



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

AFR
2/8/2010

FREDERIC E. TURKINGTON JR.
TOWN ADMINISTRATOR
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Board of Selectmen Meeting Minutes January 19, 2010

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

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

Also Present: Town Administrator F. Turkington

Chair J. Nolan called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. There were no announcements. The Board recessed and reconvened at 7:05 p.m. in the Large Hearing Room to present the Town Administrator's recommended adjustments to proposed FY2011 budgets for all general government departments.

F. Turkington reviewed the charge given by the Finance Committee for the Town Administrator to recommend sustainable expenditure reductions or revenue enhancements totaling \$420,000 for all general government departments. F. Turkington presented a summary of the process he used to develop the list and the set of criteria used to prioritize and recommend the changes. The Town Administrator then reviewed the itemized list and explained in additional detail the scope and impact of the changes proposed, and then fielded questions from members of the Finance Committee. J. Nolan noted the number of regional organizations and opportunities for collaboration on transportation issues and could therefore support the cut to funding of MetroWest Growth Management Committee. Both the Finance Committee and the Board of Selectmen commended the Town Administrator for his work on the difficult task of reducing the budget.

The Board of Selectmen left the Finance Committee meeting and reconvened in the Selectmen's Meeting Room at 7:50 p.m. to resume its regular agenda.

A2. Public Comment It being short of the predicted time for public comment, the chair postponed that agenda item until later in the meeting.

A3. Consent Calendar S. Pope moved, seconded by T. Fay, to approve the consent calendar (warrants SA011910 and TA011910). S. Pope questioned whether the one-day liquor license fee should be waived. It was the consensus of the Board that the fee was appropriate for a private business event designed to attract customers in comparison to a one-time charitable fund-raising event. YEA: S. Correia, T. Fay, J. Nolan, S. Pope, M. Tichnor. NAY: none. ABSTAIN: none. Adopted 5-0.

A4. Correspondence The Board discussed the week's correspondence. S. Pope noted the invitation from Doran Road neighbors and suggested a site visit by the Board. She asked the Town Administrator to coordinate a date and time. M. Tichnor asked about the ramifications of the DEP superceding order of conditions in the Twenty Wayland appeal of the on-site wetlands permit. The Town Administrator will review the matter with counsel and report at the next meeting. F. Turkington noted the approval of the legislature and governor of the home rule petition regarding senior property tax relief and reported on the status of the home rule petition relative to the date newly-elected officials take office. S. Correia and T. Fay spoke about the need for minutes of boards and commissions to be submitted more rapidly after a meeting. The Town Administrator said he will circulate a note requesting draft minutes to be submitted within 21 days of a meeting.

A5. Review of Submitted Annual Town Meeting Warrant Articles The Town Administrator reviewed articles received since the prior Board meeting. He noted potential legal and practical issues, as well as additional work needed to be done for some of the articles. He then reviewed the schedule for Annual Town Meeting, and addressed some scheduling issues that impact the Town Meeting and Board meeting dates. With the deferred Annual Town Meeting date of May 10, 2010, the Finance Committee has between the February 8 budget adoption date and March 31 to submit article comments. He said the Board should plan to meet with petitioners and then the Planning Board immediately after the Finance Committee Warrant Hearing on February 1, 2010, in an effort to determine whether any articles will be deferred to a fall Special Town Meeting or withdrawn. The remaining articles can then be assigned. Because the Board of Selectmen and the Finance Committee will be appointing a member to serve on the Town Meeting Procedures Review Committee, and given the projected meeting schedule of that group through April, the Town Administrator suggested that the three petitioner's articles related to Town Meeting be assigned to the member chosen for the temporary committee and to consider his/her added workload from that group when assigning other warrant articles.

A6. Report of the Town Administrator F. Turkington reviewed forthcoming meeting schedules. He reported on the status of the long-range strategic plan for information technology and announced the consultant would prepare an executive summary presentation for February 8. He noted the Town Moderator had advertised for citizens to serve on the temporary Town Meeting Procedures Committee with a deadline of February 5, 2010. M. Tichnor said the Board would have to abide by that deadline and defer interviews and appointment to February 8. F. Turkington reported on applicants received to date. He also reviewed substantive changes in the open meeting law that become effective July 1, 2010, and suggested that the Board schedule training for all boards and committees and appropriate staff between mid-May and the end of June (following Annual Town Meeting). F. Turkington distributed a request received today from Minuteman School Committee for a town meeting article to fund. Lastly, he noted that the charge to the Economic Development Committee will be ready for approval on January 25.

A7. Selectmen's Reports and Concerns S. Pope and J. Nolan again recognized the Town Administrator for his work on the budget reduction package and his presentation to the Finance Committee earlier in the evening. S. Correia said that WayCAM was prepared to participate in discussions regarding options for studio space once the High School project begins. T. Fay noted that the Recreation Commission had adjusted their policies to accommodate the overlapping seasons of certain sports teams.

A8. Executive Session At 8:50 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 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, 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 Board returned to open session at 9:08 p.m.

S. Pope moved, seconded by S. Correia, to adjourn the meeting of the Board of Selectmen at 9:08 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 19, 2010

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

Purpose: The session was called at 8:50 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 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 because a public discussion of these matters will have a detrimental effect on the litigating position of the Town.

Discussion: F. Turkington reviewed the request from Twenty Wayland LLC to approach the Glezen Lane plaintiffs to amend the settlement agreement of the litigation to allow for phased construction of road improvements and the request to amend the development agreement to allow for phasing. M. Tichnor noted the opinion piece and direct appeal to the Historic District Commission to negotiate a compromise to settle the litigation while Twenty Wayland LLC pursues a parallel strategy to comply with the Historic District Commission decision and force the assessment of the effort to comply. T. Fay suggested an opinion piece from the Board of Selectmen to encourage the parties to settle. It was the consensus of the Board to wait for a reaction from the Historic District Commission to settlement overtures before crafting the substance and tone of the encouraging column.

F. Turkington and T. Fay reported on the decision of BSC counsel not to oppose the settlement with FAA, and he distributed a copy of a letter from Special Counsel John Perten explaining the Board opposition to the proposed cheaper solution to fixing the leaky basement as a basis for a financial settlement against BSC.

Adjourn: By motion of T. Fay, seconded by M. Tichnor, the Board, by roll call vote, unanimously voted to exit executive session at 9:07 p.m.