



NAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

Board of Selectmen Meeting Minutes November 17, 2014

Attendance: Mary M. Antes, Tony V. Boschetto, Edward J. Collins (arrived 6:36 p.m.), Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer, Executive Assistant MaryAnn DiNapoli

A1. Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), with the Wastewater Management District Commission, to Discuss Strategy with Respect to Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland; and to Discuss Strategy with Respect to Pending Litigation and Collective Bargaining; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to Discuss Strategy with Respect to Contract Negotiations with Nonunion Personnel, and to Review and Consider for Approval and Potential Release the Following Executive Session Minutes Relative to the Said Subjects: August 12, 2013, October 21, 2013, December 9, 2013, January 6, 2014, January 27, 2014, February 24, 2014, March 17, 2014, April 3, 2014; and to Discuss Strategy with Respect to Collective Bargaining with regard to the Teamsters Union At 6:33 p.m., J. Nolan moved, seconded by M. Antes, to enter into executive session with the Wastewater Management District Commission pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland; and to discuss strategy with respect to pending litigation and collective bargaining; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to discuss strategy with respect to contract negotiations with nonunion personnel, and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: August 12, 2013, October 21, 2013, December 9, 2013, January 6, 2014, January 27, 2014, February 24, 2014, March 17, 2014, April 3, 2014; and to discuss strategy with respect to collective bargaining with regard to the Teamsters Union. 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 pending litigation and collective bargaining; and contract negotiations with nonunion personnel, and the review and consideration of approval and potential release the following executive session minutes relative to the said subjects: August 12, 2013, October 21, 2013, December 9, 2013, January 6, 2014, January 27, 2014, February 24, 2014, March 17, 2014, April 3, 2014; and strategy with respect to collective bargaining with regard to the Teamsters Union, will have a detrimental effect on the bargaining or litigating position of the Town. 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 Wastewater Management District Commission members Sam Potter and Rick Greene, Town Administrator Nan Balmer, Town Counsel Mark Lanza, Assistant Town Administrator/Human Resources Director John Senchyshyn (arrived 7:11 p.m.) and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:39 p.m.

A2. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 7:39 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. M. Antes announced that a documentary about Wayland's history, "Five Miles Astride the River," will be

presented at Wayland High School at 7:30 p.m. on Friday, November 21, co-hosted by the Walden Forum.

A3. Public Comment Gail Shapiro, 201 West Plain Street, asked that the Annual Town Meeting not be held during religious holidays. Gil Wolin, 201 West Plain Street, and as a member of the Finance Committee, said he will not be able to perform his duties at the town meeting due to his religious obligations if the meeting is held over a religious holiday. Linda Segal, 9 Aqueduct Road, asked that the Board announce that the Tax Recapitulation hearing has been moved to December 1. In regard to capital improvement projects, she noted it is a work in progress, and she said that in regard to long-range planning, the potential zoning bylaw revisions are subject to change. She encouraged the Board to begin the 2015 Annual Town Meeting after school vacation. Susan Cummings, 6 Eden Road, asked that the speed limit at Damon Farms be changed to 20 MPH. Vijaya Ramesh, 17 Dean Road, said the speed limit should be as slow as possible. George Bernard, 103 East Plain Street, expressed his gratitude for the traffic mitigation at East Plain and School Streets; he also said some of the vehicles are not stopping at the stop sign. Susan Rufo, 22 Old Tavern Road, said she supports the lowering of the speed limit in Damon Farms.

A4. Hearing on Violation of License for Sale of Second-Hand Articles, Michelle's Jewelry Boutique The Board was joined by Michelle Metzler, owner of Michelle's Jewelry Boutique at 310 Boston Post Road, Town Counsel Mark Lanza, Police Chief Robert Irving, and Detective Sergeant Jamie Berger. C. Karlson moved, seconded by E. Collins, to open the hearing at 7:52 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chief Irving advised the Board that M. Metzler had submitted the mandatory reports of sales to the police department after the initial approval of her license, but recently the reports had stopped. On October 29, 2014, Sgt. J. Berger went to her establishment to ask if she had bought any gold or jewelry, and she said yes, although the police had not been notified and no paperwork was available for review. R. Irving said that M. Metzler had violated the terms of her license, and the penalty for failure to comply must come from Board of Selectmen. M. Metzler said she works alone, and it was an oversight. She said she found the terms for reporting unclear. The Board discussed the circumstances under which a sale must be reported. M. Lanza said the Board has the option to suspend her license or impose a probation period. E. Collins noted the bylaw doesn't specify the consequences for failure to comply.

