



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

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

### Board of Selectmen Meeting Minutes December 7, 2015

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan (arrived 7:04 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 7:00 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. M. Antes announced that the Planning Board hearing for Annual Town Meeting zoning bylaw amendments will be held December 8.

**A2. Public Comment** Jerry Heller, 24 Hickory Hill Road, and Chair, River's Edge Advisory Committee, advised the Board that no bids were received for the purchase of the River's Edge property. He said the committee will contact prospective developers and review whether to modify the RFP. He reviewed potential issues, such as the demolition of the septage facility, the lack of a water connection, and affordable housing regulations.

**A3. Vote to Approve the Memorandum of Agreement as Amended with the AFSCME 2, Clerical Bargaining Unit dated October 26, 2015, for the Period of July 1, 2014, through June 30, 2017**

M. Antes moved, seconded by L. Anderson, to approve the Memorandum of Agreement as amended with the AFSCME 2, Clerical Bargaining Unit dated October 26, 2015, for the period of July 1, 2014, through June 30, 2017. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A4. Open Annual Town Meeting and Election Warrants** J. Nolan moved, seconded by M. Antes, to open the warrant for the Annual Town Meeting to begin on Thursday, April 7, 2016, at 7:30 p.m. in the Wayland High School Field House, and the Annual Election to be held on Tuesday, April 5, 2016, at designated polling places. The warrant for said Annual Town Meeting will be open from Monday, December 14, 2015, at 8:30 a.m., through Friday, January 15, 2016, 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 Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Friday, January 15, 2016. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A5. Vote to Approve Renewal of Liquor Licenses, Common Victualler Licenses, Entertainment Licenses, and Used Car Dealer Licenses** J. Nolan moved, seconded by M. Antes, to approve the renewal of the following liquor licenses, common victualler licenses, entertainment licenses, sale of second-hand articles licenses, and used car dealer licenses. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Liquor License On Premise All Alcoholic
Broomstones Inc.	1 Curling Lane	Liquor License, Club, All Alcoholic

China Rose LLC dba China Rose	15 East Plain Street	Liquor License On Premise All Alcoholic
Coach Grill (BBRG TR LLC)	55 Boston Post Road	Liquor License On Premise All Alcoholic
Donelan's Supermarkets Inc.	177 Commonwealth Road	Liquor License Package Store Wine & Malt
Dudley Chateau of Cochituate Inc.	20 Crest Road	Liquor License On Premise All Alcoholic
Lavins Inc. of Wayland	330 Old Connecticut Path	Liquor License Package Store All Alcoholic
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Liquor License On Premise All Alcoholic
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Liquor License On Premise Wine & Malt
New Sandy Burr Inc.	103 Cochituate Road	Liquor License On Premise All Alcoholic
Post Road Liquors Inc.	44 Boston Post Road	Liquor License Package Store All Alcoholic
Prime 131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Liquor License On Premise All Alcoholic
Sperry's Fine Wine Brew and Cigars (Eastbrook Inc.)	87 Andrew Avenue	Liquor License Package Store Wine & Malt
Takara Japanese Restaurant (Zheng Group Inc.)	15 Elissa Way	Liquor License On Premise All Alcoholic
The Villa Inc.	48 East Plain Road	Liquor License On Premise All Alcoholic
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Liquor License On Premise Wine & Malt
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Liquor License On Premise All Alcoholic
Wayland Variety and Deli Corporation	70 Boston Post Road	Liquor License Package Store Wine & Malt
Wayland Wine and Spirits (P & P Liquors Inc.)	302 East Commonwealth Rd	Liquor License Package Store All Alcoholic
Baypath Elder Services (Meals on Wheels)	33 Boston Post Road Marlborough MA	Victualler License
Bertucci's Restaurant Corp. dba Bertucci's Italian Restaurant	14 Elissa Avenue	Victualler License
China Rose LLC dba China Rose	15 East Plain Street	Victualler License
Coach Grill (BBRG TR LLC)	55 Boston Post Road	Victualler License
Dudley Chateau of Cochituate Inc.	20 Crest Road	Victualler License
Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Victualler License
Liberty Pizza (MC&G Pizza Inc.)	116 Main Street	Victualler License
The Local Restaurant of Wayland LLC dba The Local Restaurant	11 Andrew Avenue	Victualler License

Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Victualler License
New Sandy Burr Inc.	103 Cochituate Road	Victualler License
Panera Bread Bakery-Café (PR Restaurants LLC)	21 Andrew Avenue	Victualler License
Prime 131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Victualler License
Starbucks Coffee Company	44 Main Street	Victualler License
Spice 'n Pepper (Aprileileen Corporation)	236 Boston Post Road	Victualler License
Takara Japanese Restaurant (Zheng Group Inc.)	15 Elissa Way	Victualler License
The Villa Inc.	48 East Plain Road	Victualler License
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Victualler License
The Wayland Country Club (Golf Course Enterprises)	121 Old Sudbury Road	Victualler License
Wayland Pizza House	336 Boston Post Road	Victualler License
China Rose LLC dba China Rose	15 East Plain Street	Entertainment License
Einstein and Noah Corp dba Einstein Brothers	44 Main Street	Entertainment License
The Local Restaurant of Wayland dba The Local	11 Andrew Avenue	Entertainment License
Prime131 Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Entertainment License
Starbucks Coffee Company	44 Main Street	Entertainment License
The Villa Inc.	48 East Plain Road	Entertainment License
Almaari Jewelers	65 Andrew Avenue	Sale of Second Hand Articles
MetroWest Precious Metals LLC	241 Boston Post Road Suite 5	Sale of Second Hand Articles
Cook's Automotive (Lloyd J. Cook, President)	338 Boston Post Road	Sale of Used Vehicles II
Herb Chambers of Wayland Inc. dba Aston Martin Boston, dba Bentley Boston, dba Rolls-Royce Motor Cars of New England, dba Herb Chambers Lamborghini of Boston, and dba Herb Chambers Maserati	533 Boston Post Road	Sale of Used Vehicles I
International Auto Works Inc.	118 Main Street	Sale of Used Vehicles II
Shepard's Service (Mark Shepard)	268 Boston Post Road	Sale of Used Vehicles II
Wayland Automotive Sales (Richard Devlin)	322 Commonwealth Avenue	Sale of Used Vehicles II
Wayland Foreign Motors (Timothy and Thomas Cornu)	356 Boston Post Road	Sale of Used Vehicle II
Wayland Imports (Glenn B. Schwartz)	70 Boston Post Road	Sale of Used Vehicles II
Wayland Mobil (E & J Service Station LLC)	315 Commonwealth Road	Sale of Used Vehicles II

**A13. Review and Approve Consent Calendar (See Separate Sheet)** J. Nolan commended Eagle Scouts Thomas Heerema and Andrew Glenn Ludwig for their achievement. J. Nolan moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A6. Discuss Council on Aging/Community Center Advisory Committee Charge and Next Steps** Members of the Council on Aging/Community Center Advisory Committee Bill Sterling, Jean Milburn, and Frank Krasin appeared before the Board, to review proposed changes to its charge. It was the sense of the Board to approve the changes. The Board reviewed the committee's activities, including environmental testing, a potential peer review, the interior review of the existing building, and the capacity of the building to meet program requirements, and the need to consider alternate locations. B. Sterling reviewed the Phase II preparations. C. Karlson noted there has been no definitive approval received from the town yet to proceed with a Council on Aging/Community Center. The Board discussed the survey from the Wayland Real Asset Planning (WRAP) Committee. B. Sterling said the committee would prepare a report for the Board of Selectmen to submit. He said a consultant would be hired for RFP preparation for a firm to site testing and engineering drawing for permitting submittals. L. Anderson asked about the impact of putting the project under the Permanent Municipal Building Committee, and B. Sterling said it would be helpful. He said the next step is to ask Town Meeting for design funds of approximately \$200,000 to \$500,000 for the next phase, contingent upon the purchase of the property. C. Karlson noted that construction funding for the project would likely be requested in Spring 2017.

