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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

**Board of Selectmen  
Meeting Minutes  
November 7, 2016  
Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

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

**A1. Call to Order by Chair** Vice Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room in the Wayland Town Building, 41 Cochituate Road and reviewed the agenda.

M. Antes announced that the groundbreaking for the rail trail is scheduled for Tuesday. L. Anderson announced that tomorrow is Election Day and polls will be open from 7 am to 8 pm.

**A2. Public Comment** Molly Upton, 23B Bayfield Road, addressed the Board and stated that she was excited about the town's progress with the Town Counsel search. She reminded the Board that the hearing on 150 Main Street appeals with the ZBA is approaching.

Board of Public Works member M. Lowery stated that he received a notice from the Board for a public hearing regarding the installation of a utility pole. He expressed concern about the possibility of proposed cell antennae outside of the area zoned for cell towers.

Chairman of the Public Ceremonies Committee R. Turner invited a representative from the Board to the Veterans Day event. He also stated that he is concerned about the Rivers Edge project.

**A3. Special Town Meeting Warrant Hearing and Review Motions** The Board opened the STM Warrant Hearing and was joined by Town Moderator D. Berry. L. Anderson led a page by page walk-through of the warrant and asked if there were any changes. It was noted that Article 6 (LAND Grant for Mainstone Farm), on page 18, the word "affect" should be changed to "effect." M. Lowery stated that in Article 9 (Appropriate Funds to Purchase 8 Glezen Lane) it states that the septic system has failed Title 5 inspection. M. Lowery said there wasn't a failure and that the engineer has submitted a repair plan to the Board of Health. He stated that technically the system is in failure because it's in Zone 1. M. Lowery said the BOPW will make that clear on the floor at STM.

D. Berry noted that they have changed the time allotment for speaking in favor of or against a motion to 2 minutes. If the speaker asks for more time, then the limit is 3 minutes. D. Berry stated that he will mention the correction on page 44 at STM. Finance Committee member G. Cliff noted that the language on page 48 sounds archaic and suggested that it be changed for the next meeting to represent the Finance Committee's role. M. Lowery inquired about the additional language added to the BOPW motions regarding bond premiums. N. Balmer stated that it was a change under the Municipal Modernization Act that allows a bond premium to reduce the borrowing, a choice we have today that we did not have before. N. Balmer stated that if there were any changes to the language there would be copies of the motions for everyone. N. Balmer then suggested that the language be removed since it may be confusing to people.

**A4. Town Counsel Evaluation Committee Recommendation: Interview Attorneys Carolyn Murray, Amy Kwesell and Lauren Goldberg of KP Law, Potential Vote to Appoint** N. Balmer reviewed the process of the Town Counsel Evaluation Committee leading to this recommendation. N. Balmer made a recommendation on behalf of the Town Counsel Evaluation Committee to select KP Law, Head Counsel Attorney Carolyn Murray. L. Anderson asked Attorney C. Murray to introduce herself and the firm. Attorney C. Murray stated she has been involved in municipal law for 22 years and discussed her extensive municipal and legal background.

J. Nolan entered the room at 7:55 pm.

Attorney Lauren Goldberg discussed her background in election law and stressed that KP Law is structured to serve municipalities. Attorney Amy Kwesell stated that she also has a long history of serving on public boards. L. Jurist asked C. Murray how many towns she is the primary contact for. She said 2 towns. She stated that if an attorney asked another associate for input, there isn't an additional charge to the town. M. Antes is interested in decisions of the Open Meeting Law and asked if that is something they specialize in. C. Murray said that it is something they do and hold training sessions. M. Antes asked how sensitive to the staff they are to a town changing a long-serving town counsel. C. Murray stated that she has had experience with situations like these and that you have to be sensitive. She said that you have to meet with staff, department heads, and committees to establish relationships. She stated that KP Law represents 125 communities of the Commonwealth at any one given time. J. Nolan stated that he expects KP Law to be responsive and to follow the correct process. J. Nolan also stated that he expects the new Public Records Law to bring up new queries. M. Antes moved, seconded by J. Nolan to appoint KP Law as Town Counsel subject to approval of the terms of engagement. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A5. River's Edge:**

