



TOWN OF WAYLAND

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BOARD OF SELECTMEN
ANTHONY V. BOSCHETTO
EDWARD J. COLLINS
STEVEN J. CORREIA
DOUGLAS J. LEARD
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes July 8, 2013

Attendance: Tony V. Boschetto, Edward J. Collins, Douglas J. Leard, Joseph F. Nolan

Also Present: Town Administrator Fred Turkington, Executive Assistant MaryAnn DiNapoli

Chair D. Leard called the meeting of the Board of Selectmen to order at 7:02 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public.

A2. Public Comment Nancy Leifer, 73 East Plain Street, and member of Cochituate Village Neighbors Association, said that work was being done on West Plain Street before the proper procedures were followed, although a police officer on duty explained that the work being done was on the gas lines by KeySpan and not the work of the developer. She said a physical alteration permit was approved without meeting the conditions of the site plan, and the Land Court order that Hammond Way is a public way needs to be reversed. F. Turkington said a physical alteration permit must be issued by the Board of Public Works, and although the permit had never left the office and was to be brought before the Board for approval, he called the developer to advise that the permit had been rescinded. D. Leard said the town needs to improve communication and follow procedures.

A3. Review and Approve Consent Calendar J. Nolan moved, seconded by E. Collins, to approve the consent calendar. T. Boschetto amended the motion to remove item one, the signing of the weekly payroll and expense warrants, as there were none presented. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

A4. Review Correspondence E. Collins noted his continued concern that an applicant for the Finance Committee was not aware of the interview schedule; F. Turkington said the issue will be on the next Board agenda. T. Boschetto provided background information on the correspondence regarding the Minuteman Regional High School.

A5. Interview Candidates for Appointments to Boards and Committees Joe Lewin appeared before the Board to interview for appointment to the Permanent Municipal Building Committee. He described his background, and said he hoped to emulate the good work of the High School Building Committee. J. Nolan moved, seconded by E. Collins, to appoint Joe Lewin to the Permanent Municipal Building Committee for a term to expire on June 30, 2015. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

Paul Brennan and Yiji Starr appeared before the Board to interview for the representative of the School Committee to the Audit Committee. Y. Starr said she has spent her career in financial services, and has served as CFO of John Hancock annuities and as an auditor at Ernst and Young. Paul Brennan said he has a broad-based background in finance, and reviewed his work with Hunnewell, Price Waterhouse, and a number

of Fortune 500 companies. He said he formed the internal audit department of the Foxboro Company. T. Boschetto asked if the Audit Committee is leveraging its resources effectively. Both said the committee charter was well done. T. Boschetto asked how the applicants would work with the staff. P. Brennan said he would help develop best practices, internal controls, separation of duties and redundancy of functions, and new ways to look at processes. Y. Starr said the use of key controls should be balanced against the cost, and it was important to make the best use of committee expertise. J. Nolan asked if the applicants would consider appointment to another committee; Y. Starr said yes. J. Nolan asked about their experience in municipal finance. Y. Starr said she had no municipal experience, but that Wayland is like a business in providing services that must satisfy its customers while balancing constituencies and maintaining financial integrity. P. Brennan said he started in municipal work, and recognizes the importance of keeping track of the collective financial picture so there are no surprises. D. Leard advised the applicants to educate themselves as to the Open Meeting law, and to post minutes and agendas quickly and accurately. The Board noted the preference of the School Committee for the appointment of Paul Brennan. J. Nolan moved, seconded by E. Collins, to appoint Paul Brennan to the Audit Committee as the representative of the School Committee for a term to expire on June 30, 2016. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

A6. Report of the Town Administrator F. Turkington provided an update on the Glezen Lane traffic mitigation requirements. He said that as per the judgment of July 2008, the traffic counts have triggered the installation of additional speed tables. T. Boschetto asked that the public be notified; he also asked whether the mitigation is funded. F. Turkington said residents will be notified, a notice will be put on the website, and all the funds for mitigation have been set aside. He reviewed the plans for the repaving of the town building parking lot in mid-July. E. Collins moved, seconded by J. Nolan, to thank the Trinitarian Congregational Church for the use of its parking lot during the repaving. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. F. Turkington reported on a meeting with members of the Recreation Commission and the Board of Public Works regarding field use issues, the upcoming meeting of the Wayland Cares Review Committee, the recent OPEB Advisory Committee meeting, and upcoming agenda topics for the Board of Selectmen. D. Leard said the Board of Public Works is behind on posting its minutes on the website.

