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# TOWN OF WAYLAND

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## BOARD OF SELECTMEN

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

### Board of Selectmen Meeting Minutes Executive Session June 24, 2015

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

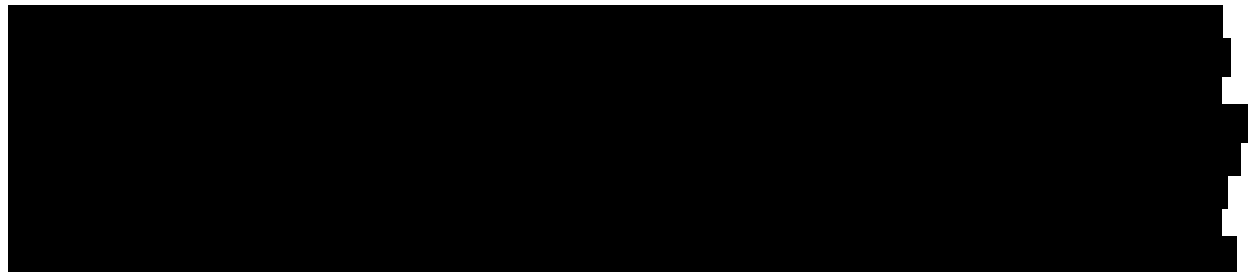
**Absent:** Tony V. Boschetto

**Also Present:** Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Town Counsel Mark Lanza, Police Chief Robert Irving

**Purpose:** The session was called at 6:02 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: J. Nolan, T. Boschetto. ABSTAIN: none. Adopted 3-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(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 21(a)(6), to discuss the septage meeting with Sudbury (re: value of real estate/disposition); and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(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.

**Discussion:** The Board was joined by Police Chief R. Irving and Town Counsel Mark Lanza to discuss the Glezen Lane litigation. L. Anderson recused herself from debating or deliberating on the issue, as she is a resident of the Glezen Lane neighborhood; she said she would listen but not participate in votes or discussions.

J. Nolan arrived at 6:10 p.m.



L. Anderson returned to the discussion.

J. Senchyshyn updated the Board on negotiations with the Police Union. He said the town's bargaining proposal for getting out of civil service will be withdrawn, and that this will change the terms of negotiation. The union and town's bargaining teams are unable to agree on what the town would provide in exchange for the union's agreement to withdraw from civil service. J. Senchyshyn said the Personnel Board voted 5-0 to recommend that the Board of Selectmen place a question on the ballot to withdraw from civil service.

Because the town got into civil service through a ballot question in 1971, it needed to withdraw from civil service through a ballot question. J. Senchyshyn described the disadvantages of civil service to effective management of the police department. He said the argument to maintain the civil service system is a belief that civil service provides a fair process to recruit quality candidates for police officer positions. R. Irving and J. Senchyshyn provided their opinion that the civil service system does not generally provide those advantages. R. Irving said he believed the union is not necessarily in support of maintaining civil service, but wants something in return for its dissolution. J. Senchyshyn said the Personnel Board believed community education would help the public understand the reasons for a ballot question to withdraw from civil service. J. Nolan said it is important to communicate that withdrawal from civil service would not affect police officers financially. The Board agreed to support a ballot question to withdraw from civil service next spring because civil service had outlived its usefulness.



M. Lanza asked if the Board is interested in enforcing the deed restrictions, noting there will be no monetary gain to the Town and the units will continue to be counted in the Town's affordable housing inventory. J. Nolan suggested that the letter go to owners and to the Attorney General.

J. Nolan moved, seconded by L. Anderson, that Town Counsel draft a letter to the owners of the three affordable units that are being leased and illegally making a profit, and that the town take action against them and will request the Attorney General to enforce the deed restriction, saying the town will take action against these owners in the absence of state action. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

J. Senchyshyn reported on a meeting that he and Selectman C. Karlson attended with representatives of Sudbury to discuss the Septage Agreement. He provided a handout with the agreed upon terms of a settlement, including the legacy and future costs for employee benefits and the responsibility for demolition costs. C. Karlson said the intent was that the Memorandum of Agreement (MoA) would replace the 1997 Intermunicipal Agreement (IMA) and will divide future employee costs evenly.

J. Nolan moved, seconded by M. Antes, to authorize C. Karlson to work with Special Counsel for preparation of a Memorandum of Agreement and bring it back to the Board for confirmation of the appointment. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by L. Anderson, to exit executive session at 7:07 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. ABSENT: T. Boschetto. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the June 24, 2015, Meeting**



2. List of Topics for Memorandum of Agreement with Town of Sudbury prepared by John Senchyshyn, Assistant Town Administrator/Human Resources Director