



TOWN OF WAYLAND

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AFR
9/8/09

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BOARD OF SELECTMEN
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE
MICHAEL L. TICHNOR

Board of Selectmen Meeting Minutes August 17, 2009

Attendance: T. Fay, J. Nolan, S. Pope, M. Tichnor

Also Present: Town Administrator F. Turkington, Secretary M. DiNapoli

Chair J. Nolan called the meeting of the Board of Selectmen to order at 7:03 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. F. Turkington noted the next meeting of the Board will be August 31, 2009.

A2. Public Comment There was no public comment.

A4. Consent Calendar M. Tichnor moved, seconded by T. Fay, to approve the consent calendar (Warrants C1004M and TA081709). YEA: T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSENT: S. Correia. Adopted 4-0.

A5. Correspondence The Board discussed the correspondence received since July 30, 2009. The Board reviewed the proper line of authority in regard to a letter written to MEPA from the Wellhead Protection Committee regarding the Birch Road Wellfield Redevelopment and Water Treatment Plan. J. Nolan asked to confirm with the Director of Public Works that the Route 30/27 project is on the TIP list.

A3. Action on Request to Banish a Vicious Dog Les Boardman, the Wayland Animal Control Officer, appeared before the Board to review the history of violations of the dog "Laska." He said a permanent restraining order was put into effect by the Dog Control Appeals Board at a hearing on January 20, 2009. He noted that two violations would result in the banishment of "Laska" from the town, and that two violations had since occurred. T. Fay moved, seconded by M. Tichnor, that the Board of Selectmen, pursuant to Section 91-7.C of the Town Bylaw, banish the dog known as "Laska," owned by Mark and Stella Frishman of 27 Garden Path. YEA: T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSENT: S. Correia. Adopted 4-0. S. Pope and J. Nolan said they own rescue dogs, and emphasized the importance of proper training. M. Tichnor noted that the owners of the dog did not appear at the meeting. T. Fay said the Board has an obligation to protect citizens from uncontrolled animals as well as to support responsible owners.

A6. Report of the Town Administrator F. Turkington reviewed the new cash receipt procedures recommended by the town auditors. He updated the Board on the liquor license application at 131 Main Street; he said the applicant will suspend the proceedings provided that their application is reactivated at any sign of interest from other parties, and Attorney White has agreed to confirm that request in writing. The Board asked the Town Administrator to contact the owner of the current license and ask him to voluntarily return the license. F. Turkington reminded the Board that its choice of a representative to WayCAM must be based not only on performance but also on the candidate's ability to represent the Board. Frank Fuller will be interviewed at the August 31 meeting. He reviewed the goals and objectives

provided by the Director of Public Works. M. Tichnor said a priority is to develop a field maintenance plan. J. Nolan said he would like the DPW to work with the RTA to extend fixed route service to Cochituate. F. Turkington said a Technology RFP has been issued for a consultant to provide a long-term strategic IT plan, and there will be a meeting next week of staff and members of the Electronic Communication Committee to set up a framework for input. In regard to areas of potential collaboration with Sudbury, he noted that he and M. Tichnor met with the Library Director and Library Trustees in anticipation of a meeting with their Sudbury counterparts. He also said that both he and Maureen Valente, Town Manager of Sudbury, have been contacted by WindRiver regarding the septage facility. He advised the Board that the Department of Interior settlement agreement has been executed and posted on the Environmental Protection Agency website, and he distributed a press release for Board review. The Board discussed draft schedules for the Special Town Meeting.

A7. Report by Betsy Connolly on Progress of Master Plan Advisory Committee Betsy Connolly, Master Plan Advisory Committee, appeared before the Board to discuss the progress of the committee. She said the goal was not to re-create the master plan but to review the schedule of implementation and meet with the boards and committees that own the objectives. She said suggestions were made to re-prioritize some recommendations and, in other cases, to provide new recommendations. She said a final report is planned for spring 2010, and once it is approved by the Planning Board, the committee will schedule another series of meetings to update all the appropriate boards and committees.

