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# TOWN OF WAYLAND

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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 August 10, 2015

**Attendance:** Lea T. Anderson, Mary M. Antes, Tony V. Boschetto, Cherry C. Karlson, Joseph F. Nolan (arrived 7:27 p.m.)

**Also Present:** Town Administrator Nan Balmer

**A1. Call to Order by Chair** Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:01 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. C. Karlson thanked the DPW for its rapid response to the recent storm. She noted that the water ban remains in effect, and announced that the last summer concert in the Wayland Town Center will be Wednesday, August 16, at 5:30 p.m.

**A2. Public Comment** Dorothy Dunlay, 27 Sherman's Bridge Road, said Sherman's Bridge has historic significance. She said that the neighbors got together in the late 1990's to protect the design and support federal legislation to preserve at least one wooden bridge in each state. Tom Sciacca, 31 Rolling Lane, also expressed support for maintaining the current design of Sherman's Bridge; he said it allows residents a sense of a wild and scenic river. Susan Koffman, 66 Sherman's Bridge Road, said the neighbors are concerned about the proposed design of Sherman's Bridge and the lack of information provided to the public. She said the design can be engineered to maintain its historical integrity.

**A3. OPEB: Discuss Proposed Changes to Governance, Special Town Meeting Article, and Potential Vote to Authorize Preparation of Trust Document** Jay Sherry, OPEB Advisory Committee, appeared before the Board to discuss the preparation of an OPEB trust, the governance of the trust, and proposed Special Town Meeting articles. He said the OPEB committee learned from Special Counsel Brian Fox, of Murphy, Hesse, Toomey & Lehane, that the current OPEB Trust is deficient in meeting GASB 45 requirements, and recommended the preparation of a formal trust agreement document for review by the Board and adoption by the OPEB Trust's Board of Trustees. He noted that no Town Meeting action is required to adopt the trust agreement, and he said the OPEB Advisory Committee voted 3-0 to recommend a request for an additional \$1,000 for legal costs to prepare the trust document.

J. Nolan arrived at 7:27 pm.

The Board discussed the potential changes to the governance model under consideration. Members discussed increasing the number of trustees, and the importance of expertise and diversity. J. Sherry said the current trustees are compelled to hire an investment advisor to fulfill their fiduciary responsibilities. The Board discussed the advantages and drawbacks of using PRIT (Pension Reserves Investment Trust). T. Boschetto asked if the entire trust must be put into PRIT; J. Sherry said no, it can be split between accounts. J. Sherry said it was the opinion of Special Counsel that a change to the current model should be put into effect by a vote of Town Meeting to petition the Legislature to revoke Wayland's special OPEB Trust Statute, and adopt the provisions of Chapter 32B Chapter 20. Following Town Meeting, he said the Board would then amend its Trust Agreement regarding the composition of the Board of Trustees. The Board considered the employment status of the trustees, and the need for indemnification. T. Boschetto thanked the committee for its work. C. Karlson said she was inclined to go forward with the adoption of the trust, but

would like more direction on the amendment. T. Boschetto moved, seconded by M. Antes, to authorize an additional \$1,000 for the preparation of an appropriate OPEB Trust Document by the OPEB Special Counsel, consistent with Wayland's Special OPEB Trust Statute. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson. NAY: none. ABSENT: none. ABSTAIN: J. Nolan. Adopted 4-0-1.

**A4. Meet with the Chair of the Board of Public Works and DPW Director to Discuss Special Town Meeting Articles and for Update of DPW Projects** The Board was joined by Chris Brown, Chair of the Board of Public Works, and Stephen Kadlik, Director of Public Works, to discuss potential Special Town Meeting articles and DPW projects. C. Brown said funding is ready for the Route 27/30 intersection project, and there is one parcel of land left to be donated or taken by eminent domain. J. Nolan emphasized the need to retain the funding from TIP (Transportation Improvement Plan), and asked that Town Counsel record all the parcels at a nominal fee; he said that if one owner wants fair market value, it can be addressed. The Board directed the Town Administrator to confirm that the legal requirements have been met in regard to the article that passed at the 2015 Annual Town Meeting. C. Karlson noted the public comment regarding Sherman's Bridge. C. Brown said there were numerous citizen concerns brought up at the Conservation Commission hearing for permitting, and the state Department of Transportation withdrew the funding because the project wasn't ready. C. Brown said there is a need for a reconstruction plan, as the bridge is currently unsafe. He said the Board of Public Works authorized the Director of Public Works to close the bridge if Sudbury and Wayland deem the bridge to be unsafe. S. Kadlik noted that the reconstruction of the current wooden deck will be much more expensive, and C. Brown said state funding may be contingent upon state design requirements. C. Brown said the School Street and East Plain Street project is in the design phase, and will be ready for the 2016 Annual Town Meeting as a capital project. A cost estimate and issues with the turn radius by fire apparatus will be addressed. T. Boschetto asked if Option Three was still viable, and C. Brown said it could be a long-term solution. C. Brown said design plans are underway for Glezen Lane. He discussed traffic calming on Stonebridge Road, and said his sense is that speed bumps are not a likely solution, as both the Police and Fire Chief are opposed due to ice and damage to equipment. The Board discussed the potential need for a Special Town Meeting article, as the Department of Environmental Protection requires a Water Conservation Bylaw in order for the town to get a new water permit. C. Brown advised the Board that a draft bylaw is sufficient for a one-year extension until the 2016 Annual Town Meeting. If the bylaw is approved at that time, the DEP will issue the remaining 19-year permit. C. Brown provided the Board with background on the current water ban. He said the town is authorized to withdraw 1.7 million gallons a day, and the town is pumping too much water. He said that at the end of August, there will be a need to temporarily shut down the wells while one more well is added at Happy Hollow. T. Boschetto asked if there was a long-term plan for meeting water needs. C. Brown said there will be one additional well at Happy Hollow; the other option is to request an increase in daily capacity from the DEP. M. Antes suggested making the water bills more informative by including the number of daily gallons used per household, and asking residents to limit their usage. The Board thanked the DPW for the cleanup work done during the recent storm.

