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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 January 5, 2015

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. Open Meeting and 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 pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Exchange, Lease or Value of Real Estate 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. 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 will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: E. Collins. ABSTAIN: none. Adopted 4-0. Chair J. Nolan invites attendance by Town Planner Sarkis Sarkisian, Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, Town Administrator Nan Balmer, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:05 p.m.

A2. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 7:06 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 Jonathan Buchman, 240-244 Boston Post Road, representing the Wayland wastewater users, said the users had been hoping for a decision on legal matters at this point; he said the users would like a direction so they can move on. Woody Baston, 11 Cochituate Road, said the Wayland Depot lost electrical wires during the recent storms and needs repair. J. Nolan said the Town Administrator will look into it. He also suggested that the Board of Directors for the Wayland Depot consider requesting funding for repairs through the Community Preservation Committee. Alan Reiss, 463 Old Connecticut Path, said the intersection project at Route 30 and West Plain Street went very well, and he said the directional lights will be complete by the end of the month.

A4. Petitioners' Workshop with Town Counsel J. Nolan opened the Petitioners' Workshop at 7:27 p.m. Town Counsel Mark Lanza said the purpose of the workshop is to help potential petitioners understand the process. He said as Town Counsel, he can assist with the drafting of articles and motions for procedural and technical issues only; he cannot advise as to the merits of the article or provide substantive legal advice. Duane Galbi, 190 Stonebridge Road, said he is looking for a way to limit the noise of the gun club, and he

asked the Board to use the current bylaws to address the issue. M. Lanza said the gun club is exempt from the noise bylaw. T. Boschetto asked if the residents have tried to work with the gun club; D. Galbi said they had. He requested advice on drafting an article that would provide town funding for a study of the applicability of the noise bylaw. The Board requested that the Town Administrator work with Town Counsel to investigate the issue further. D. Galbi said that he is also looking into other ways to change the speed limit on Stonebridge Road. M. Lanza said the town followed the procedure for changing the speed limit and the state denied the request; there is nothing further to be done. D. Galbi said he is also considering an article to allow petitioners' questions on a town ballot, and a procedure for the impeachment of public officials. M. Lanza said a change to the ballot must be done by bylaw or special act, and recall procedures must be set by statute. Anthony Spencer, 7 Castle Road, said he is trying to draft an article for a bylaw to prevent commercial vehicles from parking on the street for a long period of time. M. Lanza said the Board of Selectmen has the authority to pass a traffic regulation now. C. Karlson advised A. Spencer to consult with the Town Administrator to bring a proposal to the Board. Alan Reiss, 463 Old Connecticut Path, said he is a petitioner on an article that is a resolution to establish electronic voting for three more years. The Board discussed whether to extend the term of the resolution. A. Reiss said it's appropriate to be more flexible, and the current contract is for three years. C. Karlson said the article is in the form of a resolution because petitioners cannot bind the town to future expenses. Linda Segal, 9 Aqueduct Road, expressed concern about a proposed placeholder article regarding the process for changing the way petitioners are allowed to modify their articles after they are submitted. C. Karlson said the intention was to limit changes so articles can be evaluated with enough time before Annual Town Meeting. L. Segal also requested that the Annual Town Meeting schedule be posted in a timely manner.

A5. Review and Potential Vote to Submit Articles for April 2015 Annual Town Meeting N. Balmer reviewed the standard articles and potential additional articles for the 2015 Annual Town Meeting. M. Antes moved, seconded by E. Collins, to accept for inclusion in the 2015 Annual Town Meeting the standard articles: Recognize Citizens and Employees for Particular Service to the Town, Choose Town Officers, Accept Gifts of Land, Sell or Trade Vehicles and Equipment, Pay Previous Fiscal Year Unpaid Bills, Current Year Transfer, Hear Reports, Compensation for Town Clerk, and Rescind Authorized but Unissued Debt. 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 T. Boschetto, to accept for inclusion in the 2015 Annual Town Meeting the article, Transfer Dudley Woods Parcels for Passive Recreation. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. E. Collins moved, seconded by M. Antes, to accept for inclusion in the 2015 Annual Town Meeting the article, Acquire Open Space Parcel in Sage Hill Subdivision. 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 accept for inclusion in the 2015 Annual Town Meeting the article, Accept the Local Option Provision of the Valor Act. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board questioned the need for the article regarding the taking of land at Route 27/Route 30. M. Lanza said a taking was voted at the 2010 Annual Town Meeting, but it was a smaller project, with a more narrow scope. M. Antes moved, seconded by C. Karlson, to accept for inclusion in the 2015 Annual Town Meeting the article, Land and Easement Acquisitions for Route 30 and 27 Intersection Improvements. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board discussed changing the petitioners' bylaw to a policy on a trial basis, and asked N. Balmer to prepare a recommendation by next week.