J. Nolan opened the hearing to the public. There was no public comment. R. Irving recommended that the license for Michelle's Jewelry Boutique be suspended. M. Metzler said she would no longer be able to take in jewelry and do custom work. C. Karlson moved, seconded by M. Antes, to close the hearing at 8:25 p.m. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. T. Boschetto thanked M. Metzler for bringing her business to Wayland, and he thanked the police department for doing its job. It was the sense of the Board that clearer guidelines were needed, with a structured schedule of penalties, and that probation was sufficient. E. Collins moved, seconded by T. Boschetto, to implement a probation period for Michelle Metzler, and Michelle's Jewelry Boutique, to extend through April 30, 2015, with the protocol that a weekly report be forwarded to the police department. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Consideration of Speed Zoning Request for Damon Farms presented by Police Chief Robert Irving Police Chief R. Irving appeared before the Board to consider the speed zone request of the Damon Farms neighborhood. He said that based on speed tables, he recommends requesting a 25 MPH speed limit. M. Antes asked if stop signs could be posted; R. Irving said they are not normally used to control speed. Vijaya Ramesh, 17 Dean Road, said Dean Road has a curve and a large SUV at 25 mph takes up the whole road. T. Boschetto moved, seconded by E. Collins, to approve the application to the state for a 25 MPH

speed limit in Damon Farms, and to communicate to the Board of Public Works the Board's support for traffic calming measures. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Report on Interim Traffic Mitigation at Route 30/West Plain Street/School Street Police Chief R. Irving updated the Board on traffic mitigation at Route 30/West Plain Street/School Street. He said there has been no backup in traffic, and the feedback from The Villa and Mel's Commonwealth Café has been positive. He said that due to the coming winter weather, the cones must be removed and line painting should be added. T. Boschetto said he has spoken to residents who think it is more dangerous and confusing, and he agrees; he asked for copies of accident reports where there was personal injury. C. Karlson moved, seconded by M. Antes, to authorize the Chief of Police to work with the Board of Public Works to continue the current traffic configuration at Route 30/West Plain Street/School Street with signage and striping for the winter, with the recognition that the project can be suspended at any time and will continue to be observed and evaluated. YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: E. Collins. Adopted 4-0-1.

A7. Review Preliminary Planning Board Recommendation, Temporary Municipal Space Planning Committee Colleen Sheehan, Chair, Planning Board, and also representing the working group, Temporary Municipal Space Planning Committee, appeared before the Board to make a presentation on long range planning. The Board discussed the process for the creation of the committee; C. Sheehan said a structure was needed. She said the presentation will also be made to the Planning Board on Thursday night. T. Boschetto suggested that an Interim Committee be more inclusive. J. Nolan said he had anticipated a summary of near-term priorities with which to create a scope and a committee. The Board discussed the use of staff rather than a committee, a process for coordinating plans, and the ability to create a consensus in time for the 2015 Annual Town Meeting. C. Karlson said she was expecting to consider a planning exercise for a town-wide discussion; she said the current presentation was too broad. Linda Segal, 9 Aqueduct Road, said it is an evolving process. T. Boschetto emphasized the need for a long-term strategy to provide context for short term decisions. C. Karlson suggested that CIP (Capital Improvement Projects) could be requested beyond ten years. M. Antes said the process will involve staff and residents as well. E. Collins expressed concern about the lack of structure. J. Nolan requested that a draft charge be created and more information be provided.

A9. Review and Potential Vote to Appoint Special Counsel for the River's Edge Project E. Collins recused himself from this agenda item and left the room at 10:25 p.m. C. Karlson moved, seconded by T. Boschetto, to appoint Anderson & Krieger LLP as the Special Counsel for the River's Edge Project. YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: E. Collins. Adopted 4-0-1. T. Boschetto thanked the committee for its work. N. Balmer said the Town Counsel will review the contract. E. Collins returned to the meeting at 10:31 p.m.

