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TOWN OF WAYLAND

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BOARD OF SELECTMEN
MARY M. ANTES
ANTHONY V. BOSCHETTO
EDWARD J. COLLINS
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes June 2, 2014

Attendance: Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan
Also Present: Interim Town Administrator Robert Mercier, Acting Town Administrator/Human Resources Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli

A1. Convene and Enter Executive Session to Discuss Strategy with Respect to Pending Litigation Regarding the Case of Twenty Wayland, LLC and the Town of Wayland and the Wastewater Management District Commission, and Potential Litigation by a Group of Wastewater Management District Users, as Threatened by their Lawyer At 6:32 p.m., J. Nolan moved, seconded by E. Collins, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management district users, as threatened by their lawyer. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland and the Wastewater Management District Commission, and potential litigation by a group of Wastewater Management district users, as threatened by their lawyer, will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair J. Nolan invites attendance by members of the Wastewater Management District Commission (Fred Knight, Sam Potter, and Rick Greene), Wastewater Management District Commission Special Counsel Damon Seligson, Interim Town Administrator Robert Mercier, Acting Town Administrator John Senchyshyn, Town Counsel Mark Lanza, Assistant Cindy Cincotta and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour and fifteen minutes.

The Board returned to open session at 8:15 p.m.

A2. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 8:15 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. He reviewed the agenda for the public.

A3. Public Comment Mike Lowery, 120 Lakeshore Drive, and Carmine Pompeo, 119 Dudley Road, asked for the assistance of the Board in getting a wall repaired at 119 Dudley Road which borders the property of C. Pompeo but is on town land. The Board requested that the Town Counsel be contacted to mediate a solution. Jackie Ducharme, 44 Pond Drive, asked when the two or three remaining parcels of land at Dudley Woods would be declared surplus; J. Nolan said it would be on the agenda of June 16, 2014.

A4. Presentation by Town Counsel on Status of Easements at Town Center Town Counsel Mark Lanza reviewed the list of easements that need to be abandoned and those that need to be acquired in the disposition of the former wastewater facility and the finalization of the new facility. He noted the process is complicated due to the multiple conveyances of properties, and his goal is to have a complete and accurate list for Board approval at the June 16 meeting.

A6. Wastewater Issue at the Public Safety Building John Moynihan, Public Buildings Director, joined the Board to discuss the water that is infiltrating the wastewater system at the Public Safety Building. J. Moynihan said a previous leak was sealed by the engineering firm, Spillane Company, by inserting an injectable seal below the water table. He said on Friday last week their engineers sent a camera below the water, and while the original seal is holding, two additional leaks were found. The leak is gauged to be approximately 1,500 gallons a day. He said the same procedure will be used to repair the current leaks. The Board asked if an evaluation of the entire system was needed. J. Moynihan said all the seams will be examined, and if necessary, the entire pipe will be resealed. He also noted there has been no mechanical inspection since 1999, and it would be prudent to have it done. He said it is a town building expense and the funding is available. Woody Baston, 11 Cochituate Road, noted that the original Wastewater Management District Commission would pressurize the system on an annual basis, but it hasn't been done in several years. The Board asked that periodic inspections be done in the future.

A5. Continued Discussion of River's Edge Project C. Karlson reviewed the available budget for the River's Edge project through the end of FY2014. She said she spoke with Finance Director Brian Keveny about having the funds reinstated with a purchase order to hold the funds over to the next year. The Board discussed the expenses and the use of CPA (Community Preservation Act) funds. The Board discussed the permitting, legal and closing costs, and J. Nolan requested that a spreadsheet be prepared for Board review. The Board then reviewed a draft RFP for Special Counsel, prepared with language from the Town Meeting article. J. Nolan asked about the turn-around time, and R. Mercier said it is typically thirty days. C. Karlson reviewed the overall RFP process for the River's Edge Project; she said she is meeting with the Economic Development Committee and John Moynihan, Public Buildings Director, to discuss bringing in a consultant to help with the process. T. Boschetto said he would like to see the River's Edge Advisory Committee involved. It was the sense of the Board to include professional expertise, and M. Antes said it is particularly important in regard to affordable housing. R. Mercier suggested that the RFP for Special Counsel include the work on the RFP for the River's Edge project.

A7. Consideration of Board and Committee Vacancies and Potential Reappointments The Board considered the reappointment of board and committee members due to expire on June 30, 2014. The Board agreed to interview the members of the Audit Committee, Conservation Commission, Finance Committee, Personnel Board, and the Zoning Board of Appeals at the meeting of June 23, 2014. T. Boschetto moved, seconded by M. Antes, to reappoint the following list of Board, Committee and Commission members to the appropriate terms. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Name	Appointing Authority	Board/Committee	Term
Richard Turner	Selectmen	Cable Advisory Committee	one
Thomas Klem	Selectmen	Cable Advisory Committee	one
Maureen Cavanaugh	Selectmen	Community Preservation Committee	three
Walker C. Farrar Jr.	Selectmen	Constable	three
Evelyn M. Ekmejian	Selectmen	Council on Aging	three
Jeffrey S. Baron	Selectmen	Dog Control Appeals Board	three
Phyllis Jean Milburn	Selectmen	Economic Development Committee	three
Gretchen Ryder Sharry	Selectmen	Historical Commission	three
Gretchen G. Schuler	Selectmen	Historic District Commission	three
Kathleen Boundy	Selectmen	Housing Partnership	three
Rachel G. Bratt	Selectmen	Housing Partnership	three
Mary M. Antes	Selectmen	Housing Partnership	three

