



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

AFR
2/1/2010

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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 January 11, 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 7:02 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. F. Turkington said the next meeting of the Board will be on Tuesday, January 19, due to the Martin Luther King holiday; the meeting will start with the Finance Committee hearing and then return to the regular scheduled Selectmen meeting.

A2. Public Comment Bob Barnes, 20 Loblolly Lane, expressed his dissatisfaction with the town's assessment of his property. Sam Peper, Chair, Finance Committee, informed the Board that the FY11 budget guidelines have been adjusted, based on better growth numbers than anticipated and income from the new meals tax, and as a result, the requested budget cuts have been reduced from \$1.7 million to \$1.4 million. He noted that this is a not a reprieve from future budget cuts but rather a gift of time, allowing the town another year to plan. He also advised the Board that the Finance Committee expects to maintain a tax neutral capital budget, and will not permit any more debt than that which is removed.

A7. Consent Calendar M. Tichnor moved, seconded by T. Fay, to approve the consent calendar (warrants C1015, CA011110, and TA011110). 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. F. Turkington highlighted the meeting to be held regarding the collaborative approaches to the provision of local public health services.

A3. Petitioner's Workshop for Annual Town Meeting Articles There were no participants in the petitioner's workshop.

A4. Rails-to-Trials Report and Update by Larry Kiernan Larry Kiernan, the Wayland representative to the Massachusetts Central Rail Trail Coalition, appeared before the Board to provide an update on plans to lease the MBTA owned Mass Central Rail Line for a recreational path. The Board discussed the next steps to take, including working with the Planning Board and the Department of Public Works, getting preliminary design estimates, and preparing an article for Annual Town Meeting to request Community Preservation funds. J. Nolan suggested that the DCR (Department of Conservation and Recreation) be invited to a Board meeting to provide more information. The Board discussed insurance and liability issues, and connectivity to adjoining towns. S. Pope asked if the path would be suitable for equestrians; L. Kiernan said that the DCR will consider whatever the town requests as well as its commonality with other towns. Jerome Heller, Chair, Community Preservation Committee, said his committee agrees that the use of funds is appropriate as a recreational facility, but would like more information about funding construction on land the town does not own. J. Nolan asked L. Kiernan to send a formal letter to the DCR requesting the town's options and the status of the lease. F. Turkington

said the Planning Board will insert a holding article together with the Community Preservation Committee for May 2010 Annual Town Meeting.

A5. Discussion on Creation of Temporary Committee to Study Town Meeting The Board discussed the charge of the Town Meeting Procedures Review Committee as prepared by the Town Administrator in consultation with the Town Moderator. M. Tichnor expressed concern about the timeline, and wondered if due diligence was possible in the time allotted. F. Turkington said the immediate study would involve the recommendations in the town meeting articles, and a further report would be prepared for the fall town meeting. M. Tichnor moved, seconded by S. Pope, that the Board of Selectmen, in collaboration with the Town Moderator, establish a temporary advisory committee to be known as the Town Meeting Procedures Review Committee. The committee shall be comprised of seven (7) members, including the Town Moderator, one (1) member of the Board of Selectmen, one (1) member of the Finance Committee; two (2) voters appointed by the Moderator; and two (2) voters appointed by the Board of Selectmen. The Moderator shall serve as chair of the committee. The purpose of the committee shall be to consider proposals and advise the Town Moderator, the Board of Selectmen, the Finance Committee, and the Town Administrator on procedures and logistics which may make Town Meeting more efficient, effective and user-friendly. The committee shall file a preliminary report its activities and provide recommendations on articles regarding Town Meeting not later than April 26, 2010 and file a final report by June 2, 2010 unless this date is so extended by vote of the Board of Selectmen. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington said he would send a press release to media outlets on Tuesday.

A6. Vote to Submit Annual Town Meeting Warrant Articles M. Tichnor moved, seconded by S. Correia, to submit to the Board of Selectmen's office for insertion in the May 10, 2010 Annual Town Meeting warrant, the following articles: Recognize Citizens and Employees for Particular Service to the Town, Hear Reports, Choose Town Officers, Current Year Transfers, Pay Previous Fiscal Year Unpaid Bills, Sell or Trade Vehicles and Equipment, Accept Gifts of Land, Compensation for Town Clerk, Establish Municipal Affordable Housing Trust Funds, Acquire Town of Sudbury's Interest in Septage Facility, and Amend Town Code re: Department of Public Works. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0. M. Tichnor moved, seconded by T. Fay, to submit to the Board of Selectmen's office for insertion in the May 10, 2010 Annual Town Meeting warrant, the following articles: FY2011 Omnibus Budget, Wastewater Management District Commission Budget, Set Aside Community Preservation Committee Funds for Later Spending, and Accept Law Increasing Real Estate Tax Exemption. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0. The Board discussed possible petitioner's articles and made arrangements to meet again on Friday, January 15, if necessary, to approve any further articles.

