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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 July 25, 2016

Attendance: Lea T. Anderson, Mary M. Antes, Louis M. Jurist, 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 6:30 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. C. Karlson announced that there will be a public meeting tomorrow night on the Library planning and design study.

A2. Public Comment Fire Chief David Houghton discussed his meeting with Water Superintendent Don Millette and their agreement, upon consultation with the DPW, that the town will increase the water restriction level, starting July 26, 2016, to the odd/even system, two days a week. The State will be contacted tomorrow in regard to the water level, and a script for reverse 911 will be created. Information will be distributed through the Town Crier, the town website and social media. D. Houghton explained the importance of water reserves, and said they wanted to be proactive and conserve water in case of an emergency.

A3. 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 Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Civil Service with Respect to the Police Union; and 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 8 Glezen Lane, 107 Old Sudbury Road; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to Discuss Strategy with Respect to Pending Action regarding Boelter et al v. Wayland Board of Selectmen; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Executive Session Minutes of July 13, 2016, Pertaining to the Above Subjects, because a Public Discussion of These Matters will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town

At 6:38 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 pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss civil service with respect to the Police Union; and 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 8 Glezen Lane, 107 Old Sudbury Road; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending action regarding Boelter et al v. Wayland Board of Selectmen; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the executive session minutes of July 13, 2016, pertaining to the above subjects. The Chair declares that a public

discussion of these matters may have a detrimental effect on the bargaining, negotiating or litigating 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, School Committee members Barb Fletcher and Kathie Steinberg, Finance Committee member Gordon Cliff, Board of Public Works members Chris Brown and Michael Lowery, Town Counsel Mark Lanza, and Human Resources Assistant Katelyn O'Brien.

The Board returned to open session at 7:51 p.m.

A13. Selectmen's Reports and Concerns The Board was joined by Town Counsel Mark Lanza to discuss the letter received today from the Attorney General in regard to the Open Meeting Law complaint of March 10, 2016, by George Harris. C. Karlson said that in a discussion with the office of the Attorney General on July 10, she agreed that the minutes were late, but disagreed that the late approval of the minutes was intentional. M. Lanza explained that the matter will go to a hearing, at which point the Board can accept the finding as is, accept the finding and negotiate the settlement, or dispute the finding. He said the order is not final until after the hearing, and if the Board disputes the final order, it can be appealed to Superior Court. The Board asked M. Lanza to notify the Attorney General that the matter will be discussed in open session at the August 3, 2016 meeting, and to request that the Attorney General not schedule a hearing in the near future.

A4. Interviews and Potential Vote to Appoint to Boards and Committees Michael Staiti was not available to interview for appointment to the Municipal Affordable Housing Trust Fund Board. The Board was joined by Michael Gitten to interview for appointment to the Permanent Municipal Building Committee. He reviewed his background as a geotechnical engineer and a Licensed Site Professional. He also noted that he currently serves on the committee as the representative of the School Committee, and was a member of the Nike Site Review Committee. M. Antes moved, seconded by J. Nolan, to appoint Michael Gitten to the Permanent Municipal Building Committee, effective immediately, for a term to expire on June 30, 2017. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Vote to Authorize Chair to Sign Letter to MassHousing Regarding Brookside Development, 113, 115, 117, 119 Boston Post Road The Board reviewed a draft letter to MassHousing regarding the Brookside Development. It was the consensus of the Board that the town's concerns were not fully and emphatically addressed. The Board considered including the concerns outlined in the Planning Board memorandum into the body of the letter, including issues of density, height, public safety, sidewalks (pedestrian safety), and traffic. M. Antes said the application has not yet gone to the Housing Partnership, and noted that they may support a 40B project, although with a reduction in the density.

J. Nolan moved, seconded by L. Anderson, to authorize the Town Administrator and the Chair to execute the letter to Katherine Lacy at MassHousing, substantially as presented in the draft of July 26, 2016, with the modification that it incorporate the Planning Board memorandum of July 7 from various town departments in regard to the town's concerns regarding the proposed Brookside development. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Review and Comment on RFP for Legal Services N. Balmer reviewed a proposed RFP for legal services, based on a model provided by the Town of Sudbury. The Board discussed the recommendation to reduce the office hours, alternative options to billing for fees and expenses, the length of the contract, and the

formation of a selection committee. N. Balmer said the committee should be more accurately considered an evaluation committee. It was the sense of the Board to request a minimum of one or two half days of office hours per month, and a three-year contract and insurance certificate with a termination clause. Board members also requested that an attorney and a resident be included on the evaluation committee. N. Balmer reviewed the timeline, and the Board requested that the term of the requested services begin with the fiscal year July 1, 2017.

