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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 May 23, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist (arrived 8:02 p.m.), Cherry C. Karlson, Joseph F. Nolan

Also Present: Town Administrator Nan Balmer

A1. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:03 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. L. Anderson said the Moderator's Forum will be held on May 26 at 7:30 p.m. J. Nolan reviewed the Memorial Day events scheduled for Monday, May 30.

A2. Public Comment Richard Turner, 7 Nob Hill Road, thanked the Girl Scouts for placing the flags on the graves of veterans for Memorial Day. He expressed frustration that the town's email system had been changed without notifying all the users. C. Karlson noted that other volunteers had contacted her with the same concerns regarding the change to the email system.

A3. Interview for Appointment to the Zoning Board of Appeals Jason Drori and Jonathan Sachs appeared before the Board to interview for an appointment to the Zoning Board of Appeals. They reviewed their backgrounds and interest in serving on the board. The Board discussed the ability to read building plans, the time commitment, and the issue of the parcels around Dudley Pond. C. Karlson noted the importance of consistent attendance and the ability to draft opinions. M. Antes moved, seconded by J. Nolan, to appoint Jonathan M. Sachs to the Zoning Board of Appeals, effective immediately, for a term to expire on June 30, 2018. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0. C. Karlson said she will contact J. Drori to discuss the potential of applying for another board or committee position.

A4. Discuss Annual Committee Appointment Process and Schedule The Board reviewed the annual committee appointment process and the list of reappointments. The Board agreed to interview the applicants for reappointment to the Conservation Commission, Finance Committee, Personnel Board and Zoning Board of Appeals over the next few weeks.

A7. Review and Vote to Approve the Minutes of April 19, 2016, May 2, 2016, and May 16, 2016 J. Nolan moved, seconded by L. Anderson, to approve the minutes as amended of April 19, 2016, May 2, 2016, and May 16, 2016. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0. C. Karlson said that in the future, the review and approval of executive session minutes will be added when a regular executive session is scheduled.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. L. Anderson provided background on the letter from Edward Bouquillon, the Superintendent-Director of Minuteman. She said the letter was written in response to the rejection of the bonding for the new school by the Town of Belmont; Minuteman is requesting that the MSBA issue a 180-day extension to work with Belmont to take another vote. Failing that, there will be a call for a district-wide vote. C. Karlson noted the memorandum distributed that night from Dan Hill, member of the Wayland

Joint Affordable Housing Committee, regarding the responsibility for the monitoring of Chapter 40B projects.

A12. Report of the Town Administrator N. Balmer reported that a three-year contract was awarded to UniBank as a result of the RFP for the town's financial advisory services, noting that the final determination was based on cost. She said two contractors are in contention to provide operational review and recommendations to the Wastewater Management District Commission. She said Department Head evaluations and goal setting will be conducted during the month of June, a recommendation from the updated River's Edge RFP should be available at the Board meeting of August 15, and the Finance department heads agreed on a scope of work for the Collins Center study to begin in June. She advised the Board that the Conservation Administrator will be at their meeting of June 13 to provide a status report on the MWRA public access to the Weston Aqueduct. C. Karlson requested that he also provide an update on the conservation restriction on the trail easement at the Town Center. C. Karlson asked that a member of the Board be present at the Moderator's Forum on May 26 to address the issue of combining the forum with the Board of Selectmen Warrant Hearing in the future.

A9. Discussion and Vote to Set Date for 2017 Annual Town Meeting The Board reviewed potential dates for the 2017 Annual Town Meeting, and the possibility of the use of the Middle School as a venue.

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

The Board agreed to continue the discussion at its next meeting.

A5. 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 Property in Regard to the Municipal Parcel at the Town Center Project; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Action regarding Bernstein, et al v. Planning Board; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to the Following Subjects, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to consider strategy with respect to Twenty Wayland, LLC, v. Town of Wayland and the Wayland Wastewater Management District Commission, and Pending Litigation regarding the Case of Twenty Wayland, LLC and the Town of Wayland et al; and to Discuss Collective Bargaining Strategy in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association: APPROVE AND RELEASE: August 26, 2013, and APPROVE AND RELEASE WITH REDACTIONS: February 24, 2014, February 3, 2015, May 16, 2016 At 8:05 p.m., C. Karlson moved, seconded by M. Antes, to 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 property in regard to the municipal parcel at the Town Center Project; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending action regarding Bernstein, et al v. Planning Board; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the following minutes pertaining to the following subjects, and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to consider strategy with respect to Twenty Wayland, LLC, v. Town of Wayland and the Wayland Wastewater Management District Commission, and

