



JOHN SENCHYSHYN
ACTING TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

Board of Selectmen Meeting Minutes October 28, 2013

Attendance: Tony V. Boschetto, Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan
Also Present: Acting Town Administrator John Senchyshyn, Executive Assistant MaryAnn DiNapoli

A1. Call to Order by Chair Chair D. Leard called the open session of the meeting of the Board of Selectmen to order at 7:02 p.m. in the Selectmen's Meeting Room. He reviewed the agenda for the public and announced that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

A2. Public Comment There was no public comment.

A3. Interview Candidate and Potentially Make Appointment to Fill Vacancy on the Conservation Commission Robert Goldsmith appeared before the Board to interview for a position on the Conservation Commission. He said he served on the Conservation Commission in the past, and wished to return now that he is retired. The Board discussed his ability to serve on both the Conservation Commission and the Board of Public Works, and whether there would be any conflict of interest. R. Goldsmith said he would recuse himself from any issue which created a conflict. J. Nolan noted the importance of working with homeowners to get them successfully through the process. R. Goldsmith agreed, and noted his work with the Beth Sholom cemetery. He also said his primary interest is in major projects, such as stormwater management. E. Collins asked about the issue of the access road to the proposed DPW facility, and R. Goldsmith said he would not have a vote, as he was not present for the hearings. E. Collins moved, seconded by T. Boschetto, to appoint Robert Goldsmith to the Conservation Commission for a term to expire on June 30, 2015. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Review of Financial Reports with Finance Director Brian Keveny, Finance Director, appeared before the Board to discuss the following year-to-date reports: general fund budget report, general fund revenue report, water enterprise fund operational report, wastewater enterprise operational report, and the major revolving fund report. He said the management letter will be ready by the end of the week. He noted the accuracy of projections, and said the total combined turnback for FY2013 of \$2.6 million will go to free cash certification. T. Boschetto asked if the budget can be refined further for FY15; B. Keveny said revenue consists of taxation, state aid, and local receipts, and the budget for FY2013 was 99.8 percent of the revenue. B. Keveny said the water budget came in on target, but noted that the sewer fund lost a significant amount of its balance. The Board discussed the disposition of the funds in the revolving accounts. In regard to the FY2013 first quarter reports, B. Keveny said it is difficult to understand the numbers this early in the fiscal year, but he monitors the figures against last year's report to identify any drastic differentials. He noted that local receipts are down. He explained the variance of \$867,000 in the water/sewer fund, saying that substantial funds were collected in FY2013 that should have been in the FY2013 budget. He said the water fund is in good standing and has no issues with the Department of Revenue; however, the wastewater fund is diminishing and will not have enough funds to cover its debt payment. J. Nolan said the Wastewater Management District Commission needs to make a decision on rate structure and begin billing. The Board

reviewed the notification of free cash approval from the Department of Revenue and the overlay reserve amounts. T. Boschetto reviewed the capital project balances, and asked if the Finance Director would recommend that all encumbrances be complete by the end of the year. B. Keveny said the capital projects need to be set up as separate accounts with a timetable for completion, so the excess funds can be brought back into the general fund. T. Boschetto asked if the Town had replacement schedules; B. Keveny said it was required under GASB 34, and he will find out if it has been done. The Board thanked B. Keveny for his work.

A5. Joint Meeting with the Audit Committee to Hear an Interim Report on Status of the Management Letter Recommendations from the FY12 Audit, to Discuss the Upcoming Expiration of our Current Auditor's Contract, and Confirmation of the Audit Committee's Role in the RFP Process for FY14 Members of the Audit Committee

