



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
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes December 14, 2015

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to a Pending Action regarding Bernstein et al v. Wayland Planning Board et al; and to Discuss Strategy with Respect to Pending Litigation regarding 150 Main St, LLC, Plaintiff, v. Wayland Zoning Board of Appeals and, Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel at the Town Center Project; and Pursuant Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Conduct Strategy Sessions in Preparation for Negotiations with Non-Union Personnel or to Conduct Collective Bargaining Sessions or Contract Negotiations with the Town Administrator At 6:01 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to a pending action regarding Bernstein et al v. Wayland Planning Board et al; and to discuss strategy with respect to pending litigation regarding 150 Main St, LLC, Plaintiff, v. Wayland Zoning Board of Appeals and, pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real property in regard to the municipal parcel at the Town Center Project; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with the Town Administrator. The Chair declares that a public discussion of these matters may have a detrimental effect on the bargaining, litigating, or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, TEC Traffic Engineer Kevin Dandrade, Police Chief Robert Irving, Town Planner Sarkis Sarkisian, Board of Public Works member Mike Lowery, Planning Board member Ira Montague, Building Commissioner Geoffrey Larsen, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:10 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:10 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.

A3. Public Comment David Bernstein, 25 Glezen Lane, said that the town had voted to support the use of electronic voting at all town meetings, and asked that the Board respect the vote and authorize electronic voting at the February 2016 Special Town Meeting. Alan Reiss, 463 Old Connecticut Path, said the Board should respect the will of town meeting in regard to electronic voting.

The Board was joined by Board of Health Chair Thomas Klem, Board of Health member Cynthia Hill, Director of Public Health Julia Junghanns, and Sudbury Health Director Bill Murphy, to provide background information for the consent calendar request to enter into an Intermunicipal Mutual Aid Agreement with the

Sudbury Board of Health. Town Counsel Mark Lanza advised that the agreement was in good legal form.

A4. Approve Conservation Commission's Acceptance of Gift of Conservation Land at 138 Pelham Island Road from Nathan Newbury III and Sign Deed Brian Monahan, Conservation Administrator, appeared before the Board to discuss the gift of conservation land at 138 Pelham Island Road, noting it is adjacent to the Heard Farm conservation area. M. Lanza said that while the taking of the gift does not require a town meeting vote, there will be a town meeting vote to express the thanks of the town and to do a friendly taking to ensure the town's title. M. Antes moved, seconded by L. Anderson, to approve the Conservation Commission's acceptance of the gift of conservation land at 138 Pelham Island Road from Nathan Newbury III. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. The Board thanked the Newbury family for its generosity to the town.

A5. Presentation of FY15 Audit by Melanson Heath in Joint Meeting with Audit Committee and Finance Committee The Board was joined by Finance Director Brian Keveny and Alina Korsak, Field Auditor for Melanson Heath for the Town of Wayland. The Finance Committee and Audit Committee were not available. B. Keveny said the FY15 financial report included the Comprehensive Annual Financial Report (CAFR), which provides information not previously made available. He thanked department heads for their cooperation in providing the information. A. Korsak provided a brief summary of the report. She noted the current year recommendations include re-establishing timely cash reconciliations and preparation for the new single audit requirement. She discussed the general fund balances, the unassigned fund balance, and the unrestricted net position, noting that the CAFR also includes special revenue funds, capital project funds, and permanent funds. The Board reviewed the report. A. Korsak said the auditor continues to recommend that the Treasurer's office be automated and integrated with the Finance Department. C. Karlson asked if there was a timing recommendation. B. Keveny said the automation required substantial pre-planning, and would most likely be a FY18 conversion. N. Balmer said there has been increased monitoring of the revolving funds. B. Keveny asked the Board to forward any edits to him, and the Board thanked Melanson Heath for its work.

A6. Presentation of Draft FY17 Budget by Finance Director; Vote on FY17 Expense Budgets for Departments under Board of Selectmen Brian Keveny, Finance Director, presented the draft budget for fiscal year 2017 for Board consideration. He reviewed revenues, consisting of property taxes, state aid, local receipts, free cash and transfers from other funds. He recommended the consistent use of free cash in order to sustain more predictable balances. He reviewed general fund expenditures. C. Karlson asked if the free cash number was more accurate; B. Keveny said yes, there is a more accurate projection of budgets and therefore less turnback. He noted a total increase in the general fund, not including schools, of 2.3%, which is \$825,092. He said the largest increases were in IT, retirement, and health insurance. Reductions were in non-contributory retirement, the treasurer's office, Minuteman, and debt service. He reviewed the variances by department under the Board of Selectmen. J. Nolan asked if the retirement figures should be reviewed; B. Keveny said they are consistent with what was anticipated. The Board reviewed the year-to-date budgets and the overtime expenses. C. Karlson noted that the Board needs to confirm the budgets under its jurisdiction to the Finance Committee by January 15, 2016.

