



TOWN OF WAYLAND

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AFR
8/23/2010

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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 July 8, 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 7:00 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. F. Turkington said the town's new website went live today, and he encouraged residents to review the site and contact him if they have any questions or comments. He announced that a water ban was put into effect as of July 6, 2010.

A2. Joint Session with Planning Board to Interview Candidates for Appointment to Fill Vacancy on Planning Board for Regular Member and Associate Member created by Resignation of Dan Mesnick (Term Ending April 2011) and Election of Colleen Sheehan (Term Ending April 2014, Appointment to April 2011) The Board was joined by Planning Board members Ira Montague and Kent Greenwalt to interview William Whitney for appointment to the Planning Board. W. Whitney discussed his background in planning and his interest in serving the town. The Board praised W. Whitney for his work on the Board of Selectmen and thanked him for his offer to serve on the Planning Board. T. Fay recognized and thanked Dan Mesnick for his previous service on the Planning Board. T. Fay moved, seconded by J. Nolan, to appoint William Whitney as a regular member of the Planning Board to complete an unexpired term ending at the adjournment of the 2011 Annual Town Meeting. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope, I. Montague, K. Greenwalt. NAY: none. ABSTAIN: none. Adopted 7-0. F. Turkington distributed a letter from Andrew Reck expressing interest in serving on the Planning Board. The Boards agreed to meet again to conduct an interview.

A7. Consider and Approve Consent Calendar S. Pope moved, seconded by J. Nolan, to approve the consent calendar with the following revision: the term of the appointment of Siobhan Zane to the Community Preservation Commission will expire on June 30, 2013 (item 2) and the following addition: Item 6, vote the question of approving an amendment to the current on-premise liquor license holders from 12:00 noon on Sunday to 10:00 a.m. on Sunday as per changes to the alcoholic beverages pouring license state statutes allowing Sunday morning sales. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A8. Review Correspondence The Board discussed the week's correspondence. S. Correia noted the Town Meeting Advisory Committee is looking for volunteers. S. Pope expressed concern about the reliance of the state on its rainy day funds. J. Nolan thanked Dan Mesnick for his service.

A3. Presentation by MetroWest Regional Collaborative The Board was joined by Executive Director Bruce Leish of the MetroWest Regional Collaborative, Natick Selectman and Co-Chair Joshua Ostroff, and Joel Barrera, Deputy Director for the Metropolitan Area Planning Council. B. Leish

described the work of the collaborative. He said the goal is to identify priority development projects for special funding, and he described current studies and grant opportunities. J. Ostroff said that working collaboratively brings about dialogue and leverages expertise and resources, and he encouraged the town to maintain its membership. J. Barrera said he is also a working member of the MWRA, and a regional vision could help to expand open space. S. Correia asked what the collaborative was doing in terms of economic development. B. Leish said the collaborative does not pursue economic development, but rather improves the infrastructure of the MetroWest area to create a more desirable environment for business. J. Bladon asked about collaborative health services. J. Ostroff said the collaborative was pursuing financing for an implementation study. S. Pope commended the collaborative for expanding its organization to include more towns, and for coming to meet with the Board. J. Nolan and S. Correia said the Town of Wayland could benefit by becoming aware of the available grants; J. Nolan also noted that the town was open to collaboration with the Town of Natick.

A4. Interview Citizens Interested in Appointment or Reappointment to Town Boards Committees

Fred Knight was not available to be interviewed for the Wastewater Management District Commission. Markey Burke and Larry Kiernan appeared before the Board to interview for appointment to the Conservation Commission. M. Burke discussed her background and her 35 years as a resident of Wayland. She said her land abuts conservation land. She said she has worked as a human resources consultant and has also worked with Boston charities. L. Kiernan reviewed his background for the Board. He said his land also abuts conservation land, and he has worked with the Conservation Commission on the Bay Circuit trail. J. Nolan asked if the applicants believed that balanced development can improve and sustain conservation. L. Kiernan said there must be balance, or the conservation laws could be overwhelming. M. Burke said the commission should be able to find compromise between protecting nature and supporting commercial building. T. Fay asked if they considered themselves problem solvers. L. Kiernan said he works in business development, and he believes you can bring business owners on board to protect the environment in a reasonable way. M. Burke said she believed most people have good motives. J. Bladon asked L. Kiernan to describe his professional responsibilities. L. Kiernan described his work at IBM, embedding software products. S. Correia asked the applicants if they have worked with the Conservation Commission. M. Burke said that the land abutting her property was not conservation land when they bought the property, and they worked with the Conservation Commission to make it so. L. Kiernan said he has worked with them on the Bay Circuit Trail project. S. Correia told the applicants the Board is looking for fresh ideas and the ability to manage major projects.

Thomas White appeared before the Board to interview for full appointment to the Zoning Board of Appeals; he is currently an associate member. He described his background as an architect and his interest in becoming a full member. J. Bladon praised him for the clarity of his position when writing decisions. T. Fay asked what he thought made the Board so efficient. T. White said the Chair is very effective at confining the discussion to relevant issues, which allows the Board to get to the immediacy of the issue.

