



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
LOUIS M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

**Board of Selectmen
Meeting Minutes
December 5, 2016
Wayland Town Building
41 Cochituate Road, Wayland**

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:02 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.

A2. Public Comment Gretchen Dresens, 155 Main Street, expressed deep concern over the ZBA Appeal Hearing on the 150 Main St. project, She strongly suggested that the Board watch the hearing on WayCam, take action, and get involved.

Nancy Leifer, East Plain Street, stated she had a difficult time dealing with the appeal process and obtaining information from the Building Department. She said there are at least 10 violations of the bylaws in the site plan.

Arlene Schuler, 9 King Street, said that G. Dresen's appeal went through the proper process and should have been heard on the substance of the appeal.

Rebecca Butler, West Plain Street, stated that it appears there was gross negligence from town employees and the only appropriate thing to do is to reinstate G. Dresen's appeal.

George Harris, Holiday Road, stated that he is not directly affected by this issue and is here because the BOS appoints the Building Inspector and the ZBA. He said the Board should fix this because they can.

Molly Upton, 23B Bayfield Rd, discussed suggestions for solutions. She stated that the town needs to spend money and have the bylaws redrafted because there are so many inconsistencies.

Katherine Gardner-Westcott, 5 Richard Road, commented on the Conservation Office proposal for additional staff. K. Gardner-Westcott knows first hand how busy the office is since she worked there as a part of the Senior Tax Work Off Program.

Ed Collins, Plain Road, expressed concern about the situation at the ZBA hearing.

C. Karlson stated as a reminder that the Board asked N. Balmer to send a letter to the ZBA chair stating what happened without advising them what to do, because of the ZBA's statutory authority.

A4. Hearing on Liquor License Violation, The Local Restaurant, 11 Andrew Avenue At 7:33 p.m. C. Karlson opened the hearing for a liquor license violation by The Local Restaurant, 11 Andrew Avenue. The Chair stated that the hearing is for a violation of Massachusetts General Law, Chapter 138, Section 34, regarding: Sale of Liquor to Underage Persons. This violation is alleged to have occurred on October 21, 2016. The Board was joined by Police Chief R. Irving, Det. Sergeant J. Berger, Frank Santo, Manager Allan Cush. J. Berger described the incident to the Board which involved two underage females being served alcohol. C. Karlson asked if The Local would like to respond. The Local manager stated that he would like to apologize to the town for this incident. They terminated the employee and she was TIPS certified. C. Karlson closed the hearing at 7:49

J. Nolan moved, seconded by L. Anderson, that the liquor license for The Local Restaurant, 11 Andrew Avenue, Wayland, is hereby placed on probation for a period of one year, commencing on December 6, 2016

and ending on December 6, 2017. During the period of probation, any violation of Massachusetts Liquor Laws, Chapter 138, or the rules supplement for "Provisions and Consumption of Alcoholic Beverages" will result in an automatic penalty of a minimum of one day suspension of the liquor license for each separate violation. Furthermore, the licensee will provide the Chief of Police with a roster of all servers of alcoholic beverages at The Local Restaurant accompanied with a certificate of completion for "Alcohol Intervention Methods" training or other approved training for the servers of alcoholic beverages, within 10 days of December 6, 2016. Any new employees hired, as liquor servers, must complete "Alcohol Intervention Methods" training or other approved training, within sixty (60) days of their date of hire and a certificate of completion must be delivered to the Chief of Police. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A3. FY18 Budget New Positions: Fire, Police, Conservation, Information Technology, and

Facilities Police Chief R. Irving and LT. P. Swanick presented to the Board their request to increase staffing from 23 officers to 24 officers. P. Swanick stated that calls for service have increased and a River's Edge consultant said the project would further increase the calls per year. The additional officer would provide a safer town for residents and let the Police Department continue their programs. He projected a savings of about \$6,000 in overtime.

Fire Chief D. Houghton and Deputy Chief N. McPherson discussed the need for additional Fire Fighters. D. Houghton stated that there has been an increase in back-to-back calls. The department needs to meet the needs of the town which are increasing with the growth. D. Houghton stated that they did a financial analysis and it would be possible to fund 2 positions from the ambulance fund. He also provided a 5-year plan of the ambulance fund that would support this. D. Houghton stated that the three assisted living facilities in town account for 17% of the emergency calls.