A7. Update by Energy Initiatives Advisory Committee Anne Harris, Chair, and Tom Sciacca, member, Energy Initiatives Advisory Committee, appeared before the Board to provide an update of its activities. A. Harris reviewed the ESCO timeline and the committee's work with Ameresco. She said the committee will work through the capital process and prepare for borrowing approval at the April 2014 Annual Town Meeting. E. Collins asked if the projects were prioritized. A. Harris said the priority is any project with a payback less than twenty years; she said the priorities of John Moynihan, the Public Buildings Director, were energy efficient motors and pumps for the HVAC systems and one new boiler. D. Leard expressed concern that the committee was not involved in the plans for the new DPW facility. A. Harris said the committee has voted to support solar projects on the Middle School roof and over the Happy Hollow wells, and will sign a letter of intent with Broadway Renewable Strategies LLC. T. Boschetto asked for assurance that the projected savings are based on reliable numbers. T. Sciacca said a buyer's agent has been retained to ensure accuracy. Town Counsel Mark Lanza advised that the commitment to purchase solar panels would require town meeting approval. E. Collins asked for an update on the installation of LED streetlights by NStar. A. Harris said that NStar has proposed pilot locations; it will take thirty days to install the lights and they will be evaluated for four months. J. Nolan asked about the value of solar panels at the Happy Hollow wells as compared to the value of the land. T. Sciacca said the land is zone one and not saleable. J. Nolan asked

about grant money; A. Harris said the current grant is being spent on projects at the Middle School and Loker School, and will be used before the next cycle.

A8. Selectmen's Reports and Concerns The Board considered the Conflict of Interest statement from Jay Sherry of the OPEB Advisory Committee. Town Counsel Mark Lanza advised the Board that the impact of J. Sherry's financial interest in OPEB could be considered insignificant to the outcome. F. Turkington noted that OPEB benefits are set by the state. T. Boschetto moved, seconded by J. Nolan, that it is the determination of the Board that the financial interest of Jay Sherry is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

A9. Executive Session to Discuss Strategy and Negotiations with Respect to Pending Litigation with Twenty Wayland At 8:45 p.m., E Collins moved, seconded by J. Nolan, that the Board of Selectmen go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to *Twenty Wayland, LLC v. Town of Wayland and Wayland Wastewater Management District Commission* as a discussion of these matters in an open meeting may have a detrimental effect on the bargaining or litigating position of the Town. The Chair declared that an open meeting discussion of strategy with respect to *Twenty Wayland, LLC v. Town of Wayland and Wayland Wastewater Management District Commission* may have a detrimental effect on the litigating position of the town. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. Chair D. Leard stated that the Board invites Town Administrator Fred Turkington and Town Counsel Mark Lanza to attend and participate in the executive session. Members of the Wastewater Management District Commission will join the discussion at approximately 9:00 p.m. The Board also invites Executive Assistant MaryAnn DiNapoli to attend and record minutes of the executive session. The Board will return to open session in approximately one hour for the sole purpose of adjourning.

The Board returned to open session at 10:45 p.m.

A10. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
D. Leard said, "I know of none."

There being no further business before the Board, T. Boschetto moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:45 p.m. YEA: T. Boschetto, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

Items Distributed For Information and Use by the Board of Selectmen at the July 8, 2013 Meeting

1. List of current vacancies on all boards and committees as of July 3, 2013.
2. Email dated July 3, 2013 from Town Administrator to Linda Segal responding to public records request dated July 2, 2013 for town meeting minutes relative to action on 1999 Memorandum of Agreement between Selectmen and Wayland Business Center regarding wastewater.
3. Wayland Patch article, "What's the Status of the Lawsuit Against Wayland?" posted July 4, 2013 at 11:27 a.m.
4. Notice of appeal dated June 25, 2013 of Superior Court decision of June 3, 2013 entered in favor of Wayland Board of Selectmen in matter of Collins et.al. v. Wayland Board of Selectmen.

Items Included as Part of Agenda Packet for Discussion During the July 8, 2013 Board of Selectmen's Meeting

1. Letters of interest and background material provided by candidates for appointment to various boards and committees.
2. Email dated June 26, 2013 from Dave Bernstein with traffic data and analysis; a copy of the judgment on the Glezen Lane traffic suit relative to Town Center.
3. Email dated June 25, 2013 from Jay Sherry requesting Selectmen action on disclosure of appearance of conflict of interest.