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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

### Board of Selectmen

#### Meeting Minutes

June 5, 2017

7:00 p.m.

Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland

**Attendance:** Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Douglas A. Levine

**Absent:** Cherry C. Karlson

**Also Present:** Town Administrator Nan Balmer

**A1. Call to Order by Chair** Chair L. Anderson 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 that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

M. Antes announced that Riverfest is coming up on Father's Day weekend, June 17-18. L. Anderson said she will be attending a Metropolitan Area Planning Council Legislative Breakfast on June 16.

**A2. Public Comment** John Zullo, 51 Claypit Hill Road, presented a petition to the Board with almost 800 signatures that requests the school sites be removed as potential locations for school bus parking.

Suzanne Meinert, 7 Adams Lane, brought before the Board 14 pages of online comments from residents who oppose the school bus parking.

Sheila Carel, 18 Joyce Road, stated she came before the Board in January expressing concern about parking the school buses at the schools. She said she is still very concerned, brought up various health reasons, and said the children have no choice in this matter so she is their voice. She also noted the School Committee has not taken the two sites off the list.

Jean Milburn, 281 Concord Road, discussed the proposed Council on Aging/Community Center facility and asked that the committee be reappointed so they can start working again and hopefully move it forward.

Amy Michaels, 41 Joyce Road, voiced her support for what the previous people have said in public comment about the school bus parking. She said the significance of almost 800 signatures and 14 pages of comments cannot be taken lightly. She requested that the Board of Selectmen work with the Finance Committee and the School Committee to find an alternative location and remove both school sites from the list before August.

Judy Ling, 274 Concord Road, discussed a letter written to the Board of Selectmen asking them to vote no on any Town Meeting article that proposes funding for a new library building in Wayland. She said her motivation is love and she loves the existing library.

Carole Plumb, 17 Bald Rock Road, requested that the process for handling the Stephen Cass litigation be released to the public.

**A3. Vote to Adopt Proclamation that June 11, 2017, will be Race Amity Day in the Town of Wayland, and Vote to Adopt Tolerance Pledge for the Town of Wayland**

M. Antes moved, seconded by L. Jurist, to adopt a Proclamation that June 11, 2017, will be Race Amity Day in the Town of Wayland. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by L. Jurist, to Adopt a Tolerance Pledge for The Town of Wayland. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A4. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Whether the Town Should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland, LLC, relative to Property and Development located off 400-440 Boston Post Road; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(7), to Review and Consider for Approval the Potential Release of the Following Executive Session Minutes on the Following Topics: Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (1)(3) a Discussion of Strategy with Respect to and in Preparation for Collective Bargaining with Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Wayland Teachers' Association, Wayland Educational Secretarial Association, Custodians Union and Food Service Association Representing Town and School Employees; and a Discussion of Whether the Town Should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland LLC, Relative to Property and Development Located off 400-440 Boston Post Road, and a Discussion of a Pending Action Regarding 20 Millbrook Road; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(2), a Discussion of Strategy with Respect to Negotiations with Non-union Personnel, Town Administrator, because a Public Discussion of these Matters may have a Detrimental Effect on the Negotiating, Litigating or Bargaining Position of the Town: APPROVE AND RELEASE: March 24, 2017, and March 31, 2017; and APPROVE AND HOLD: April 24, 2017, and May 1, 2017** At 7: 29 p.m., L. Anderson 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 whether the Town should pursue legal proceedings with respect to the Town's Agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road; and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(7), to review and consider for approval the potential release of the following executive session minutes on the following topics: pursuant to Massachusetts General Laws Chapter 30A, Section 21 (1)(3) a discussion of strategy with respect to and in preparation for collective bargaining with Police, Fire, AFSCME 1, AFSCME 2, Library, Teamsters, Wayland Teachers' Association, Wayland Educational Secretarial Association, Custodians Union and the Food Service Association representing Town and School employees; and a discussion of whether the Town should pursue legal proceedings with respect to the Town's Agreement with Twenty Wayland LLC relative to property and development located off 400-440 Boston Post Road, and a discussion of a pending action regarding 20 Millbrook Road; and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(2), a discussion of strategy with respect to negotiations with non-union personnel, Town Administrator: APPROVE AND RELEASE: March 24, 2017, and March 31, 2017, and APPROVE AND HOLD: April 24, 2017, and May 1, 2017. The Chair declared that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0. Chair L. Anderson invites attendance by Town Administrator Nan Balmer.

