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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 June 6, 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)(3) to Discuss Strategy with Respect To Health Insurance 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 to Discuss Civil Service with Respect to the Police Union; and to Discuss an Arbitration Filing with Respect to the Police Union; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Discuss Strategy with Respect to Negotiations with Non-Union Personnel, Police Chief Contract; 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: 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: May 23, 2016 At 6:03 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to health insurance 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 to discuss Civil Service with respect to the Police Union; and to discuss an arbitration filing with respect to the Police Union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to discuss strategy with respect to negotiations with Non-Union Personnel, the Police Chief contract; 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: 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: May 23, 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, Assistant Town Administrator/Human Resources Director John Senchyshyn, Benefits Manager Donna Lemoyne, Assistant Superintendent of Schools Brad Crozier, Chief of Police Robert Irving, Police Lieutenant Patrick Swanick, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:15 p.m.

A2. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:15 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 RiverFest celebration, sponsored by the River Stewardship Council, will take place on June 18-19. L. Anderson said a Community Forum on the Library Project will be held at the Town Building on June 8. J. Nolan congratulated the recent Wayland High School graduates, and noted that an odd/even water ban has been put into effect as of June 4.

A3. Public Comment Police Chief Robert Irving advised the Board that a letter was received from the Massachusetts Department of Transportation, authorizing the adoption of a change to 30 MPH on .12 miles of Stonebridge Road; he recommended that the Board accept the change. Bill Sterling, 14 Morse Road, expressed concern on behalf of the Pine Brook Neighborhood Association about the potential development of a 40B housing project at the current site of Mahoney's Garden Center, and he urged the Board to expedite a Housing Production Plan to allow the Zoning Board of Appeals to deny inappropriate comprehensive permit plans. Judy Bennett, 66 Hawthorne Road, said there is strong neighborhood support that the parcels of land at 4 and 8 Sycamore Road remain as town-owned property. She said a conservation restriction would protect the land but also allow use for future septic purposes. She also noted there is a water easement that does not appear on the map.

A4. Interview for Appointment to the Permanent Municipal Building Committee This agenda item was postponed to a future date as Patrick Rowe was not able to attend.

A5. Discussion and Vote to Authorize Town Administrator to Seek Special Counsel to Prepare an Opinion Regarding Restrictions on Title on 5 Concord Road The Board was joined by Town Counsel Mark Lanza. N. Balmer said the Board of Library Trustees voted to ask the Board of Selectmen to appoint Special Counsel to review the deed restrictions on 5 Concord Road, as well as other town parcels which are of interest. M. Lanza said the requirement to use the land at 5 Concord Road for a library is unclear in the deed and will, and he cannot issue an opinion. He said the only way to ensure a clear title is to get a judicial declaration and title insurance, which involves time and expense. He recommended that the Board hire a real estate law specialist who certifies title and can provide a written opinion. As for other potential sites for the library, M. Lanza said there are no title issues. J. Nolan moved, seconded by L. Anderson, to authorize the Town Administrator to seek Special Counsel on behalf of the Library for a legal opinion regarding deed restrictions on the use of 5 Concord Road, and that said hire should be a title specialist with the ability to issue title insurance. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Hear Staff Report on Request to Purchase Sycamore Road Parcels; Vote on Next Steps

N. Balmer asked the Board to consider additional steps in regard to the sale of the town-owned land at 4 and 8 Sycamore Road. She reviewed the request to purchase from the Lowery family, and provided opinions on the release of the land from the town land use departments. She said there has not yet been a public hearing, and advised that the cost to update the current appraisal would be approximately \$1,000. The Board discussed the appropriate disposition of the land, including the potential future need for a shared septic system. It was the consensus of the Board to take no action.

A7. Project Update from Facilities Director The Board was joined by Ben Keefe, Facilities Director, for a review of the current building projects. B. Keefe provided a list of projects approved by town meeting, with timelines for completion. He said the school projects will be undertaken first, as well as the painting of the town building. He said the Loker School windows project was eligible for an MSBA grant and could possibly be ready by next summer. He provided an update on the solar projects, noting that the foundations are in at

the Middle and High Schools, and the DPW facility is ready and waiting for the panels. Board members reviewed the outstanding projects. B. Keefe said he has not had time to prepare a long range plan, but a full facilities assessment should be done soon. Michael Lowery, Vice Chair, Board of Public Works, asked that the DPW project not be closed until the River's edge project issues are resolved. B. Keefe reviewed the energy budget.

A8. Meet with Energy Initiatives Advisory Committee The Board was joined by Ellen Tohn and John Harper, members of the Energy Initiatives Advisory Committee, and Facilities Director Ben Keefe. B. Keefe said that both the Purchase and Sales agreement for the streetlights, and the Solar Tax Agreement, had been reviewed and approved by Town Counsel. He said the streetlight project will be run through the current facilities budget, and the payback is expected in less than two years.

J. Nolan moved, seconded by M. Antes, to approve the Purchase and Sales Agreement and License regarding the purchase of streetlights from Eversource, and to authorize the Town Administrator to take any additional actions to change to LED street lighting. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes asked that the public be informed of the streetlight conversion, and E. Tohn advised the Board that Transition Wayland will distribute information and communicate with the schools.

J. Harper reviewed the Solar Tax Agreement. M. Antes moved, seconded by L. Anderson, to approve the Solar Tax Agreement, and to authorize the Town Administrator to execute the agreement. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Vote to Sign Change in Speed Limit for .12 Mile on Stonebridge Road J. Nolan moved, seconded by L. Anderson, to sign the Special Speed Limit Regulation No. 945-B to change the speed limit to 30 MPH on a .12 stretch of Stonebridge Road. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. Discuss and Vote to Approve Date for Annual Town Meeting The Board reviewed potential dates for the 2017 Annual Town Meeting. M. Antes moved, seconded by J. Nolan, to set the date of the 2017 Annual Town Meeting to begin on Sunday, April 2, 2017, with follow-up dates of Monday, April 3, Wednesday, April 5, and Thursday, April 6. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: L. Jurist. ABSENT: none. ABSTAIN: none. Adopted 4-1.

