



TOWN OF WAYLAND

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BOARD OF SELECTMEN

JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Board of Selectmen Meeting Minutes June 28, 2010

Attendance: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope
Also Present: Town Administrator F. Turkington, Secretary M. DiNapoli

Chair S. Correia called the meeting of the Board of Selectmen to order at 7:02 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. F. Turkington said the Town Building will be closed on Monday, July 5, for the Independence Day holiday, and the Board of Selectmen meeting will be on Thursday, July 8, next week. S. Correia expressed condolences from the Board to the residents whose homes were damaged by the recent storms.

A3. Accept Gift from TD Bank for Carbon Monoxide and Smoke Detectors Sean O'Brien of TD Bank of Massachusetts presented Fire Chief Robert Loomer and Fire Captain Dan Buentello with a check for \$5,000 to fund a program to provide and install carbon monoxide and smoke detectors in the homes of Wayland seniors. Also present were Wayland resident Susan Spencer, who initiated the grant application with TD Bank, and Council on Aging Co-Director Julie Secord.

A2. Presentation of Payment in Lieu of Taxes Check by Housing Authority The Housing Authority did not appear.

A4. Public Comment Dorothy Dunlay, 27 Shermans Bridge Road, said she does not think the Board of Selectmen has treated the Historic District Commission fairly. J. Bladon read a letter from Diane and Dean Goodermote, 18 Winthrop Road, supporting the reappointment of Chris Hagger to the Historic District Commission. Linda Segal, 9 Aqueduct Road, said the Board should be impartial and objective in its reappointments.

A6. Consider and Approve Consent Calendar T. Fay moved, seconded by J. Nolan, to approve the consent calendar (warrant TA062810). YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A7. Review Correspondence The Board discussed the week's correspondence. F. Turkington reviewed the state budget figures. He noted that for the second year in a row, the state has not revised the municipal health provisions as requested by the cities and towns. He also reviewed compliance measures that are being put into place for the new Open Meeting Laws that go into effect on July 1.

A5. Interview Citizens Interested in Appointment or Reappointment to Town Boards and Committees Roger Backman and Betty Salzburg appeared before the Board to interview for reappointment to the Conservation Commission. B. Salzburg reviewed her background and her interest in serving. Roger Backman said he has been a resident of Wayland for 58 years, and has served on the Conservation Commission for thirteen years. J. Bladon asked B. Salzburg if she believes her work as a reporter for Wayland Voters Network would conflict with her position on the Conservation Commission.

B. Salzburg said she would not report on conservation issues if she is appointed to the commission. J. Bladon asked her to summarize an article she wrote concerning the town center project. She said she wrote about the tensions between conservation and development, and noted it is a very complicated issue. J. Bladon asked R. Backman about the conflict between preserving the environment and fulfilling the wishes of the voters as expressed at town meeting to build a town center. R. Backman said all development must conform to the regulations. T. Fay asked B. Salzburg if she considers herself a problem solver, and if she is sensitive to the compliance costs incurred by applicants and taxpayers. She said she can work well with everyone, and while she understands the need for commercial tax revenue, the obligation of the Conservation Commission is to uphold the law. She said she considers herself as an attorney and her client is the planet. T. Fay asked R. Backman what he has found most rewarding in his service on the commission, and whether the town has succeeded in balancing its rural character with development. R. Backman said he is proud of the commission's accomplishments; he also said the commission needs to be more careful about development. S. Pope asked if they thought the department was sufficiently staffed. B. Salzburg said more staff is needed, and a maintenance plan for conservation lands should be developed. S. Pope congratulated R. Backman for his stewardship award, and asked his opinion of the rail trail project. He said he is very supportive, but they must be aware of its impact on conservation areas. S. Pope asked if the commission works well together; R. Backman said they do. B. Salzburg thanked S. Pope for her work in clearing the trail at Sedgemoor. J. Nolan addressed the accusations made against the Board during public comment. He said the Board sides with the voters who supported the town center; he noted the projects could improve the environment and make the Sudbury River cleaner. B. Salzburg said the site is an excellent place for a commercial center, and should include affordable housing and a bus stop. J. Nolan asked R. Backman if the Conservation Commission could be more efficient. R. Backman said the commission approved five major projects with no problem, and it is the town center developers who keep changing their plans. J. Nolan asked if the commission allowed their consultants to speak with the developer's consultants; R. Backman said yes. S. Correia asked if the applicants had any ideas for improving the system. R. Backman said no change is needed, and the implication that the system needs improvement is a creation of bad press. B. Salzburg commended the conservation office staff for helping applicants through the process. S. Correia asked B. Salzburg to describe a recent compromise; she said applicants are given suggestions as to how they can come into compliance. S. Pope asked if more meetings should be scheduled when efficiency is warranted; both applicants said yes. S. Correia asked how they stay objective. R. Backman said that being objective is not an issue, as they are simply upholding regulations. J. Bladon asked R. Backman if he concurred with B. Salzburg that the planet is her client, and if so, how does that fit with the commission's responsibility to the voters. R. Backman said it is his responsibility to preserve the planet.

