appeared before the Board to review the FY2012 audit. He said the books were well reconciled and maintained. He made the following recommendations: develop a more formal risk assessment process, formalize a fund balance policy, segregate and monitor school billing and the collection and turnover procedures, examine the use of unauthorized bank accounts, strengthen departmental receipt controls and perform internal audits, prepare to implement GASB 68, and correct the posting of employee withholding accounts. He also said the town should consider a CAFR (Comprehensive Annual Financial Report). S. Correia asked if there was anything the town should consider next year. S. McIntire suggested more detail for the variances between the budget versus actual, in order to provide more long-term budget stability. He also discussed spending priorities and the difficulty in encumbrances. E. Collins asked about formulating an OPEB fund balance; S. McIntire said it was inappropriate for the auditors to determine level of funding. E. Collins asked for specifics regarding the problems in school accounts. S. McIntire said the control of accounts by one individual creates incompatible duties and risk. S. McIntire noted that under current and noncurrent liability, two things are missing: unfunded pension liability and unfunded OPEB liability, which are not yet required. E. Collins asked if funding was not mandated due to the financial hardship it would cause cities and towns. S. McIntire said the state can require the accounting procedure, but not the funding. J. Bladon asked about internal auditing; S. McIntire said it can be done with the current staff. Chris Riley, Chair of the Audit Committee, advised that his committee had voted on January 3, 2013, to recommend to accept the management letter from Melanson & Heath and the response from the Town Administrator. He said the committee would like to review the letter in three to four months time to ensure compliance.

**A7. Public Input on Budget Request for WaylandCares, Additional Police Officer and Additional Firefighter** Fire Chief Vincent Smith presented his case for the hiring of an additional firefighter. He said the fire department has gone 42 years without an increase in personnel, and the new town center project will soon be built out and will require more services. Donna Bouchard, 72 Concord Road, asked if ambulance receipts could be used to fund an additional position until the town center begins to generate revenue. Deb Cohen, Wayland Care Sustainability Committee, spoke in favor of the continued funding of WaylandCares. J. Bladon read a letter from Tony Boschetto, 123 Brook Trail Road, saying full financial disclosure has not been received, and the program is ineffective and not transparent. He noted that the Abrahams Group found that there wasn't enough documentation to support the expense. D. Bouchard said she made a public records request and just received the records today; she asked for more time to review the data. She noted that the program has existed for five years and doesn't appear to have any actuals. She expressed concern about the matching funds and the sources of funding, and questioned how the program can be funded with \$102,000 when the previous annual budget was \$500,000. She also noted variances in salary figures. Heidi Heilman, WaylandCares Sustainability Committee, said the matching funds for the grant were attributed to current personnel with a stake in health issues, and she said the grant process is very complex. D. Bouchard suggested that residents would volunteer their time, and suggested that further review be done. Cynthia Hill, 54 Orchard Lane, agreed with D. Bouchard, and asked why the town should fund a new department when current departments are being asked to cut back. H. Heilman said she would be happy to review the program

with anyone who has questions. Linda Segal, 9 Aqueduct Road, questioned why the program needed to be funded by the town budget. She said a decision should not be made on inadequate committee work. H. Heilman said that the program fell apart in peer towns that did not sustain the funding. Cynthia Lavenson, 40 Mitchell Street, spoke in support of WaylandCares, and said today's culture does not support healthy decision making. David Hill, 54 Orchard Lane, asked if further grant funding was available. H. Heilman said the committee has applied for further funding but will not get an answer during the coming fiscal year. Police Chief Robert Irving reviewed the need for an additional police officer. C. Hill asked if staff such as the youth officer and detectives could also be used for patrol work. R. Irving said he has asked them in the past to cover vacancies on patrol, but it is not the optimal way to manage the department, as they provide an important service. Anette Lewis, 33 Claypit Hill Road, said she has not seen any detriment to the town in the current staffing. D. Leard moved, seconded by J. Nolan, to support the funding of an additional firefighter. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board discussed the funding of WaylandCares. J. Nolan said the Board should allow the question of funding to go to Town Meeting. D. Leard said the data is insufficient and does not support the funding. S. Correia said Wayland was one of the few towns in the state who made a success of the grant. E. Collins said the residents could submit a petitioner's article to fund the program. He said he felt it is better considered as a volunteer group, and questioned why there have been no successful grant applications. He asked why the funding was coming through the town budget, and said the backup information is inadequate. S. Correia said it was included in the town budget because it was felt that it was a community health issue, and as a separate agency from the school it would open their services to a broader spectrum of residents. J. Bladon said it is a matter of priorities, and he feels that the impact the program has on the lives of Wayland's children takes precedence. D. Leard questioned whether J. Bladon had a conflict of interest, as Dianne Bladon served on the WaylandCares Sustainability Committee. S. Correia moved, seconded by J. Nolan, to approve the funding of WaylandCares. YEA: J. Bladon, S. Correia, J. Nolan. NAY: E. Collins, D. Leard. ABSENT: none. ABSTAIN: none. Adopted 3-2. D. Leard moved, seconded by J. Nolan, to support the funding of an additional police officer. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A8. Selectmen Vote to Recommend FY2014 Operating Budget Expenditures for Departments Within the Jurisdiction of the Board of Selectmen** S. Correia moved, seconded by J. Nolan, to recommend the FY2014 operating budget expenditures for departments within the jurisdiction of the Board of Selectmen. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A9. Review Proposed 2013 Annual Town Meeting Warrant Articles for Submission** The Board reviewed the proposed 2013 Annual Town Meeting warrant articles for submission. J. Nolan moved, seconded by E. Collins, to approve for inclusion at the April 2013 Annual Town Meeting the following standard articles: Recognize Citizens and Employees for Particular Service to the Town, Pay Previous Fiscal Year Unpaid Bills, Current Year Transfers, FY2014 Omnibus Budget, Compensation for Town Clerk, Approve Personnel Bylaw and Wage & Classification Plan, Sell or Trade Vehicles and Equipment, Accept Gifts of Land, Accept Law Increasing Real Estate Tax Exemption Amounts, Set Aside Community Preservation Funds for Later Spending, Hear Reports, and Choose Town Officers. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. E. Collins moved, seconded by D. Leard, to defer recommendation on the remaining articles until Monday, January 14, 2013. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Review and Approve Consent Calendar (See Separate Sheet)** S. Correia moved, seconded by J. Nolan, to approve the revised consent calendar. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A11. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. J. Nolan noted the Danforth Farms correspondence.