A8. Provide Direction on Entering into a Contract with ClearGov The Board was joined by Chris Bullock, CEO of ClearGov. N. Balmer presented a memorandum prepared by Beth Doucette, Financial Research/Analyst, with background information on the company. She said the Finance office will be responsible for the implementation of the program and the ongoing support. C. Bullock discussed the benefits of ClearGov. He said there are two components: a clear financial statement for the public, and a back office system for the town. The town will have access to the ClearGov database, consisting of information from the Department of Revenue as well as more detailed information collected from towns in the ClearGov system. He said benchmarking is available across all of Massachusetts, and eventually the site will include contracts and salaries as well. It will make information readable and accessible to the public, in compliance with the new public records laws. He explained the process and time commitment for uploading information from the town; he said it should take approximately ten hours at the beginning, with minimal ongoing input. Finally, he said there is a separate program underway to provide similar metrics targeted to school budgets. It was the sense of the Board to support the purchase of the program, while noting the need for an investment of staff time by the Finance Department.

A7. Review Special Town Meeting Articles The Board reviewed the list of potential articles for Special Town Meeting. In regard to the OPEB article, the Board agreed to wait for the finalization of the state municipal modernization bill. It was the sense of the Board to move forward with the article regarding participation in Town Meeting by the Town Counsel. M. Antes said the Board of Public Works will probably not have an article regarding signs.

A9. Review and Approve Minutes of July 13, 2016; Potential Vote to Release Executive Session Minutes of July 13, 2016 M. Antes moved, seconded by L. Anderson, to approve the minutes as amended of July 13, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes moved, seconded by L. Anderson, to approve and release with redactions the executive session minutes of July 13, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. 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.

A11. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board commended Finance Director Brian Keveny for his award from the Government Finance Officers Association. C. Karlson asked that all boards and committees review the status of their minutes. M. Antes provided an update on the smoking shed issue at the Housing Authority.

A12. Report of the Town Administrator N. Balmer provided a draft Annual Town Meeting schedule and the key dates in the FY18 budget process. She said the Collins Center review of the town's finance functions began last week. Two proposals were received for the River's Edge project, and a recommendation from the committee is expected by September 12. She said the town's Housing Consultant will be meeting with the

chairs of boards and committees. She provided an update on the Carroll School site plan, and a summary of legal expenses.

A13. Selectmen's Reports and Concerns M. Antes said the League of Women Voters will sponsor an election seminar on August 2 in the Town Building. L. Anderson provided an update on Minuteman, and said the special election will be held on September 20.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
The Chair said, "I know of none."

A15. Adjourn There being no further business before the Board, L. Anderson moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:34 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of July 25, 2016

1. Letter of 7/25/16 from Department of Public Works to Nan Balmer, Town Administrator, re: Increased Water Use Restrictions, and Email of 7/25/16 from Fire Chief David Houghton re: Water Tank Level
2. Memorandum of 7/25/16 from Elizabeth Doucette, Financial Research/Analyst, to Nan Balmer, Town Administrator, re: ClearGov
3. Letter of 7/22/16 from Office of the Attorney General to Board of Selectmen re: Open Meeting Law Complaint of March 10, 2016
4. Draft Letter of 7/26/16 from Board of Selectmen to MassHousing re: Brookside Development, 113, 115, 117, 119 Boston Post Road
5. Draft 2017 Annual Town Election and Annual Town Meeting Schedule

Items Included as Part of Agenda Packet for Discussion During the July 25, 2016 Board of Selectmen's Meeting

1. Memorandum, 7/22/16, re: Appointment of Michael Staiti to Municipal Affordable Housing Trust Fund Board with Résumé
2. Memorandum, 7/22/16, re: Appointment of Michael Gitten to Permanent Municipal Building Committee with Letter of Interest
3. Draft Letter of 7/26/16 to MassHousing Permitting and Monitoring Specialist from Board of Selectmen re: Brookside Development 113, 115, 117, 119 Boston Post Road
4. Memorandum of 7/25/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Request for Proposals: Town Counsel
5. List of Possible Special Town Meeting Articles and Draft Articles
6. PowerPoint Presentation, Clear Gov
7. Draft Minutes of July 13, 2016
8. Report of the Town Administrator for the Week Ending July 22, 2016