Chair of Conservation S. Greenbaum stated that the additional positions requested in the Conservation Department are a matter of quality of life in town. She stated that Conservation would like to restore the part-time administrative assistant position to a full-time position. It was noted that the new Conservation Administrator and Administrative Assistant started today. S. Greenbaum stated that the new Administrative Assistant is willing to go full-time. S. Greenbaum also requested a new part-time Assistant Conservation Administrator position. It would be without benefits and the position would handle stormwater, stormwater, drainage, and land management supervision.

IT Director G. Pazos stated that the IT Budget is similar to this year's budget and it would be continuing a lot of the same services. The services are right off the RSM report of what was recommended for the town. G. Pazos discussed all of the software requests in the budget. He stated that a lot of the increases are the additional subscriptions for software. He said that the Business Systems Analyst position will be posted soon.

Facilities Director B. Keefe stated that his proposed budget has decreased for FY18. He said that the Town has negotiated great prices for gas and electricity. Supplies and salaries have both gone down. He then passed out a revised 5-year capital plan to the Board. He said that maintaining the current Town Office Building and maximizing the existing space is a priority. He said he hopes to use the Green Communities Grant for a lot of the upgrades. J. Nolan asked about Station 2 upgrades. B. Keefe said it is to provide adequate space for Fire Fighters of both genders.

A6. Committee Interview and Appointments The Board was joined by Katherine Gardner-Westcott and Ann B. Gordon to interview for appointment to the Historical Commission. The applicants reviewed their background and interest in serving on the commission. M. Antes moved, seconded by L. Anderson, to

appoint Katherine Gardner-Westcott to the Historical Commission, effective immediately, for a term to expire on June 30, 2019. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by L. Anderson, to appoint Ann B. Gordon to the Historical Commission, effective immediately, for a term to expire on June 30, 2019. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. FY18 Budget

Selectmen, Town Office, Legal, Unclassified, Personnel Board, Dog Officer

E. Doucette discussed the Selectmen, Town Office, Legal, Unclassified, Personnel Board, Dog Officer FY18 Budgets. She discussed the difference between the Selectmen and Town Office budget. She stated both budgets should remain around the same as they were last year. J. Nolan asked E. Doucette to look into the MAPC membership dues to make sure there is enough money. E. Doucette stated that the Legal Budget will now be separated into different categories. She said the Unclassified expenses largely vary. She stated that the biggest expense for the Personnel Board is advertising and that will now all be consolidated to the personnel budget so next time around the town can see how much is spent on advertising.

C. Karlson then discussed the process with the Board members. She said that next week they will look at the summary sheets. L. Jurist stated that there is never going to be a good time to add anything to the budget and if that's what Police and Fire need the Board should recommend they receive it. L. Anderson said she would like to know where the Personnel Board stands on this. L. Anderson said she is aware how Wayland lines up to other communities and that the town center is also contributing to more public safety issues for fire and police. L. Anderson and M. Antes both said they are not comfortable saying no to public safety and they would also support extra hours for the administrative position in Conservation. C. Karlson suggested the possibility of funding the extra Asst. Conservation Administrator position mid-year and she would like B. Keveny to look at the Fire positions being funded by the ambulance fund more closely. The Board agreed to continue considering the positions in Police, Fire, and the additional hours for the administrative position in Conservation, as well as mid-year funding for the addition of an Assistant Conservation Administrator.

A7. Vote to Approve Renewal of Liquor Licenses, Common Victualler Licenses, Entertainment License, and Used Car Dealer Licenses

It was noted that three liquor licenses, the Coach Grill, China Rose, and the Takara Japanese Restaurant, have been held until the December 12, 2016, meeting because the required fire and building code conditions have not yet been met.

