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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
THOMAS J. FAY  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

**Board of Selectmen  
Meeting Minutes  
December 16, 2019  
6:45 p.m.  
Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Thomas J. Fay, Douglas A. Levine (7:28 p.m.)

**Also Present:** Assistant Town Administrator Elizabeth Doucette

**Absent:** Town Administrator Louise Miller

**A1. Call to Order by Chair** C. Karlson called the meeting of the Board of Selectmen to order at 6:45 p.m. in the Selectmen's Meeting 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.

**A2. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (2) to conduct a strategy session in preparation for contract negotiations with non- union personnel (Town Administrator).**

At 6:45 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (2) to conduct a strategy session in preparation for contract negotiations with non-union personnel (Town Administrator).

The Chair declares that a public discussion of these matters may have a detrimental effect on the negotiating or bargaining position of the Town. Roll call vote: YEA: L. Anderson, C. Karlson, M. Antes, T. Fay. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0. The Chair invites attendance by Kathleen Buckley, Human Resources Manager. The Board will reconvene in approximately 15 minutes for the purpose of continuing the meeting.

The Board returned to open session at 7:12 p.m.

**A3. Review Agenda for Public** C. Karlson reviewed the agenda for the public.

**A4. Announcements and Public Comment** There were no announcements. Richard Turner asked that the name of Marylynn Gentry be added to the list recognizing Wayland citizens at Town Meeting.

**A5. Licensing: Vote to approve renewal of liquor licenses, common victualler licenses, entertainment licenses, used car dealer licenses, and sale of second hand articles licenses as noted on the attached overview sheet.** C. Karlson reported that the Board does not have to renew Panera's common victualler license and Prime 131's common victualler and entertainment licenses. The Board discussed Prime 131's liquor license renewal request.

C. Karlson explained why Prime 131's liquor license would be renewed if they are closed; it would be beneficial to the marketing of the space. She said L. Miller advised the Board not to renew it since any new establishment would have to go through the entire licensing process regardless. She also reported that Wayland Automotive Sales is the only license with a significant number of cars associated with it. C. Karlson said she would like to hold this license at the moment due to compliance issues.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve the renewal of liquor licenses for 110 Grill, China Rose, Coach Grill, and Boston's Finest Fuels. YEA: T. Fay, M. Antes, C. Karlson, L. Anderson. NAY: none. ABSENT: D. Levine ABSTAIN: none. Adopted 4-0.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve the renewal of common victualler licenses for the list on pages 2 and 3 of the memo (2020 License Renewals) in the packet except for Prime 131 Grill and Panera Bread. YEA: T. Fay, M. Antes, C. Karlson, L. Anderson. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

D. Levine entered the meeting at 7:28 p.m.

T. Fay moved, seconded by M. Antes, that the Board of Selectmen approve the renewal of entertainment licenses for those listed in the packet on page 4 of the memo, except for Prime 131 Grill. YEA: T. Fay, M. Antes, C. Karlson, L. Anderson. NAY: none. ABSENT: none. ABSTAIN: D. Levine. Adopted 4-0-1.

T. Fay moved, seconded by M. Antes, that the Board of Selectmen approve the renewal of used car dealer licenses on pages 3 and 4 of the memo except for Cook's Automotive of Wayland and Wayland Automotive Sales. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A6. Appointments: Surface Water Quality: Interview and vote to appoint Norm Marowitz to a term ending June 30, 2020** Norm Marowitz appeared before the Board, introduced himself, and discussed his interest in serving on the Surface Water Quality Committee. Board members asked him several questions including his past experience serving on boards and any time limitations he might have.

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen appoint Norm Marowitz to the Surface Water Quality Committee to a term ending June 30, 2020. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A8. FY2021 Operating Budget: Discuss and possible vote to approve** Finance Director B. Keveny appeared before the Board and distributed paper copies of his presentation of the Fiscal 2021 Management Recommendation Town Operating Budget. He briefly discussed the budget cycle and the steps ahead for the Finance Committee. He discussed the summary of goals that include maintaining the current level of services, identifying departmental payroll initiatives, and preparing balanced budgets.

