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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

April 23, 2018

7:00pm

Selectmen's Meeting Room
41 Cochituate Road, Wayland

Attendance: C. Karlson, Lea T. Anderson, Mary M. Antes, Louis M. Jurist (arrived at 8:02 pm), Douglas A. Levine

Also Present: Town Administrator N. Balmer

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

A2. Announcements and Public Comment M. Antes announced the METCO 50th Anniversary Celebration will be this Sunday. The Rail Trail clearing sponsored by historical commission will be May 5 & 6. The Domestic Violence Roundtable Annual Shower for Shelters will be from April 20-May 6, and the Library will collect unwrapped gifts for people living in shelters. The aerial application Mosquito Control Project to apply larvicide by helicopter will take place between April 23-27.

Sally Cartwright, Board of Library Trustees, resident of Cochituate Road, asked the Board to please expedite the demolition of the DPW Building that has been abandoned at 195 Main Street and to safely dispose of any hazardous materials. She thanked D. Levine for his efforts to have the work completed at the Rte. 27/30 intersection.

Linda Segal, Aqueduct Road, suggested three corrections to the minutes of meetings before Annual Town Meeting on April 2 and 5, and also referred to the period of time where no documents were submitted to the Selectmen. She expressed concern with a confidential survey as outlined in the proposed volunteer appointment process in the packet.

Bill Sterling, member of COA/CC, checking in with the Board about the Committee's next meeting and the status of their charge. C. Karlson provided a brief update on the outstanding items in the existing charge.

Fire Chief D. Houghton responded to public comment about 195 Main Street and summarized the efforts to move forward. He announced that the Fire Department received a grant package application for developing a Vulnerability Plan with a May 11 deadline. They will need a signed letter from Chair of BoS or Town Administrator to apply. Also, he mentioned that in his opinion, the bargaining agreement that the Board will discuss later is fair, complete and was funded at Annual Town Meeting.

Carole Plumb, Bald Rock Rd., asked if the Board will have a Town Meeting review session. L. Anderson said they will have one on May 7. C. Plumb also asked if Board of Selectman set objectives and goals for themselves.

Tom Maglione, Rice Road, discussed Town Meeting and urged the BoS to schedule it at a later time after school vacation. He thinks it is bad practice that Town Meeting is held during religious holidays, and he discussed his concerns about the relationship between the Annual Town Meeting and the Schools.

A4. River's Edge Update: Meet with Town Engineer Town Engineer Paul Brinkman came before the Board to provide an update on the River's Edge project. He went over the past timeline of dealing with DEP, stating DEP has been a reluctant partner. Feedback has been inconsistent with changing sampling protocols. Recently, he met with DEP on site to review the dirt pile, and the DEP thought the new plan was something that could be modified. P. Brinkman warned the Board that the costs are likely to increase even in the best circumstances. He hopes to have the plan modified and re-released to the DEP, and once it's approved they can start with the process. D. Levine asked the best and worst-case scenarios of when this can be done. P. Brinkman and N. Balmer went over dates (May/June) and the upcoming extension with Wood Partners at the end of May. L. Segal asked if LSP Ben Gould is still working with him. P. Brinkman replied affirmatively.

A7. Special Act Relative to the Prevailing Wage for Affordable Housing: Vote to approve letter to legislative delegation The Board reviewed the letters in the packet. C. Karlson moved, seconded by M. Antes, that the Board of Selectmen authorize the Chair to sign these letters regarding a special act relative to the Prevailing Wage for Affordable Housing. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A6. Governance Guidelines: Review, revise, and discuss distribution N. Balmer said these guidelines are being used by department heads. The Guidelines call for annual review by the Board. C. Karlson had 2 edits to the guidelines. M. Antes asked about the process for posting minutes and who can upload them to the website. N. Balmer said because of the new website more users can be added to upload minutes. The Board found several other grammatical edits. N. Balmer said Town Clerk B. Klein also has a list of edits. The Guidelines will be edited and brought back for further review.

A8. Cable: Discuss next steps and vote to approve letter to Comcast D. Levine has agreed to work on this project. N. Balmer said the next three steps are to approve the letter in the packet, put together a negotiating team, and encumber funds of \$20,000 to carry over for related legal fees. She said the cable contracts are good for 10 years. WayCam's role in this was discussed.

