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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 23, 2014

Attendance: Mary M. Antes (arrived 6:45 p.m.), 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 and (2) Discuss Collective Bargaining Strategy Pertaining to Contract Negotiations with the Wayland Food Services Association (WFSA) At 6:30 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 and (2) discuss collective bargaining strategy pertaining to contract negotiations with the Wayland Food Services Association (WFSA). 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, and collective bargaining strategy pertaining to contract negotiations with the Wayland Food Services Association (WFSA) 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), Interim Town Administrator Robert Mercier, Acting Town Administrator John Senchyshyn, Town Counsel Mark Lanza, Administrative Assistant Cindy Cincotta and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately forty-five minutes.

The Board returned to open session at 8:00 p.m.

A2. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 8:01 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 Nancy Carapezza, 18 York Road, asked for an update on the wastewater issue. J. Nolan advised her that the matter is under litigation and the Board cannot comment.

A4. Discussion of Stonebridge Road Speed Recommendations with Police Chief Robert Irving Police Chief Robert Irving appeared before the Board to discuss his recommendations for the speed limits on Stonebridge Road as requested by the residents. He said the approval to lower the speed limit must come from the state. T. Boschetto asked if the speed limit could be lowered on Rice Road; R. Irving said each study must be done independently, and must go through the state. E. Collins asked if there was any opposition to the proposed change in the speed limit; R. Irving said no. E. Collins moved, seconded by

C. Karlson, to authorize the Chief of Police to send an application to the state to lower the speed limit on Stonebridge Road that is currently 35 miles per hour to 30 miles per hour. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none.

A5. Reappointment Interviews and Potential Vote to Reappoint, and New Applicant Interview and Potential Vote to Appoint Michael Connors, a current member of the Zoning Board of Appeals, was not available for an interview. Shaunt Sarian, currently an Associate Member of the Zoning Board of Appeals, said he enjoys being an associate member, and tries to implement applications fairly. Argiro Shapiro, a new applicant to the Zoning Board of Appeals, reviewed her background as an attorney and said she wants to serve the town. Aida Gennis, a current member of the Zoning Board of Appeals, said it is a privilege to work with the other members, and to balance the wishes of the applicants with those of the neighbors and the bylaws. T. Boschetto asked how they insured that their decisions are consistent. S. Sarian said you follow the bylaws. A. Gennis said that each parcel of land is unique, so when necessary, they try to stay consistent with the surrounding neighborhood. C. Karlson reviewed the backgrounds of the current Zoning Board members. M. Antes said she attended some 40B cases, and the Board works very hard in balancing the law with neighborhood concerns. J. Nolan said the Board does an excellent job in interacting with the public. C. Karlson moved, seconded by M. Antes, to reappoint Michael Connors and Aida Gennis to the Zoning Board of Appeals for three-year terms to expire on June 30, 2017, and to reappoint Shaunt Sarian as an Associate Member to the Zoning Board of Appeals for a three-year term to expire on June 30, 2017, and to appoint Argiro Shapiro as an Associate Member to the Zoning Board of Appeals for a two-year term to expire on June 30, 2016. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Interviews and Potential Vote of Appointments to the Municipal Affordable Housing Trust Fund Board The Board interviewed applicants to the Municipal Affordable Housing Trust Fund Board Jacqueline Ducharme, Stephen A. Greenbaum, and Brian O’Herlihy. J. Ducharme said she was involved in crafting the language of the fund with the Planning Board and would like to continue the work. S. Greenbaum said he is a real estate attorney with a background in affordable housing. B. O’Herlihy said he was on the Nike Site Committee in 2009, and would like to help promote affordable housing. E. Collins asked the applicants what they see the Board doing. B. O’Herlihy said organizing, setting up policies and procedures, understanding the vision and mission, and leveraging the funding. S. Greenbaum agreed and added making an impact and creating affordable housing. J. Ducharme also agreed, and said she would like to explore the purchase of existing homes by establishing infrastructure and developing criteria. M. Antes said she has concerns about the appointment of J. Ducharme, due to the fact that she had objected to having affordable housing in her own neighborhood, and because she seemed to support only the purchase of existing homes. C. Karlson said she supported the three candidates. T. Boschetto said the opinion of J. Ducharme had been mischaracterized; he said her opposition to affordable housing in her neighborhood was based on density and balance. T. Boschetto asked the participants how they would view their role in the pursuit of larger developments. S. Greenbaum said it is a longer process and financing would be a bigger issue. The Board discussed potential sources of funding, such as finding parcels and selling them to developers, mortgages and borrowing, and Community Preservation funds. J. Nolan asked J. Ducharme to have an open mind about new construction; she said she would take a thoughtful approach to all opportunities. T. Boschetto moved, seconded by E. Collins, to appoint Jacqueline Ducharme, Stephen A. Greenbaum, and Brian O’Herlihy to the Municipal Affordable Housing Trust Fund Board for two-year terms to expire on June 30, 2016. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. T. Boschetto moved, seconded by E. Collins, to appoint Mary Antes as the representative of the Board of Selectmen to the Municipal Affordable Housing Trust Fund Board for a one-year term to expire on June 30, 2015. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson,

