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TOWN OF WAYLAND

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WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

Board of Selectmen Meeting Minutes August 15, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson

Absent: Joseph R. Nolan

Also Present: Town Administrator Nan Balmer, Human Resources Assistant Katelyn O'Brien.

A1. Call to Order by Chair Chair C. Karlson called the 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 sample ballots are posted on the Town Clerk's office door. M. Antes also mentioned a contested Sheriff position, which will be the topic of a forum by the League of Women Voters of Middlesex County on August 29, 2016. C Karlson stated that absentee ballots are also available. L. Anderson reminded the Board that the Carroll School site plan meeting is tomorrow night. She also mentioned that Police Chief R. Irving is encouraging people to sign up for the Citizen Police Academy.

A2. Public Comment Gretchen Dresens, 155 Main Street, expressed concern to the Board about how the Town has handled the application to build a CVS at the 150 Main Street site. She stated that it's problematic on many levels. She mentioned that it took a week and half after the permit was issued for the public to view it. Her major concern to the Board was that the Building Commissioner issued the permit based on an old bylaw that has been amended. Gretchen passed out documents to the board that contained emails between Town Counsel and the Building Commissioner.

A3. Vote to Open Warrant for Special Town Meeting

L. Anderson moved, seconded by M. Antes, to hold a Special Town Meeting on Tuesday, November 15, 2016, at 7:00 p.m. in the Wayland High School Field House, and the warrant for said Special Town Meeting will be open from Wednesday, August 24, 2016, at 8:30 a.m. through Thursday, September 1, 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 the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Thursday, September 1, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0-0.

A4. Special Town Meeting Petitioners' Workshop Town Counsel M. Lanza entered the room at 7:18 p.m. Chair C. Karlson opened the Petitioners' Workshop for the Special Town Meeting at 7:20 p.m. Duane Galbi, 190 Stonebridge Road, asked the Board several questions. He inquired about noise ordinances applying to town roads, voting on capital funding, and the state's definition of "thickly settled".

M. Lanza responded by stating that a bylaw change is required for capital funding. He also said that there are specific state laws enforced by police for noise of roadways, but beyond that towns can regulate noise in a public way, more in a context of a public place or event. The current definition of "thickly settled" would require some research, according to M. Lanza, especially with the passing of the new Municipal

Modernization Act. M. Lanza said he will look into it. C. Karlson asked M. Lanza for more insight on how the state is interpreting the new law.

A5. Vote to Submit Special Town Meeting Articles:

M. Antes moved to submit the Article to Adopt Special Legislation to Withdraw from Civil Service; and the Article to Amend Chapter 32, Section 18 of Town Code, Attendance and Participation of Non Resident Town Officials; L. Jurist seconded, YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0-0

C. Karlson asked L. Anderson to check in with Police Chief Irving to see if he wanted to submit or modify any materials. M. Antes stressed the importance of public relations on the topic. C. Karlson asked N. Balmer to put topics on the September 6, 2016 BOS meeting agenda.

A6. Meet with Assistant Town Administrator and Town Clerk to Review Plan to Fulfill

Requirements of Public Records Laws N. Balmer discussed the new public records law which is effective January 1, 2017. N. Balmer recommended that the Board make the appointment for the Public Records Officer.

A7. Meeting with Assistant Town Administrator to Review Potential Change in Duties of Executive Assistant

N. Balmer stated that the Executive Assistant MaryAnn Dinapoli will now take on the duties of Records Access Officer, Website Administrator, and oversee the town's efforts to acknowledge volunteers. These duties will replace writing of the Board's minutes. N. Balmer stated this proposal will be presented to the Personnel Board and hopefully approved in September.

A8. Meet with Town Clerk to Review Election Schedule

The Board invited Town Clerk B. Klein to discuss the election schedule. B. Klein announced the last day to register is August 19th for the September 8th primary. There are signs posted and information published in the paper. B. Klein noted that the office will be open until 5 p.m. on Friday August 19th instead of 8 p.m. She said a lot more people are registering online and the office is receiving a lot more absentee ballots. B. Klein stated that September 20, 2016 is the Minuteman election. There will be one polling place in town building for everyone and the town isn't expecting a big turnout. L. Anderson noted she will write a piece for the Town Crier about the Minuteman election and will present a draft at the September 6, 2016 meeting. August 31st is the deadline for registering to vote for the Minuteman election. B. Klein also announced that on October 24, 2016 residents can participate in early voting, which will go on through November 4, 2016 at noon. B. Klein discussed the rules and regulations from the state regarding early voting. She is expecting extra costs for postage, an additional voting machine, a part-time person to help for three weeks in the office, and over time for the assistant clerk. B. Klein left at 8:13 p.m.

A9. Meet with Facilities Director to Review Draft FY 18 Capital and Operating Budgets

The Board invited Facilities Director B. Keefe to review the Draft FY 18 Capital and Operating Budget at 8:15 p.m. B. Keefe passed out draft documents to the board. He discussed two big projects, the library and the COA/CC building. B. Keefe discussed necessary renovations for the Town Building, including the design and installation of all the windows. He also discussed including exterior and ceiling painting every five years to protect the wood and building. B. Keefe stated that the budget includes Fire Station Two renovations, which would give female firefighters a place to live and work. M Antes asked about the Art Center at Fire Station Two. B. Keefe stated that they have female fire fighters working now at the station so a plan is

necessary. C. Karlson asked about a 30-year look at facilities. B. Keefe stated that it has been started but needs to be individualized to Wayland's needs. B. Keefe concluded his presentation by stating that overall the town has made real progress and it can be seen in the budget. He hopes to see savings in streetlights and solar panels in the future. C. Karlson mentioned she would like to see a 5-year report and Crystal Report from N. Balmer.

