



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
LEA T. ANDERSON  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes June 24, 2015

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan (arrived 6:10 p.m.)

**Absent:** Tony V. Boschetto

**Also Present:** Town Administrator Nan Balmer

**A1. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Strategy with Respect to a Pending Action regarding the Glezen Lane Judgment, and to Discuss Potential Litigation regarding Affordable Housing Restrictions; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to Discuss the Septage Meeting with Sudbury (re: Value of Real Estate/Disposition); and Pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to Discuss Collective Bargaining Strategy with the Police Union**

At 6:02 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss strategy with respect to a pending action regarding the Glezen Lane judgment, and to discuss potential litigation regarding affordable housing restrictions; and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(6), to discuss the septage meeting with Sudbury (re: value of real estate/disposition); and pursuant to Massachusetts General Laws Chapter 30A, Section 21a(3), to discuss collective bargaining strategy with the Police Union. The Chair declares that a public discussion of pending and potential litigation and collective bargaining will have a detrimental effect on the bargaining or litigating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: T. Boschetto, J. Nolan. ABSTAIN: none. Adopted 3-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Police Chief Robert Irving, and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:07 p.m.

**A2. Call to Order by Chair** Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:07 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. She reviewed the agenda for the public.

**A3. Public Comment** There was no public comment.

**A4. Vote to Appoint John Senchyshyn, Assistant Town Administrator/Human Resources Director, as Town Representative to School Committee Negotiations with Custodians** L. Anderson moved, seconded by M. Antes, to appoint John Senchyshyn, Assistant Town Administrator/ Human Resources Director, to serve as the Board's designee to the Wayland School Committee for the purposes of collective bargaining with Public Employees' Local 1116, Custodians and Maintenance Union; such designation is pursuant to and with the powers and authorities provided by Massachusetts General Laws Chapter 150E, Section 1. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A5. Discussion of Wayland's Flexible Spending Plan and Potential Vote to Amend the Policy to Provide for an Increase in the Federal Limit** J. Senchyshyn presented the Board with the town's Flexible Spending Plan Policy and noted that the language has been revised to reflect the federal allowable limit. M. Antes moved, seconded by J. Nolan, to update Wayland's Flexible Spending Plan to recognize the insertion of the language "federal limit" and "federal allowable limit" in place of specific dollar amounts. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A6. Review and Potential Vote to Increase Compensation for Election Workers** M. Antes stated for the record that she is an election worker, and recused herself from the discussion. Town Clerk Beth Klein reviewed her proposal to increase the hourly wages of election workers, and provided a survey of election official salaries from comparable towns. J. Nolan said he would be amenable to increasing the hourly rate by an additional \$0.50 per hour above the Town Clerk's proposal, but B. Klein noted a time constraint, as she must submit the rates to the state for reimbursement within the week. The Board suggested that the issue be revisited at a later meeting in order to consider additional increases. J. Nolan moved, seconded by L. Anderson, to set the non-employee compensation for election workers as follows: \$9.00/hour for inspectors, night tellers, ballot box workers and all training sessions; \$9.50/hour for clerks; and \$10.00/hour for wardens. YEA: L. Anderson, C. Karlson, J. Nolan. NAY: none. ABSENT: M. Antes, T. Boschetto. ABSTAIN: none. Adopted 3-0.

M. Antes returned to the meeting.

**A7. Introduction of New Treasurer/Collector and Report on Treasurer's Office** Zoe Pierce, Treasurer/Collector, appeared before the Board to introduce herself. She reviewed her background and her priorities for improvements in the Treasurer's office; she commended the current staff. She said there is a need to identify sources of daily income, review tax title property, address security issues, and consider a consolidation of the number of banks being used. C. Karlson suggested that Z. Pierce draft a revised tax title policy for Board review. M. Antes asked for an assessment and a recommendation regarding the town's use of numerous banks. L. Anderson asked about tax relief programs; Z. Pierce said that is the purview of the Board of Assessors.

**A19. Report of the Town Administrator** J. Senchyshyn provided an update on the appointment of Special Counsel James Toomey of Murphy, Hesse, Toomey & Lehane LLP, regarding the School Revolving Accounts. He said J. Toomey is in the process of reviewing the accounts, and believes that the accounts fall under different statutes; some may require a vote of Town Meeting. He expects the work will be complete within three weeks and will then provide a recommendation. J. Senchyshyn said the packets will be electronic only beginning in July; C. Karlson asked for guidance in providing electronic edits to the draft minutes.

