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# TOWN OF WAYLAND

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

## Board of Selectmen Meeting Minutes February 3, 2014

**Attendance:** Tony V. Boschetto, Edward J. Collins, Steven J. Correia, Joseph F. Nolan

**Also Present:** Interim Town Administrator Robert Mercier, Acting Town Administrator John Senchyshyn

**A1. Call to Order by Chair** Vice Chair T. Boschetto called the open session of the meeting of the Board of Selectmen to order at 7:01 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. J. Nolan expressed concern that the ESCO agreement and the Lincoln Road conservation restriction were not on the agenda, and he asked if he could be consulted on future agendas. J. Senchyshyn said the Town Administrator survey was posted on the town website.

**A2. Public Comment** Arlene Martino, 9 Hammond Road, said that on December 4, 2013, 150 Main Street LLC asked the town to discontinue plowing her road, and the request was granted; the only notification she received was a letter from the Highway Department on January 21, 2014. She said the road is a private way with public access as per a land court decision in December 2011, and she requested that the Board take action to reinstate the plowing of Hammond Road. E. Collins noted that some of the legal documents were forwarded to Board members, and there doesn't appear to be any reason why the road can't be plowed. Jonathan Buchman, owner of 231-241 Boston Post Road, requested a meeting with the Board of Selectmen to discuss the impact of wastewater charges. He said his attorney had made a public records request and the Wastewater Management District Commission responded by requesting \$2,200 to provide the records. J. Senchyshyn noted that the town had responded to the records request within the required ten days, the check for \$2,200 was received, and copies of the requested records will now be provided. T. Boschetto said the Wastewater Management District Commission is an enterprise fund and a stand-alone entity. Woody Baston, 11 Cochituate Road, discussed the calculation of betterment charges between Twenty Wayland and residential users, and expressed concern about the excess amount of water in the system due to a leak in a pump at the Public Safety Building.

**A3. Public Input, Town Administrator Search** There was no public input into the Town Administrator search.

**A4. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. T. Boschetto asked for further information from the Building Inspector regarding auto dealer licensing. J. Nolan said he would complete the survey regarding feedback for the recent Massachusetts Municipal Association conference.

**A5. Appointments to Town Administrator Search Committee** The Board interviewed potential candidates for appointment to the Town Administrator Search Committee. Patricia Abramson, 5 Goodman Lane, discussed her background and service on several committees, including the Board of Selectmen, Board of Road Commissioners, and the Nike Site Advisory Committee. She said she could be impartial. She noted that in her experience, the Executive Secretary model did not provide strong enough oversight to provide adequate coordination and communication. Tom Dretler, 15 Linn Lane, reviewed his background. He said he would look for a candidate that is successful, will do what is right, and is a high achiever. He said he feels there is a lack of trust towards the management of the town, and a good administrator should be able to lead

the town while allowing boards to operate with independence. David Hill, 54 Orchard Lane, reviewed his background and experience. He said the essential characteristics of a Town Administrator should be integrity, experience, and the ability to work with committees; he also mentioned taking direction from the Board of Selectmen and working within those parameters to represent the town's interests. J. Nolan asked if a Town Administrator could improve the tenor of the town; D. Hill said he was not ready to answer that. He discussed his experience with screening candidates and making hiring decisions. T. Boschetto asked how to better engage the public; D. Hill said some people don't want to express their opinion in public. Randall Moore, 43 High Rock Road, said he works with a global management firm and is responsible for the firm's recruiting process and employment negotiations. T. Boschetto asked about finding a candidate with transferable skills from outside a municipality. R. Moore said he would examine the candidate's skill sets. J. Nolan asked how he interpreted the culture of Wayland government, and R. Moore said it is two-thirds management and one-third diplomacy. E. Collins asked about the difficulty of the task; R. Moore said consensus takes time and many issues need to be addressed. Jonathan Saxton, 26 Pemberton Road, described his background as a partner in an executive search firm, and his work on with the Housing Partnership. He discussed the fiscal stress on the town and the perceived need for stronger management. S. Correia asked about the time commitment and J. Saxton said it was not an issue. E. Collins asked how he would approach the references, and J. Saxton said you need to ask questions until you feel you know the person. T. Boschetto noted that the consultant would be doing the reference checks, and J. Saxton said it was possible to ask them about their procedures. J. Nolan asked about the importance of the support of a Town Administrator while working on the Housing Partnership. J. Saxton said he felt the committees need strong support. T. Boschetto thanked the candidates for volunteering to serve the town. J. Nolan moved, seconded by S. Correia, to appoint Tom Dretler to the Town Administrator Search Committee. There was no second. The Board discussed the best way to approach the appointments, and whether to expand the committee and appoint all the applicants. It was the consensus of the Board to leave the membership at seven. T. Boschetto moved, seconded by E. Collins, to appoint David Hill, Randall Moore and Tom Dretler to the Town Administrator Search Committee. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. T. Boschetto offered to appoint the remaining applicants as alternate members. J. Nolan and S. Correia said they would not support it. E. Collins moved, seconded by J. Nolan, to approve Mike Lowery as the representative of the Board of Public Works. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