A7. Update from Wayland Real Asset Planning (WRAP) Committee Anette Lewis, Wayland Real Asset Planning (WRAP) Committee, appeared before the Board to provide an update on the committee's progress. She said the committee hosted a forum of department heads and boards to discuss facility needs, formulated a list of standard points of discussion, assigned liaisons, and created a draft outline for a final report. C. Karlson said the biggest projects under consideration are a new library and a Council on Aging/Community Center. She said there is a time constraint to the library project, noting that if they can't use the current site,

they must have the rights to another parcel before submitting a grant application. A. Lewis said they are aware of it and are working with the library; she said there are other issues to consider, such as parking requirements and square footage needs. A. Lewis said the final report will not be comprehensive, due to time limitations and the inaccuracies in the land data base. L. Anderson asked how many land use needs were identified. A. Lewis said that in addition to the two projects under discussion, the Fire Department has requested the complete use of Station Two, which would require moving the Arts Center. J. Nolan asked about the need for sports fields; C. Karlson said that Recreation has not submitted anything. The Board asked about the town building. A. Lewis said they are waiting for input from the Facilities Director. A. Lewis asked if infrastructure is within the purview of the committee. The Board suggested preparing a framework for a thirty-year plan, identifying any project over \$500,000, for further review. The Board thanked the committee for its work and agreed to meet again for another update.

A8. Update on Minuteman and Potential Vote to Notify the Minuteman Regional School District of Wayland's Intent to Seek a Vote at a Special Town Meeting, to be Held on a Date in February 2016 yet to be Determined, and Any Proposed Amendments to the Regional Agreement, and Whether or Not to Withdraw from the District

L. Anderson reviewed further changes to the proposed amendment to the Minuteman regional agreement, including withdrawal without capital liability, the elimination of the five-pupil minimum in the capital assessment formula, and no payment to the host community. She said the need to hold a Special Town Meeting in February remains the same. The Board discussed the remaining issues and the impact on the cost to the town. L. Anderson reviewed the bonding issue and the possibility that Minuteman might call for a district-wide vote. She suggested that Special Counsel review the language of the amendment. J. Nolan asked for revised financials. L. Anderson said she is comfortable that Wayland students can still attend Minuteman School, as well as having the flexibility to attend other vocational schools. L. Anderson moved, seconded by J. Nolan, to notify the Minuteman Regional School District of Wayland's intent to seek a vote at a Special Town Meeting, to be held on a date in February, 2016, yet to be determined, on: (1) whether or not to approve any proposed amendments to the Regional Agreement; and (2) whether or not to withdraw from the District, pursuant to the initial withdrawal provisions of such proposed amendments. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0. The Board asked the Town Administrator to notify member towns of the Board vote.

A9. Potential Vote on Standard Annual Town Meeting Articles Customarily Sponsored by Board of Selectmen

J. Nolan moved, seconded by M. Antes, to accept for inclusion in the 2016 Annual Town Meeting the following standard articles: Recognize Citizens and Employees for Particular Service to the Town, Pay Previous Fiscal Year Unpaid Bills, Current Year Transfers, Rescind Authorized but Unissued Debt, Accept Law Increasing Real Estate Tax Exemption Amounts, Hear Reports, Choose Town Officers, Accept Gifts of Land, and Sell or Trade Vehicles and Equipment, with revisions as necessary. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 4-0.