**Meet with Representatives of River's Edge Advisory Committee to Discuss Questions on Proposals**

The Board welcomed members of the REAC for more discussion. N. Balmer stated that she has compiled questions from public comment and residents and forwarded them to the REAC. L. Anderson thanked R. Stanizzi for answering the questions so quickly. J. Nolan stated that he has had more time to look at the proposals and he is not in the business of questioning the board who has spent years in the weeds studying this. His one concern was the rent issue but he understands it better and is not concerned. N. Balmer stated that Anderson & Kreiger suggested that the Board hold discussion about environmental issues until it decides what part of that will be in executive session. R. Stanizzi stated that the rent is higher in one proposal because it offers better services and is built better with underground parking. R. Stanizzi stated that the proposal meets all the requirements from 2014. She reminded the Board that the school buses have nothing to do with this project. J. Nolan stated that the town has never had a good place for the school buses and the work on the road to the landfill is being done for environmental reasons as part of the DPW building project. J. Nolan stated that he sees River's Edge as the same project that was approved at town meeting in 2014.

**Update from Town Administrator on DPW Issues and Updated Economic Impact Analysis** N.

Balmer stated that DPW will not be able to move the laydown area to the old DPW site until the new site is prepared. She said that they are already beginning to haul materials away and segregate the area. She said that the BOPW would like the Board to know they are not certain the new smaller area can serve them long term and that they will not spend money on the triangle area until the Board of Selectmen vote for the BOPW to do so. She stated that there is a potential plan for a water loop. Water Superintendent D. Millette has been communicating with Sudbury; Wayland might be able to interconnect for fire flows and redundancy only.

Cost is not yet known. N. Balmer said the school bus issue is still a work in progress and she hopes to have more news on that in a week or two.

**Discussion and Potential Vote to Request Extension of RFP Date for Notice of Award to February 1, 2017** J. Nolan moved, seconded by L. Jurist to request an extension of the RFP Date for Notice of Award to February 1, 2017. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A6. Discuss Special Town Meeting Articles** The Board noted that it has not taken positions on the “8 Glezen Lane,” “107 Old Sudbury Road,” the “Home Occupation Zoning bylaw Amendment” articles yet.

**A7. Minutes: Review and Vote to Approve Minutes of October 17, 2016** M. Antes moved, seconded by L. Jurist, to approve the amended minutes of October 17, 2016. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A8. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by L. Jurist to approve the consent calendar. YEA: J. Nolan, L. Anderson, M. Antes, L. Jurist NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**A9. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week’s correspondence. M. Antes mentioned the winter stroll event. L. Anderson stated that representatives of Camp Chickami would like to meet with a representative from the Board. M. Antes said she would be happy to attend.

**A10. Report of the Town Administrator** N. Balmer reported that the BOPW is taking the appraisals for 107 Old Sudbury Road and 8 Glezen Lane under advisement. She also said that the Planning Board decided not to amend Article 11 (Home Occupation) to remove the language regarding the number of trips per day. She stated that there isn’t a way for the town to provide snow removal for Habitat for Humanity. She also said that the Holiday lights will happen again. N. Balmer stated that the Finance Committee provided notification of potential increases in expenses for school nurses and legal services. She said the financial advisor provided clear guidance to staff and the Finance Committee about what’s required to maintain a triple A bond rating. There have been many calls about the construction on Route 27 and 30 and the town has contacted DOT who has said the worst is almost over. There will be continued parking issues with the rail trail and library drainage project. She said the groundbreaking for rail trail is a week from tomorrow. The event for the solar project will happen in December.

**A11. Selectmen’s Reports and Concerns** M. Antes and L. Anderson stated that they attended Massachusetts Municipal Association event for selectmen. M. Antes stated that she also went to an MAPC meeting. L. Anderson stated that she will be at the Veteran’s Day event on behalf of the Board.

**A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** The Vice Chair said, “I know of none.”

**A13. Adjourn** There being no further business before the Board, L. Jurist moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:10 p.m. YEA: L. Anderson, M. Antes, L. Jurist, J. Nolan. NAY: none. ABSENT: C. Karlson. ABSTAIN: none. Adopted 4-0.

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of November 7, 2016**

1. Draft Motions for November 15, 2016 Special Town Meeting
2. Request for Proposals Response for Town of Wayland Town Counsel Services #17-10 from Lauren F. Goldberg, PC, KP Law P.C.

**Items Included as Part of Agenda Packet for Discussion During the November 7, 2016 Board of Selectmen's Meeting**

1. Memorandum of 11/3/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Town Counsel Recommendation, Résumé of Carolyn Murray, and Draft Contract
2. Draft Minutes of October 17, 2016
3. Report of the Town Administrator, November 4, 2016