The Board returned to open session at 7:45 p.m.

#### **A5. Board Comments on Wayland Real Asset Planning (WRAP) Committee Report**

G. Schuler, member of WRAP, came before the Board to hear comments and take notes. N. Balmer said she made two comments during the WRAP forum. She stated that she hoped the Board of Selectmen could consider the idea of a Capital Planning Committee and the recommendation of a master scheduler. M. Antes suggested there should be more factual information added to the Council on Aging/Community Center section from what had already been provided. The Board also noted that there needed to be additions from public input, comments about affordable housing and comments from the forum. L. Jurist stated that the High School recreation facilities are in dire need of updates. G. Schuler stated the report does not list items by priority. The Board gave G. Schuler some feedback and thanked her for taking on such a big project.

#### **A16. Report of the Town Administrator**

- 1. CPA Grant Agreement** While G. Schuler was still in attendance, the Board covered this one item. N. Balmer said the Board will be asked to execute a grant agreement between the Town and the Trinitarian Congregational Church. G. Schuler said the Church will be asked to sign a preservation restriction as a condition for acceptance of CPA funds.

#### **A6. Vote to Approve Line Item Transfers; Review Reserve Fund Transfers**

N. Balmer stated this is a new tool this year thanks to the Municipal Modernization Act of 2016. N. Balmer discussed three actions for Board consideration. She noted that there is a mistake on item two and it should be a \$68,000 transfer from General Insurance to Library Drainage account, not \$87,300.71.

M. Antes moved, seconded by D. Levine, to vote to approve line item transfers of \$7,500 from Conservation Operating Budget Personnel Services to Expenses for Design of Aqueduct Pedestrian Crossings and \$12,353 from IT Operating Budget Personnel Services to Expenses for Provision of E-mail Addresses to Board and Committee Members. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

M. Antes moved, seconded by L. Jurist, to vote to confirm the previous vote to fund Library Drainage Project, specifically to Transfer \$68,000 from General Insurance to Library Drainage Account. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

N. Balmer also discussed other Town needs and potential funding sources. She said the Town's website updated cost can be funded from the FY17 IT Operating Budget. Capital funds appropriated for the construction of the DPW Building will be used to reconfigure DPW offices and to purchase new equipment for new staff. Stormwater Technical Assistance for DPW will be funded through a combination of leftover budget money from this year and through potentially a Fall Town Meeting request. She also noted that Town Building office space reconfiguration is very important and greatly needed at this time. She said she will get a team of staff to work on it and it might be a Special Town Meeting article in the fall. N. Balmer thanked the town committees for contributing to the costs of their legal expenses this year.

#### **A7. Adopt Special Town Meeting Schedule**

The Board agreed on the STM schedule that was discussed at the last meeting which would give the Finance Committee more time to work on articles. The Board decided a vote was not required as it is a working schedule and subject to change in the future.

**A8. Adopt Governance Guidelines and Review Distribution Process**

N. Balmer said one additional change recommended by M. DiNapoli was incorporated and now includes the Town Clerk's email as the location for Boards and Committees to send meeting minutes.

D. Levine moved, seconded by M. Antes to Adopt the Governance Guidelines For the Board of Selectmen and Boards and Committees Appointed by The Board of Selectmen, as amended. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A9. Discuss Annual Town Meeting Date**

The Board discussed the date and usage constraints on scheduling Annual Town Meeting (ATM). D. Levine asked if the town has ever held the Annual Town Meeting in May. L. Jurist explained they have to schedule ATM around the use of the Field House. M. Antes said there have been two petitioner articles regarding a later Annual Town Meeting date. L. Anderson is leaning towards option two, but the Board can wait to vote on it so everyone can think about.

**A10. Review Board of Selectmen Meeting Schedule**

The Board looked over the proposed schedule. The Board decided to take another look at the last two weeks in July due to possible scheduling conflicts.

**A11. Discuss Town Administrator Evaluation Process**

L. Anderson said she is looking to line up the timing of the evaluation with N. Balmer's anniversary date of early September. She said she is looking at templates to rewrite the evaluation, and she is trying to make it easier for the Board to fill out. L. Anderson went over the upcoming process for the evaluation with the Board members. The Board agreed with her suggestions.

