



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

AFR
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FREDERIC E. TURKINGTON JR.
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

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

Board of Selectmen Meeting Minutes March 31, 2010

Attendance: S. Correia, 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 7:05 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. F. Turkington updated the Board on the flooding situation and congratulated the police, fire, and dispatch for their hard work and dedication. He said the library remains closed due to electrical concerns, and there will be a debriefing next month to address the long-term structural concerns at the Public Safety Building. J. Nolan thanked F. Turkington and the town staff for their hard work; M. Tichnor thanked the DPW staff. The Board discussed the availability of state and federal emergency funds. F. Turkington announced that the next Board meeting will be April 12. S. Correia asked residents to attend the ComCast hearing on April 1.

A2. Public Comment John Dyer and Richard Turner, Public Ceremonies Committee, said that the 375th anniversary of the settlement of Wayland will occur in 2013, and they would like to prepare for a town-wide celebration. The Board expressed its support for the idea. M. Tichnor said the Board should set up a committee to engage the town boards and committees, as well as the schools. F. Turkington suggested that the Board arrange a public forum to gather interest, and then designate a 375th Anniversary Committee. S. Correia noted there is grant money available, and plans should be made to make applications in advance. J. Dyer suggested that the Town of Sudbury be contacted to discuss the role both towns will take in this event.

A3. Presentation of Debt Exclusion Recommendation by Finance Committee Sam Peper, Chair, Finance Committee, appeared before the Board to present its recommendation for a debt exclusion question on the May 11 ballot. The Board reviewed the capital budget summary. T. Fay asked for a clarification of the \$920,000 for the town beach house project. S. Peper said town meeting had previously appropriated \$550,000 and now an additional \$920,000 is being requested for infrastructure and construction of an expanded beach house and function hall. The Board noted that town meeting had approved a renovation, and questioned the appropriateness of the project. S. Peper said the original renovation was not possible for the \$550,000 allotted. John Moynihan, Public Buildings Director, told the Board the renovation would have cost \$850,000. J. Nolan asked if the town had the liberty to change a project that had already been proposed and voted. Nancy McShea, Recreation Director, said the Recreation Commission approved a new design that includes a function hall, new septic system, splash pad, and a reworking of the beach. She described the potential uses for the new facility, including the rental of the function space and its use by the Council on Aging. She said the Recreation Commission felt the facility would help bring residents back to the beach. M. Tichnor suggested approving the funds for the infrastructure but postponing the full build-out until the economy improves. T. Fay asked if the funding for the feasibility study (recreation) is to study the entire Greenways parcel. F. Turkington said yes, it is part of the master plan to provide detail for the capital plan next year. S. Correia if the technology funding would complete the fiber network for the schools. J. Moynihan said this will complete all the

school and town buildings. The Board opened the hearing for public comment. Betty Salzburg, 28 Grove Street, asked if the landlocked portion of Greenways should be off the table because emergency equipment can't reach it. N. McShea said the purpose of the study is to make those determinations; F. Turkington said the town may swap the land to conservation. Linda Segal, 9 Aqueduct Road, asked for the amount of savings to the taxpayers if more debt rolls off than is issued by the town. S. Peper said he would get those numbers and forward them to her. L. Segal asked if the wording of the debt question would be changed. F. Turkington said that decision has not yet been made. F. Turkington suggested that details of the debt exclusion items be printed in the warrant with the ballot question. L. Segal asked how the public was informed about the presentation tonight. M. Tichnor said that, besides the publication of the agenda, the presentation tonight was in addition to the actual hearing, which took place on February 22, 2010. M. Tichnor moved, seconded by T. Fay, to take \$350,000 off of the town beach house project and approve a debt exclusion total of \$2 million. YEA: S. Correia, T. Fay, M. Tichnor. NAY: J. Nolan, S. Pope. ABSTAIN: none. Adopted 3-2.

M. Tichnor moved, seconded by to approve the following debt exclusion question to appear on the May 11, 2010, ballot: "Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to (i) purchase school technology equipment, (ii) repair and improve municipal buildings and facilities, (iii) fund feasibility studies for athletic fields and senior services space needs, and (iv) purchase a street sweeper?" YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0.