J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson moved, seconded by M. Antes, to appoint Susan Weinstein as the representative of the Housing Authority, Armine Roat as the representative of the Housing Partnership, and Kevin Murphy as the representative of the Planning Board, to the Municipal Affordable Housing Trust Fund Board for one-year terms to expire on June 30, 2015. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. Meet with Audit Committee and Discuss Response to FY13 Management Letter The Board was joined by Audit Committee members (Chris Riley, Chris Cullen, Paul Brennan and Gordon Cliff) and Finance Director Brian Keveny, to discuss the response to the FY13 Management Letter. R. Mercier said the participants drafted a letter with strong recommendations for follow-up by the next Town Administrator. C. Cullen said the Audit Committee had no major issues with the letter. R. Mercier said timelines and follow-through on the recommendations are important. T. Boschetto asked how the Board could confirm that the changes are made; R. Mercier said the Board should review the issues again in the fall. C. Riley said the auditors review the previous year's letter and see if the goals have been met. C. Cullen suggested the Board discuss a fund balance policy, and consider creating a subcommittee. C. Karlson questioned the delay in finalizing the letter, and C. Cullen noted that there were timing issues involving staff and the auditors. He said there was no finding of material weakness or material deficiency, and no critical issue. G. Cliff suggested that the Board of Selectmen provide input into prioritizing the recommendations. T. Boschetto asked B. Keveny if he was comfortable with recommendations, and B. Keveny said most issues have been addressed. M. Antes moved, seconded by C. Karlson, to authorize the Town Administrator to issue the response letter to the FY13 Management letter to auditors Melanson and Heath. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Report of the Interim Town Administrator David Gutschenritter, Chair, Town Administrator Search Committee, updated the Board on the interview process and reviewed the upcoming timeline. The Board suggested that a tour of the town be planned for the finalists, possibly by the League of Women Voters.

A8. Accept FEMA Flood Insurance Maps R. Mercier presented the proposed Federal Flood Plain Protection District maps presented by the Conservation Commission. No public comment was received. E. Collins moved, seconded by C. Karlson, to accept the Federal Flood Plain Protection District maps, defined as the one-hundred year floodplain, within the Town of Wayland, issued by FEMA, for the administration of the National Flood Insurance Program. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Vote to Authorize the Board of Public Works to Sign an Intermunicipal Agreement with the Sudbury Water District regarding the River Road Water Main The Board reviewed an intermunicipal agreement with the Town of Sudbury to provide water to the new Public Works garage. R. Mercier noted the water is not potable water, but for fire protection only. He said the Board of Public Works will vote on the agreement June 25. M. Antes moved, seconded by E. Collins, to approve the Intermunicipal Agreement with the Sudbury Water District regarding the River Road water main. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. T. Boschetto expressed concern that the Board did not have time to review the document before the meeting.

A10. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by T. Boschetto, to approve the consent calendar. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence, and congratulated Police Detective Ruth Backman on her retirement.

A12. Report of the Interim Town Administrator The Board reviewed upcoming meeting agendas. It was decided that the interviews of the Town Administrator applicants would be scheduled for July 15, and the interviews of applicants to the Finance Committee and Personnel Board would be scheduled on July 28. R. Mercier said he will have talking points for the Wayland-Sudbury Intermunicipal Agreement regarding the River's Edge project for an upcoming meeting. He said the license for the repair of the retaining wall at 119 Dudley Road will be available for Board review at the next meeting.

A13. Selectmen's Reports and Concerns M. Antes discussed a meeting last week regarding the possibility of the town purchasing a farming conservation restriction on land owned by the Hamlen family. She said the land was previously appraised at \$10.6 million, but the family believes the current value is approximately \$20-\$25 million. She said a portion of the funding will come from the Community Preservation funds, but outside fundraising will also be necessary. C. Karlson suggested exploring other potential sources of funding. J. Nolan noted the financial expense of maintaining the land, and M. Antes said there was discussion regarding selling some parcels for development to offset the cost. T. Boschetto agreed that other funding sources should be considered. M. Antes said the conservation restriction could potentially be held by the Sudbury Valley Trustees. T. Boschetto said the OPEB Advisory Committee will be working with the Interim Town Administrator to consider incoming proposals. J. Nolan reported on the annual meeting of the 495/MetroWest Partnership which he attended on June 19.

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

A15. Adjourn There being no further business before the Board, T. Boschetto moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:05 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 23, 2014, Meeting

1. None

Items Included as Part of Agenda Packet for Discussion During the June 23, 2014 Board of Selectmen's Meeting

1. Memorandum of 5/14/14 from Robert Irving, Chief of Police, to Robert Mercier, Interim Town Administrator, re: Stonebridge Road Speed Zoning Study
2. Résumé of Argiro Shapiro, Applicant to the Zoning Board of Appeals
3. Résumés of Applicants to the Municipal Affordable Housing Trust Fund Commission (Jacqueline Ducharme, Stephen A. Greenbaum, Brian O'Herlihy, Susan Weinstein)
4. Board and Committee Recommendations to the Municipal Affordable Housing Trust Fund Commission (Housing Partnership, Housing Authority, and Planning Board)
5. Letter of 5/23/14 from FEMA to Board of Selectmen re: Adoption of Department of Homeland Security's Federal Emergency Management Floodplain Measures
6. Federal Flood Protection District Regulation as adopted by the Conservation Commission on June 12, 2014