**A7. FY17 Budget Discussion, Including but not Limited to: Proposed New Positions, including Departments under Selectmen (Police, Information Technology), Discussion of Unclassified Expenses, Legal Expenses and Debt Schedule and Management** The Board was joined by Assistant Town Administrator/Human Resources Director John to review requests for new positions. J. Senchyshyn said there were nine requests considered justifiable but limited by budget constraints.

He reviewed the request for an IT Executive Director, which the Personnel Board recommended for funding, and a second request for a Business System Administrator, which is recommended for later funding in FY16 after the first position is filled. In regard to the DPW, he said there are four positions requested, although not all positions require more funding. He said the additional Maintenance position is warranted due to the increase in town buildings. In regard to the in-house Engineer, the funds will be taken out of contract services. He noted the Senior Foreman position replaces a current vacancy, and that due to changes in staff structure, the Working Foreman position represents a cost reduction to the town. He said the two positions for the Recreation Department will be funded through user fees. Three other positions were denied: a new police officer, a part-time clerical position in the office of the Town Clerk, and additional clerical support for the Health Department.

The Board was joined by Police Chief Robert Irving and Police Lieutenant Pat Swanick to review the staffing needs of the Police Department. R. Irving said the requested position is a reinstatement, not a new position, and he discussed the need to fill the job, including the new town center project, the impact on overtime, and the comparison to peer towns. The Board agreed that the position was not denied because of a lack of support, but rather based on budget considerations.

J. Senchyshyn reviewed unclassified expenses. He noted the increasing costs of health insurance and the contributing factors. He said there was little variance in the remaining unclassified expenses; however, he highlighted the separation of special counsel legal expenses, which included issues such as OPEB, the revolving accounts, and the Minuteman Regional Vocational School.

The Board was joined by Zoe Pierce, Treasurer/Collector, to discuss town debt. She reported on the Schedule for general fund debt, the list of authorized but unissued debt, refunding opportunities, debt analysis, and debt management policy. She said the general fund debt is consistent with town policy. She discussed excess borrowing capacity; C. Karlson suggested guidance from staff and a review of market rates. Z. Pierce explained her request for a financial advisor to evaluate debt refunding opportunities and to review the town's debt policy. The Board expressed its support for an advisor, and thanked her for her work.

**A10. Update on Minuteman Issues** The Board was joined by Town Moderator Dennis Berry, and Mary Ellen Castagno, Wayland representative to the Minuteman School, via telephone. L. Anderson provided an update on a meeting held on December 2 in Weston of the sixteen member towns to come to an agreement on a proposal that each selectman could bring back to their boards. As a result, she asked the Board whether it could, in principal, support a revised regional agreement, based on the 2014 regional agreement. Any town must take a vote on withdrawal and approve the new agreement at a Special Town Meeting, and she asked if the Board could commit to a Special Town Meeting by February 15. She also said the issue arose regarding the payment to the host community (Lincoln) of \$138,000 per year, as payment in lieu of taxes. The Board reviewed the revised agreement, and agreed to open a warrant for Special Town Meeting once all sixteen towns have made the commitment. L. Anderson said the member towns are relying on Minuteman to write the article. M. Castagno said the Board must take a vote to withdraw. It was the sense of the Board to approve the withdrawal and take a formal vote at the next meeting.

**A8. Review List of Potential Annual Town Meeting Warrant Articles** The Board reviewed the list of potential articles for the Annual Town Meeting, and discussed the use of an abbreviated format for the standard articles. M. Antes said that a mixed use development is being considered at the Wayland Shopping Center on Boston Post Road, and asked about wastewater capacity. N. Balmer said she will pursue the question with the Facilities Director

**A11. Vote to File Special Legislation to Increase Cap on Recreation Revolving Fund Expenses to 5% of Taxation** J. Nolan moved, seconded by M. Antes, to petition the General Court of the Commonwealth of Massachusetts to enact a Special Act to increase the annual expenditure limit on the Recreation Department's revolving fund established pursuant to Massachusetts General Laws Chapter 44, Section 53 E ½, from 1% to 5% of the amount raised by taxation by the Town in the most recent fiscal year for which a tax rate has been certified by the Commissioner of the Department of Revenue. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A9. Review and Approve Memo to Wayland Real Asset Planning (WRAP) Committee** J. Nolan moved, seconded by L. Anderson, to approve the response to the survey submitted by the Wayland Real Asset Planning (WRAP) Committee, as amended, and authorize the Chair and the Town Administrator to finalize the language under Question 10. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

**A12. Discussion of Draft Amended Sign Policy** M. Antes presented a draft amended sign policy for Board review. The Board discussed the location of the signs, the ownership of the land, the approval of signs for school events, and the need to complement the Board of Public Works policy. M. Antes said she will make revisions and provide an updated draft for further review.