Christine DiBona	Selectmen	Housing Partnership (representing School Committee)	three
Mary M. Antes	Selectmen	Metropolitan Area Planning Council	one
Mary M. Antes	Selectmen	Metrowest Regional Collaborative Comm	one
Joseph F. Nolan	Selectmen	Metrowest Regional Transit Authority	
Sarkis Sarkisian	Selectmen	Metrowest Regional Transit Authority Advisory Board (alternate)	one
Timothy J. Walsh	Selectmen	Sealer of Weights and Measures	one
Joan Bradford	Selectmen	Senior Tax Relief Committee (representing Council on Aging)	one
Linwood Bradford	Selectmen	Senior Tax Relief Committee (representing Board of Assessors)	one
Anne Gilbert	Selectmen	Senior Tax Relief Committee (representing Finance Committee)	one
Stephen J. Colella	Selectmen	Senior Tax Relief Committee	one
Patricia Nelson	Selectmen	Senior Tax Relief Committee	one
Pauline DiCesare	Selectmen	Senior Tax Relief Committee	one
Rebecca MacGregor	Selectmen	Senior Tax Relief Committee	one
Charles W. Moores	Selectmen	Surface Water Quality Committee	three
Robert L. Goldsmith	Selectmen	Surface Water Quality Committee	three
Michael P. Lowery	Selectmen	Surface Water Quality Committee	three
Sam Potter	Selectmen	Wastewater Management District Commission	three
Sara Greenaway	Selectmen	Youth Advisory Committee	three
Corrie Dretler	Selectmen	Youth Advisory Committee (representing School Committee)	three
Jane Dickson Purser	Selectmen	Youth Advisory Committee (representing School Committee)	three

A8. Review and Approve Consent Calendar (See Separate Sheet) E. Collins moved, seconded by T. Boschetto, to approve the revised consent calendar to include the May invoice of Town Counsel Mark Lanza. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. C. Karlson asked about the purchase or repair of the flagpole; R. Mercier said new flags have been ordered, but there is a jurisdictional dispute over the ownership of the flagpole. T. Boschetto asked about the Open Meeting Law complaint in regards to the Planning Board minutes. R. Mercier said Town Counsel M. Lanza is preparing a response, and the minutes have not yet been produced.

A10. Report of the Interim Town Administrator R. Mercier said the new email addresses for the Board will be implemented this week. The Board discussed the scheduling of Selectmen office hours, and C. Karlson and M. Antes agreed to sponsor the next session. R. Mercier reviewed upcoming agenda items. He said he met with the Chair of the Recreation Commission to review the process for hiring a new Recreation Commissioner; he said the Chair will look to fill the job full-time. T. Boschetto expressed disappointment that there was no consideration of the organizational structure, and he asked for an analysis of the value and benefit of a full-time position. J. Nolan said he met with the Board of Public Works and the Recreation Commission, and there was no consensus to change the organizational structure. C. Karlson said the funding of the position is in the budget; T. Boschetto said the Recreation Commission needs to find the

revenue to fund it. T. Boschetto questioned the pension and healthcare obligation to the current Recreation Commissioner. R. Mercier said there was an appeal to the Department of Environmental Protection regarding the DPW access road decision, and it will remain open until the appeal is adjudicated. He said Treasurer/Collector Paul Keating is working on a manual for Trust Commissioners, and he will provide it to the Board when complete.

A11. Selectmen's Reports and Concerns M. Antes said the Council on Aging is looking for storage space for their medical equipment supply exchange program. She provided an update on the annual meeting of the Metropolitan Area Planning Council. J. Senchyshyn updated the Board on the Town Administrator search. C. Karlson said the Energy Initiatives Advisory Committee is working on baseline energy data for Board review, and they anticipate presenting a Letter of Intent (LOI) regarding solar work for Board signature. She noted the LOI will also have the signature of the School Committee and Board of Public Works. T. Boschetto said he has numerous questions and concerns, and the Board needs to do its due diligence. J. Nolan suggested that the Board consider it at the June 16 meeting due to the time sensitivity. E. Collins recommended that the LOI also be reviewed by the Conservation Commission to address the issue of proximity to the town wells. M. Antes asked about the advisability of expending funds for energy efficiency at the town building in lieu of addressing issues such as mold and structural repairs. J. Nolan said some structural repairs have been made in recent years. In regard to the Energy Initiatives Advisory Committee, C. Karlson noted that the committee charge expired in March, and suggested that the Board make them a permanent committee and review the appointment dates. On the issue of town center, C. Karlson asked the Board to consider a public discussion of the future use of municipal buildings. She noted that the town does not have a designated board to consider capital planning and the capital improvement process. J. Nolan agreed that a public forum is needed. T. Boschetto asked that the OPEB Advisory Committee be added to a future agenda, and he noted there is a vacancy for the town representative to the Minuteman Regional Vocational School. J. Nolan said he went to view the situation regarding the stonewall at 119 Dudley Road and would discuss it during the next meeting.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
J. Nolan said, "I know of none."

A13. Adjourn There being no further business before the Board, C. Karlson moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:17 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the June 2, 2014, Meeting

1. None

Items Included as Part of Agenda Packet for Discussion During the June 2, 2014 Board of Selectmen's Meeting

1. Draft Request for Statement of Qualifications and Proposals, Legal Services – River's Edge Special Counsel
2. Revised Memorandum of 5/8/14 re: Annual Reappointments