A4. Update on Changes to Annual Town Meeting Warrant Articles F. Turkington reviewed changes to the Annual Town Meeting warrant articles. He noted revised text from petitioners and the articles which have been withdrawn. T. Fay said he continues to meet with petitioners for a Housing Trust Fund to reach an agreement on a revised article for the fall town meeting.

A5. Review and Approve Order of Articles for Annual Town Meeting Warrant F. Turkington presented a draft order of the articles for the May 13 Annual Town Meeting. It was the sense of the Board that the order was acceptable as presented.

A7. Consent Calendar M. Tichnor moved, seconded by S. Pope, to approve the consent calendar. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0.

A8. Correspondence The Board discussed the week's correspondence. T. Fay asked for a report on the status of the Frishman dog. M. Tichnor, S. Pope and S. Correia noted that four complaints against the Board of Selectmen for violation of the open meeting laws have been dismissed by Middlesex District Attorney.

A9. Report of the Town Administrator F. Turkington said that Virtual Town Hall was chosen as the vendor for the town website. He said staff has met with the website developer to discuss the design with the expectation that it will be ready by July 1, 2010; he noted that the costs were significantly lower than expected. S. Correia asked that the website committee be included in the design discussion.

A10. Selectmen's Reports and Concerns There were no Selectmen's reports or concerns.

A6. Meet with Wastewater Management District Commission Regarding Siting Issues and Timing of Construction of New Treatment Facility The Board was joined by Wastewater

Management District Commission members David Schofield and Fred Knight, Administrative Consultant Bill Prendergast, the town's engineering consultant Ian Catlow, Town Counsel Mark Lanza, and Special Town Counsel Adam Kahn. D. Schofield asked when construction would begin. Frank Dougherty, KGI Properties, said construction should begin by summer or early fall 2010, and he expected that Stop and Shop would be open by the winter of 2011 or the spring of 2012. I. Catlow discussed construction site access. He said plans for easements have been provided to KGI Properties and copies were also made available to the town surveyor, Alf Berry, to develop parcel plans for land court. In regard to the utility services, I. Catlow asked if the MUOD required underground utilities. M. Lanza said if it's impractical to go underground, the utilities can be overhead. I. Catlow also reviewed water, telephone and gas connections. D. Schofield asked about stormwater requirements for the new parcel, and whether Twenty Wayland has taken credit for the existing impervious area. F. Dougherty said no, the Town of Wayland maintains the credit. D. Schofield asked if hazardous waste is a factor. M. Lanza said the tentative agreement is that the exchange will be between clean parcels; he said the land swap contracts will be ready by April 7. It was noted that the decommissioning and demolition of the current facility is the responsibility of the town, and the town must indemnify Twenty Wayland if there is an inadvertent spill. I. Catlow said the outfall alignment is being reviewed by Twenty Wayland, and will be finalized with the town surveyor. The Board discussed the construction borrowing requirements and timing. F. Turkington said the town has up to 30 years to pay off the debt, and should make its decision based on input from users. The Board discussed the timing of the borrowing with the Wastewater Management District Commission members. J. Moynihan noted that, from a procurement point of view, the town could not sign a contract without having the necessary funds in the bank.

A11. Executive Session At 9:38 p.m., the Board of Selectmen, by roll call vote, unanimously (5-0) 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 potential litigation regarding the wastewater treatment facility. The Board will be joined by the Wastewater Management District Commission, Administrative staff Bill Prendergast, Town Counsel Mark J. Lanza, Special Town Counsel Adam Kahn, and will return to open session in approximately ten minutes for the sole purpose of adjourning the meeting.

At 9:38 p.m., the Wastewater Management District Commission, by roll call vote, unanimously (2-0) approved a motion brought by D. Schofield and seconded by F. Knight, to go into executive session pursuant to Massachusetts General Laws Chapter 39, Section 23B(3) to discuss strategies with respect to potential litigation regarding the wastewater treatment facility. The Commission will return to open session in approximately ten minutes for the sole purpose of adjourning the meeting.

The Board returned to open session at 10:53 p.m.

S. Pope moved, seconded by S. Correia, to adjourn the meeting of the Board of Selectmen at 10:54 p.m. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0.