FY2021 Unclassified initiatives were also discussed, such as level maintenance debt and insurance. B. Keveny went over the Town's committed increases and said the total committed cost increase is \$3.7 million. The total proposed budget is \$87.3 million with an increase of \$4.7 million or 5.69% over FY2020. After adding in other expenditures such as OPEB (Other Post Employment Benefits), capital, and overlay, the total proposed budget is \$90.4 million, a 5.5% increase over FY2020. B. Keveny briefly went through each of the budget submissions and the financial plan to support the expenditures. The proposed reallocations of budgets were also highlighted, although not discussed in depth tonight.

C. Karlson reviewed the status of each deadline in the Town code pertaining to the operating budget. She reported that operating budgets have been submitted to the Finance Committee a month ahead of schedule. B. Keveny reported that the process has improved in the last two years.

C. Karlson noted the large increase in the budget, but is hopeful that there will be some relief in the healthcare number in February.

D. Levine moved, seconded by M. Antes, that the Board of Selectmen support the Town's FY2021 Operating Budget that was reviewed tonight. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A9. Discuss November 2019 Environmental Report on 412 Commonwealth Road (proposed Loker Field) and next steps** E. Doucette listed the reports available. Facilities Director B. Keefe appeared before the Board to discuss the findings. The Board asked if Ben Gould of CMG Environmental had seen the report and other documents. C. Karlson said once L. Miller returns the Board will further review the report.

**A7. Town Manager Special Act: Review revised language, prepare Annual Town Meeting article and identify next steps** L. Anderson updated the Board regarding the Town Manager Special Act review. Town Counsel will issue an updated draft for discussion at the next BoS meeting on Jan. 6. The update will include input from the Nov. 21st community forum. C. Karlson asked for feedback and said the Board may have to meet again for a vote on the Act for submission as an article.

**A10. Town Administrator's Report**

- 1. Community Preservation Act Applications** C. Karlson reported in the Town Administrator's absence. CPA applications were favorably received and the chair was instructed to prepare articles to review and vote on January 8. Articles include two on affordable housing (consultant and Housing Production Plan), library ADA accessibility, and accessibility for two school playgrounds.
- 2. Council on Aging/Community Center Building RFP** E. Doucette reported that the RFP is on hold until L. Miller returns. In the meantime she is working on the language to make sure it is clear based on the variety of options the RFP includes. E. Doucette reviewed the process.
- 3. River's Edge Update** The ZBA meets tomorrow night to review this again.

**A11. Minutes: Review and vote to approve minutes of November 25, 2019 and December 9, 2019** M. Antes moved, seconded by T. Fay to approve the minutes of November 25, 2019, as amended. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A12. Consent Calendar: Review and vote to approve (see separate sheet)**

1. Vote the question of approving and signing the weekly payroll and expense warrants. M. Antes moved, seconded by L. Anderson, to approve the revised Consent Calendar in the Board Packet. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A13. Correspondence Review** The Board reviewed correspondence briefly. C. Karlson mentioned item 2 indicated that George Harris did not accept the OML mediation outcome. She also mentioned item 5 on the Subsidized Housing Inventory Biennial Update.

**A14. Selectmen's reports and concerns** T. Fay said he had a discussion with Cliff Lewis about the proposed sculling shed at the Town Beach. He said he will prepare a framework memo for the Board. M. Antes announced that the Governor's administration has developed drinking water standards and is investing funds for water infrastructure and protection from contamination by PFAs.