C. Karlson moved, seconded by D. Levine to authorize the chair to sign the letter to Comcast regarding the upcoming cable renewal process. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A9. Successor Collective Bargaining Agreement: Vote to sign the successor agreement between the Town and the International Association of Firefighters, Local 1978 for the period July 1, 2017 through June 30, 2020 M. Antes moved, seconded by D. Levine, that the Board of Selectmen vote to sign the successor agreement between the Town and the International Association of Firefighters, Local 1978 for the period July 1, 2017 through June 30, 2020. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A10. 11 Hammond Road: Vote to waive Building Department fees for Affordable Housing Trust Project N. Balmer explained that the Building Commission is not currently permitted to waive fees. She asked the Building Commissioner to give the Board of Selectmen a recommended policy for waiving fees for 11 Hammond Road. She also asked for a policy that will give the Town a permanent solution, so the Building Commissioner may consider waiving fees in the future. N. Balmer briefly discussed the policy. C. Karlson suggested the policy include town land. N. Balmer said she will take the language and translate into a permanent policy. M. Antes recused herself from the vote.

C. Karlson moved, seconded by D. Levine, to vote to approve the Building Commissioner's recommendation on the policy for Building Department fees associated with the Affordable Housing Trust Project at 11

Hammond Road. YEA: L. Anderson, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: M Antes. Adopted 3-0-1.

L. Jurist arrived at 8:02 p.m.

A13. Minutes: Vote to approve and release minutes of March 26, 2018; April 2, 2018; April 3, 2018; April 5, 2018; and April 9, 2018. C. Karlson moved, seconded by D. Levine, to approve the minutes of March 26, 2018; April 2, 2018; April 3, 2018; April 5, 2018; and April 9, 2018, as amended. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson, L. Jurist. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A3. Organization of the Board: Vote to elect officers The Board decided to retain the present organizational structure.

M. Antes moved, seconded by D. Levine, to vote that L. Anderson serve as Chair and C. Karlson serve as Vice Chair. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson, L. Jurist. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Board Liaison Assignments: Review, discuss, and assign The Board reviewed the assignments. C. Karlson said she is happy to take the COA/CC Committee for now. She suggested not listing any projects and to balance the workload. The Board decided that the chair should be the central point of contact for the Collins Center and the TA search process. N. Balmer stated the reaffirmed liaison assignments will go out to Boards and Committee after final review by the Board.

A11. Town Administrator Search Committee: Discuss process The Board published a request for candidates for a Town Administrator search screening committee. Seven letters of interest have been received to date and the deadline is tomorrow. On April 17, Bernie Lynch of Community Paradigm met with most of the department heads and individual Board of Selectmen members. Applicants for the Screening Committee need to be available to interview applicants during mid to late June during the afternoon. There should be 5-7 members at the most, and they should include a member of the Personnel Board and an elected official, who can be a member of the Board of Selectmen. L. Anderson will review the applicants and bring a suggested committee list back to the Board at the next meeting. The Board asked that the community forum be taped by WayCam.

A12. Town Administrator's Report N. Balmer reported that both the northern and southern CVS stores now use recyclable bags. N. Balmer said they are looking at new chairs for the Board Selectmen's meeting room. The Board of Public Works is looking at the date of May 16 for the Board to hold a special meeting on private roads.

- 1. Correspondence** No comments this week.
- 2. Collins Center Special Act** N. Balmer said the role of Finance Committee and Board of Selectmen would change if there is a Town Administrator/Manager Special Act. Consensus of the Board is to strive for an accelerated approval schedule. She discussed the three questions for the Board to consider asking when it meets with Department Heads. The Collins Center will provide a final memo on financial policies as well as attend two more meetings. They offered to continue on with their work after July 1st. The estimated cost would be \$6,000 through Dec. 31, 2018. The consensus of the Board is to continue through the end of the year.
- 3. Staffing Update** N. Balmer gave an update on staffing. Assistant Town Administrator E. Doucette has also been given oversight of the IT Department and is shadowing N. Balmer to provide back up on other topics. N. Balmer said she will report to the Board about the future of the IT Department at the next meeting. She reported that a long term temp has been brought in for the Executive Assistant position and has capably taken on the job duties. D. Porter has taken over duties of the HR Assistant as well as other areas of work that interest him as time permits. N. Balmer reported the Town has been unable to fill the position of Human Resources Director and listed reasons potential

candidates have declined the position. A member of the Personnel Board will step in and participate in the Police negotiations. She stated that she is handling day-to-day management of HR issues.

4. **Volunteer Recruitment and Education** N. Balmer and the Board discussed the memo that outlined a proposed schedule for the recruitment of new volunteers and re-appointment of current volunteers.