Chris Hagger appeared before the Board to interview for reappointment to the Historic District Commission. He discussed his service on the commission and his experience with restoration. He said his style is to move the process along to resolution. J. Nolan asked if he would continue to recuse himself from the town center discussion; he said yes. S. Correia asked him what his strategy would be in the event that a party refuses to compromise. C. Hagger said open communication is important, and discussed his work as chair when the new Public Safety Building was under construction. S. Pope asked how the commission could be more efficient. C. Hagger said he believed the commission works well. T. Fay asked if he would be willing to meet with him and discuss issues regarding the town center; C. Hagger said yes. T. Fay asked him, if he did not live in the district, would he consider it a good idea to have a frank discussion about the dispute. C. Hagger said he finds it is always helpful to talk. T. Fay asked if he was in favor of the phased approach to the town center project; he said yes. T. Fay noted that the Board had

made every effort to pursue a phased approach. J. Bladon thanked C. Hagger for recusing himself in the town center issue, but said there still may be a role for him to play in breaking the logjam.

J. Nolan left at 8:36 p.m.; he said that he hopes dialogue will prevent litigation.

A8. Report of the Town Administrator F. Turkington told the Board that two more residents have volunteered for the Economic Development Committee. He said training began today on the new town website, and it is expected to go live next week. An RFP for a consultant to review the scope of drainage calculations and stormwater runoff has been issued and responses are due July 15. In regard to the recent “microburst” storms, he said six homes were damaged, and four residents have engaged consultants to remove trees. He noted the staff is working with residents on Davelin and Cole Roads to help repair the damage. He said upcoming meetings will address further appointments, FEMA reimbursements, the schedule for the Fall Special Town Meeting, which will be held in the Middle School gymnasium, collaboration efforts with Sudbury, a presentation by MetroWest Regional Collaborative leaders, and a follow-up to the town’s BYOB policy and the need to better define “manager” on premises that hold a liquor license.

A9. Selectmen’s Reports and Concerns T. Fay moved, seconded by J. Bladon, that the Board increase the current number of members on the Economic Development Committee from seven to nine, based on the substantial number of particularly well-qualified and interested citizens who have come forward to serve. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSENT: J. Nolan. Adopted 4-0. J. Bladon moved, seconded by S. Pope, to appoint Robert Lentz to the Economic Development Committee for term to expire on June 30, 2012. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSENT: J. Nolan. Adopted 4-0. The Board agreed to postpone any further appointments until the full Board is present. S. Pope commended NStar for its prompt reaction to the storms of the previous week. She cautioned the Board not to rely on the availability of stimulus money when considering the budget. T. Fay congratulated three boy scouts who had earned Eagle Scout badges this year, and he thanked all the volunteers who worked with them. S. Correia responded to statements made during public comment; he said the objective of the Board is not to simply assess an applicant’s background, but to consider how they will work on those committees in terms of being team players and understanding risk management. He reported on Comcast negotiations, the studio relocation efforts, and the status of the Cable Advisory mission statement for the new website.

A10. Executive Session At 8:56 p.m., the Board of Selectmen, by roll call vote, unanimously (4-0) approved a motion brought by T. Fay and seconded by J. Bladon, to go into executive session pursuant to Massachusetts General Laws Chapter 39, Section 23B (3) to discuss strategies with respect to pending litigation relative to the Public Safety Building because a public discussion of these matters will have a detrimental effect on the litigating position of the Town. The Board will return to open session in approximately fifteen minutes for the sole purpose of adjourning the meeting.

The Board returned to open session at 9:26 p.m.

T. Fay moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 9:26 p.m. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSENT: J. Nolan. Adopted 4-0.



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CONFIDENTIAL

Board of Selectmen Executive Session Minutes June 28, 2010

Attendance: J. Bladon, S. Correia, T. Fay, S. Pope

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

Purpose: The session was called at 8:56 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (4-0) in open session as permitted by M.G.L. Chapter 39, Section 23B, paragraph three, to discuss strategies with respect to pending litigation relative to the Public Safety Building because a public discussion of these matters will have a detrimental effect on the litigating position of the Town.

Discussion: F. Turkington reviewed proposals by three firms that responded to the town's RFP for design and mechanical services for permanent improvements to the Public Safety Building. He said he needs authorization from the Board to proceed with design and cost estimates for relocating the HVAC systems from the basement to either on-grade or rooftop locations. The Board deliberated on the most financially prudent course of action, and whether to prepare an article for the fall Special Town Meeting to authorize the work using proceeds of the litigation, insurance proceeds, and FEMA reimbursements. F. Turkington said the work will be designed so minimal permitting is needed. He said the town does not yet have revised mediation dates from BSC, but said the trial date is set for September 2010.

Adjourn: By motion of S. Pope, seconded by T. Fay, the Board, by roll call vote, unanimously voted to exit executive session at 9:26 p.m.