



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

LOUISE L. E. MILLER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

BOARD OF SELECTMEN

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

**Board of Selectmen
Meeting Minutes
April 16, 2019
7:00 p.m.
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland**

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

Absent: Douglas A. Levine

Also Present: Town Administrator Louise Miller

A1. Call to Order by Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:01 p.m. in the Council on Aging Room in the Wayland Town Building when a quorum was present, noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcement and Public Comment The Council on Aging has a survey available for residents to weigh in on how best to help people stay in their homes safely as they age. There will be a vendor expo from 2:30p.m.-6:00p.m. on Wednesday afternoon at the High School on the same topic. Also, the Library has a survey to help with future planning that is available online and on paper. The BoS will meet again Monday night April 22, 2019 for the Warrant Hearing.

Aida Gennis, Wayland Hills Road, Board of Library Trustees Chair, read a statement explaining why the Board of Library Trustees can't support the Town Manager Special Act proposal in its current form.

Kim Steere, Friends of the Library President, read a statement expressing concerns about the possible effects the Town Manager Special Act would have on the oversight of the library and the Library's historical role in the community.

Jon Hart, 40 Knollwood Ln., expressed his opinion that the Library should remain run by an independent elected Town Board and not an appointed Town Manager.

Tom White, Sedgemoor Road, noted the level of attendance at this meeting considering it is School vacation week.

Alexia Obar, 18 Dean Road, discussed her concern about holding the meeting tonight during school vacation week and said she could not support the Town Manager Special Act without exempting the Library.

A3. Workshop on Town Manager Special Act: Discuss revised Act and next steps Town Counsel Carolyn Murray was present for the discussion. L. Anderson reviewed the materials in the Board's packet to facilitate tonight's Board discussion. She reminded the Board that the Town has been discussing the Town Manager Special Act (TMSA) since March of 2018. At the last meeting on the TMSA in January 2019, the Board had questions on the changes from existing code as shown in the Collins draft. In follow up discussions with town counsel, L. Anderson suggested taking a different approach to use the language from Chapter 60 as a template. The document in front of the Board has the familiarity of the existing language as a place to start the discussion about possible changes.

The Board discussed changes that were not carried over in the new version, for example specific positions are no longer called out and the lengthy description of removing the Town Manager has been changed. C. Karlson asked if a statement should be included that the TMSA would not take away any authority given by state law. L. Anderson asked if a TMSA can trump responsibilities given by state law.

C. Murray said once the Act becomes official, if approved by Town Meeting and the legislature, it becomes a special act of legislation and will be on equal footing with every state statute. If the Act is silent on certain issues, it defaults to state law. She discussed the position of Town Manager and how it would change or not change authority from the Town's Boards and Committees. She explained the exceptions given to the School Committee by state law and stated that Wayland needs to decide what will work best for the Town. She urged the Board to consider what it wants so that Wayland can create a TMSA that fits its needs.

The Board discussed their vision for the Special Act. C. Karlson said she is looking for the Town to be more operationally efficient, noting that Wayland is a \$90M business that requires professional management. M. Antes discussed the difficulty of finding volunteers and the burnout that is often experienced. L. Jurist says this follows the advice of consultants to be more professional and is not intended to take away power. L. Anderson reviewed the changes around creating the DPW and discussed her vision including the structure and flow of a potential Finance Department or a potential future land use department. She does not intend to take policy and program decisions from the Boards but rather to have to work in consultation with the Town Administrator's office.

Beginning with Section 1, C. Murray worked with the Board to review and discuss each section of the new version of the TMSA. She noted that at the end of each paragraph there is a notation of whether the text is new, modified or taken directly from existing code. Section 1 is substantially from existing code. Section 2, Authorities, includes more organization changes and addresses administrative, financial, personnel, and facility responsibilities. The Board is the chief executive of the Town; the Town Manager could be the chief operating and administrative officer. C. Murray noted that "policy making" and the word "program" can be defined as broadly as the Board desires, but cautioned the Board about defining everything. The Board suggested combining and reordering some of the sections and edits to word choices. When asked, L. Miller explained how the Town Administrator is currently involved in the personnel hiring process based on union contracts and job descriptions and how the hiring process might change for the Personnel Board based on the TMSA.

L. Jurist stated he thinks there's enough protection in the draft for boards and committees and they should not fear losing any power. Authority over grants, officers, and how far the Town Manager's appointing authority should expand were all discussed. C. Murray noted that any future positions created will have to address a hiring and firing authority. L. Anderson suggested taking out the Library Director position under the appointing authority of the Town Manager. The Board discussed the various issues the Library has with the Town Manager Special Act and why it lacks support from the Trustees. C. Karlson noted there are many reasons why the Library does not support it and the Board shouldn't focus on resolving just one of the reasons at this time. C. Murray went through the rest of the sections and discussed the Board's options regarding language and noted how other municipalities have structured their Town Manager role.

C. Murray noted that other sections of the bylaw may need to be updated, e.g. Finance, Personnel. C. Murray and the Board agreed the draft needed to be cleaned up and then the Board will have to identify what is left to decide. The Board stated that after reviewing the next revision of the TMSA, they will then send it back out to all boards and committees for review and comment and also hold a public session specifically for community input.

A4. Minutes: (none)

A5. Consent Calendar: Review and vote to approve (see separate sheet)

- 1. Vote the question of approving and signing the weekly payroll and expense warrants**

L. Jurist moved, seconded by M. Antes, to approve the Consent Calendar. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

A6. Selectmen's reports and concerns A session of the Citizen's Academy was held at the Library and M. Antes said she thought it went well. C. Karlson noted she has heard great things about the program. L. Miller said the Town will post the department power point presentations used at the Citizen's Academy.

A7. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:
None.

A8. Adjourn L. Jurist moved, seconded by C. Karlson, to adjourn the meeting at 9:38p.m. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of April 16, 2019.

1. Statement from Wayland resident Jon Hart, presented during the public comment portion of the meeting, re: Library should remain run by an independent elected town board
2. Statement from the Kim Steere, President, Friends of the Wayland Library, presented during the public comment portion of the meeting, re: the Special Act in its current form would bring long-term changes to the oversight of the Library

Items Included as Part of Agenda Packet for Discussion During the April 16, 2019 Board of Selectmen's Meeting

1. Town Manager Special Act Workshop Overview
2. Workshop material, TMSA Draft dated April 11, 2019
3. Background material, Collins Draft TMSA dated January 7, 2019
4. Background material, Board and Committee Feedback on Collins Center draft
 - a. Finance Committee Feedback
 - b. Board of Library Trustees
 - i. A. Gennis memo dated February 1, 2019
 - ii. J. Dion letter dated February 1, 2019 with attachments:
 1. Excerpts from MBLC Trustee Handbook, pages 39-40
 2. Bylaws of the Board of Library Trustees
 3. Library data on Wayland Peer Towns, February 1, 2019
 - c. Personnel Board Draft Minutes, September 25, 2018
 - d. Board of Assessors Meeting Notes by C. Karlson, August 13, 2018
 - e. Board of Public Works
 - i. Memo: Draft Financial Management Structure Review, May 22, 2018
 - ii. Email from Tom Abdella, member BoPW, dated June 12, 2018 re: BoPW Memo