



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
DOUGLAS A. LEVINE

Board of Selectmen

Meeting Minutes

November 6, 2017

6:50pm

Wayland Town Building, Large Hearing Room
41 Cochituate Road, Wayland

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

Absent: Cherry C. Karlson

Also Present: Town Administrator Nan Balmer, Assistant Town Administrator/HR Director John Senchyshyn, Town Counsel Carolyn Murray

A1. Executive Session Open meeting and 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 to discuss strategy with respect to collective bargaining with the Wayland Food Service Association L. Anderson moved, seconded by L. Jurist, to 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 to discuss strategy with respect to collective bargaining with the Wayland Food Service Association. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, negotiating or bargaining position of the Town. Roll call vote: 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: Nan Balmer, Town Administrator, John Senchyshyn, Assistant Town Administrator/HR Director, Brad Crozier, Assistant School Superintendent, Carolyn Murray, Town Counsel, and David Porter, Assistant to the Town Administrator and Board of Selectmen. The Board will reconvene in open session in approximately 15 minutes.

A2. Call to Order by Chair Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:05p.m. in the Large Hearing Room of the Wayland Town Building and noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. There was an announcement reminding residents of the Town's Veterans Day Ceremony.

A3. Public Comment Mike Lowery, Lake Shore Drive, responded to the memo from the Library Planning Sub-committee on re-use of 5 Concord Road. He disagreed with the memo's definition of a library and library uses and stated the establishment of a committee on re-uses of 5 Concord Road is premature. He suggested Wayland review Weston's model for re-purposing a building

Judy Ling, Concord Road, asked for an update on 2016 Annual Town Meeting Article 19 – Wastewater for 5 Concord Road.

Tom Sciacca, spoke about the Library and COA /Community Center and stated the Town should take a step back. A Community Center could be smaller and 5 Concord Rd. could be a Library of Wayland Culture.

Linda Segal, Aqueduct Rd, asked the Board to consider adding an annual report to COA/CC's charge.

A5. Swear in Lieutenant Sean Gibbons Police Chief Swanick presented Sgt. Sean Gibbons for promotion to Lieutenant. Following administration of the oath by Town Clerk Beth Klein and pinning his badge, the Board congratulated Lt. Sean Gibbons on his appointment.

A4. Special Town Meeting Warrant Hearing L. Anderson opened the STM Warrant Hearing and was joined by Town Moderator D. Berry, Town Counsel C. Murray and the Finance Committee. Copies of warrants and the latest motions were provided to attendees. L. Anderson reiterated that the hearing is an opportunity to identify any corrections in the warrant, not a place to debate the merit of articles. L. Anderson led a page by page walk through of the warrant and asked for any changes.

- Article 1: there was a question on whether money can be carried across fiscal years. C. Murray confirmed that the Town's governing authority is allowed to spend money on prior year fiscal bills with a town meeting vote.
- Article 3, Personnel Bylaws and Wage and Classification Plan, there was discussion about how much money would be left in the salary settlement account and if the positions were for full-time or part-time. J. Senchyshyn stated that there would be approximately \$80,000 left in account after the transfer is completed.
- With Article 4, Compensation for Town Clerk, there was a question about FinCom's write-up because it states the salary should be equivalent to a grade 9. J. Senchyshyn explained that the article request is equivalent to a grade 9 step increase and a 2% overall increase consistent with union settlements. A resident questioned why a non-union employee would even get a step increase.
- Article 5, Initial Year Funding of Town Successor Collective Bargaining Agreements: there were questions about employee head counts, FTE's, what overtime and shift differentials mean, and what are the forthcoming amounts for FY19 and FY20. J. Senchyshyn stated that overtime is calculated based on what has taken place and the differential is for the dispatch unit for overnight shifts.
- Article 6, Transfer of Funds For School Department Contracts, there are two different spellings for Ellen Grieco, it should be spelled "Grieco." There were also questions about successive year costs, non-union increases and salary and increments for each contract.
- Article 8, Accept Gifts of Land at Town Center spurred many questions regarding the lack of information on the legal and ongoing costs, terms of the settlement agreement, environmental indemnifications for the Town, requirements of acquiring the detention basins and ability of the Town to use the "Town Green". Overall comments state the write up was glossy and too vague. It was also noted that the maps provided were not adequate and the deed restriction information should be visualized better for residents. L. Anderson noted that the Board will discuss whether to go forward with this article later tonight.
- Article 9, High School Stadium Complex: Alternative options for a synthetic turf field were discussed as well as the accuracy of the usage data. FinCom member W. Steinberg stated that in the write up the School Committee would consider various materials for the field and noted that this Article is just for the design. A. Lewis, Claypit Hill Rd, stated the town needs to know if the School Committee voted for this to be artificial turf and questioned the clarity of the warrant write-up. L. Segal, Aqueduct Rd, again stated the importance of land use articles having clear maps. L. Anderson said there is a link to the maps because they wouldn't print well in the Warrant.
- Article 10, High School Tennis Courts/Softball Field Reconstruction Design Fees: M. Lowery asked if there was a map associated with the article. It was noted that the number of basketball and tennis courts and the cost of the volleyball court doesn't appear. W. Steinberg stated the costs are not included because the article is just for design fees. Costing will be done when design is done.
- Article 11, Synthetic Turf Field at Loker: L. Segal distributed proposed edits to the FinCom write-up. She also requested improved maps in the Warrant. A question was asked regarding how these large Capital Projects will be managed with current staffing and the current Capital Projects that are ongoing or upcoming.