**A8. Meet with Wayland Business Association regarding Planned Events on Town Green Beginning July 15, 2015; Potential Vote to Approve One Day Liquor License and Entertainment License** David Larsen of Joint Ventures Physical Therapy appeared before the Board to describe the activities being sponsored by the Wayland Business Association to bring the community together at Town Center. C. Karlson said it had been determined that no licensing was necessary from the Board. D. Larsen said the events will begin on Wednesday evening, July 15, and asked the Board for promotional support.

**A9. Committee Vacancy Interviews and Potential Votes to Appoint** Carol Martin, Anette Lewis, Gordon Cliff, and George Uveges appeared before the Board to interview for appointment to the Finance

Committee. Applicants reviewed their backgrounds and interest in serving. L. Anderson asked how the applicants would balance the cost of government with the residents' ability to pay. G. Uveges said there are trade-offs. A. Lewis said that while the operating budget is flat, the Finance Committee should pay more attention to capital budgeting and the unclassified line of the budget. C. Martin discussed the capital closeout project, through which \$859,000 was re-allocated. G. Cliff emphasized the decision process and efficiency measures. G. Uveges said he would consider speeding up the cash flow and improving investments; he said he would also study whether current operations could be made smarter and more efficient. J. Nolan asked applicants if they would commit to three years. All said yes; C. Martin noted it takes time to become a valuable contributor, and G. Cliff said he would resign from the Audit Committee if appointed. J. Nolan asked how the applicants would address serving those who come to meetings, as well as the larger group of residents who do not attend. G. Cliff said he would listen to people who take the time to come to a meeting, but also emphasized the need to reach out to everyone. A. Lewis said the Finance Committee has a fiduciary responsibility to every town resident, and by listening to all residents, you can piece together the sense of the community. G. Uveges said he would listen and be available. M. Antes asked how each candidate would affect the committee. A. Lewis said she believed members should assist the chair, and that while she focuses on facts, she would also like to see more discussion on the warrant articles. C. Martin said each member has a skill set; she said she has a good memory and a historic knowledge of the Finance Committee. She also participated in the School Finance subcommittee. G. Cliff said he is good with numbers and analysis and is willing to challenge beliefs. G. Uveges discussed his experience. C. Karlson asked about the ability to work constructively with others and the ability to compromise. G. Uveges talked about his corporate experience, making people a part of the process and understanding other points of view. A. Lewis said one should start with facts, and provided examples of compromise in her work with the town and her legal career. C. Martin said it is important to come to meetings prepared with facts, and that members must be flexible and able to communicate in their liaison roles. G. Cliff said he wanted to be sure that both those who wanted to spend less and those who want to spend more are heard. The Board thanked the volunteers for their willingness to serve.

The interviews for the Conservation Commission were re-scheduled for July 13. Lou Marcoccio did not appear to interview for appointment to the Council on Aging/Community Center Advisory Committee.

J. Nolan moved, seconded by L. Anderson, to reappoint Carol Martin to the Finance Committee for a three-year term to expire on June 30, 2018, and to appoint Gordon Cliff to the Finance Committee for a three-year term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A10. Vote to Transfer Two Dudley Woods Parcels to the Recreation Commission** Town Counsel Mark Lanza said the town has reached the threshold of \$600,000 in the Affordable Housing Trust set by the Town Meeting vote to transfer the remaining parcels in Dudley Woods to the Recreation Commission. The Board discussed the potential subsurface community wastewater disposal system. Frank Krasin, member of the Recreation Commission, said the Commission has not made any decisions regarding a septic system, but will consider the needs of the residents. The Board advised it is outside the purview of the Recreation Commission to decide whether a septic system is needed or not. J. Nolan moved, seconded by L. Anderson, to transfer the care, custody, management and control of the parcels of land being part of the area known as "Dudley Woods" and shown as parcels 47B-055A, 47B-055E, 47B-055D, 47B-055C, 47B-055B and 47B-056G on the plan entitled "Plan of Land in Wayland, Massachusetts Prepared for Doran-Dudley Pond Comprehensive Feasibility Study" dated September 30, 2010 to the Recreation Commission for passive recreation purposes, and for the purpose of the construction, installation, operation, repair and replacement