A8. Discussion with Community Preservation Committee and Finance Committee on Use of CPA Funds for Certain Capital Projects Jerry Heller, Betsy Connolly, and Charles Raskin of the Community Preservation Committee, and Sam Peper, Chair, Finance Committee, appeared before the Board to discuss the use of CPA funds for certain capital projects. J. Heller distributed a chart to the Board to describing the principal aspects of CPA and the acceptable uses of funds. J. Nolan said the town is trying to use the funds proactively by looking into bonding for long-range capital expenditures. J. Heller asked the Board to bear in mind that residents can vote at town meeting to revoke the CPA funds five years after its implementation. B. Connolly noted that of the 140 communities with a CPA fund, approximately half have committed some funds to debt service. The Board discussed the difficulty of getting public input. S. Peper said a coordinated effort to provide capital for qualified projects would be helpful in these difficult financial times. The participants discussed potential projects. F. Turkington said there may also be project concepts without specific plans; for example, a new library. T. Fay suggested sending the chart provided by J. Heller to all departments, boards, committees, with a cover letter to explain available options. J. Heller said the Community Preservation Committee would be happy to be aggressive with the funds, given the opportunity. M. Tichnor said this issue should be discussed at the State of the Town meeting. B. Connolly said she will draft a letter for the signature of the Board of Selectmen to support state legislation that would provide more consistent flow of CPA funds from the state.

A9. Discussion with Finance Committee Regarding Local Option Meal Sales Tax Sam Peper, Cherry Karlson, and Paul Grasso of the Finance Committee appeared before the Board to discuss the local option meal sales tax. F. Turkington reviewed the procedure to implement the tax. J. Nolan asked about the estimate of income to the town; F. Turkington said it is estimated at between \$130,000 and \$250,000. S. Peper said the town needs new sources of revenue, and although there are arguments that it will hurt town businesses, the Finance Committee believes it is a good idea. S. Pope said she will support an article at town meeting in order to allow the residents to vote, but she will advocate against it, as she

supports small business. M. Tichnor said he strongly supports putting it on the town meeting warrant and passing it. T. Fay said he supports local businesses, but the town needs the tax revenue.

A10. Update on Status of Pool RFP F. Turkington reviewed for the Board a draft Pool RFP. He said it will be advertised in the Central Register tomorrow, and the proposals will be reviewed by the Facilities Director, the Town Administrator, a representative of the Recreation Commission, and a representative of the Board of Selectmen. He asked for Board input by the end of the week.

A11. Selectmen's Reports and Concerns S. Pope thanked the Surface Water Quality Committee for its progress in cleaning the lake. T. Fay commended Police Chief Robert Irving for the pedestrian lights at the Route 27/30 intersection.

A12. Vote to Fill Vacancies on Boards and Committees M. Tichnor moved, seconded by S. Pope, to appoint Thomas White as an Associate Member to the Zoning Board of Appeals for a term to expire on June 30, 2010. YEA: T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSENT: S. Correia. Adopted 4-0. J. Nolan moved, seconded by S. Pope, to appoint David Wong to the Housing Partnership as a representative of the Conservation Commission for a term to expire on June 30, 2010. YEA: T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSENT: S. Correia. Adopted 4-0.

A13. Executive Session At 9:40 p.m., the Board of Selectmen, by roll call vote, unanimously (4-0) approved a motion brought by M. Tichnor and seconded by T. Fay to go into executive session pursuant to Massachusetts General Laws Chapter 39, Section 23B (3) to discuss strategies with respect to pending litigation between the Town and Twenty Wayland, LLC, relative to the on-site wetlands permit and the Historic District Commission certificate of hardship for traffic infrastructure improvements because a public discussion of these matters would be detrimental to the litigating position of the Town. The Board will return to open session in approximately fifteen minutes.

The Board returned to open session at 10:10 p.m.

M. Tichnor moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 10:10 p.m. YEA: T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSENT: S. Correia. Adopted 4-0.