- Article 12, Marijuana Moratorium: A resident noted that at the Planning Board meeting there were 3 members and an associate member, so the vote should be 3-0 and not 4-0. Town Counsel C. Murray said she will look at the WayCam recording.
- Article 14, Appropriate Funds to Install Weston Aqueduct Pedestrian Crossings: it was asked what crossing this refers to. L. Hansen repeated the information in the warrant and described the locations. It was also discussed if signs would be put up at the crossing. L. Hansen said all that would be happening but not until after the crossings are put in. M. Lowery noted that more maps in general would have been useful, especially for this article.
- Article 15, 107 Old Sudbury Road Demolition: L. Segal asked if the building would be used for burning practices for the Fire Department. Fire Chief D. Houghton assured her it won't be used for that since it's not a safe space for anyone to enter.

L. Segal also noted that on page 51 the link goes to two documents dated 2010 and 2014. T. Sciacca recommended that another column be added to page 49. John Senchyshyn and Town Counsel Carolyn Murray left after warrant hearing.

A6. Council on Aging/Community Center: Discuss next steps Bill Sterling, member Council on Aging, came before the Board to discuss a draft charge he provided for the COA/CC. N. Balmer said it's the Board's decision to reconstitute the Committee, to determine the scale/square footage of the project, whether to continue the contract and to either re-advertise or continue with the former members. B. Sterling said most if not all former members are interested in serving again. He stated a 9-person committee would be more helpful. The Board gave B. Sterling some feedback about how to improve the clarity and structure of the document. D. Levine said he sat down with former members of COA/CC and it seems like they are ready to move ahead with this. N. Balmer said the Board can consider the COA/CC's reconstitution on the consent calendar of Nov 14 before Special Town Meeting. It was agreed to go forward with the contract, reconstitute the committee and expand the committee by two positions.

A7. Discuss and Vote on Special Town Meeting Articles The Board decided to pass over Article 8, Accept Gifts of Land at Town Center. They stated negotiations are still ongoing and it's not fair for Town Meeting to vote on an article without enough time to distribute the Settlement document or have a healthy discussion about it. M. Antes moved, seconded by D. Levine, that the Board of Selectmen vote to pass over Article 8 with regret. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: Adopted 4-0-0.

The Board decided to delay taking any action on Article 14, Appropriate Funds to Install Weston Aqueduct Pedestrian Crossing, until the Community Preservation Committee has voted on it

L. Anderson asked who would follow up with committees and boards about the lack of maps in the Town Warrant. She said the additional maps might help Town Meeting run more smoothly. N. Balmer said she would communicate that message.

A8. Vote to sign Wayland Meadows documents N. Balmer discussed the background and process of accepting the donation of conservation land. She stated that two agreements need to be signed. L. Anderson pointed out a date that needs to be corrected.

M. Antes moved, seconded by D. Levine, to vote to authorize the Board of Selectmen to sign the Agreement and Quitclaim Deed and to authorize the chair of the Board of Selectmen to sign the Donation Letter, IRS Form 8283 and the Settlement Statement to accept "Lot 8" from Wayland Meadows. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: Adopted 4-0-0.

A9. Vote to sign Town Administrator's contract L. Anderson noted that the Board has already voted on the contract in executive session and it has been reviewed by Town Counsel and the Personnel Board. She stated N. Balmer's contract is for a one-year term with her salary increasing to \$173,800, effective September 8, 2017. D. Levine moved, seconded by M. Antes, to authorize the Board of Selectmen to sign the contract

for Town Administrator Nan Balmer for a one-year term. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: Adopted 4-0.

A10. 52-60 Rice Road: Vote to sign Open Space Deed and Donation Letter N. Balmer explained the Conservation Cluster land donation by Mr. and Mrs. Thomas D. Greenaway and asked the Board to vote and sign a letter as well as a quitclaim deed. She stated she will notarize the signatures after they sign the documents. A map was provided for clarification. The Conservation Commission has yet to vote, but has expressed interest in the land. No Town Meeting vote is required. L. Jurist moved, seconded by M. Antes, to vote and sign the 52-60 Rice Road Donation Letter and Open Space Agreement with appreciation. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: Adopted 4-0.

A11. Minutes: Vote to approve minutes of October 23, 2017 M. Antes moved, seconded by D. Levine, to approve the minutes of October 23, 2017 as amended. YEA: L. Anderson, M. Antes, L. Jurist, D. Levine. NAY: none. ABSENT: C. Karlson. ABSTAIN: Adopted 4-0.

