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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 October 6, 2014

Attendance: Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, Executive Assistant MaryAnn DiNapoli

A1. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 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.

A2. Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to Pending Litigation and Collective Bargaining, and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (1) to Discuss Strategy with Respect to Complaints Brought Against a Public Officer, and to Review and Consider for Approval and Potential Release the Following Executive Session Minutes Relative to the Said Subjects: February 25, 2013, April 19, 2013, June 13, 2013, June 24, 2013, October 2, 2013, October 7, 2013, October 28, 2013, November 6, 2013, November 18, 2013, and January 13, 2014 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 21a(3), to discuss strategy with respect to pending litigation and collective bargaining, and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (1) to discuss strategy with respect to complaints brought against a public officer, and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: February 25, 2013, April 19, 2013, June 13, 2013, June 24, 2013, October 2, 2013, October 7, 2013, October 28, 2013, November 6, 2013, November 18, 2013, and January 13, 2014. The Chair declares that a public discussion of pending litigation and collective bargaining and complaints brought against a public officer, and the review and consideration for approval and potential release of executive session minutes, 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 Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately fifteen minutes.

The Board returned to open session at 7:06 p.m.

A3. Public Comment Dorothy Dunlay, 47 Sherman Bridge Road, requested that the Board vote to have a Special Town Meeting to deal with surplus of free cash. David Hill, 54 Orchard Lane, requested that a microphone be made available for public comment, as it is very hard to hear someone speaking. Patricia Abramson, 5 Goodman Lane, read a statement regarding free cash. Alice Boelter, 106 Lakeshore Drive, also asked for a Special Town Meeting to reduce free cash, and thanked the Board for posting the agenda with the backup information on the website.

A4. Meet with Director of Public Health Julia Junghanns and Approve and Authorize the Town Administrator to Sign Community Innovation Challenge Grant Application for Tickborne Disease Network Expansion Julia Junghanns, Director of Public Health, appeared before the Board to discuss a

grant application for the expansion of the Tickborne Disease Network. She explained that it is an educational program, and Wayland would join a group of communities, including Concord, Bedford, Carlisle, and Lincoln. She said it is a one-year grant, and would improve surveillance, provide educational opportunities, and reduce the rate for tick testing to residents. T. Boschetto asked if the town would incur any expenses; J. Junghanns said it is a service grant for partnership with research labs, and there is no cost. E. Collins moved, seconded by M. Antes, to authorize the Board to sign the local support form for the community innovation challenge grant application for the tickborne disease network expansion. T. Boschetto asked for assurance that the Board will be notified of any impact on the budget. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Meet with Town Planner Sarkis Sarkisian to Update on DCR (Department of Conservation and Recreation) License Application for the Use of DCR Easement on MBTA Rail Trail for Bike Path

The Board was joined by Sarkis Sarkisian, Town Planner, and Larry Kiernan, Central Massachusetts Rail Trail Committee, to update the Board on the progress of the MBTA Rail Trail for a bike path. L. Kiernan provided background on the history of the rail trail, noting that the DCR has taken a phased development approach to the abandoned rail beds for recreational use. He said Wayland's goal is to develop three miles. J. Nolan asked if there is revenue from selling the track material, and payment from the utilities for the use of the right-of-way; L. Kiernan said yes, and the funds are used for compliance issues. He said the trail is part of a bigger plan, and described its connection through other towns. The Board discussed the possible use of Community Preservation funds for future phases, and the timeline. E. Collins asked about the source of the gift funds; L. Kiernan said it includes the town center development gift funds and the CPA funds. The Board thanked L. Kiernan for his efforts. C. Karlson moved, seconded by M. Antes, to authorize the Planning Board to continue working on developing the rail trail through the Town of Wayland and to expend funds and execute contracts with the approval of the Town Administrator. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Tom Greenaway, Chair, Finance Committee, joined the Board to discuss the timing of the Annual Town Meeting. He said the Finance Committee does not have a preference.

A6. Discussion on Future Use of the Town Building in Light of Potential Energy and Capital Improvements

The Board was joined by Ellen Tohn of the Energy Initiatives Advisory Committee. N. Balmer advised the Board that the Energy Initiatives Advisory Committee has deadlines to meet in the ESCO project and needs to know whether the Board wishes to make the investment. C. Karlson said the Board needs to take some leadership, and consider the timing and impact. T. Boschetto asked if the \$800,000 which was intended for town building upgrades could be spent on other buildings instead; E. Tohn said yes, it could be spent on the schools for comparable energy savings. T. Boschetto questioned whether it worth making an investment in the town building, and C. Karlson asked if the building was at risk. E. Tohn said lighting and weatherization were short-term investments, but the HVAC replacement was long-term and very expensive. The Board considered the functionality and the future of the current town building, and said the value of the property needs to be determined, as well as the cost of repairs for future use, or the reconfiguration of the building for a different use. Kent Greenawalt, Chair, Planning Board, advised the Board that an informal long range land use committee, under the auspices of Finance Committee, had reached a roadblock. N. Balmer said she is forming teams to address land use, finance, and operational issues, and was not yet ready to address planning issues. She said she expects the new Facilities Director will take on the project. T. Boschetto said more information is needed regarding the town building. E. Tohn said she would ask Ameresco to delay the December 1 ESCO date, but she can't change the work without going back to Town Meeting. T. Boschetto said the same questions should be addressed in regard to the school

buildings. M. Antes noted the town building floors were in need of repair; she also said that the Town Planner had been approached by parties interested in using the town building for affordable housing.