**A5. Vote to Open Warrant for Special Town Meeting** T. Boschetto moved, seconded by M. Antes, to hold a Special Town Meeting on Monday, November 9, 2015, at 7:30 p.m. in the Wayland High School Field House, and the warrant for said Special Town Meeting to be open from Tuesday, August 25, 2015, at 8:30 a.m. through Wednesday, September 2, 2015, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Wednesday, September 2, 2015. YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. C. Karlson noted that should a second night of Special Town Meeting be required, it would be held on Tuesday, November 10.

**A6. General Discussion and Review of Special Town Meeting Articles** The Board reviewed the draft list of articles for the November 9, 2015, Special Town Meeting. Members discussed potential articles and the ability to address them effectively within the time constraints. C. Karlson said she would like to include the Board's vote on each article in the warrant.

**A7. Board Policy Discussion and Vote** J. Nolan moved, seconded by L. Anderson, to approve as amended the Board policy, "Management of Town Legal Affairs." YEA: L. Anderson, M. Antes, T. Boschetto, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson said the next policies for review were Public Hearings, Opportunities for Public Comment on Regulations & Fees, Communication with the Board of Selectmen, Acknowledgement of Correspondence, and Publication of the List of Public Records. T. Boschetto asked for clarification of the requirement to schedule public comment on regulations and fees. The Board reviewed the policy regarding communications with the Board, and suggested revisions be made for further review.

**A8. Review and Potential Vote on Board Portfolio Assignments** The Board reviewed and revised the portfolio assignments by re-assigning shared portfolios to individual members so as to avoid any potential Open Meeting Law violations.

**A9. Discuss Communications with Public** M. Antes led a discussion regarding improved communication with the public. She proposed that the Board meet with focus groups over a period of two to four weeks, to present a standard set of questions and get feedback. She recommended that specific invitations be issued to assure a diversity of geography, age, and household income. Board members also considered publishing a quarterly Selectmen's newsletter, scheduling more Selectmen's office hours, and holding regular meetings with the media. C. Karlson recommended a "public conversations project" to facilitate discussions where there is conflict.

**A10. Discuss Open Meeting Law** The Board discussed ways to communicate and educate the town's board and committees in regard to the Open Meeting Law. M. Antes suggested providing more information, such as updates on Open Meeting Law decisions. C. Karlson said the effort should be coordinated by a staff member. L. Anderson noted the need to support the town's volunteers. N. Balmer said she will meet with the Town Clerk regarding this issue.

**A11. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by T. Boschetto, to approve the consent calendar. YEA: L. Anderson, M. Antes, T. Boschetto, 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. L. Anderson reported on the August 3 meeting in Sudbury with representatives of member towns' Boards of Selectmen. She said the towns are evenly split over their support of the proposed size of the school, but they are opposed to a district-wide vote. She said the MSBA voted to support the project. She asked if there was a way for the town to ascertain its current cost. T. Boschetto noted the cost under the current agreement is less than under the proposed agreement, and that the town would be obligated to its portion of the debt up to the date of withdrawal.

M. Antes highlighted the letter to the owner of an affordable housing unit with an illegal rental. J. Nolan suggested that the Board request a meeting with the editorial board of MetroWest News; he expressed concern that the media does not reach out to the town before publishing critical opinions.

**A13. Report of the Town Administrator** N. Balmer provided an update on the construction at River Trail. She said the Phase I Site Assessment was received for the Town Center Municipal Pad, and the soil testing will now be conducted. She updated the Board on the Recreation revolving fund, and said that an RFP will be issued this week for an expert financial advisor to the OPEB fund trustees. The Board discussed liability coverage for the staff's fiduciary responsibility; N. Balmer said MIIA requires a separate officers and directors policy. N. Balmer noted the Finance Director had provided the Fiscal Year 2015 Budget Status Report. She advised the Board that procurement has begun for an on-call engineering firm, as the town does not employ a Town Engineer.

**A14. Selectmen's Reports and Concerns** C. Karlson reviewed upcoming meeting schedules. L. Anderson said the Board of Assessors will be discussing the overlay amount tonight, and the Finance Committee will discuss it next week. C. Karlson said the Board needs to review the status of executive session minutes.

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

**A16. Adjourn** There being no further business before the Board, L. Anderson moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:35 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 August 10, 2015**

1. None.

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

1. OPEB Advisory Committee Notes, Draft of August 6, re: Proposed Changes to Governance, Special Town Meeting Article, and Potential Vote to Authorize Preparation of Trust Document
2. Memorandum of 8/10/15 from Nan Balmer, Town Administrator to Board of Selectmen, re: Board of Public Works Update
3. Memorandum of 8/10/15 from Board of Selectmen to All Boards, Committees, Departments and Staff re: Special Town Meeting
4. Draft List of Potential 2015 Fall Special Town Meeting Articles
5. Memorandum of 8/10/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Board Policies
6. Memorandum of 8/10/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Board Portfolio Assignments
7. Report of the Town Administrator for the Week Ending August 7, 2015