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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 February 10, 2015

Attendance: Mary M. Antes, Tony V. Boschetto, Edward J. Collins, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer

A1. Convene in Open Session and then Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Pending Action regarding the Glezen Lane Judgment; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a (2) to Discuss Strategy with Respect to Contract Negotiations with Nonunion Personnel, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6) to Consider the Lease or Value of Real Property, and to Review and Consider for Approval and Potential Release the Following Executive Session Minutes Relative to the Said Subjects: May 27, 2014, June 30, 2014, July 15, 2014, August 11, 2014, August 18, 2014, September 8, 2014, October 6, 2014 At 6:20 p.m., J. Nolan moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws (MGL) Chapter 30A, Section 21a(3), to discuss pending action regarding the Glezen Lane judgment; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(2) to discuss strategy with respect to contract negotiations with nonunion personnel, and pursuant to MGL Chapter 30A, Section 21a(6) to consider the lease or value of real property, and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: May 27, 2014, June 30, 2014, July 15, 2014, August 11, 2014, August 18, 2014, September 8, 2014, October 6, 2014. The Chair declares that a public discussion of strategy with respect to pending litigation regarding the pending action regarding the Glezen Lane judgment; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(2) to discuss strategy with respect to contract negotiations with nonunion personnel, and pursuant to MGL Chapter 30A, Section 21a(6) to consider the lease or value of real property, and to review and consider for approval and potential release the following executive session minutes relative to the said subjects: May 27, 2014, June 30, 2014, July 15, 2014, August 11, 2014, August 18, 2014, September 8, 2014, October 6, 2014, will have a detrimental effect on the bargaining, litigating or negotiating 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 Wastewater Management District Commission members Fred Knight, Sam Potter and Rick Greene, Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:24 p.m.

A2. Call to Order by Chair Chair J. Nolan called the open meeting of the Board of Selectmen to order at 7:24 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. The Board thanked the Board of Public Works for its work during the snowstorms, and also the state for its assistance. J. Nolan read a press release in regard to the settlement of the legal dispute with Twenty Wayland LLC, noting that the settlement will be funded solely through the use of gift funds to the town.

A3. Public Comment Brud Wright, 16 Jeffrey Road, and member of the Recreation Commission, updated the Board on a conversation he had with the Finance Director regarding the revolving fund. He suggested

raising the cap in the short term, and then working to create a proper revolving fund for the 2016 Annual Town Meeting. T. Boschetto questioned why the Recreation Commission was not an enterprise fund; B. Wright said many programs do not charge a fee. C. Karlson said the commission should ask the town for an appropriation to meet its budget. The Board advised that he continue to work with the Finance Committee. Ken Isaacson, 228 Lakeshore Drive, distributed a petition signed by residents who feel that the 4.5% increase in the FY16 school budget is excessive.

A4. Meet with WayCAM to Review Changes to Selectmen's Meeting Room The Board was joined by Ben Keefe, Facilities Director, who provided a description of the proposed changes to the broadcasting system in the Selectmen's Meeting Room.

A11. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by C. Karlson, 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.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board discussed Minuteman Regional School preliminary assessments and how the process would proceed if town meeting voted to withdraw from the Minuteman School District.

A5. Discussion on OPEB Warrant Article for Annual Town Meeting The Board was joined by members of the OPEB Advisory Committee Cliff Lewis, David Gutschenritter, Maryanne Peabody, Kent George, and Jay Sherry, to the discuss the warrant article for the Annual Town Meeting. C. Lewis provided a revised draft copy of the warrant article, and reviewed parity contributions, annual contributions from each account, and the remaining funds needed to be fully funded. C. Karlson noted that the timing issues with the revolving funds were resolved by the Finance Director. C. Lewis said the actuarial numbers were not yet final. T. Boschetto asked if any modifications were made to the assumptions. J. Sherry said they revised the health care inflation figures. T. Boschetto asked if they had created an investment fund policy; C. Lewis said no, but the committee would like to discuss it before the OPEB Committee sunsets. C. Karlson discussed the source of funding from the Recreation Commission, and C. Lewis said it was important to standardize the use the language across all departments in order to make accurate evaluations. J. Nolan noted that some school categories seemed to no longer exist. C. Lewis said stipends are not benefit eligible, and it took time to sort them out. C. Lewis said the committee will have its article in final form by February 23.

A6. Discussion and Potential Vote to Approve the China Rose LLC Application for an Entertainment License The Board was joined by Police Chief Robert Irving and Jeff Mei, owner of the China Rose LLC, to discuss the application of China Rose for an entertainment license to provide karaoke on Friday and Saturday nights. R. Irving distributed a map of abutters, and noted that the location was heavily residential. He suggested that the Board notify the abutters before making a decision in order to avoid any noise issues in the future. J. Nolan said the license can be revoked if there are complaints. J. Mei said he had spoken to his neighbors and they had no concerns. He said no minors will be allowed. T. Boschetto moved, seconded by E. Collins, to approve the entertainment license for China Rose LLC on Friday and Saturday nights. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. Discussion and Potential Vote on Position on Amendments to Stormwater Bylaw; and Discussion and Potential Vote to Approve Application for MWRA 8(m) Permit for Public Access to Aqueduct Trails Brian Monahan, Conservation Administrator, appeared before the Board to discuss the amendments to the stormwater bylaw. He said changes were made to the definition of run-off and the

formula for impervious surfaces, and some terms were clarified. He said there will be a public hearing on the article on February 19. The Board asked how residents would be informed of the changes. B. Monahan said a one-page summary is provided to everyone applying for a building permit, and the Board of Health includes the information on its septic permitting. He also said the information will be sent to all the landscapers working in town. B. Monahan said the Conservation Commission is working on an illicit discharge bylaw for future consideration. M. Antes moved, seconded by E. Collins, that the Board support the article for Annual Town Meeting, "Amend Chapter 193 – Stormwater and Land Disturbance Bylaw." YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

