



# 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 December 13, 2010

**Attendance:** John Bladon, Steven Correia (arrived 8:20 p.m.), Joseph Nolan, Susan Pope  
**Also Present:** Town Administrator F. Turkington, Secretary M. DiNapoli

S. Pope called the meeting of the Board of Selectmen to order at 7:39 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public. F. Turkington said the next Board meeting will be on December 20 and then January 3, 2011; he noted the town building will be closed on Friday, December 24, and Friday, December 31, for the holidays. S. Pope reminded the viewers that the Santa Ride, sponsored by the Firefighters Association, will be December 20, 21, and 22.

**A2. Public Comment** Richard Turner, 7 Nob Hill Road, said he attended the memorial services of Army Lieutenant Scott Milley of Sudbury, killed in action in Afghanistan, as a representative of the town of Wayland. Woody Baston, 11 Cochituate Road, praised the Wayland Fire Department for the work of its EMT's during an emergency situation at the Coach Grill three weeks earlier. He asked about the status of the pavers at the crosswalk in town center. John Moynihan, Facilities Director, said the state has temporarily patched the crosswalk for the winter.

**A6. Consider and Approve Consent Calendar** J. Nolan moved, seconded by J. Bladon, to approve the consent calendar. YEA: J. Bladon, J. Nolan, S. Pope. NAY: none. ABSENT: S. Correia, T. Fay. Adopted 3-0.

**A7. Review Correspondence** The Board reviewed the week's correspondence. F. Turkington noted that in regard to the Open Meeting Law Complaint of Linda Segal, the Attorney General will call Board members individually as a follow-up. S. Pope commended F. Turkington for writing the Annual Report for the Board of Selectmen, and expressed regret that Youth Officer Jim Forti will be retiring. J. Bladon said he is very pleased to see people stepping forward to volunteer for 37<sup>th</sup> Anniversary Committee, and also commended the Fire Department for its work.

**A4. Discussion with Wastewater Management District Commission Regarding Status of New Facility Construction and Future Governance** Wastewater Management District Commission members David Schofield, Fred Knight, and Shawn Fennelly, Executive Director Bill Prendergast, and Town Counsel Mark Lanza appeared before the Board to discuss the procedures for putting the wastewater function under the Department of Public Works, and the status of the new construction. F. Knight noted that the management of the plant is currently handled by an outside contractor, and the billing is handled by B. Prendergast. The renewal of permits with the DEP was facilitated by F. Turkington and John Moynihan, Facilities Director. F. Turkington said that an act of the state legislature is necessary to implement the change, and the first step is to prepare an article for Annual Town Meeting and consult with the Board of Public Works about its willingness to accept the workload. M. Lanza said

that a unique feature of the original act, which empowered the commission in 1996, was that it was growth neutral. He asked the Board to consider whether that requirement would be included as the town moves forward. He also said they should consider whether they want the administration to be outlined in the act, and whether to include the effective date or a range of dates. F. Turkington said that in regard to being growth neutral, he would favor removing the “no growth” provisions and allowing the responsibility to revert to zoning. J. Nolan asked about rate setting; M. Lanza said the DPW would be the rate setting authority. The Board asked Town Counsel to prepare a draft article for review. J. Moynihan updated the Board on the construction of the new plant. He said the town is completing the land swap, and he anticipates the pre-construction meeting will be late next week; he said the plant should be operational by March 2012. He said the bids came in well.

F. Turkington reviewed the issue of the Frishman dog, “Laska.” He said the family has refused to remove the dog. M. Lanza said he will go back to court to enforce the banishment order. F. Turkington said the town has a police report of the dog being walked without a muzzle. M. Lanza said contempt proceedings should go quickly, and the town will recover its costs. J. Bladon asked if criminal prosecution was possible; M. Lanza said yes, but it would give the state jurisdiction over the case, which would not benefit the town. The Board noted that the situation was unfortunate, and that the Frishman family has ignored every opportunity to set the problem right.

**A3. Briefing on Proposed Five-year Capital Improvement Plan by Facilities Director and Town Administrator** John Moynihan, Facilities Director, provided the Board with a general overview of the five-year capital plan. He discussed the conversion of master boxes to a wireless system for the fire department, and general maintenance of the town building, including the repavement of the rear parking lot. He noted the \$1,875,000 request by the DPW for a preliminary plan for a new garage facility, followed by a request the following year for construction funds. He said there is a request for \$1.3 million to relocate the utilities at the Public Safety Building, and \$155,000 for IT upgrades based on a report by BDMP. He discussed the request by the Conservation Commission to make repairs to the Snakebrook dam caused by the spring flooding, as well as creating another spillway, making repairs to the gatehouse, raising the height of the dam, and adding landscaping to prevent erosion. The Board discussed improving the town vehicle policy by consolidating the process under the Town Administrator.

