



STEPHEN CRANE  
ACTING TOWN MANAGER  
(508) 358-3620  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## SELECT BOARD

THOMAS J. FAY  
ADAM G. GUTBEZAHL  
CHERRY C. KARLSON  
CAROL B. MARTIN  
DAVID V. WATKINS

## Meeting Minutes Select Board Monday, August 29, 2022 7:00 p.m. Remote Meeting / Town Building 41 Cochituate Road, Wayland, MA

**Present, participating remotely:** Thomas J. Fay, Adam G. Gutbezahl, Cherry C. Karlson, Carol B. Martin, David V. Watkins

**Also Present, participating remotely:** Acting Town Manager Stephen Crane, Assistant Town Manager John Bugbee

**A1. Call to Order, Review the Agenda for Public:** At 7:01 p.m., Chair, C. Karlson called the meeting of the Select Board to order when a quorum was present and announced that the meeting would be held remotely and recorded for re-broadcast. C. Karlson announced each member by full name and that all members would participate remotely. C. Karlson reviewed the agenda for the public.

**A2. Announcements and Public Comment:** C. Karlson announced that there would be a community forum on the Town Manager Search hosted by consultants GovHR USA on Wednesday, September 7, 2022 at 7:00 p.m. C. Karlson announced that the Board would hold a community forum on the recent Glezen Lane Traffic Mitigation Settlement Agreement resulting from the Bernstein, et al. v. Wayland Planning Board, et al. lawsuit on September 12, 2022 at 7:15 p.m.

**A3. 2023 Annual Town Meeting (ATM): review and select date for election and start of ATM:** The Board reviewed the schedule options listed in the packet.

T. Fay moved, seconded by A. Gutbezahl, that the Board support and decide to hold the Annual Town Election on April 25, 2023 and Town Meeting on May 1, 2 and 3, 2023 at Wayland High School. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

**A4. Town Manager Search:** Joellen Cademartori of GovHR USA joined the meeting via video-conference.

- **Update on Town Manager Search webpage:** J. Bugbee reviewed the Town Manager Search webpage, which would include links to the resident and employee surveys once approved, the search timeline and all the public materials related to the search.
- **Review Board inputs to community and employee draft surveys; approve final surveys for distribution:** J. Cademartori sought the Board's feedback on the surveys. The Board reviewed the draft surveys and the suggested revisions that were included in the Board's packet. D. Watkins described some of his suggested revisions to the surveys. C. Karlson noted that the Board agreed to use the services provided by GovHR to guide the Board through the process. A. Gutbezahl urged the Board to focus on the aspects that the Board can control and stated that it was disrespectful to substantially revise the survey provided by the consultant. D. Watkins disagreed with that characterization. J. Cademartori described the intent of the survey, which was to remain general and allow respondents to provide objective answers. T. Fay expressed his preference for the first version of the survey, D. Watkins concurred. The Board agreed to direct J. Cademartori to move forward with the original resident survey and the original employee survey with the suggested management revisions.
- **Discuss protocols for Community Forum on September 7:** The Board discussed the protocols for the community forum with J. Cademartori.

- **Discuss timing to review community and candidate profiles:** See next section.
- **Understand Board impacts to draft timeline for hiring a Town Manager:** The Board reviewed the timeline and the next steps in the search process. The Board would review the survey results, the professional advertisement, position profile, and ad sources at its September 19 meeting. There was discussion about the length of the timeline, which would result with a new Town Manager commencing employment in early 2023.
- **Review process for selecting Screening Committee members; select members:** J. Bugbee stated that the Screening Committee candidate application materials were in the Board's packet. C. Karlson noted the un-redacted version was shared with the Board only. The Board discussed the composition of the Screening Committee. D. Watkins expressed preference for candidates with executive hiring experience, T. Fay expressed preference for candidates with prior Select Board experience. C. Martin expressed preference for candidates with experience in executive hiring. A. Gutbezahl expressed preference for candidates with experience in the public sector. C. Karlson expressed preference for a candidate with understanding of a Town Manager form of government vis-a-vis Town Administrator form of government. C. Martin suggested that each Select Board member appoint one member to the committee. A. Gutbezahl and T. Fay expressed uncertainty with that approach. T. Fay suggested the Board review the materials and rank the candidates, and if necessary interview candidates for the screening committee. C. Karlson and D. Watkins both expressed interest in serving on the screening committee. The Board committed to establishing a screening committee by mid-October. J. Cademartori left the meeting.