A6. Discussion of Minuteman Regional School Amendments T. Boschetto, as liaison to the school district, led the discussion regarding the Minuteman Regional School amendments. He said that last year the

town did not adopt the amendments, and had a nonbinding resolution to withdraw. Since then, there have been no changes, and none of the town's concerns were addressed. He said that he was joined by Jeanne Downs of the School Committee and Superintendent of Schools Paul Stein to investigate other regional schools. Mary Ellen Castagno, Wayland representative to the Minuteman School, said two other towns voted to withdraw. The Board discussed the costs and the educational standards of other schools. J. Nolan said he would like the recommendation of the School Committee, and noted that there are students who are invested in the current system. T. Boschetto asked for a financial analysis. J. Nolan also suggested contacting State Representative Alice Peisch. The Board agreed to continue to review the issue.

A7. Request to Board of Selectmen to Sponsor Community Preservation Project for Rail Trail Larry Kiernan, Wayland Representative to the Central Mass Rail Trail, updated the Board on the rail trail project and asked for the Board's support. He reviewed funding sources and plans. He said he expects to receive approximately \$440,000 in CPA (Community Preservation Act) funds, \$250,000 from town center gift funds, and miscellaneous funding from other sources. He said the project could be done in 2015, and the DPW staff will maintain the trail once it is built. J. Nolan asked if there was money to be made from salvage, and by partnering with utilities; L. Kiernan said yes. He also noted that any funds not utilized for the trail will be used for a railroad interpretive site. It was the consensus of the Board to support the project.

A8. Discussion of Moderator's Forum on Town Meeting Warrant with Town Moderator Dennis Berry Town Moderator Dennis Berry appeared before the Board to discuss the proposed Moderator's Forum. He said it will provide another opportunity for residents to prepare for town meeting and allow discussion on articles, with the exception of the budget articles. He said he hopes to find compromise before town meeting. He said it will be less formal than town meeting, and participation is voluntary. E. Collins asked if he could make rulings on questions; D. Berry said no, rulings can only be made at town meeting. He said he anticipated that the Moderator's Forum be held March 25.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by T. Boschetto, to approve consent calendar items 1 through 7. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by T. Boschetto, to approve consent calendar item 8. YEA: M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: E. Collins Adopted 4-0-1.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes noted that many of the minutes did not meet all the requirements of the open meeting law. She advised the Board that the town is now a complimentary member of the MetroWest Visitors Bureau. J. Nolan called attention to the letter from the MetroWest Regional Transit Authority regarding its collaboration with the MBTA.

A11. Report of the Town Administrator N. Balmer updated the Board on Glezen Lane and the lifting of the assignment of the River's Edge site as a landfill. She said funding for Wayland Cares may not be supplanted by federal funds, so there will be a request for local support. She suggested revising the charge for the Permanent Municipal Building Committee, and the Board requested more information at a future meeting. N. Balmer reviewed cash reconciliation, the DPW project, the environmental bond bill, school/town maintenance responsibilities, WayCAM and the completion of the FY2014 Annual Town Reports. The Board congratulated Fire Chief Vincent Smith on his retirement and thanked him for his service.

A12. Selectmen's Reports and Concerns M. Antes noted the town's responsibility to repair the clock at the Community United Methodist Church on Main Street, and the Board asked her to follow up on the funding. C. Karlson reported on a grant to the Energy Initiatives Advisory Committee from the Massachusetts Department of Energy to supplement the town generator with solar power.

A13. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any J. Nolan said, "I know of none."

A14. 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 10:37 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 January 5, 2015

1. Articles for 2015 Annual Town Meeting: Accept the Local Option Provision of the Valor Act, and Change Deadline for Submission of Warrant Articles by Petitioners
2. Draft Timeline for 2015 Annual Town Meeting Schedule

Items Included as Part of Agenda Packet for Discussion During the January 5, 2015, Board of Selectmen's Meeting

1. Warrant Article Process: Guide for Petitioners
2. Standard Articles for Annual Town Meeting
3. Point by Point Comparison, Minuteman Regional Vocational School, Current Agreement versus Proposed Agreement
4. Wayland Rail Trail Project Application for Community Preservation Committee
5. Memorandum of 1/5/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Moderator's Forum on Annual Town Meeting Warrant