A9. Report of the Town Administrator F. Turkington reviewed the features of the new town website and discussed potential new features being considered for later in the year such as People GIS. He provided an update on collaboration efforts with Sudbury regarding the transfer station and expanded recreation services. He said preliminary discussions have also begun with the library staff. The town is also considering regional dispatch and lockup, and regional health services. He said major projects and RFPs that will be coming soon include the cap of the landfill, the school operations review committee that will finalize a RFP, a site walk for a bid on consulting services for Squirrel Hill Road and Rolling Lane, and a space needs study for senior services. He reviewed upcoming agenda topics and meeting schedules,

including the consideration of a liquor license for Spice 'n Pepper, a draft schedule for the fall Special Town Meeting, an update from the Master Plan Study Committee, feedback on the drainage mitigation study, collaboration efforts, and a potential state of the town meeting. S. Correia asked about the progress of the library repairs. F. Turkington said the library is on target to re-open by the end of July.

A5. Public Comment There was no public comment.

A6. Discuss Amendments to “Provision and Consumption of Alcoholic Beverages” – Definition of Manager, BYOB Sales T. Fay moved, seconded by J. Nolan, to approve the amendments to the Board of Selectmen policy, “Provision and Consumption of Alcoholic Beverages” as presented. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A10. Selectmen’s Reports and Concerns T. Fay moved, seconded by S. Pope, to appoint Thomas White as a regular member of the Zoning Board of Appeals for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by J. Bladon, to appoint George Uveges as a member of the Economic Development Committee for a term expiring June 30, 2011. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by S. Pope, to appoint Fred Knight as a member of the Wastewater Management District Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

T. Fay moved, seconded by S. Pope, to appoint Kevin Crowley as a member of the Historic District Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by J. Nolan, to appoint Margery Baston as a member of the Historic District Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Bladon, to appoint Kathie Steinberg as an alternate member of the Historic District Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Nolan, to appoint Christopher Hagger as a member of the Historic District Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board discussed the circumstances that a member of the Historic District Commission would recuse themselves; F. Turkington noted that C. Hagger had recused himself from the town center discussion due to the project’s impact on the roadway in front of his home.

T. Fay moved, seconded by S. Pope to appoint Roger Backman as a member of the Conservation Commission for a term expiring June 30, 2011. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by S. Pope, to appoint Larry Kiernan as a member of the Conservation Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Nolan, to appoint Markey Burke as a member of the Conservation Commission for a term expiring June 30, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Bladon, to appoint Ted Harding as a member of the Conservation Commission for a term expiring June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

J. Nolan thanked the Board members and F. Turkington for the successful recruitment of new candidates to the boards and committees. Roger Backman thanked the Board for completing the appointments to the Conservation Commission and said he looked forward to working with the new members. T. Fay asked if anything has been done about the 375th anniversary of Wayland; F. Turkington said he is waiting for the fall to begin planning for 2013. T. Fay reviewed for the Board a conversation he had with Gretchen Schuler of the Historic District Commission to try to reach an understanding with the Board. T. Fay said he met with interested individuals on the affordable housing trust issue, and would like to have an article prepared for fall town meeting that will reflect the needs of those interested and will have broad support. S. Pope said she will address the issue of office hours for the Selectmen in the fall. J. Nolan reported on the 495 Partnership meeting in June. S. Correia updated the Board on Comcast negotiations and the mission statement of the Cable Advisory Committee.

A11. Executive Session At 9:30 p.m., T. Fay moved, seconded by J. Bladon, that the Board of Selectmen go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 23(a)(3) to discuss strategy with respect to collective bargaining or litigation because an open meeting may have a detrimental effect on the bargaining or litigating position of the Town. The Chair declared that the subject matter of the executive session would be the matter of Twenty Wayland, LLC v. Wayland Historic District Commission and Town of Wayland v. BSC (civil engineer for architect of Public Safety Building), and an open meeting may have a detrimental effect on the litigating position of the Town. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board invited Town Administrator Fred Turkington to attend and participate in the executive session. The Board will return to open session in approximately 20 minutes for the sole purpose of adjourning the meeting.

The Board returned to open session at 9:52 p.m.

T. Fay moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 9:52 p.m. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.



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CONFIDENTIAL

Board of Selectmen Executive Session Minutes July 8, 2010

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

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

Purpose: The session was called at 9:30 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 30A, Section 23(a)(3) to discuss strategy with respect to pending litigation because an open meeting may have a detrimental effect on the litigating position of the Town. The Chair declared that the subject matter of the executive session would be the matter of Twenty Wayland, LLC v. Wayland Historic District Commission and Town of Wayland v. BSC (civil engineer for architect of Public Safety Building).

Discussion: F. Turkington discussed strategies for discussion with the members of the Historic District Commission in an effort to work collaboratively toward moving forward with the town center project while avoiding litigation.

In regard to the Public Safety Building, F. Turkington told the Board that BSC is trying to delay mediation efforts. He said he advised the town's Special Counsel, John Perten, to move ahead with the trial date of September 14, 2010, and to push for a mediation session in August. He said the experts are in place and are ready to testify. T. Fay said that if the judge maintains the September trial date, a mediated settlement is more viable.

Adjourn: By motion of S. Pope, seconded by T. Fay, the Board, by roll call vote, unanimously voted to exit executive session at 9:52 p.m.