**A5. Meet with Moderator and Assistant to the Moderator Regarding Logistics for 2011 Annual Town Meeting and Proposed Schedule** Town Moderator C. Peter R. Gossels and Assistant to the Moderator Dave Berry appeared before the Board to discuss logistics for the 2011 Annual Town Meeting. David Bernstein, Chair of the Electronic Voting Implementation Subcommittee, reviewed the work of his committee and its recommendations for the use of electronic voting. He discussed the necessary infrastructure and suggested procedures. He said there will be an extensive training and promotional program in March of next year. Don Bustin, Chair, Town Meeting Facilities Subcommittee, reviewed several suggestions for the improvement of the facilities, including babysitting, parking, and providing entertainment and refreshments. Dennis Berry, Chair, Town Meeting Procedures Subcommittee, said the procedural microphone is overused, and more data needs to be collected regarding limitations on debate. He said the subcommittee is doing blueprints of previous town meetings. C. P. R. Gossels said he would like to see an article to establishing a consent calendar that requires ten votes to override it. The Board discussed evening sessions versus weekend sessions. F. Turkington said the Board needs to open the warrant next week, and to begin to consider timing, logistics, costs and impact.

**A8. Report of the Town Administrator** F. Turkington reviewed the Selectmen's office hours on December 17, potential Annual Town Meeting articles, and revisions to the town website. He said the applicants for committee opening would be reviewed next week.

J. Bladon moved, seconded by S. Pope, to approve the following license renewals for 2011. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope. NAY: none. ABSENT: T. Fay. Adopted 4-0.

Belmont Motorcars Inc (Joshua Marmor, President)	268 Boston Post Road
Broomstones Inc.	Rice Road
Coach Grill (BBRG Operating Inc.)	55 Boston Post Road
Cornu, Timothy and Thomas (Sale of Used Vehicles)	356 Boston Post Road
Donelan's Supermarkets Inc.	177 Commonwealth Road
Dudley Chateau of Cochituate Inc.	20 Crest Road
Einstein Brothers Bagels	44 Main Street
Finagle-a-Bagel	54 Boston Post Road
Herb Chambers of Wayland Inc. dba BentleyBoston and dba Rolls-Royce Motor Cars of New England and dba Herb Chambers Lamborghini of Boston	533 Boston Post Road
International Auto Works Inc.	118 Main Street
J.J McKay's (Town & Country Restaurant Inc.)	171 East Commonwealth Rd
Lavins Inc. of Wayland	330 Old Connecticut Path
Liberty Pizza (MC&G Pizza Inc.)	116 Main Street
Mobil Oil (Mark Shepard)	268 Boston Post Road
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road
New Sandy Burr Inc.	103 Cochituate Road
Post Road Liquors Inc.	44 Boston Post Road
Primebar Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road
BayPath Elder Services	33 Boston Post Road Marlborough
Starbucks Coffee Company	44 Main Street
Stephen Jones dba State Road Auto Body	292 Boston Post Road
Spice 'n Pepper (Aprileileen Corporation)	236 Boston Post Road
VFW Post 6260	Pine Ridge Road
The Villa Inc.	48 East Plain Road
Viva Mexican Grill and Tequileria Inc.	15 East Plain Street
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road
Wayland Automotive Sales	322 Commonwealth Road
The Wayland Country Club	121 Old Sudbury Road
Wayland Imports (Glenn B. Schwartz)	70 Boston Post Road
Wayland Mobil (E & J Service Station LLC)	315 Commonwealth Road
Wayland Pizza House	336 Boston Post Road
Wayland Variety and Deli Corporation (Beer & Wine Pkg)	70 Boston Post Road
Wayland Wine and Spirits (P & P Liquors Inc.)	302 East Commonwealth Rd

The liquor license for 167 West Main Street LLC was not renewed at their request.

**A9. Selectmen's Reports and Concerns** The Board discussed the pilot program at the transfer station and reviewed possibilities for improvement. S. Pope noted that trash bags are now available at Sudbury Farms, and congratulated Wayland High School student Joseph Cooper for being named All-Scholastic in golf for 2009/2010.

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

**Items Distributed For Use by the Board of Selectmen at the December 13, 2010 Meeting**

1. Email from Town Administrator to Finance Committee and Selectmen dated December 9, 2010 with supporting information relative to the five-year capital improvement plan.
2. Email from State Rep. Tom Conroy to Town Administrator dated December 12, 2010 concerning potential funding for replacement of Sherman's Bridge.
3. Chapter 461, Acts of 1996, "An Act Establishing the Wayland Wastewater Management District Commission", and Chapter 374, Acts of 2006, "An Act Relative to the Wayland Wastewater Management District Commission."
4. Email from Town Administrator to Selectmen dated December 13, 2010 concerning enforcement of banishment order for Frishman dog "Laska", 27 Garden Path.