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TOWN OF WAYLAND

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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

Board of Selectmen Meeting Minutes April 19, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan
Also Present: Town Administrator Nan Balmer

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Discuss the Exchange, Lease or Value of Real Estate in Regard to the Municipal Parcel at Town Center At 6:32 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 discuss strategy in regard to the exchange, lease or value of real estate in regard to the municipal parcel at Town Center. The Chair declares that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer and Town Counsel Mark Lanza. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 7:04 p.m.

A2. Call to Order by Chair Chair C. Karlson called the open meeting of the Board of Selectmen to order at 7:04 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. M. Antes said the Council on Aging and the Historical Society are sponsoring a "Toys in the Attic" event on April 21, and Habitat for Humanity is sponsoring a Women's Build at Stonebridge Road from May 11-14. J. Nolan congratulated the Chair, C. Karlson, for a successful Annual Town Meeting, and welcomed L. Jurist to the Board. C. Karlson said the Moderator's Forum scheduled for April 28 has been postponed and will be rescheduled. She said the Wayland Real Asset Planning (WRAP) Committee has two community forums planned for April 27 and May 16.

A3. Public Comment Steve Correia, 188 Glezen Lane, asked that the Board continue to move forward with plans for a Council on Aging/Community Center at the town center; he said it is still the best use of the municipal pad. C. Karlson entered into the record a letter from Mark Foreman, also of the Council on Aging/Community Advisory Committee, who agreed that the project should move forward. Gordon Cliff, 2 Highfields Road, said he would also support moving forward, but asked the Board to consider a different path, such as separating the project into phases, with the first phase being the build-out of the current building.

A4. Organization of the Board: Vote for Officers M. Antes moved, seconded by J. Nolan, to appoint C. Karlson as the Chair of the Board of Selectmen, and to appoint L. Anderson as the Vice Chair of the Board of Selectmen, for a term to expire upon the completion of the 2017 Annual Town Meeting. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Review Final Accounting for Town Center Development Agreement and Vote to Send Letter to KGI The Board was joined by Town Counsel Mark Lanza and Financial Analyst Beth Doucette to review the accounting in regard to the Town Center Development Agreement. B. Doucette reviewed the escrow

account which was created for the contracting of consultants. She said according to the agreement, the town keeps the original \$400,000 deposit even if it spent less. Twenty Wayland LLC put \$486,090.41 into the account, and with the interest, there was a total of \$489,326.13. An estimated amount of \$90,000 was returned, so the balance due to the town is \$673.87. C. Karlson said the Finance Director must review the figures and make the final approval. M. Lanza reviewed the statutes pertaining to the procedure. The Board reviewed and edited the draft letter prepared by Town Counsel to KGI Properties. M. Lanza said he would have a final version available for a vote at the meeting of May 2. C. Karlson asked for an update on the provision for a Town Green. M. Lanza said it was a requirement of the Master Special Permit that the Town Green be open to the public; he said the project owner may develop rules and regulations subject to review by the Board of Public Works, and the parties may have a license, lease or indemnification agreement. C. Karlson asked M. Lanza to facilitate a conversation with Twenty Wayland LLC in regard to compliance with the Master Special Permit.

A6. Discuss and Vote Board Portfolio Assignments The Board discussed the responsibilities and expectations involved in portfolio assignments. The Board edited the assignments for further review and vote at a later meeting.

A7. Post Town Meeting Review; Plan for Special Town Meeting The Board reviewed the 2016 Annual Town Meeting. C. Karlson said she received positive comments on the abbreviated presentation procedure. L. Jurist said there were complaints about meeting on Sunday. C. Karlson noted the concerted effort to put information on the website prior to the meeting. She said she will ask the Town Moderator to combine his forum next year with the Board of Selectmen warrant hearing. The Board reviewed a draft schedule for the November 2016 Special Town Meeting, potential articles, and the feasibility of using a consent calendar at the meeting. The Board requested that N. Balmer ask department heads if they plan to submit any articles.