of a subsurface community wastewater disposal system under said parcels of land, as long as said system does not interfere with such recreational use of the land. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A11. Vote to Petition State Legislature for Additional Liquor License for Town Center** An e-mail from Selectman T. Boschetto was distributed, questioning the Board's authority to change the language that Town Meeting used to adopt the article. M. Lanza advised that the Board does not need to use the verbatim action of Town Meeting in requesting special legislation, and noted that he used the language, "substantially in the following form." J. Nolan expressed reservations about the need for an additional liquor license, and its impact on the current liquor license holders. M. Lanza said the Board has discretion in awarding the license after the legislature approves the special legislation. He said it was not uncommon that the Board receives competing license applications. L. Anderson said she did not believe the new liquor license will hurt the current license holders, as business continues to expand in Wayland. G. Cliff said the Board was authorized by Town Meeting to take this action but was not compelled to do so. Tony Speranzella, owner of Eastbrook Inc., dba Sperry's Fine Wine Brew and Cigars, 87 Andrew Avenue, said there are numerous communities that have done this. L. Anderson moved, seconded by M. Antes, to petition the General Court of the Commonwealth, pursuant to the provisions of Clause (1) of Section 8 of Article 2 of the Amendments to the Constitution of the Commonwealth Massachusetts, and all other applicable laws, to enact a Special Act authorizing the Board of Selectmen to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to Massachusetts General Laws Chapter 138 Section 15 to be exercised by a licensee at a premises located in the Wayland Town Center Mixed Use Development Site, which is shown on Assessors Map 23 as Parcels 52, 52C, 52E through 52S, and 165 through 206, substantially the same as the Special Act printed on Page 90 of the Warrant for the 2015 Annual Town Meeting, as revised at said Town Meeting. YEA: L. Anderson, M. Antes, C. Karlson. NAY: J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 3-1.

**A12. Discussion with Town Counsel regarding License for the Use of Town Green and Obligation under the Master Special Permit** The Board sought direction from Town Counsel regarding the use of Town Green. M. Lanza said the Town has no obligation to seek a license or a lease for the Town Green. He said the Town Green is open to the public for passive use. The landowner must establish a maintenance plan in consultation with the Board of Public Works, which may necessitate a lease or license. M. Lanza reviewed the advantages and disadvantages of a license. C. Karlson described a conversation with Frank Dougherty, Twenty Wayland LLC, in which F. Dougherty confirmed their intention to maintain and operate the parcel. She asked the Town Administrator to follow up with the Planning Board about the need to move forward with a license or a lease.

**A13. Vote to Adopt a Confirmatory Eminent Domain Taking for 246 Stonebridge Road** M. Lanza advised the Board that the closing on the Purchase and Sale of 24 Stonebridge Road took place on June 22, 2015. He said the action of the Board tonight will extinguish any encumbrances on the order of taking. M. Antes moved, seconded by J. Nolan, that the Board of Selectmen adopt and execute the Order of Taking of 246 Stonebridge Road, Wayland, Massachusetts, dated June 24, 2015, as prepared by Town Counsel, as corrected. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A14. Review and Vote Funding for Environmental Phase I Proposal for Municipal Pad and Adjoining Parcels as Recommended by the Council on Aging/Community Center Advisory Committee** The Board was joined by Council on Aging/Community Center Advisory Committee members

Bill Sterling, Jean Milburn, and Frank Krasin. N. Balmer reviewed the tasks preliminary to the acquisition of the municipal parcel, noting the first one is a site assessment. The Board encouraged committee members to continue to work with N. Balmer to prepare and solicit procurements, and then come to the Board with contracts and financial requests for approval. M. Antes moved, seconded by L. Anderson, to approve the expenditure of up to \$3,200 for the proposed CMG Environmental Site Assessment as amended by the Council on Aging/Community Center Advisory Committee at its June 18, 2015, meeting. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A15. Vote Charge of WRAP (Wayland Real Assets Planning Committee) and Confirm Appointments of Committee Designees** The Board reviewed the charge of the WRAP and considered the concern of the Conservation Administrator that stakeholders were not included in the charge. M. Antes offered to confirm with him that the restrictions on conservation land will be protected. N. Balmer noted that the WRAP Committee will be consulting with the appropriate departments. Linda Segal, 9 Aqueduct Road, asked that the vacancies be posted. J. Nolan moved, seconded by L. Anderson, to approve the Wayland Real Asset Planning (WRAP) Committee Charge, and to convey the charge to the appropriate committees, and to advertise the vacancies for a public process of appointment. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A16. Discuss and Review Final Draft of River's Edge RFP and Vote to Authorize Chair to Sign Application to Department of Environmental Protection for Presumptive Approval to Change Site Assignment at River's Edge Property** M. Antes moved, seconded by J. Nolan, to authorize the Chair of the Board of Selectmen to sign on behalf of the town, subject to review and approval by Special Counsel, for the River's Edge project, the Town's application to the Massachusetts Department of Environmental Protection for presumptive approval to use a portion of the River's Edge Housing Project site on Boston Post Road, Wayland, Massachusetts, which is within the area subject to the Sandhill Landfill site assignment for housing purposes. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0. The Board reviewed the latest version of RFP, and N. Balmer said the department heads have reviewed it and provided input.