**A5. Appointments to Committee: Vote to confirm appointment of the following volunteer(s):**

Committee	Appointing Board	Potential Appointee	Term End Date
Audit Committee	School Committee	Samantha Shullo	06/30/2025
Senior Tax Relief Committee	Finance Committee	Anne Gilbert	06/30/2025

C. Martin moved, seconded by T. Fay, that the Board confirm the appointment of S. Shullo to the Audit Committee as the School Committee representative for a term ending June 30, 2025, and A. Gilbert to the Senior Tax Relief Committee as the Finance Committee representative for a term ending June 30, 2025. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

**A6. Minutes: a. Review and vote to approve the regular session minutes of August 8, 2022 and August 15, 2022:**

C. Martin moved, seconded by A. Gutbezahl, that the Board approve the regular session minutes of August 8, 2022, as amended. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A. Gutbezahl moved, seconded by D. Watkins, that the Board approve the regular session minutes of August 15, 2022, as amended. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: C. Martin. Adopted 4-1.

**A7. Consent Calendar: review and approve:**

1. Confirm C. Karlson signing the Launcher Way bid item Municipal Articles of Incorporation
2. Vote the question of approving A One-Day All Alcohol Liquor License to Eliza Wall for an event (Love Lane Special Needs Horseback Riding Program) at Duck Puddle Farm, 48 Lincoln Road on September 24, 2022 from 4:00 p.m. to 9:30 p.m.
3. Vote the question of approving an Entertainment License to Eliza Wall for an event (Love Lane Special Needs Horseback Riding Program) at Duck Puddle Farm, 48 Lincoln Road on September 24, 2022 from 4:00 p.m. to 9:30 p.m.

4. Vote the question of approving Contract No 21-2025, Change Order #3 for construction services related to the River's Edge Sewer Connection Project in the amount of \$232,535.75 with RJV Construction Corporation.
5. Vote the question of approving the application form for financial assistance from the Massachusetts Clean Water Trust's Drinking Water State Revolving Fund in the amount of \$139, 200.00.
6. Vote the question of approving Contract No 18-2005, Task Order #21 for the River Road Water Main Design, Permitting and Budding Project in the amount of \$110,000.00 with Tata & Howard.
7. Vote the question of approving Contract No. 22-2003, Task Order #2 for Lead Service line Inventory in the amount \$139,000.00 with Kleinfelder Northeast, Inc.
8. Vote the question of approving the Memorandum of Agreement between the Town of Wayland and AFSCME Local 690 Wayland 1 & 2. The agreement amends Appendix A of the current CBA to include a Shift Differential Increase: Evening Shift increase from 5% to 6% and night shift increase from 6% to 7%.
9. Vote the question of accepting a donation of the remaining balance of the performance bond from 5 Erwin Road in the amount of \$1,012.00 for the Conservation Commission from Erik Ramanathan.
10. Vote the question of approving the contract with Koch Separation Solutions, Inc. for the purchase of water filtration cartridges in the amount of \$176,000.00.
11. Vote the question of approving the contract with Ellingwood Construction Inc. for the Aqueduct Crossing Construction Project in the amount of \$100,145.00.

T. Fay moved, seconded by D. Watkins, to approve the Consent Calendar. C. Martin asked about the funding source for Item #4, a change order for the Rivers Edge project. S. Crane responded, that it was funded by the MassWorks grant. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

**A8. Review Correspondence:** The Board reviewed the correspondence in the packet.

**A9. Select Board's Reports and Concerns:** A. Gutbezah requested that the Board consider providing free WayCAM subscriptions for board and committee members who rely on the recording for minutes. D. Watkins volunteered to take the request to the Cable Advisory Committee. T. Fay asked if there was a requirement for providing access to recordings of meetings and suggested the Board discuss the matter in the future. C. Martin reported that the Board of Public Works had recently shared an itemized list of outstanding DPW capital projects, and requested that the Facilities Department provide the same. C. Martin asked about agenda development. C. Karlson described the process for scheduling agenda items. D. Watkins asked about the process to review the draft of the Annual Report. D. Watkins announced that there would be a meeting on August 30, 2022 about a Fall Festival being planned. D. Watkins noted that there are capital projects that fall under boards and committees for which he is a liaison, and suggested the goals of the Board be imposed on those committees to ensure the capital requests make it to the Town Manager.