A12. Consent Calendar: Review and vote to approve (See Separate Sheet) Based on M. Antes' question, N. Balmer said she will reach out to Town Clerk B. Klein for further explanation about vote to place positions on the ballot in item four. The Board decided to hold on that item. M. Antes moved, seconded by D. Levine to approve the Consent Calendar with the exception of number four. YEA: L. Anderson, M. Antes, D. Levine, L. Jurist. NAY: none. ABSENT: C. Karlson ABSTAIN: none. Adopted 4-0 N. Balmer noted there is a very high legal bill in the packet related to Glezen Lane, 40B projects and the Affordable Housing Trust (which will be reimbursed).

A13. Review Correspondence: (See Separate Index Sheet) The Board discussed the ongoing issues of 322 Commonwealth Road. The Board offered congratulations to Assistant Fire Chief Neil McPherson. L. Anderson noted it was nice to see the first monthly report from the new Wayland Police Chief.

A14. Report of the Town Administrator

- **Correspondence** None.
- **Housing Update** N. Balmer reported on a meeting amongst the various housing groups. It was decided to move forward with a potential collaboration between WHA and RHSO to provide comprehensive affordable housing monitoring.
- **Reorganization:** There is agreement that a shared Wastewater support person serving the Wastewater Management District Commission and the School Department would be a good idea. The individual would report to the DPW. N. Balmer noted that the Town Surveyor position has also been assigned to the BoPW. The Personnel Board has supported the request for a Capital Projects Manager that would report to the DPW Director and work with the Facilities Director. E. Doucette has been assigned the role of liaison to the IT Department. The permitting staff met with a vendor today to review permitting software to improve customer service. Efforts continue to reconfigure the land use workspace.
- **Rivers Edge Amendment** The second agreement was signed by Wood Partners and N. Balmer. N. Balmer stated the Town planner will arrange a meeting with the DPW Director, Town Engineer and MassWorks to phase the water line project to be consistent with the terms of the grant.
- **Capital Projects** N. Balmer stated she and the Finance Director are meeting with the large departments to discuss funding and hoping to present a capital plan to the Board of Selectmen and Finance Committee on November 20. She noted she will also ask the Board of Selectmen to review alternatives for debt exclusions for large projects.
- **FY19 Budget** N. Balmer reviewed the budget message to the Finance Committee. She asked the Finance Committee to come to the Board for requests to cut the budget before making decisions.

She also asked the Finance Committee to clarify how they would like the Board of Selectmen to budget for routine capital items.

- **Private Roads** The DPW Director suggested the following steps going forward. By November 20, he would like the Town Planner to provide a list of private ways for which subdivisions requirements were waived and the original owners agreed the roads would not be plowed or maintained by the Town. The Board asked about waiver of liability statements from private road residents. On November 27 or 28, the DPW will offer a 4-hour tour of private roads for the Selectmen. On December 4 or 11, the Board will again discuss the adoption of a road list and policy.
- **20 Millbrook Storage** The storage container has been removed by the owner.
- **Library Planning Committee:** N. Balmer said the Committee provided the Board of Selectmen a report on the re-use of 5 Concord Rd. L. Anderson asked that this be put on the agenda for November 14.

A10. Selectmen's Reports and Concerns D. Levine updated the Board about the intersection of Routes 27 and 30, and noted the State said they will wrap this up by the end of the year and will start paving in the spring. D. Levine stated that on October 31, he and C. Karlson met with Zurich, owners of Town Center, and National Development and noted it was a helpful meeting. One concern that was brought up was availability of wastewater capacity. D. Levine stated the lines of communication are open with Zurich, and they are committed to improving Town Center.

A11. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A12. 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 9:10 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 November 6, 2017

1. Memo from E. Doucette to N. Balmer re: Town Counsel Services September 2017
2. Map of Rice Road Conservation Cluster
3. Suggested edits of Special Town Meeting Article 11 from L. Segal
4. Special Town Meeting revised motions 11/6/17 version
5. Memo from M. Lowery re: public comment 10/19/17 Forum on reuse of 5 Concord Rd

Items Included as Part of Agenda Packet for Discussion During the November 6, 2017 Board of Selectmen's Meeting

1. Draft Fall Special Town Meeting Motions
2. Memorandum from N. Balmer, re: Requests from the Council on Aging
3. Update: Council on Aging/Community Center Advisory Committee
4. Memorandum from N. Balmer, re: Execution of Final Documents in Connection with the Donation of Land to the Conservation Commission
5. Agreement between Wayland Meadows LLC and the Town of Wayland
6. Quitclaim Deed (Wayland Meadows)
7. Donation Letter (Wayland Meadows)
8. IRS Form 8283
9. Settlement Statement (Wayland Meadows)
10. Letter from L. Anderson to T. Greenaway, re: Open Space at 52-60 Rice Road
11. Quitclaim Deed for 52-60 Rice Road
12. Draft Minutes of October 23, 2017 meeting

13. Town Administrator's Report for Week Ending November 3, 2017
14. Memorandum from E. Doucette, re: Budget Summary
15. Memorandum from N. Balmer, re: FY19 Operating Budgets
16. Email from R. Flanagan, re: Container at 20 Millbrook Road
17. Memorandum from Working Group of Library Planning Committee, re: Reuse of current Library building at 5 Concord Road