L. Jurist moved, seconded by J. Nolan to approve the 2017 renewal of the liquor licenses, common victuallers' licenses, entertainment licenses, and auto dealer licenses as presented below. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

110 Grill CW Wayland LLC	175 Commonwealth Avenue	Liquor License On Premise All Alcoholic
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
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 Liquors (Eastbrook Inc.)	87 Andrew Avenue	Liquor License Package Store Wine & Malt
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
110 Grill CW Wayland LLC	175 Commonwealth Avenue	Victualler License
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
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
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
110 Grill CW Wayland LLC	175 Commonwealth Avenue	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
Prime 131 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.	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
State Road Auto Body (Stephen Jones)	292 Boston Post Road	Sale of Used Vehicles II
Wayland Automotive Sales (Richard Devlin)	322 Commonwealth Avenue	Sale of Used Vehicles II
Wayland Foreign Motors (Tim and Tom Cornu)	356 Boston Post Road	Sale of Used Vehicles 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

J. Nolan left the meeting at 9:40 p.m.

A8. Vote to Open Annual Town Meeting and Election Warrants L. Anderson moved, seconded by M. Antes to open the Warrant for the Annual Town Meeting to begin on Sunday, April 2, 2017, at 1:00 p.m. in the Wayland High School Field House, and the Annual Election to be held on Tuesday, March 28, 2017, at designated polling places. The warrant for said Annual Town Meeting will be open from Thursday, December 15, 2016, at 8:30 a.m., through Tuesday, January 17, 2017, 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 Tuesday, January 17, 2017. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A9. Minutes: Review and Vote to Approve Minutes of November 7, 2016, and November 15, 2016

L. Anderson moved, seconded by M. Antes, to approve the minutes of November 7, 2016, and November 15, 2016, as amended YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

A10. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by L. Anderson, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan ABSTAIN: none. Adopted 4-0.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes discussed item number two about water supply levels. C. Karlson stated that D. Millette is following it very closely. M. Antes asked about the progress of ClearGov.

A12. Report of the Town Administrator The Board discussed their upcoming schedule. N. Balmer stated that a lot of work is being done on the Town Counsel transition. She said that the Annual Town Meeting Article list is attached for the Board to look at. C. Karlson asked N. Balmer to check in with department heads and let them know the sooner they submit their articles the better. C. Karlson suggested that article submission not be accepted unless they are fully filled out. She said it would make the process go smoother. M. Antes told the Board that there may be a Petitioner's Article banning plastic bags.

A13. Selectmen's Reports and Concerns M. Antes reported that the Habitat House was dedicated on Friday. She also expressed interest in having an Article (again) for resident aliens to be able to vote in Town Meeting. C. Karlson suggested finding out if previous Town Meeting votes expire. L. Anderson attended the Suburban Coalition meeting and a discussion held by Director of Assessing E. Brideau about tax relief programs. C. Karlson said she attended the tree lighting and the solar dedication. L. Anderson suggested that a letter of support would be appropriate from the Board to the Islamic Center of Boston in light of the threatening letter they received.

N. Balmer stated for the record that she did not say the stamp of the Town Administrator is as good as the Town Clerk's stamp when G. Dresens came to the office with her appeal. C. Karlson said she was concerned that residents at public comment claimed that some public documents requested were not in their file in the Building Department. N. Balmer said she will look into that.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A15. Enter into Executive Session 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 At 10: 12 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session 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. The Chair declares that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer. C. Karlson stated that the board will return to open session only for the purpose of adjourning.

The Board returned to open session at 10:28 p.m.

A16. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 10:28 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson. NAY: none. ABSENT: J. Nolan. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of December 5, 2016

1. Background Information on Fire Department Staffing from Fire Chief David Houghton

Items Included as Part of Agenda Packet for Discussion During the December 5, 2016 Board of Selectmen's Meeting

1. Memorandum of 12/5/16 from Nan Balmer, Town Administrator, to Board of Selectmen re: FY18 Budget
2. Notice of Hearing, 11/14/16, to The Local Restaurant, with Procedure for Liquor License Hearing and Police Incident Report
3. Memorandum of 12/2/16 to Board of Selectmen re: Appointment to Historical Commission
4. Memorandum of 12/5/16 to Board of Selectmen re: 2017 Licensing
5. Memorandum of 12/5/16 from Board of Selectmen to All Boards, Committees, Commissions, Departments and Staff re: Vote to Open Annual Town Meeting and Election Warrants
6. Draft Minutes of November 7, 2016, and November 15, 2016
7. Report of the Town Administrator for the Week Ending December 2, 2016