Audit Committee Chair Chris Cullen, and members Paul Brennan, Ben Downs, and Gordon Cliff joined the Board. C. Cullen reviewed the actions still open in regard to answering the management letter: develop a written risk assessment process, formalize a fund balance policy, and strengthen departmental receipt controls. In regard to risk assessment, J. Senchyshyn said the Town works with MIIA for personnel policies. B. Keveny said the Town needs to create controls over all town assets. The Board considered asking department directors to create a list of risks and suggest controls. B. Keveny said a draft document could be submitted to the Audit Committee for input. G. Cliff noted that the duties and responsibilities of the committee are bound by its charter. The Board considered the benefits and costs of including a CAFR (Comprehensive Annual Financial Report) with the audit process. T. Boschetto asked about the initiation of the RFP process. C. Cullen said the Board of Selectmen begins the process, and the Audit Committee reviews it. G. Cliff said he saw no need for substantial changes to the current RFP except to add CAFR, and J. Nolan suggesting adding CAFR as an add-alternate. T. Boschetto distributed a Best Practice report from the GFOA (Government Finance Officers Association) and an article from Government Finance Review regarding Public Sector Audit Committees. J. Nolan asked that all Board members be given a chance to review documents that are being distributed in the Board's name. C. Cullen advised the Board that it is the recommendation of the Audit Committee to use the current scope of services as a starting point for the RFP, and to include a CAFR option. He said the current Auditor has done a good job. The Board thanked the committee for its work.

A6. Joint Meeting with the Personnel Board to Hear the Presentation and Interview the Collins Center for their Proposal for Town Administrator Search

The Board was joined by Richard Kobayashi from the Collins Center for Executive Recruitment and Interim Management Practice, and Personnel Board members Nancy McCarthy, Maryanne Peabody, and Jessica Green. R. Kobayashi described the recruitment procedures and philosophy of the Collins Center. He said their job is to produce a pool of well qualified candidates from which to choose, by understanding the needs and challenges of the Town. The Board asked about the composition of a screening committee; R. Kobayashi said there is no standard that fits every town, and it is most important that the committee has a clear knowledge of how the town works and the role of the Town Administrator. E. Collins asked whether a screening committee should be formed before a consultant is hired. R. Kobayashi said typically a committee is formed after the recruitment is done. N. McCarthy asked, given the current town environment, whether it would be advisable to open the screening committee to as many people as would like to participate. R. Kobayashi said he would advise instead that the process be open to written, sourced comments. He said the process with the Collins Center will include spending time in Wayland to work with interested parties, developing a detailed profile, reviewing résumés, consulting with the screening committees, and doing background checks. M. Peabody asked if there were any towns they were precluded from approaching; he said these are public jobs for which anyone can apply. He also said that with the exception of one, all of the placements made by the Collins Center are still in their jobs. E. Collins

asked if private sector managers would be considered. R. Kobayashi said that in the Town of Foxboro, private sector managers who were familiar with government service were also considered, and he noted the difficulty of making the transition to the public sector environment. T. Boschetto asked if the search could be expanded to Assistant Town Administrators, and S. Correia asked about the process used to choose the finalists. R. Kobayashi said the Collins Center uses its expertise and familiarity in the industry, and will include candidates from comparable towns who would like to advance their career. J. Nolan asked about effectively engaging the public. R. Kobayashi said that is a decision of the Board, but he suggested that groups of citizens could be included at the end of the interview process. R. Kobayashi said the Board needs to clarify whether the position will be an administrative position or a leadership position. E. Collins asked about the involvement of town employees; R. Kobayashi said some towns have held employee forums.

A7. Review and Approve Consent Calendar (See Separate Sheet) S. Correia moved, seconded by E. Collins, to approve the consent calendar. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan asked J. Senchyshyn to stress to Cook's Automotive that the maximum allotment of five cars for sale at any time will be strictly enforced.

A8. Review Correspondence (See Separate Index Sheet) There was no discussion on the correspondence.

A9. Report of the Acting Town Administrator J. Senchyshyn reviewed the timeline of events for the Special Town Meeting on November 20, 2013. He advised the Board that the audiovisual company has been hired, and that 700 electronic voting devices will be available. Dennis Berry, Town Moderator, said he will provide supplemental Moderator's rules regarding audio and visual presentations. J. Senchyshyn reviewed the agenda for November 6, 2013.