A8. Discuss Council on Aging/Community Center Advisory Committee Charge and Next Steps The Board discussed the next steps in the process for the Council on Aging/Community Center, given that the article did not pass at the recent Annual Town Meeting. Members discussed extending the committee charge, providing more direction, and addressing the objections raised at town meeting. C. Karlson also suggested incorporating the information that will come from the Wayland Real Asset Planning (WRAP) Committee. Bill Sterling, Chair, Council on Aging/Community Center Advisory, said he did not feel there was a need to update the charge, but he suggested that the committee be expanded to include more members. Jean Milburn, a current committee member, said she would like additional funding for communications and public relations. Steve Correia, a current committee member, said he would like to establish a relationship with the new owners of the town center, and the Finance Committee. C. Karlson said that any suggestions for changes to the committee charge should be sent to the Town Administrator.

A10. Discuss and Vote to Approve Plan for Timely Preparation of Minutes; Vote to Send Response to George Harris' April 8, 2016 Open Meeting Law Complaint The Board reviewed a draft response to George Harris in regard to the Open Meeting Law complaint of April 8, 2016, including a draft plan calling for the assignment of a Board member to monitor the preparation of minutes, the submission of minutes within five weeks of a meeting, the review and approval of minutes on the same agenda, and the use of the Human Resources Assistant as a backup to the Executive Assistant. The Board discussed the possibility of having the minutes prepared for the following meeting, and the potential need for additional staff. L. Anderson agreed to add the monitoring of the minutes to her portfolio assignments. L. Anderson moved, seconded by M. Antes, to adopt the plan for timely preparation of the Board of Selectmen minutes, as revised to include that the expectation is to have the minutes ready by the next meeting, and a notation that this is an

interim plan while the staffing issue is reviewed. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Review and Vote to Approve Meeting Minutes for the Meetings of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016 The Board reviewed and edited the minutes. M Antes moved, seconded by J. Nolan, to approve the meeting minutes, with corrections, for the meetings of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016, as amended. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Jurist. Adopted 4-0-1.

A10. Discuss and Vote to Approve Plan for Timely Preparation of Minutes; Vote to Send Response to George Harris' April 8, 2016 Open Meeting Law Complaint J. Nolan moved, seconded by L. Anderson, to send a response to the Open Meeting Law complaint of George Harris dated April 8, 2016, to the Massachusetts Division of Open Government, having voted to adopt the plan for the approval of meeting minutes, and having voted to approve the minutes contained therein, and having approved the letter as amended. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A13. Report of the Town Administrator N. Balmer announced the hiring of Jorge Pazos as the new IT Executive Director. She said the revised Rivers' Edge RFP will be advertised on April 21, with the proposals due on June 21. She said the East Middlesex Mosquito aerial application to control mosquito larvae took place today, April 19. She said the February 28, 2016, General Fund financial closing report is available and will be sent to the Board, and she noted that a preliminary Board of Selectmen meeting schedule through December 31, 2016 was included in the packet.

A12. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board noted the winners of the Girl Scouts Gold Award, and discussed scheduling a follow-up on the Carroll School issues.

A14. Selectmen's Reports and Concerns L. Anderson reported on a Minuteman School Committee meeting in which the Superintendent asked for a district-wide vote; she said the MSBA regulations state that no vote can be taken until 16D is complete. She said there is concern that Belmont and Arlington will vote against the school building funding. M. Antes reported on a MetroWest Regional Collaborative Board meeting last week. She said a study was done of town meetings, and the Board asked for copies. C. Karlson said that she and N. Balmer will be interviewed on WayCAM tomorrow. She said that George Harris has appealed the decision of the Attorney General regarding the issue of town-wide legal matters being discussed in executive session. She said she is working with the Town Administrator on a public records request from G. Harris for the release of executive session minutes on closed litigation up to the current time. She asked for updates from the Town Administrator on the open space plan, the RFP for a Financial Advisor, and the tax title accounts.

A15. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, "I know of none."

A16. Adjourn There being no further business before the Board, L. Anderson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:31 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Included as Part of Agenda Packet for Discussion During the April 19, 2016 Board of Selectmen's Meeting

1. Current Board of Selectmen Portfolio Assignments
2. Potential Schedule for November 2016 Special Town Meeting and Potential Articles
3. Committee Charge of the Council on Aging/Community Advisory Committee
4. Board of Selectmen Meeting Minutes of February 1, 2016, February 9, 2016, February 22, 2016, February 29, 2016, and March 7, 2016
5. Memorandum of 4/19/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Plan for Timely Preparation of Meeting Minutes of the Board of Selectmen
6. Town Administrator's Report for the Week Ending April 15, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meetings of April 19, 2016

1. None