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AFR
4/28/2014

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

Board of Selectmen Meeting Minutes March 10, 2014

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

Also Present: Interim Town Administrator Robert Mercier, Executive Assistant MaryAnn DiNapoli

A1. Call to Order by Chair Vice Chair T. Boschetto called the meeting of the Board of Selectmen to order at 8:15 p.m. in the Selectmen's Meeting Room.

A2. Announcements; Review Agenda for the Public Vice Chair T. Boschetto reviewed the agenda for the public and announced that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

A3. Public Comment There was no public comment.

A4. Appointment of Acting Town Clerk R. Mercier advised the Board that the current Town Clerk, Lois Toombs, is retiring on March 31, 2014, and the new Town Clerk will not begin her term until the adjournment of Annual Town Meeting; therefore, it becomes necessary to appoint an interim Town Clerk. He noted that L. Toombs is currently training the nominee for the position in the duties of the job. E. Collins moved, seconded by J. Nolan, to appoint Town Clerk Lois M. Toombs as the Acting Town Clerk from April 1, 2014, to the adjournment of the Annual Town Meeting. YEA: T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 3-0. J. Nolan thanked L. Toombs for her years of service to the town.

A5. Discussion of Utility Charges with Public Buildings Director The Board was joined by John Moynihan, Public Buildings Director, who distributed a spreadsheet of utility costs. J. Moynihan discussed the current fuel contracts, which are in place through June 2014, and the reasons for the fluctuating costs. T. Boschetto said he had not articulated his request clearly, and asked for a spreadsheet of the utility costs as follows: actual costs from fiscal years 2012 to 2013, and projected costs for fiscal years 2014 and 2015. He said that if the town is asking for \$2 million in capital spending to be offset by future savings, there needs to be benchmarks and data to support the assertion of savings. He suggested that Finance Director Brian Keveny be instructed to create a Munis report of utility expenses.

A7. Discussion with the Recreation Commission Representation on the Dudley Woods Article Brud Wright, Recreation Commission, appeared before the Board to discuss the proposed Town Meeting article regarding Dudley Woods. He said that land under the care and control of the Recreation Commission cannot be used for a septic system without the permission of the commission. T. Boschetto agreed and apologized that the Recreation Commission was not advised. J. Nolan said the inclusion of a subsurface community wastewater disposal system in the article was simply to express the will of town meeting, and acknowledged it was unenforceable. The Board suggested revisions to the text of the article; T. Boschetto asked R. Mercier to come up with language to consider at a future meeting. R. Mercier discussed the need to include housing advocates in a coalition to support the article.

A6. Planning Board Presentation: Potential Use of Town Buildings Kent Greenawalt, Chair, Planning Board, appeared before the Board to discuss the decisions that need to be made regarding the long-term use of town buildings, including the municipal pad at the town center. He reviewed options for going forward, including focus groups and cost-benefit analyses, and he asked permission from the Board to use Town Center set-aside funds for permitting and studies. T. Boschetto said that while he agreed with the intent of the request, he did not agree that was the proper use of the set-aside funds, and he requested a reconciliation of the fees from the Twenty Wayland project. K. Greenawalt agreed to prepare a reconciliation of the accounts and get a legal opinion as to what these funds can be used for. R. Mercier agreed that the discrepancy in the funds needs to be resolved. J. Nolan thanked the Planning Board for its initiative, and asked that they draft a scope of possible building uses and opportunities, including the municipal site at town center.

A8. Discussion of InterMunicipal Agreement – Wayland & Sudbury Disposal of Septage Property R. Mercier reported on a meeting with Maureen Valente, Sudbury Town Manager, regarding the intermunicipal agreement for the disposal of the Wayland/Sudbury septage property. He said the questions include whether to continue discussions in light of the proposed Rivers Edge project, and whether a member of Board should be included in the discussions. E. Collins said Town Meeting has not been disposed to give up its rights in regard to the agreement. R. Mercier reviewed the 1976 and the 1997 agreements provided by Werner Gossels, 17 Bennett Road, and a former member of the Septage Committee. He said the draft agreement being proposed between the administrations of Wayland and Sudbury is simply a starting point, and noted that Town Meeting may ask about the agreement before considering the Rivers Edge proposal. The Board reviewed the financial consequences, which consist of the legacy costs for employees, and the demolition and cleanup costs. T. Boschetto asked what was left in the septage fund; R. Mercier said there is approximately \$180,000 for legacy costs. T. Boschetto said the town needs to understand the long-term liability costs, the costs of demolition and cleanup, and the share that is due from Sudbury. R. Mercier said the Board must consider the consequences of allowing the existing agreement to expire in 2017. J. Nolan asked about accelerating the process by designating the site as a nuisance property. T. Boschetto asked for legal clarification of the nuisance property designation and the five-year clause in the agreement prior to the 2017 expiration. R. Mercier also suggested that the Board could draft an RFP to buy out Sudbury and turn responsibility over to Wayland. T. Boschetto suggested that R. Mercier clearly communicate to Sudbury that any prior agreements not approved by Town Meeting are considered invalid. W. Gossels said the operational costs were divided equally with Sudbury, \$300,000 was intended for demolition, and \$50,000 a year was contributed to OPEB. He said there were only three employees at the time the facility was closed. J. Nolan said the OPEB obligation needs to be reconciled. W. Gossels said that if Town Meeting declares the facility a nuisance, it triggers the requirement for Sudbury to pay fifty percent of the demolition; he said the agreement should be mutually terminated and steps should begin to demolish the facility and restore the land.

A9. Town Administrator Update/Schedule R. Mercier advised the Board that the Town Administrator Search Committee will be meeting on Saturday morning to interview five candidates, and the Board is scheduled to interview the final three on March 24. He noted that the interviews before the committee are in closed session, but the interviews with the Board of Selectmen will be public. He said the information on the candidates will be made available after the interviews on Saturday, March 15.

A12. Report of the Interim Town Administrator R. Mercier reviewed upcoming agenda topics. He distributed a report from the Minuteman Regional School for Board review. He said the OPEB public hearing will be tomorrow evening, and reviewed the bids that came in for the construction of the new DPW facility. He said the Finance Committee did not support any of the petitioners' articles except "Fund Youth Substance Abuse Prevention" by a vote of 3-2-1.

A10. 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, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 3-0.

A11. Review Correspondence (See Separate Index Sheet) T. Boschetto asked that the Board address the document request of Alice Boelter in a timely manner.

A13. Selectmen's Reports and Concerns J. Nolan updated the Board on the new MetroWest Regional Transit Authority building being constructed in Framingham to serve the fifteen member towns. He noted that the new facility will have natural gas to fuel its vehicles.

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

A15. 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 9:44 p.m. YEA: T. Boschetto, E. Collins, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 3-0.

Items Distributed for Information and Use by the Board of Selectmen at the March 10, 2014 Meeting

1. Auto Fleet Schedule

Items Included as Part of Agenda Packet for Discussion During the March 10, 2014 Board of Selectmen's Meeting

1. Intermunicipal Agreement, Septage Disposal Facility Disposition
2. Memorandum dated 3/6/14 from Kent Greenawalt re: Planning Board Initiative to Explore Uses of the Municipal Parcel at Town Center
3. Email of 2/27/14 from Robert Mercier re: Temporary Clerk
4. Memorandum of 3/6/14 from Robert Mercier to John Moynihan re: Utility Costs