A10. Discuss Town Administrator's Recommendation on the Funding Plan for Recreation and Next Steps

N. Balmer reviewed the actions taken by town management (the Town Administrator, the Finance Director, and the Recreation Director) to develop a plan to manage the Recreation revolving fund so as not to exceed the expense cap. She said the Recreation Director is going to try to limit participation in programs to the 2015 levels, report any emergency expenses to the Town Administrator, transfer to the turf maintenance fund receipts from prior years deposited into the revolving fund in error, and correct postings in FY16 to match revenues to expenses. The Finance Director will prepare a report at the end of every month to keep track of spending, and the Town Administrator will approve any transfers from the revolving fund to pay indirect costs. J. Nolan asked if the transfer of turf funds helps or exacerbates the revolving fund problem; N. Balmer said it has no impact. J. Nolan asked that the turf field number be verified. N. Balmer

said she will ask Financial Analyst Beth Doucette to reconcile projections versus past history. She recommended actions to take to allow some growth in programs while waiting for the legislature to increase the cap, such as creating a 53 F ½ enterprise fund or a 53D revolving fund for the beach. She also noted that the high revolving fund balance could be addressed by creating a special purpose stabilization fund for capital projects, and transferring prior year's field user fees to a special purpose stabilization fund. Finally, she suggested matching field user fees to appropriate field maintenance expenses to slow the growth of the fund, and offset the cost of maintenance. Board members questioned the need for the Town Administrator to manage the budget for the Recreation department, and suggested that the Recreation Commission prepare its own articles for Annual Town Meeting. N. Balmer said it would be helpful if the Board supported the articles. L. Anderson said the organization of the issues was very helpful. It was the consensus of the Board to support efforts to alleviate the Recreation Commission's financial issues for FY17. M. Antes said it should be explained that these are temporary measures until the state legislation is approved.

A11. Review Board of Selectmen Meeting Dates Through April 2016 The Board reviewed potential meeting dates through April 2016.

A12. Review and Approve Consent Calendar (See Separate Sheet) 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.

A13. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence.

A14. Report of the Town Administrator N. Balmer reviewed a memorandum from Assistant Town Administrator/HR Director John Senchyshyn regarding a change to the West Suburban Health Group Agreement. M. Antes distributed a list of questions prepared by three housing boards and the Planning Board to be discussed at the meeting of the Housing Authority on December 17. N. Balmer reviewed a list of offices to be elected at the Annual Town Election in April. She said a Request for Information was sent to the bidders on the River's Edge project list, and she advised the Board that NStar sent a list of double poles in town that are ready to be removed.

A15. Selectmen's Reports and Concerns J. Nolan said there will be a meeting of the 495 Partnership tomorrow, and he asked the Board for a letter of endorsement. M. Antes reported on a meeting with Director of Assessing Ellen Brideau and the Housing Partnership regarding the hardship of the property taxes on affordable home owners. The Board discussed possible remedies and agreed to take up the matter after the first of the year. L. Anderson reported on a meeting with State Representative Carmine Gentile to update him on the Minuteman issue. C. Karlson described a meeting of the Council on Aging/Community Center Advisory Committee to review the Wayland Real Asset Planning (WRAP) Committee memo; she said most of the work involves the parcel of land, but the last step is the building, and they do not know yet if they will be ready for the Annual Town Meeting. She reminded residents that the Zoning Board of Appeals is looking for a member with engineering skills.

A16. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A17. Adjourn There being no further business before the Board, J. Nolan moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 10:25 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 14, 2015

1. Map of 138 Pelham Island Road, Wayland
2. Handout from Rachel Bratt, Chair, Housing Partnership, December 14, 2015, re: Wayland Real Asset Planning (WRAP) Committee Questions
3. Email of 12/14/15 from Edward Bouquillon, Superintendent-Director, Minuteman High School, re: Amendments to the Regional Agreement

Items Included as Part of Agenda Packet for Discussion During the December 14, 2015 Board of Selectmen's Meeting

1. Memorandum of 12/10/15 from Brian J. Monahan, Conservation Administrator, to Board of Selectmen, re: Donation of Land to the Rear of 138 Pelham Island Road
2. Memorandum of 12/14/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: FY15 Audit
3. Memorandum of 12/14/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: FY17 Expenses Budgets under the Board of Selectmen
4. Charge of the Wayland Real Asset Planning (WRAP) Committee and Potential Outline of Topics for Report of Wayland Real Asset Planning (WRAP) Committee
5. Memorandum of 12/14/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Minuteman Update and Next Steps
6. Memorandum of 12/14/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Standard Articles for 2016 Annual Town Meeting
7. Memorandum of 12/14/15 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Memo on Recreation Revolving Fund
8. Calendar of Potential Meeting Schedule for Board of Selectmen, January – April 2016
9. Town Administrator's Report for the Week Ending December 11, 2015