#### **A6. Meeting with Wastewater Management District Commission to Discuss Current Year**

**Expenditures** Sam Potter, Wastewater Management District Commission, and Tom Greenaway, Finance Committee, appeared before the Board to discuss current year expenditures. J. Nolan said that the users have asked the Board to facilitate a meeting, although the Board does not have legal jurisdiction. T. Boschetto said the challenge is to provide information regarding costs, projections, and capacity with certainty so users can plan accordingly. S. Potter said there are evolving and unresolved issues, and they are running at a deficit. He noted that the bills were not sent on time, and the commission needs to be cash positive to keep operating. Participants discussed the impact of the legal judgment on the calculation, the increase in the number of users on the system, and the need for staffing. E. Collins also noted the leak at the Public Safety Building, and S. Potter said it will be addressed. S. Potter advised the Board that the Wastewater Management District Commission is seeking a cash infusion of \$250,000. T. Greenaway said the town cannot pay the commission's operating expenses per state statute, and it is the consensus of the Finance Committee to request permission from the Department of Revenue to deficit spend. Secondly, he said the Finance Committee can make a transfer from the reserve fund to the enterprise fund, with the consent of the Board of Selectmen. He also said the Board could consider a current year transfer at the next Town Meeting. He said there is currently \$325,000 in the reserve fund, and there needs to be caution that there are no additional needs. J. Nolan asked if the town center gift of \$175,000 that is due in May could be used. T. Boschetto said

a comprehensive financial analysis needs to be done, and a business plan needs to be created. The Board considered the need for staffing and management of the wastewater system, either by hiring staff or leveraging town office staff and billing for their service, and suggested the cost be included in the appropriation. S. Potter discussed the difficulty of collecting revenue, and T. Boschetto asked what recourse the commission had for unpaid bills. S. Potter said the commission can bill at 14% interest and attach a tax lien to the properties.

**A7. Review and Discuss Warrant Articles for Annual Town Meeting** The Board reviewed warrant articles for the April Annual Town Meeting. R. Mercier said seven articles have been withdrawn, and asked the Board for guidance in preparing the final order. Steve Gannon, President of the Wayland Rod and Gun Club, noted that the petitioners' article, "No Town Support for Weapons Discharge," and "Prohibit Discharge of Weapons in Wayland," had been changed substantially without the consent of all the petitioners, and should be considered invalid. J. Senchyshyn said the Town Counsel had reviewed the changes and said they were within the original scope of the articles, and had the appropriate number of signatures, and were therefore valid. David Birkner, 233 Glezen Lane, advised the Board that the petitioners' articles under discussion would ultimately be ruled illegal. The Board reviewed the remaining articles and considered the use of a consent calendar to consolidate the standard articles; R. Mercier said he would consult with the Town Moderator. T. Boschetto provided an overview of the proposed amendments to the Minuteman Regional School Agreement, and the Board discussed its options. The Board considered the procedures for the formation of a Municipal Affordable Housing Trust Fund Board, and the need to include a dollar amount. J. Nolan asked for the Finance Committee position on funding the trust and the Housing Partnership position on affordable housing in the Dudley area. He said he intends to respect the vote of the Dudley Area Advisory Committee. T. Boschetto said the request for restrictions for passive recreational use and a set-aside for septage need to be included. The Board discussed the decision points in creating the trust, including the need to go to town meeting to purchase a property, and the mechanism for storing funds until the trust fund is developed. In regard to the article, "Amend Zoning Bylaw Chapter 198: Rivers Edge Housing Overlay Zoning District," E. Collins asked about the Board of Public Works control of the property. J. Nolan said the article will empower the Board to transfer the property, but it does not require them to do so. S. Correia discussed the Community Preservation funding of private property, and said the precedent was created with the funding for Vokes Theatre, which is considered historical. J. Nolan said the jurisdiction of the Board in the matter is unclear, and the decision should be made at town meeting. J. Nolan asked that the Planning Board be put on a future agenda to discuss the housing trust and the zoning articles.

**A8. Review and Approve Consent Calendar (See Separate Sheet)** J. Nolan moved, seconded by E. Collins, to approve the consent calendar. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A9. Report of the Interim Town Administrator** R. Mercier said the position of Financial Analyst has been filled and Elizabeth Doucette will start on February 24. The Board asked if the executive session minutes being requested from a resident could be redacted and released; R. Mercier said that would require a vote of the Board. R. Mercier said he is working with Twenty Wayland LLC, the town center developer, to review operational issues and clarify positions. He reviewed upcoming agenda items and schedules.

**A10. Selectmen's Reports and Concerns** J. Nolan said the Danforth agreement needs to be finalized at the next meeting, as the intersection upgrades are in jeopardy, and he requested that the Town Counsel be present.

**A11. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

T. Boschetto said, "I know of none."

**A12. Adjourn** There being no further business before the Board, E. Collins moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:47p.m. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the February 3, 2014, Meeting**

1. Wastewater Management District Commission Pro Forma Cash Flow, and Betterment Table February 2013
2. Email of 4/5/13 from Fred Knight, Wastewater Management District Commission, to Woody Baston, re: Betterment Handout
3. Email of 10/5/09 from Ralph Wegener to Woody Baston re: User Fees

**Items Included as Part of Agenda Packet for Discussion During the February 3, 2014 Board of Selectmen's Meeting**

1. Appointments to Town Administrator Search Committee from Boards and Committees
2. List of Citizen Candidates for Appointment to Town Administrator Search Committee with Attached Background Information
3. List of Warrant Articles for April 2014 Annual Town Meeting including Assignees