pending litigation regarding the case of Twenty Wayland, LLC and the Town of Wayland et al; and to discuss collective bargaining strategy in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association, and approve and release August 26, 2013, and approve and release with redactions February 24, 2014, February 3, 2015, and May 16, 2016. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, 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, Town Counsel Mark Lanza, and Board of Public Works Vice Chair Michael Lowery. The Board will reconvene in open session in approximately thirty minutes.

The Board returned to open session at 8:59 p.m.

A6. Vote to Approve and Release the Executive Session Minutes of August 26, 2013, and Vote to Approve and Release with Redactions the Executive Session Minutes of February 24, 2014, February 3, 2015, and May 16, 2016 M. Antes moved, seconded by L. Anderson, to approve and release the executive session minutes of August 26, 2013. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by J. Nolan, to approve and release with redactions the executive session minutes of February 24, 2014, February 3, 2015 and May 16, 2016. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A8. Discuss and Provide General Direction to Staff on Review of Town Legal Services N. Balmer asked the Board to provide direction in regard to a review of town legal services. She said that the School Committee is looking for School Counsel, and it would be advantageous to work together, but noted that the school is working on a much tighter deadline. She said it may not be a cost-saving move, as the hourly rate could be higher, but there could be a more efficient use of time. C. Karlson said there are three decision points: whether to hire a staff counsel on payroll, a solo practitioner on contract, or a legal firm on contract. N. Balmer said the current Town Counsel Mark Lanza recommended selecting a model first. Members discussed how a town counsel would be used moving forward, whether there is a need for office hours, and how often, and the benefits of the history provided by the current solo practitioner versus the range of staff offered by a firm. C. Karlson asked that the department heads provide input to the Town Administrator. L. Jurist suggested asking the bidders to propose how to best service the town. J. Nolan suggested that Kopelman and Paige make a presentation to the Board. N. Balmer asked that the issue be discussed at the next meeting to expedite the possibility of working with the school department.

A10. Review and Approve Consent Calendar (See Separate Sheet) J. Nolan moved, seconded by L. Jurist, to approve the consent calendar. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: L. Anderson. Adopted 4-0-1.

A13. Selectmen's Reports and Concerns J. Nolan reported on a meeting today with the Executive Office of Public Safety and Security Secretary Daniel Bennett, State Senator Richard Ross, Representative Carmine Gentile, Fire Chief David Houghton and Police Chief Robert Irving to discuss public safety issues, including legislation and grant availability. He noted that Wayland has been designated the safest town in Massachusetts and the second safest town in the United States. L. Anderson added to her comments regarding Minuteman, noting that the Town of Belmont has expressed an interest in withdrawing from the Minuteman agreement. M. Antes said she will be attending the MS4 meeting tomorrow, and the annual

Metropolitan Area Planning Council meeting on Wednesday. The Board discussed the promotion of town news and events. It was agreed that the Town Administrator would meet with M. Antes to discuss the best form of implementation.

A14. Adjourn There being no further business before the Board, J. Nolan moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:28 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 May 23, 2016 Board of Selectmen's Meeting

1. Résumés of Jason L. Drori and Jonathan M. Sachs
2. Memorandum of 5/17/16 to Board of Selectmen re: Annual Reappointments, and Board Policy on Appointments to Town Boards and Committees
3. Board of Selectmen Minutes of April 19, 2016, May 2, 2016, and May 16, 2016
4. Memorandum of 5/23/16 from Nan Balmer, Town Administrator to Board of Selectmen, re: Review of Legal Services
5. Memorandum of 5/23/16 from Nan Balmer, Town Administrator to Board of Selectmen re: Spring 2017 Annual Town Meeting Date
6. Town Administrator's Report for the Week Ending May 20, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of May 23, 2016

1. Memorial Day Program, May 30, 2016
2. Memorandum of 5/4/16 from Daniel C. Hill, Member of the Wayland Joint Affordable Housing Committee, to Board of Selectmen re: Chapter 40B Monitoring
3. 2013 Massachusetts Municipal Association Survey: Town Legal Services