**A15. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:**  
None.

**A16. 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 estate in regard to the Rivers Edge Project at 484-490 Boston Post Road; and Pursuant to Massachusetts General laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with the New England Police Benevolent Association (NEPBA)/Wayland Police Officers Union (WPOU) Local 176; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (1), (3), (6), (7) and (9) to review and approve the executive session minutes of November 4, 2019; November 8, 2019; and November 25, 2019 APPROVE AND HOLD: Executive Session minutes of November 4, 2019; November 8, 2019; and November 25, 2019**

At 8:57 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen 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 estate in regard to the Rivers Edge Project at 484-490 Boston Post Road; and Pursuant to Massachusetts General laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with the New England Police Benevolent Association (NEPBA)/Wayland Police Officers Union (WPOU) Local 176; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (1), (3), (6), (7) and (9) to review and approve the executive session minutes of November 4, 2019; November 8, 2019; and November 25, 2019 APPROVE AND HOLD: Executive Session minutes of November 4, 2019; November 8, 2019; and November 25, 2019.

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: T. Fay, M. Antes, C. Karlson, D. Levine, L. Anderson. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Chair invites attendance by Beth Doucette, Assistant Town Administrator. The Board will reconvene in approximately 20 minutes solely for the purpose of adjourning.

The Board returned to open session at 9:23 p.m.

**A19. Adjourn** L. Anderson moved, seconded by D. Levine, to adjourn the meeting at 9:24 p.m. YEA: L. Anderson, M. Antes, D. Levine, T. Fay, 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 December 16, 2019.**

1. "Fiscal 2021 Management Recommendation Town Operating Budget, Town of Wayland, December 16, 2019"
2. Board of Selectmen Packet for December 16, 2019
3. Correspondence for December 16, 2019

### **Included as Part of Agenda Packet for Discussion During the December 16, 2019 Board of Selectmen's Meeting**

1. Listing of 2020 license renewals dated December 16, 2019
2. Letter of interest from resident Norm Marowitz
3. Correspondence from Timothy Snay, Principal, Vice President/Senior Scientist, Ransom Consulting, Inc., to Sarkis Sarkisian, Town Planner, dated January 15, 2019, re: environmental conditions of former Dow Chemical Facility, 412 Commonwealth Road, Wayland, MA
4. Correspondence from Timothy Snay, Vice President of Environmental Services, Ransom Environmental Consultants, Inc., and Stephen Ransom, President, Ransom Environmental

Consultants, Inc., to Scott Greene, Northeast Regional Office, Massachusetts Department of Environmental Protection, dated January 28, 2000, re: Release Abatement Measure (RAM) Plan Modification, RAM Plan No. 3, Former Dow Chemical Property, 412 Commonwealth Road (Rte. 30), Wayland, MA, MA DEP Release Tracking No. 3-3866

5. Draft of Board of Selectmen Minutes of November 25, 2019

### **CORRESPONDENCE**

1. Correspondence from resident John Sax, to the Board of Selectmen and Louise Miller, Town Administrator, dated December 9, 2019 re: Follow up comments on Loker LSP study discussed at the December 9<sup>th</sup> Board of Selectmen meeting
2. Correspondence from resident George Harris, to Carrie Benedon, Director, Division of Open Government, Office of the Attorney General, dated December 9, 2019, re: Pending Open Meeting Law Complaints against Wayland Board of Selectmen
3. Notice of Filing, Public Hearings and Procedural Conference from The Commonwealth of Massachusetts, Department of Public Utilities, dated November 26, 2019, re: Petition of NSTAR Gas Company doing business as Eversource Energy, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of General Increases in Base Distribution Rates for Gas Service
4. Correspondence from Shonda Green, Department Secretary, Commonwealth of Massachusetts, Department of Telecommunications and Cable, dated December 4, 2019, re: License Expiration Notice
5. Correspondence from Roberta Rubin, Chief Counsel, Office of the General Counsel, and Catherine Racer, Associate Director, Division of Housing Development, to Local Official dated November 25, 2019, re: Subsidized Housing Inventory Biennial Update
6. Report from Julia Junghanns, Director of Public Health, dated December 9, 2019, re: Wayland Board of Health Director's Report