A8. Presentation of Highlights of FY16 Departmental Budgets Under Jurisdiction of Selectmen Brian Keveny, Finance Director, presented a draft overview of the proposed FY16 departmental budgets. He said he is working with departments to reach his goal of a maximum 2% turnback. N. Balmer said she needs more information regarding personnel requests, and has asked J. Senchyshyn to discuss the issue at a future meeting. B. Keveny reviewed appropriations, projected revenues, retirement costs, long-term liabilities, general insurance, health insurance, medicare tax, unemployment tax, and the reserve for salary adjustment.

A10. Discuss Funding for Affordable Housing Trust The Board discussed the allocation of funds to the

Municipal Affordable Housing Trust Fund. T. Boschetto said the goal is to apportion a share of the community preservation funds. M. Antes noted that ten percent is set aside every year; she also said that Brian O'Herlihy, a member of the Municipal Affordable Housing Trust Fund Board, is investigating the funds set aside from the Mainstone project. It was noted that the allocation of funds from the Community Preservation account will be an Annual Town Meeting warrant article, and the Board expressed its support.

A11. Reconsideration of Date for 2015 Annual Town Meeting The Board discussed the date of the 2015 Annual Town Meeting. C. Karlson moved, seconded by M. Antes, to hold the Annual Town Election on Tuesday, March 31, 2015, and to begin the Annual Town Meeting on Monday, April 6, 2015, and continue on Tuesday, April 7, and Wednesday, April 8. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes said the Candidates' Night is tentatively scheduled for March 19, 2015.

A12. Review and Approve Consent Calendar (See Separate Sheet) T. Boschetto moved, seconded by E. Collins, 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.

A13. Review Correspondence (See Separate Index Sheet) The Board agreed to review the week's correspondence at the next meeting.

A10. Report of the Town Administrator N. Balmer reviewed the Planning Board's response to constructive approval at 150 Main Street, the placement of holiday lights, and the repair of the Claypit Hill School windows. She said the Facilities Director recommends that the town does not move forward with repairs to the town building under the Amereso project. She discussed the projects submitted for the environmental bond bill, the WaylandCares grant, and the request of the OPEB Advisory Committee for Special Counsel to review trust documents.

A15. Selectmen's Reports and Concerns E. Collins said the construction equipment at Old Connecticut Path and East Plain Street is backing up traffic and causing accidents. N. Balmer said the Chief of Police has been notified.

A16. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any J. Nolan said, "I know of none."

A17. 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 11:48 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 Meeting of November 17, 2014

1. Email of 11/17/14 from Anne-Marie Aigner to Board of Selectmen re: Heather and Gary Wood
2. Public Comment received from November 15-17, 2014, re: Speed Limit in Damon Farms
3. Letter of 11/17/14 from Gail Shapiro to Board of Selectmen re: Request to Change the Date of 2015 Annual Town Meeting
4. Email of 10/9/12 from Michelle Meltzer, Michelle's Jewelry Boutique, to Detective Sergeant Jamie Berger, re: Understanding of Junk Dealers and Collectors Rules and Regulations
5. Draft overview of the Proposed FY16 Departmental Budgets presented by Brian Keveny, Finance Director

Items Included as Part of Agenda Packet for Discussion During the November 17, 2014 Board of Selectmen's Meeting

1. Memorandum of 10/31/14 from Robert Irving, Chief of Police, to Nan Balmer, Town Administrator, re: Michelle's Jewelry Boutique
2. Memorandum of 10/31/14 from Robert Irving, Chief of Police, to Nan Balmer, Town Administrator, re: Damon Farms Speed Zoning Study
3. Memorandum of 11/3/14 from Kevin R. Dandrade, TEC, to Stephen Kadlik, DPW Director, re: Route 30/East Plain Street/School Street
4. Memorandum of 11/17/14 from Nan Balmer, Town Administrator to Board of Selectmen re: FY16 Budget Process
5. Draft Presentation, Long-Range Planning Working Group Recommendation for a Process of Reviewing Town-Owned Land
6. Memorandum of 11/3/14 from Nan Balmer, Town Administrator to Board of Selectmen re: River's Edge Advisory Committee Special Counsel
7. 2015 Calendar and Email of 10/20/14 from Rev. Dr. Frederick Moser to Board of Selectmen re: Town Meeting Date
8. Town Administrator's Report, November 14, 2014