**A14. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. J. Nolan thanked Bill Steinberg for his service to the town on the Wayland Real Asset Planning (WRAP) Committee. J. Nolan discussed the 495 Partnership's annual conference; he discussed the

Suburban Edge Community Committee, and how it will help drive legislation to support small towns and community compacts. The Board noted the finding from the Attorney General that the Board of Assessors did not violate the Open Meeting Law.

**A15. Report of the Town Administrator** N. Balmer reminded the Board that the Massachusetts Municipal Association conference will be January 22-23, 2016. She reviewed the issue of common driveways and her conversations with residents. She said she has asked Town Counsel Mark Lanza to prepare an explanation for the public.

**A16. Selectmen's Reports and Concerns** L. Anderson reported on the Raytheon PIP meeting. M. Antes said the dedication of the Habitat home took place on December 5. She reviewed the proposal for listening sessions between the residents and the Board of Selectmen, and it was the consensus of the Board to move forward with the project.

**A17. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
The Chair said, "I know of none."

**A18. Adjourn** There being no further business before the Board, M. Antes moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 10:36 p.m. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

#### **Items Distributed for Information and Use by the Board of Selectmen at the Meetings of December 7, 2015**

1. Memorandum of 12/7/15 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: 15 East Plain Street Follow-Up on Site Plan Decision
2. Memorandum of 12/7/15 from Zoe Pierce, Treasurer/Collector, to Board of Selectmen, re: Town Debt

#### **Items Included as Part of Agenda Packet for Discussion During the December 7, 2015 Board of Selectmen's Meeting**

1. Memorandum of 12/4/15 to Board of Selectmen re: Motion for Approval of AFSCME 2 Memorandum of Agreement
2. Memorandum of 12/7/15 from Board of Selectmen to All Boards, Committees, Departments and Staff re: 2016 Annual Town Meeting and Annual Town Election
3. Memorandum of 12/3/15 to Board of Selectmen re: 2016 Licensing
4. Memorandum of 10/27/15 from Police Chief Robert Irving re: License Violations 2015
5. Memorandum of 12/7/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Council on Aging/Community Center Advisory Committee, Discuss Next Steps with Committee Chair
6. Memorandum of 12/4/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: New Request for Personnel from Departments under the Board of Selectmen
7. Memorandum of 12/2/15 from John Senchyshyn, Assistant Town Administrator/HR Director, re: FY17 Staffing Requests
8. Memorandum of 12/7/15 from John Senchyshyn, Assistant Town Administrator/HR Director, re: Legal Expenses – FY15 and YTD FY16
9. Memorandum of 12/7/15 from John Senchyshyn, Assistant Town Administrator/HR Director, re: Unclassified Budget – FY17 Projections

10. Memorandum of 12/7/15 from Zoe Pierce, Treasurer/Collector, to Board of Selectmen  
re: Town Debt
11. 2016 Annual Town Meeting Potential Articles as of December 7, 2015
12. Memorandum of 12/7/15 from Nan Balmer, Town Administrator, to Board of Selectmen,  
re: Special Legislation for Recreation Revolving Fund
13. Draft Memorandum of 12/7/15 from Wayland Real Asset Planning (WRAP) Committee to Board of  
Selectmen re: Response to Request Regarding Facilities Under Selectmen Jurisdiction
14. Draft Board Policy on Signs – Public Display and Use of Town Sign Boards
15. Email of 12/4/15 from Mary Antes re: Listening Session Info for Packet
16. Town Administrator's Report for the Week Ending December 4, 2015