A9. Report of the Town Administrator F. Turkington reviewed the proposed charge for the Economic Development Committee. He said the committee will provide advocacy for existing businesses and work with town boards and committees to recognize polices that are an impediment to development. T. Fay noted that such a committee was suggested in the Master Plan five years ago. S. Correia suggested that economic development be expanded to include nonprofit organizations. The Board agreed to seek input from the Finance Committee and the Planning Board before voting to approve a final version in two weeks. M. Tichnor moved, seconded by S. Correia, to adopt the Selectmen Objectives and Strategies for 2010 as presented, with the addition of the goal of upgrading the town website by June 2010. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington reviewed upcoming meetings.

A10. Selectmen's Reports and Concerns S. Correia suggested the Board reconsider the possibility of purchasing the land owned by the utility companies that adjoins the railroad depot land, as it may be helpful if the town goes forward with the rail trail. S. Pope asked if the Globe West is kept advised of Wayland news; F. Turkington said he routinely submits press releases to them. M. Tichnor noted a January 19, 2010, forum on landfill energy advertised in an MMA publication. T. Fay asked if the town was aware of state government solar credits, and suggested that the Energy Initiatives Advisory Group be made aware of it. He congratulated the Town Pool Committee for its fundraiser, and said they are well on their way to meeting their goal for the construction of a new town pool. F. Turkington said the lease should be before Board shortly, and the new project is expected to begin March 15. The Board discussed the advisability of a resolution to support the Green Communities Initiative. J. Nolan suggested the Board meet with Doran Road residents to discuss their concerns about the use of the town-owned land.

A11. Executive Session At 8:49 p.m., the Board of Selectmen, by roll call vote, unanimously (5-0) approved a motion brought by T. Fay and seconded by S. Pope, to go into executive session pursuant to Massachusetts General Laws Chapter 39, Section 23B(3) to discuss strategies with respect to (i) pending litigation regarding the Public Safety Building and between the Historic District Commission and Twenty Wayland, LLC relative to the appeal of the certificate of appropriateness and (ii) collective bargaining because a public discussion of these matters will have a detrimental effect on the litigating and bargaining position of the Town. The Board will be joined by John Senchyshyn, Assistant Town Administrator/ Human Resources Director, and will return to open session in approximately thirty minutes.

The Board returned to open session at 10:00 p.m.

A9. Report of the Town Administrator (continued) F. Turkington distributed maps of the refuse disposal land and described the changes that will be brought about by the proposed bylaw sponsored by the Planning Board. He distributed a second map showing the Stonebridge parcel to be conveyed to Habitat for Humanity.

A12. Review of Recommended Reduction to Proposed FY11 General Government Budgets F. Turkington distributed a list of recommended reductions to implement the goal of the Finance Committee to reduce the budget by \$420,000, and he described the criteria he used in choosing the reductions. He said these reductions will be presented to the Finance Committee on Tuesday night next week. The Board discussed and the reviewed the merits of the proposed reductions.

S. Pope moved, seconded by S. Correia, to adjourn the meeting of the Board of Selectmen at 10:40 p.m. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0.



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CONFIDENTIAL

Board of Selectmen Executive Session Minutes January 11, 2010

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

Also Present: Town Administrator F. Turkington, Secretary M. DiNapoli, Assistant Town Administrator/Human Resources Director John Senchyshyn

Purpose: The session was called at 8:49 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (5-0) in open session as permitted by M.G.L. Chapter 39, Section 23B, paragraph three, to discuss strategies with respect to (i) pending litigation regarding the Public Safety Building and between the Historic District Commission and Twenty Wayland, LLC relative to the appeal of the certificate of appropriateness and (ii) collective bargaining because a public discussion of these matters will have a detrimental effect on the litigating and bargaining position of the Town.

Discussion: F. Turkington and T. Fay updated the Board on the settlement negotiations regarding the Public Safety Building. T. Fay noted two positive items: First, he said the codefendant has not opposed the motion for a setoff of \$25,000; and secondly, the engineers (BSC) recognize that it will exhaust its self-insurance funds, thereby including the insurer in negotiations. He said it is possible there will be a second mediation session. The Board discussed the proper allocation of the funds once a settlement is reached.

In regard to the Historic District Commission litigation, T. Fay provided the Board with a description of his conversation with the Chair of the Commission, Gretchen Schuler. He said the conversation was cordial but she referred him to her affidavit. He said Twenty Wayland LLC is interviewing lawyers to file a summary judgment motion. The Board discussed its strategy moving forward. It was the consensus of the Board to arrange a meeting with representatives of Twenty Wayland next week to better assess the situation.

John Senchyshyn, Assistant Town Administrator/Human Resources Director, appeared before the Board to address the collective bargaining implications in regard to the FY11 budget cuts. F. Turkington said the plan is to take advantage of upcoming vacancies, implementing job shares where possible, and attempting to make cuts that are sustainable and can contribute to further consolidations in FY12. He said the goal is to get a waiver of bumping rights from the union in exchange for job protection. The Board commended F. Turkington and J. Senchyshyn for crafting a budget that minimizes the impact on staff and services while meeting cost-savings objectives and preparing for the future.

Adjourn: By motion of T. Fay, seconded by M. Tichnor, the Board, by roll call vote, unanimously voted to exit executive session at 10:00 p.m.