**A12. Discuss Appointment/Reappointment Process**

The Board asked questions about some of the appointments and reappointments and to clarify the process. N. Balmer said the Board will have to decide if they want to interview all appointments. The Board said they want to interview the people for potential appointment to the Personnel Board, Finance Committee, Zoning Board of Appeals and Conservation Commission.

**A13. Minutes: Review and Vote to Approve Minutes of May 15, 2017** L. Jurist moved, seconded by M. Antes to approve the minutes of May 15, 2017, as amended. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A14. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by L. Jurist, to approve the Consent Calendar. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A15. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. The Board noted the insurance credits given by MIIA and the MSBA approving the grant for windows and doors for Loker Elementary School. D. Levine noted that he wants to include legislators in the letter to Mass Highway regarding the resurfacing of Route 20. N. Balmer said she will include them.

#### **A16. Report of the Town Administrator, continued**

2. **Plastic Bag Bylaw** N. Balmer said the Health Director provided draft letter regarding a plastic bag ban. M. Antes said the letter needs editing and offered her editing services. N. Balmer said a next step may be to meet with the petitioner of the plastic bag bylaw.
3. **IT Update** G. Pazos will be available to come to the Board of Selectmen meeting on June 19 to update the Board on the progress of the IT Department.
4. **40B Process** The 24 School Street application could be received within the next week or two. N. Balmer said they have set up an initial arrangement for the Building Commissioner to be the point of contact for that project. N. Balmer said there is great staff in the building department now. She also said Town Counsel will be available to represent the ZBA and a 40B consultant will be hired.
5. **Public Records Guidelines** There is a new requirement to post guidelines and they will be posted to website soon.
6. **Correspondence** Regarding Glezen Lane, the Plaintiff's motion for attorney's fees was denied, and Town Counsel is looking to clarify the Town's continuing obligations under the Glezen Lane judgement. There is also a letter from Verizon's attorney regarding proposed locations for cell towers and N. Balmer's response asking for more information on town owned locations that Verizon would request to use.

#### **A17. Selectmen's Reports and Concerns**

D. Levine said he has heard several complaints from residents about the complexity of the town's permitting process. He would like to see a guide posted online similar to our neighboring towns and offered to work on this project. N. Balmer told D. Levine to contact the Building Commissioner G. Larson. She said she's not sure she has the time or funds to work on it right now but she will consider it. M. Antes said she attended the MAPC Annual Meeting a few weeks ago and there was an inquiry about Sherman's Bridge. N. Balmer said she will consider that. L. Anderson said that she and D. Levine marched in the Memorial Day parade and said it was a great parade and ceremony.

#### **A18. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

The Chair said, "I know of none."

**A19. Adjourn** There being no further business before the Board, L. Jurist moved, seconded by D. Levine, to adjourn the meeting of the Board of Selectmen at 9:34 p.m. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

#### **Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 5, 2017**

1. Draft Meeting Schedule for Board of Selectmen, June to November 2017
2. Draft Special Town Meeting Schedule, November 14, 2017
3. Petition from Residents to Remove Wayland Middle School and Claypit Hill School as Sites for School Bus Parking and to Locate the Bus Parking Lots Away from Wayland's Schools and Neighborhoods, and Comments from Signatories
4. Map of Weston Aqueduct Public Access Path in Wayland, Old Connecticut Path, Pinebrook Road, and Route 27/126 Intersection

**Items Included as Part of Agenda Packet for Discussion During the June 5, 2017 Board of Selectmen's Meeting**

1. Tolerance Pledge and Race Amity Day Proclamation
2. Memorandum of 6/5/17 from Elizabeth Doucette, Financial Administrator, to Board of Selectmen, re: FY17 Line Item Transfer Request
3. Draft Special Town Meeting Schedule
4. Memorandum of 6/5/17 from Nan Balmer, Town Administrator to Board of Selectmen re: Governance Guidelines
5. Memorandum of 6/5/17 from Nan Balmer, Town Administrator to Board of Selectmen re: Discussion on Spring 2018 Annual Town Meeting Date
6. Draft, 6/5/17, Town Administrator Evaluation: Background Information and Process, September 2016-August 2017
7. Memorandum of 6/5/17 from Nan Balmer, Town Administrator to Board of Selectmen re: Appointment/Reappointment Process
8. Draft Minutes of May 15, 2017
9. Report of the Town Administrator for the Week Ending June 2, 2017