A10. Review Format and Procedure for Town Administrator Evaluation The Board discussed the process of the Town Administrator's evaluation. C. Karlson stated that if Nan is willing to have the discussion in public, she needs to let the BOS know and the proposed process prepared by her would be used. If not, a private process would be used. C. Karlson asked N. Balmer to let the Board know by September 6, 2016. C. Karlson noted that the Board did not receive any complaints about process last year. N. Balmer stated to the Board that she would like the process to acknowledge other projects that came up during the year that were not planned. C. Karlson stated that the Board should think about the process and see if there is another category that can be added that covers unexpected projects/goals that come up through the year.

A11. Discuss Schedule Request for Proposal for Legal Services N. Balmer stated that waiting until July 1, 2017 would be too long to put out an RFP for legal services and she would like to speed up the process and present a proposal to the Board at the September 6, 2016 meeting. N. Balmer stated that the new Town Counsel would take over responsibilities by January 1, 2017 instead of July 1, 2017. C. Karlson stated that her one concern is the time frame and how it might affect the Town Warrant. N. Balmer stated that other problems could come up if the town waited until July 1, 2017 to change counsel. L. Anderson agreed it makes more sense to move quickly. The Board reached a consensus.

A12. Review and Approve Minutes of August 3, 2016 The Board agreed to review the revised minutes of August 3, 2016 and consider approving them at the September 6, 2016 meeting. C. Karlson noted that the Board did not review and vote to approve any executive minutes at this meeting because there was not an executive session.

A13. Review and Approve Consent Calendar (See Separate Sheet)

C. Karlson asked for an amended motion to approve items 1 and 3 – 9 on the Consent Calendar. M. Antes moved, seconded by L. Anderson, YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0-0

L. Anderson moved to clarify and approve the number on item 2 of the Consent Calendar to \$9,977.00, seconded by M. Antes, YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0-0

A14. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board discussed the OML correspondence. L. Anderson volunteered to put together the annual report by September 30, 2016. C. Karlson stated the email from Mike Lowery should be noted as being from him personally, not from him as a member of the Board of Public Works. The Board stated they were disappointed to hear that Betty Salzberg resigned from the Library Planning Committee and thanked her for her efforts. M. Antes stated that the boards are catching up on minutes.

A15. Report of the Town Administrator The Nichols' parcel swap from 1988 was discussed and the Board agreed it will be put on the Consent Calendar for the September 6, 2016 meeting. N. Balmer said Town Planner S. Sarkissian will present the Housing Production Plan to the Planning Board at their August 22, 2016 meeting. N. Balmer discussed the Municipal Modernization Act, which will bring a lot of changes in assessing, procurement, and revolving funds. N. Balmer told the Board that she needs someone to manage all of the new implementations. N. Balmer reported that the pension issue is being worked on by the finance director and was partly an IT issue. She also added that there may be penalties. She said she is meeting every few days with staff about it. N. Balmer said she is working on a 5-year plan for the Finance Committee, but is not there yet. She said she will continue to work on it. N. Balmer said that Recreation is working on cash deposits and they are in good shape. She said it was an opportunity for all department heads to learn about procedures for all deposits. N. Balmer said Recreation will use a cash register at the beach and will use a safe. N. Balmer stated that she is happy to report the discrepancies have been resolved. N. Balmer said Police Chief Irving drafted a letter to Mass Highway about resurfacing route 20. N. Balmer also discussed the issue of special municipal employees, which was an action taken by the BOS in 1963. L. Anderson and L. Jurist didn't think that Selectmen in towns with populations over 10,000 are considered special municipal employees. N. Balmer said she will look further into the issue.

A16. Selectmen's Reports and Concerns M. Antes stated that she attended the 110 Grill opening. M. Antes also went to the The Carroll School meeting and reported that it was very civil and the school answered all the questions that were asked. L. Jurist asked if the Board had to follow up on any of Gretchen's earlier public comments. N. Balmer stated that the Board might not have any role, except future employment of Town Counsel. C. Karlson asked N. Balmer for update on Conservation's office transition plans. N. Balmer stated that she will be meeting with the Conservation Chair and B. Monahan this week to discuss looking for an interim and the hiring of a new Conservation Administrator. N. Balmer also stated that Assistant Assessor D. Ellis accepted a position in another community.

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, L. Anderson moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:32 p.m. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0-0

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 15, 2016

1. Email correspondence, from May 2, 2016 to July 14, 2016, between Geoffrey Larsen, Building Commissioner, and Matthew Levy, Levy Properties LLC, re: 150 Main Street Zoning Review related to Building Permit Application
2. Draft Town Administrator Evaluation Form, September 2015-August 2016
3. Explanatory Statement of Changes in Expenses Template, Facilities Department, from Public Buildings Director Ben Keefe

Items Included as Part of Agenda Packet for Discussion During the August 15, 2016 Board of Selectmen's Meeting

1. Memorandum of 8/15/16 from Board of Selectmen to all Boards, Committees, Commissions, Departments and Staff re: Special Town Meeting, November 15, 2016
2. Public Notice, Petitioner's Workshop on August 15, 2016, for Special Town Meeting on November 15, 2016

3. Draft Articles for Special Town Meeting
4. Memorandum of 8/15/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: New Public Records Law
5. Memorandum of 8/15/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Board of Selectmen, re: Executive Assistant to Town Administrator Job Duties
6. Town Administrator Evaluation: Background Information and Process, September 2015-August 2016, prepared by Chair Cherry Karlson, August 10, 2016
7. Draft Minutes of August 3, 2016
8. Report of the Town Administrator for the Week Ending August 12, 2016