B. Monahan reviewed the application for an MWRA 8(m) permit for public access to aqueduct trails. He said that while the aqueduct is being used now, this permit will confirm public access. He said no maintenance is required by the town, parking is not addressed, and dogs will be allowed on leash only. T. Boschetto moved, seconded by M. Antes, to authorize the submission of the application for an MWRA 8(m) permit for public access to aqueduct trails by the Town Administrator. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A8. Discussion and Potential Vote on Draft ESCO Resolution Anne Harris, Energy Initiatives Advisory Committee, appeared before the Board to ask for support of the ESCO resolution at the Annual Town Meeting. She said the language of the article from the 2014 Town Meeting did not specify funding by project, and it was agreed that if any of the plans were changed, the committee would return to Town Meeting for approval. T. Boschetto said he expected an article that carried authority, and he would not support a non-binding resolution. He requested that the amount of funding transferred from the town building to the schools be specified. C. Karlson said that, upon advice of Town Counsel, there was no need for an article. She agreed that the language could be broadened to include a more detailed accounting of the funds. J. Nolan asked that the changes be made and the resolution be considered again at a future meeting.

A9. Vote Order of Annual Town Meeting Warrant Articles N. Balmer presented a draft order of Annual Town Meeting articles for Board review. C. Karlson noted that the transfer of the Dudley Woods parcels must be placed before the design and construction of trails and signage at Dudley Woods, and that the acquisition of 246 Stonebridge Road be voted before the funding of the stabilization of the two arches of Stone's Bridge. M. Antes reported on a conversation with a petitioner to potentially withdraw the articles regarding water usage and speed limits. M. Antes moved, seconded by T. Boschetto, to accept the order of the Annual Town Meeting warrant articles as presented. YEA: M. Antes, T. Boschetto, E. Collins, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. Discuss and Vote Response to Open Meeting Law Violation N. Balmer reviewed the Open Meeting Law complaint of January 29, 2015, in regard to the availability of Board of Selectmen minutes. She presented a draft response to the Board for its approval. The Board approved the response, and discussed the workload of the staff and the establishment of a plan to have the minutes completed in a reasonable timeframe in the future.

A12. Review Correspondence (See Separate Index Sheet) The Board continued its discussion of the week's correspondence. It was the sense of the Board to invite Antonia Hieronymus to a future meeting to discuss the Loose Change campaign.

A13. Report of the Town Administrator N. Balmer asked the Board for direction in how to proceed with Board approval of the Annual Town Meeting articles. She reviewed upcoming meeting schedules, and updated the Board on the River's Edge project. She discussed the relocation of the administrative staff of the

Board of Public Works to the new facility. She said a consultant has been brought in to address the recent attempted fraud, and the town will look at security, cash management processes, and management of the OPEB funds. She said she is also considering an updated IT plan. She distributed a report from the DPW Director regarding the expenses for the removal of snow and ice, and an update on the Fire Chief recruitment.

A14. Selectmen's Reports and Concerns M. Antes asked that the Board recognize the fiftieth season of the Little Theatre concerts; the Board agreed and authorized M. Antes to write a letter of recognition to the Town Crier. She also noted the 2015 Lunar New Year Celebration sponsored by the Wayland Parents Teachers Organization on March 1. C. Karlson discussed advancing plans for municipal buildings.

A15. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any J. Nolan said, "I know of none."

A16. 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 10:50 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 February 10, 2015

1. Petition Regarding the FY16 School Budget, February 2015
2. Revised OPEB Funding Article for 2015 Annual Town Meeting
3. Year to Date Cost of Snow and Ice Removal, November 2014 to February 9, 2015
4. Memorandum of 1/28/15 from John Senchyshyn, Assistant Town Administrator/HR Director, to Board of Selectmen re: Fire Chief Recruitment
5. Map of Abutters to China Rose, East Plain Street, distributed by Police Chief Robert Irving

Items Included as Part of Agenda Packet for Discussion During the February 10, 2015 Board of Selectmen's Meeting

1. Article for 2015 Annual Town Meeting, "OPEB Funding"
2. Memorandum of 2/9/15 from Nan Balmer, Town Administrator, to Board of Selectmen re: Application for Entertainment License: China Rose, and Backup Material
3. Draft Resolution for 2015 Annual Town Meeting, "Resolution Regarding ESCO Project Changes"
4. Draft Order of Annual Town Meeting Articles
5. Letter of 1/29/15 from George Harris to Board of Selectmen re: Open Meeting Law Complaint and Draft Response
6. Report of the Town Administrator for the Week Ending February 6, 2015