**A10. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any:** There were none.

**A11. Executive Session:**

- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of August 15, 2022. Approve and Hold: Executive Session minutes of August 15, 2022:
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7), to review and consider for potential release the following executive session minutes related to discussing strategy with respect to David Bernstein v. Planning Board of Wayland et al: July 8, 2008; July 2, 2008; June 23, 2008; June 16, 2008; June 9, 2008; June 2, 2008; May 5, 2008; April 28, 2008; March 17, 2008; February 25, 2008; February 19, 2008; February 11, 2008; March 23, 2009; January 19, 2010; January 12, 2015; February 10, 2015; March 16, 2015; April 13, 2015; May 18, 2015; June 24, 2015; July 13, 2015; September 8, 2015; September 11, 2015; October 5, 2015; February 1, 2016; March 21, 2016; May 23, 2016; August 3, 2016; July 24, 2017; September 18,

2017; April 30, 2018; February 4, 2019; March 25, 2019; July 15, 2019; September 2, 2021; November 8, 2021; January 10, 2022; January 18, 2022; January 24, 2022; February 9, 2022; February 28, 2022, and May 23, 2022:

**III. Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Duane Galbi v. Wayland Zoning Board of Appeal and CELLCO Partnership d/b/a Verizon Wireless:**

At 9:09 p.m., Chair C. Karlson moved, seconded by A. Gutbezah, that the Select Board enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of August 15, 2022 with the intent to hold said minutes of August 15, 2022; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7), to review and consider for potential release the following executive session minutes related to discussing strategy with respect to David Bernstein v. Planning Board of Wayland et al: July 8, 2008; July 2, 2008; June 23, 2008; June 16, 2008; June 9, 2008; June 2, 2008; May 5, 2008; April 28, 2008; March 17, 2008; February 25, 2008; February 19, 2008; February 11, 2008; March 23, 2009; January 19, 2010; January 12, 2015; February 10, 2015; March 16, 2015; April 13, 2015; May 18, 2015; June 24, 2015; July 13, 2015; September 8, 2015; September 11, 2015; October 5, 2015; February 1, 2016; March 21, 2016; May 23, 2016; August 3, 2016; July 24, 2017; September 18, 2017; April 30, 2018; February 4, 2019; March 25, 2019; July 15, 2019; September 2, 2021; November 8, 2021; January 10, 2022; January 18, 2022; January 24, 2022; February 9, 2022; February 28, 2022, and May 23, 2022; and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Duane Galbi v. Wayland Zoning Board of Appeals and CELLCO Partnership d/b/a Verizon Wireless.

C. Karlson declared that a public discussion of these matters may have a detrimental effect on the litigating, negotiating, or bargaining position of the Town. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0-0.

Chair, C. Karlson invited attendance by Acting Town Manager S. Crane and Assistant Town Manager, J. Bugbee. C. Karlson announced that the Board would adjourn from the executive session and not return to open session.

**A12. Adjourn:** At 9:09 p.m., the Board entered into Executive session. At 10:33 p.m., the Board adjourned from Executive Session.

**Items included in the packet and updated during the Board of Selectmen Meeting of August 29, 2022:**

1. Memorandum To: Select Board From: C. Costello, Management Analyst Cc: S. Crane, Acting Town Manager Date: August 10, 2022 Re: 2023 Annual Town Meeting Proposed Dates with attached calendars
2. GovHR USA Town Manager Search materials: Draft Position Profile Surveys; Residents/Employees
3. List: Town Manager Screening Committee Applicants
4. GovHR USA Town Manager Search materials: Proposed Recruitment Timeline, dated August 25, 2022
5. Draft: Meeting Minutes of the Board of Selectmen: August 8, 2022 7:00 p.m.
6. Draft: Meeting Minutes of the Board of Selectmen: August 15, 2022 7:00 p.m.

**Correspondence:**

1. Correspondence from Anette Lewis, dated August 16, 2022 re: Scenic Roads Bylaw 202 Glezen Lane
2. Correspondence from Sherman Homan, dated August 25, 2022 re: Cell Tower
3. Correspondence from Linda Malenfant, dated August 25, 2022 re: CELLCO/Verizon Tower
4. Correspondence from Corey MacGregor, dated August 15, 2022 re: comments from tonight
5. Correspondence from Brian Riley, dated August 17, 2022 re: George Harris OML Complaint dated 7/28/22
6. Correspondence from Benson Gould, dated August 22, 2022 re: availability of response to comments. Draft Permanent Solution with No Conditions Statement River's Edge
7. Correspondence from Yamini Ranjan to Select Board dated August 19, 2022 re: Reg my voting status