A14. Consent Calendar: Review and vote to approve (See Separate Sheet) M. Antes moved, seconded by C. Karlson, to approve the Consent Calendar. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson, L. Jurist. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A15. Review Correspondence: (See Separate Index Sheet) C. Karlson thanked N. Balmer for reaching out to Rep. Gentile. N. Balmer said she has a follow up on Eversource from L. Hanson for the Board. L. Anderson said she's happy to see the report from the Health Director about the future of permit programming.

A16. Selectmen's Reports and Concerns L. Anderson attended a meeting with Rep. Katherine Clark and said it was an excellent discussion of issues faced by the towns in her district. L. Anderson brought up the federal tax law changes and the potential impact on high property tax communities. Other subjects discussed included storm water, housing, and transportation. M. Antes stated that the Metro West Regional Collaborative meeting is Thursday at the Public Safety Building in Wayland. The housing choice meeting of the 495 Partnership will be held tomorrow morning.

A17. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any None.

A18. Enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(1) to hear a complaint against public officials and Massachusetts General Laws Chapter 30A, Section 21(a)(7) to comply with the statutory requirements of Massachusetts General Laws Chapter 214, Section 1B with respect to the privacy rights of an individual: The Board will convene an executive session pursuant to these statutes to discuss, deliberate and take appropriate action with respect to an Open Meeting Law complaint filed by George Harris with respect to the Board of Selectmen's executive session held on March 6, 2018. M. antes seconded. 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)(1) to hear a complaint against public officials and Massachusetts General Laws Chapter 30A, Section 21(a)(7) to comply with the statutory requirements of Massachusetts General Laws Chapter 214, Section 1B with respect to the privacy rights of an individual: The Board will convene an executive session pursuant to these statutes to discuss, deliberate and take appropriate action with respect to an Open Meeting Law complaint filed by George Harris with respect to the Board of Selectmen's executive session held on March 6, 2018. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Chair invites attendance by Nan Balmer, Town Administrator. The Board will reconvene in open session in approximately 15 minutes to adjourn. No additional public business will be discussed in open session tonight.

The Board returned to open session at 9:24 pm.

A10. Adjourn C. Karlson moved, seconded by L. Jurist, to adjourn the meeting at 9:25 pm. YEA: L. Anderson, M. Antes, D. Levine, L. Jurist, C. Karlson. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of April 23, 2018.

1. Public Notice regarding the aerial application of biological larvicide by the East Middlesex Mosquito Control Project
2. Email from Tom Holder, DPW Director, dated April 23, re: MassDOT Bridge Inspection Report

Items Included as Part of Agenda Packet for Discussion During the April 23, 2018 Board of Selectmen's Meeting

1. Board of Selectmen Policy on Officers and Meetings (revised on July 13, 2015)
2. Board of Selectmen Policy on Liaison Program (approved May 1, 2017)
3. Board of Selectmen Liaison Assignments for April 2017 through April 2018
4. Town of Wayland Governance Guidelines for the Board of Selectmen and Appointed Boards, Committees, and Commissions (adopted June 5, 2017)
5. Draft letter from the Chair of the Board of Selectmen to Senator Ross, Representative Gentile, and Representative Peisch, re: Act Relative to the Prevailing Wage for Affordable Housing in the Town of Wayland
6. Draft letter from the Chair of the Board of Selectmen to Governor Baker and Secretary Ash, re: Act Relative to the Prevailing Wage for Affordable Housing in the Town of Wayland
7. Annual Town Meeting Vote Certificate for Article 29: An Act Relative to the Prevailing Wage for Affordable Housing in the Town of Wayland
8. Board of Selectmen Vote Certificate to approve the petition to the State Legislature seeking exemption from sections 26 through 27H of Chapter 149 of the General Laws for affordable-related projects estimated to cost \$30,000 or less.
9. Copy of Article 29 from 2018 Annual Town Meeting
10. Draft letter from the Chair of the Board of Selectmen to Timothy Murnane, VP of Government and Regulatory Affairs, Comcast, re: Wayland Massachusetts License Renewal Process
11. Memorandum from Nan Balmer, dated April 23, 2018, re: Vote to sign Collective Bargaining Agreement: Firefighters
12. Memorandum from Nan Balmer, dated April 23, 2018, re: Request for waiver of fees from the Affordable Housing Trust for its project at 11 Hammond Road
13. Town Administrator's Report for the week ending April 20, 2018
14. Memorandum from David Porter, dated April 23, 2018, re: Volunteer recruitment
15. Draft minutes of the Board of Selectmen meetings held on March 26, 2018; April 2, 2018; April 3, 2018; April 5, 2018; and April 9, 2018