T. Boschetto moved, seconded by E. Collins, that the Board of Selectmen sign and issue the warrant established and reviewed by the Board of Selectmen on October 21, 2013, for the Wayland Special Town Meeting to be held on Wednesday, November 20, 2013, at the Wayland High School. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. Enter into Executive Session to Discuss Collective Bargaining Strategy with Respect to Mid-Term Bargaining of DashCams with the Police Union; to Discuss Collective Bargaining Strategy with Respect to Successor Bargaining with the Fire Union; and to Review Executive Session Minutes from October 7, 2013, for Release J. Senchyshyn advised that the discussion with the Police Union regarding the dashcams, and the discussion regarding successor bargaining with the Fire Union, would be postponed until the November 6 meeting. At 9:42 p.m., T. Boschetto moved, seconded by E. Collins, to go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (1) to discuss and review the executive session minutes of October 7, 2013, related to an Open Meeting Law complaint. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board invited Acting Town Administrator John Senchyshyn and Executive Assistant MaryAnn DiNapoli to join the Board in its executive session discussion. The Board will reconvene in open session in approximately 10 minutes.

The Board returned to open session at 9:49 p.m.

A11. Potential Release of October 7, 2013 Executive Session Minutes J. Nolan moved, seconded by S. Correia, to accept the minutes of the executive session on October 7, 2013. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Selectmen's Reports and Concerns T. Boschetto advised that he had no objection to releasing his response to the Attorney General regarding the Open Meeting Law complaint. J. Nolan agreed. D. Leard read a statement into the record clarifying his confidential response to the Attorney General. In order to provide full disclosure to the public, he identified that the confidential information was an explanation of his medical condition following ear surgery and prior bilateral knee and ankle surgery.

A13. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
D. Leard said, "I know of none."

A14. Adjourn There being no further business before the Board, S. Correia moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 9:52 p.m. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Included as Part of Agenda Packet for Discussion During the October 28, 2013 Board of Selectmen's Meeting

1. Résumé of Robert Goldsmith
2. Memorandum of 10/22/13 from Brian Keveny, Finance Director, to John Senchyshyn, Acting Town Administrator, re: FY2014 First Quarter Reports
3. Email of 10/16/13 from Department of Revenue re: Free Cash Approval Notification for Wayland
4. Memorandum of 9/19/13 from Brian Keveny, Finance Director, to John Senchyshyn, Acting Town Administrator, re: Fiscal 2013 Year End Reports
5. Town of Wayland Management Letter for the Year Ended June 30, 2012
6. Letter of 1/14/13 from Frederic E. Turkington, Jr., Town Administrator, to Melanson & Heath, re: Response to Letter to Management, Fiscal Year 2012
7. Agreement for the Provision of Auditing Services, May 20, 2011
8. Professional Service Agreement from Edward J. Collins Jr. Center for Public Management
9. Scope of Services, Recruitment for the Town Administrator, October 15, 2013

Items Distributed for Information and Use by the Board of Selectmen at the October 28, 2013, Meeting

1. Email of 10/26/13 from Anne Harris, Energy Initiatives Advisory Committee, to Board of Selectmen, re: Solar PV Project Updates
2. Email of 10/24/13 from Anette Lewis re: Motion for Town Meeting
3. Email of 10/27/13 from Don Bustin to Board of Selectmen re: Selectmen and Audit Committee Role
4. Additional Financial Reports from Brian Keveny, Finance Director, re: Statement of Revenues, Expenditures and Fund Balance June 30, 2013
5. Handout from Selectman T. Boschetto, "Best Practice, Audit Committees (1997, 2002, 2006, and 2008) (CAAFR), from GFOA, and "A New Vision for Public Sector Audit Committees," from Government Finance Review, April 2007
6. Report from John Senchyshyn on the Status of Special Town Meeting
7. Sample Profile from Collins Center for Public Management
8. Statement from Selectman D. Leard regarding "Confidential" information to Attorney General in Response to Open Meeting Law Request