A11. Council on Aging/Community Center Advisory Committee: Review Next Steps and Discuss Form for Updated Charge C. Karlson reviewed the need to update and review the charge for the Council on Aging/Community Center Advisory Committee. She said updates include consideration of phasing the project, a comparative analysis of facilities in peer towns, a concept plan for the town green, conservation issues such as site restrictions, better organization of the website, addressing the concerns of the Wayland Real Asset Planning (WRAP) Committee, and reporting back to the Board of Selectmen. L. Jurist expressed concern that there is an overlap of two issues: the best use of the municipal parcel, and the best location for a Council on Aging/Community Center. The Board discussed the potential use of the space, the meaning of recreation and community space, and the potential need for more members on the committee. C. Karlson said she would attempt to address the issues raised and provide an updated draft for further review.

A13. Discuss and Vote on Resolution for Plaque at the Public Works Facility J. Nolan moved, seconded by M. Antes, that the Board of Selectmen support the resolution to place a plaque at the Public

Works Facility which dedicates the Public Works Facility to Stephen “Stubby” Kadlik in recognition of his 42 years of dedicated and unwavering service to the residents of Wayland. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Review and Approve Minutes of May 23, 2016; Potential Vote to Release Executive Session Minutes of May 23, 2016 M. Antes moved, seconded by L. Anderson, to approve the minutes of May 23, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. L. Anderson moved, seconded by M. Antes, to approve and release with redactions the executive session minutes of May 23, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A14. 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.

A15. Review Correspondence (See Separate Index Sheet) The Board reviewed the week’s correspondence. C. Karlson noted that all three Open Meeting Law cases are with the Attorney General and require no action.

A16. Report of the Town Administrator N. Balmer provided an update on the Carroll School; she advised the Board to delay any discussion until the matter has been considered by the town land use departments. She said the Wastewater Management District Commission will be on a future agenda to discuss the purchase of sewer capacity for the Library; she said it is a grant-eligible expense under the Massachusetts Board of Library Commissioners. She discussed the potential of hiring an Executive Director to take on general responsibility for the wastewater operation. She reviewed discussions with department heads regarding legal services, and the appointment of a Monitoring Agent for individual affordable homes. M. Antes said the Housing Authority Director, Brian Boggia, serves as the current Monitoring Agent for town developments, and she noted the need to update the town’s Housing Production Plan. N. Balmer distributed a copy of State House Bill No. 3940, “An Act Authorizing the Town of Wayland to Increase the Annual Spending Limit for its Recreation Department Revolving Fund.” It was the sense of the Board to agree to the act as presented.

A17. Selectmen’s Reports and Concerns L. Anderson reported on the recent Moderator’s Forum; she said the Town Moderator, Dennis Berry, was willing to combine the forum with the Board of Selectmen Warrant Hearing, but noted that they serve two different purposes. She said she spoke to the Town Planner, Sarkis Sarkisian, about preparing the zoning articles for the Special Town Meeting in the fall. C. Karlson said the Conservation Commission will come before the Board next week to discuss the aqueduct and the conservation restriction. M. Antes reported on the recent meetings of the 495 Partnership and the Metropolitan Area Planning Council in regard to MS4 permitting. She reviewed a meeting with S. Sarkisian and Michael Lowery, Vice Chair, Board of Public Works, in regard to the proposed sign bylaw, and presented a model for displaying signs between fixed bollards. She said the Board of Public Works is considering taking the responsibility for the approval of signs.

A18. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any The Chair said, “I know of none.”

A19. Adjourn There being no further business before the Board, M. Antes moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:50 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 June 6, 2016 Board of Selectmen's Meeting

1. Résumé of Patrick Rowe for Permanent Municipal Building Committee
2. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Library Request for Special Counsel
3. Opinion of Town Counsel Mark J. Lanza, 3/30/16, re: Town Library Site Use Restrictions
4. Memorandum of Nan Balmer, Town Administrator, to Board of Selectmen re: Sale of Town Land on 4 and 8 Sycamore Road
5. Proposed Vote to Approve Solar Tax Agreement and Copy of Solar Tax Agreement
6. Memorandum of 6/2/16 from Ben Keefe, Public Buildings Director, to Board of Selectmen, re: Project Update
7. Memorandum of 6/3/16 from Ben Keefe, Public Buildings Director, to Board of Selectmen, re: LED Street Lighting Retrofit Project, with Purchase and Sale Agreement regarding Municipal Street Lights and License Agreement
8. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Stonebridge Speed Limit
9. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Spring 2017 Annual Town Meeting Date
10. Update: Council on Aging/Community Center Advisory Committee Draft Charge, Original Charge, and List of Funds Available
11. Draft Minutes of 5/23/16
12. Memorandum of 6/2/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, re: Public Works Facility Resolution
13. Report of the Town Administrator for the Week Ending June 3, 2016

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 6, 2016

1. State House Bill No. 3940, An Act Authorizing the Town of Wayland to Increase the Annual Spending Limit for its Recreation Department Revolving Fund
2. Letter of 6/2/16 from Pine Brook Neighborhood Association to Board of Selectmen re: Proposed Development of Mahoney's Garden Center on Route 20
3. Image of Plaque to Honor Stephen "Stubby" Kadlik at the Public Works Facility
4. RiverFest Brochure, Celebration on June 18-19, 2016
5. Map of Stonebridge Road