A7. Review and Discuss Board of Selectmen Policy: Town Counsel Access and Petitioners' Access to Town Counsel N. Balmer reviewed the current policy for access to Town Counsel. She said the system of the staff requesting access through the Town Administrator had broken down and is now restored. T. Boschetto asked if an immediate need must still be requested in writing; she said yes, but an email is sufficient. The Board provided edits to the current policy; N. Balmer said she will revise the policy as noted and submit it to the Board again for approval. The Board discussed petitioners' access to counsel. J. Nolan said it is a balance between legal advice and practical help for formulating an article. M. Antes noted that in the past, former petitioners would advise current petitioners. The Board agreed to consider the policy further.

A8. Review and Discuss Board of Selectmen Policy: Provision and Consumption of Alcoholic Beverages N. Balmer asked for guidance on revising the Board policy on the provision and consumption of alcoholic beverages. T. Boschetto said there needs to be a more structured policy and guidelines, even in the case of a one day license. He said the servers must be verified to be TIPS certified.

A9. Potential Vote to Set Date of 2015 Annual Town Meeting The Board debated potential dates for the 2015 Annual Town Meeting. T. Boschetto said if the meeting is later in April, there is more time to gather information and refine the processes. He said most neighboring towns have a later date and a higher turnout at the town election; E. Collins agreed. C. Karlson said she prefers an earlier date; she said the Board can hold itself to its deadlines and it is difficult to get good attendance after school vacation; J. Nolan agreed. C. Karlson moved, seconded by M. Antes, to begin the 2015 Annual Town Meeting on April 9, 2015. YEA: M. Antes, C. Karlson, J. Nolan. NAY: T. Boschetto, E. Collins. ABSENT: none. ABSTAIN: none. Adopted 3-2.

A10. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by C. Karlson, to approve the revised 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. In regard to the resident's complaint about the condition of the Nike Site, M. Antes said that the suggestion that the property be mowed and the hay sold was a feasible option, and Mainstone Farm is interested in growing more hay on conservation land. She asked if the Board would take action on the request to endorse a "no" vote on State ballot question one; T. Boschetto said the Board is not a political board.

A12. Report of the Town Administrator N. Balmer noted that there will be a spike in the third and fourth quarter real estate tax bills; M. Antes asked if an explanation will be provided to residents. C. Karlson suggested using the tax bill insert and the news services. N. Balmer said there was a problem with the 2012 W-2's, due to corrupted files at the IRS, and were mistakenly sent out showing no income; the W-2's will be printed again and stamped corrected. She said Town Planner Sarkis Sarkisian acknowledged the email from a resident who wants sidewalks on Route 27, but noted there are insufficient funds. N. Balmer said the town is distributing public information on the temporary traffic mitigation at School Street/East Plain Street/Commonwealth Road through reverse 911 and signboards. She said that NSTAR will be transporting a 450,000 pound transformer through town on November 3, and there will be a logistics meeting tomorrow. N. Balmer said J. Senchysyn is working on a document management system, and there currently is no central

repository for contracts or minutes. She said she is setting up finance teams and land use teams, and she reviewed upcoming agendas.

A13. Selectmen's Reports and Concerns E. Collins said there are a number of residents who are considering a petition for a Special Town Meeting, and suggested that the Board consider putting the matter on the next agenda for a formal vote. J. Nolan reported on the MetroWest Regional Transportation Authority meeting. C. Karlson reported on the September 30 River's Edge Advisory Committee meeting. C. Karlson said she attended the Mainstone Farm discussion with the Sudbury Valley Trustees; she said the family is interested in moving forward with preserving the land, and will talk with the Community Preservation Committee and the Conservation Commission to find options.

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, E. Collins moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:45 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 October 6, 2014, Meeting

1. Revised Consent Calendar
2. Public Comment from Patricia Abramson, 5 Goodman Lane, re: Use of Free Cash

Items Included as Part of Agenda Packet for Discussion During the October 6, 2014 Board of Selectmen's Meeting

1. Memorandum of 10/3/14 from Town Administrator Nan Balmer re: Grant Applications, Tickborne Disease Network Expansion
2. Memorandum of 10/2/14 from Town Planner Sarkis Sarkisian re: License Application to DCR for Use of DCR Easement on MBTA Rail Trail
3. Memorandum of 10/3/14 from Town Administrator Nan Balmer re: Potential Energy and Capital Improvement on Town Building
4. Memorandum of 10/3/14 from Town Administrator Nan Balmer re: Policy on Town Counsel Access
5. Memorandum of 10/3/14 from Town Administrator Nan Balmer re: Alcohol Policy
6. Memorandum of 10/3/14 from Town Administrator Nan Balmer re: 2015 Town Meeting Date
7. Town Administrator's Report of October 6, 2014