**A17. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**A18. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. C. Karlson asked that the traffic requests from Police Chief Robert Irving be placed on a future agenda, and the Board noted the opening of the new DPW facility on June 20.

**A19. Report of the Town Administrator** N. Balmer reviewed upcoming agendas; she said the IT consultant is expected to provide an update at the July 13 meeting. She reviewed the availability of the Town Moderator for a Special Town Meeting and distributed a draft timeline for an October 26-27 date. In regards to a request from George Harris, she asked the Board if there was any correspondence between Board members and Special Counsel in regard to the school revolving funds; the Board confirmed there was none.

**A20. Selectmen's Reports and Concerns** M. Antes reported on the dedication of the Wayland Town Flag at the State House on June 18. C. Karlson noted that the Route 27 sidewalk is now under construction, and she requested that the board and committee vacancies be advertised again. She asked that the Board consider

dividing the shared portfolio items into individual portfolio items, as a shared assignment may create an unintended violation of the Open Meeting Law.

**A21. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
The Chair said, "I know of none."

**A22. Adjourn** There being no further business before the Board, M. Antes moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:29 p.m. YEA: L. Anderson, M. Antes, T. Boschetto, 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 June 24, 2015**

1. Email of 6/23/15 from Tom Abdella to Board of Selectmen re: Recommendation to Appoint Anette Lewis to the Finance Committee
2. Email of 6/22/15 from Mark J. Lanza, Town Counsel, to Nan Balmer, Town Administrator, re: Wording of Motion for Petition to the State Legislature for Additional Liquor License
3. Email of 6/20/15 from George Uveges to Nan Balmer, Town Administrator, re: Request for Appointment to the Finance Committee
4. Chart of Comparable Wage Rates for Election Workers, 6/24/15, compiled by Beth Klein, Town Clerk
5. Email of 6/24/15 from Tony Boschetto, Board of Selectmen, re: Comments on Special Legislation regarding Liquor License
6. Draft Schedule prepared by Nan Balmer, Town Administrator, for an October 2015 Special Town Meeting

**Items Included as Part of Agenda Packet for Discussion During the June 24, 2015 Board of Selectmen's Meeting**

1. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Appointment as Representative to Custodian Negotiations
2. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Flexible Spending Plan Update
3. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Compensation for Election Workers
4. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Introduction of New Treasurer/Collector, and Memorandum of 6/18/15 from Zoe Pierce, Treasurer/Collector, re: Initial Impressions
5. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Town Center Summer Events by Wayland Business Association
6. Memorandum of 6/19/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Committee Interviews and Reappointments, with attached résumés
7. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Transfer Custody of Six Dudley Woods Parcels to the Recreation Commission
8. Memorandum of 6/19/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Petition State Legislature to Enact Special Act for Additional Liquor License, Vote Certificate, and Map of Town Center
9. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: License for the Use of Town Green and Obligation under the Master Special Permit

10. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Confirmatory Eminent Domain Taking for 246 Stonebridge Road
11. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Environmental Phase I Proposal for Municipal Pad and Adjoining Parcels
12. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Wayland Real Asset Planning (WRAP) Committee Charge
13. Memorandum of 6/24/15 from John Senchyshyn, Asst Town Adm/HR Director, to Board of Selectmen re: Execution of Application to Mass DEP for Presumptive Approval to Use River's Edge Site for Housing; Description of Proposed Activity; Affidavit of Stephen F. Kadlik, Application for Solid Waste Management Facility Modification, Land Disposition Agreement and Request for Proposals, Disposition of Town-Owned Real Property for Rental, Affordable and Senior Housing Purposes