**A12. Report of the Town Administrator** F. Turkington reviewed the upcoming agenda topics and meeting schedules. He discussed the department director's meeting that week, and the plans for the transition to the new Finance Director.

**A11. Selectmen's Reports and Concerns** J. Nolan moved, seconded by D. Leard, to extend the term and duration of the Temporary Public Safety Building Advisory Committee from December 31, 2012, to March 1, 2013. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. D. Leard moved, seconded by E. Collins, to appoint Jessica Green to the Personnel Board for a term to expire on June 30, 2016. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan asked for update on Gage Road, F. Turkington said he will get back to him. The Board discussed its policy for reading emails into public comment, and it was the consensus of the Board that emails should be included in correspondence.

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

**A15. Executive Session** S. Correia moved, seconded by D. Leard, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation. The Chair declared that discussion of strategy with respect to Twenty Wayland, LLC v. Town of Wayland and Wayland Wastewater Management District Commission in an open meeting may have a detrimental effect on the litigating position of the Town. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. Town Administrator Fred Turkington to attend and participate in the executive session and Executive Assistant MaryAnn DiNapoli to attend to record minutes of the discussion. The Board will return to open session in approximately 20 minutes for the sole purpose of adjourning.

**A16. Adjourn** There being no further business before the Board, D. Leard moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:45 p.m. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

#### **Items Distributed For Use by the Board of Selectmen at the January 7, 2013 Meeting**

1. Draft minutes of January 3, 2013 meeting of the Audit Committee which summarizes final comments on financial statements and management letter.
2. Email dated January 5, 2013 from Town Administrator to Audit Committee communicating response to question on compliance with investment policy guideline.
3. Public comment relative to inclusion of funding for an additional police officer or an additional firefighter/paramedic.
4. Public comment related to inclusion of funding for Wayland Cares program in proposed Selectmen's FY2014 operating budget.

5. Resolution establishing temporary advisory Wayland Cares Sustainability Committee.
6. Memorandum dated January 4, 2013 from Youth Services Director Lynn Dowd providing information on differences between youth and family services and WaylandCares program, together with FY2012 annual report for the department.
7. Draft proposed articles for insertion in the 2013 Annual Town Meeting Warrant regarding OPEB funding, clarifying assignment of landfill/transfer station access road, and funding construction of a DPW facility. .
8. REVISED consent calendar for January 7, 2013 (additional items#8, #9 and #10).

**Items Included as Part of Agenda Packet for Discussion During the January 7, 2013 Board of Selectmen's Meeting**

1. Letter of interest and resume from Jessica Green in support of application for appointment to the Personnel Board to fill unexpired term of Jane Evans through December 31, 2016.
2. Cover letter and resume of Brian Keveny, Town Administrator's appointee as Finance Director/Town Accountant, together with position description.
3. FY2012 financial statements, auditor's recommendation to management, and draft management response dated January 7, 2013.
4. Town Administrator's FY2014 *preliminary* expenditure budget estimates.
5. Information related to Wayland Cares, additional police officer and additional firefighter positions requested in FY2014.
6. Proposed articles for insertion in 2013 Annual Town Meeting Warrant.