



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

BOARD OF SELECTMEN

JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Board of Selectmen Meeting Minutes October 28, 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 7:04 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. The Board signed the Special Town Meeting warrant. F. Turkington said the Household Hazardous Waste day is October 30, the state elections are November 2, and the warrant hearing for the Special Town Meeting will be Monday, November 8. The Board noted the passing of retired Wayland police officer George Norton.

A2. Public Comment There was no public comment.

A3. Discuss Flood Mitigation Projects and Grant Submissions John Moynihan, Public Buildings Director, appeared before the Board to discuss the awards approved by FEMA as a result of the March/April flood event. He said the town is expected to receive \$511,605.47. He reviewed the funds expended for the purchase of supplies, equipment, equipment rental and repairs. S. Correia asked about insurance reimbursements; J. Moynihan said insurance only covered mold remediation due to the flooding exclusion. He described the grants the town has requested for mitigation at Rolling Lane, Squirrel Hill Road and the drainage of the pond behind the Library. The Board discussed the repair of the Public Safety Building damage caused by the flood, and getting an agreement for the use of pumps versus the purchase of pumps. F. Turkington said he will circulate the mitigation plans for Rolling Lane and Squirrel Hill Road to the Board members and the residents of the neighborhoods.

A4. Discuss Draft Energy Reduction Plan and Vehicle Acquisition Policy Anne Harris, Chair, Energy Initiatives Advisory Committee, appeared before the Board to discuss a fuel efficient vehicle policy for the town. She noted that currently only thirteen cars qualify, and as they are retired they will be replaced with fuel efficient vehicles. She advised the Board to accept the policy as written in order to get the application for a Green Communities designation in by November 19. She described several other projects the committee is working on, including a baseline reduction plan and building audits with Nationalgrid. J. Moynihan said that the Director of Public Works, Don Ouellette, is investigating the use of compressed natural gas for town dump trucks. J. Nolan moved, seconded by T. Fay, to adopt the Fuel Efficiency Vehicle Policy for the Town of Wayland and the School Department as presented. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. J. Moynihan said that NStar has offered to install fluorescent streetlights at no charge in exchange for keeping the billing level for one year. At the end of one year, it is expected the town will save approximately \$40,000 per year. A. Harris discussed the acquisition of software to create baseline figures and track the town's progress. The Board thanked J. Moynihan and A. Harris for their work in reducing the town's energy costs.

A5. Review and Discuss Public Safety Building Repair Options John Moynihan, Public Buildings Director, reviewed the repair options for the Public Safety Building. He said the town has issued an RFP to design/engineering firms to assess the options and costs by the end of September. He said the preferred method to rectify the situation would be to demolish the current basement floor and replace it with a 14-inch structural slab tied into the foundation, and relocating the mechanical, electrical, and communication equipment to the upper floors. He described the plan for moving the equipment without increasing the footprint of the building by using the dumpster area, the top of the apparatus bay, and a 12 x 10 mechanical penthouse for heat and hot water. He also discussed converting the elevator from hydraulic to track. The cost estimate is \$2.2 million. He noted another option is to repair the existing slab and move the equipment for a total estimated cost of \$1.2 million. He said there is no guarantee that either plan will be entirely successful. T. Fay asked if the floor repair would be sufficient should there be a flood event every five years; J. Moynihan said we don't know. T. Fay asked if the plan to drain the pond behind the Library will relieve the flood pressure on the Public Safety Building; J. Moynihan said there is no relation between the two. J. Bladon asked if there was any advantage to increasing the thickness of the slab beyond 14 inches; J. Moynihan said yes, but the increased effectiveness is not worth the additional cost. J. Nolan said the town would still need to maintain a pumping plan. T. Fay suggested forming a building committee to evaluate the repair options. F. Turkington emphasized need for timely repairs.

A6. Discussion on State Ballot Questions (Reduce Sales Tax, Eliminate Sales Tax on Alcoholic Beverages, and 40B Affordable Housing Law Repeal) The Board discussed the advisability of taking a position on the upcoming state ballot questions. T. Fay said he is opposed to the reduction in the sales tax, as the state will go further into deficit. He said he has reservations about the 40B regulations, but it has increased affordable housing. J. Nolan said he is opposed to cutting taxes and he supports Chapter 40B regulations because it has integrated affordable housing into the community. J. Bladon said that if the Board does not come to an agreement on its positions, it doesn't help public awareness. He said he has concerns about cutting taxes at this time, and while he is not opposed to Chapter 40B, he feels it does limit the town's control over its own future. S. Pope said she is against cutting the income tax, but agrees with the repeal of the liquor tax. She said Chapter 40B should be amended but not repealed. S. Correia said he is opposed to the repeal of the liquor tax and the lowering of the income tax.

A7. Consider and Approve Consent Calendar S. Pope moved, seconded by J. Nolan, to approve the revised consent calendar items 1 through 7. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay suggested that item 8, the invoice from Sheehan, Phinney, Bass + Green for legal services through September 30, 2010, in the amount of \$100,795.56, be postponed for further discussion at the next meeting. J. Nolan moved, seconded to S. Pope, to approve the mortgage of the leasehold premises and the facility for the 3 parcels of land at 258 Old Connecticut Path for the Wayland Community Pool Inc. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. Ben Downs of Wayland Community Pool Inc., said donations are being accepted for the town pool, and he can be contacted at bentdowns@comcast.net or at 195 Concord Road in Wayland.

A8. Review Correspondence The Board discussed the week's correspondence. F. Turkington noted the merger of NStar and Northeast Utilities

A9. Report of the Town Administrator F. Turkington reviewed the Special Town Meeting warrant and noted that Town Counsel will prepare the motions for next week. He said the Energy Initiatives Advisory Committee will have its energy benchmarking plan for approval by the Board and the School Committee

by the next meeting. The Wastewater Management District Commission and the DEP has approved the first phase of the building of the new plant. The bids came in favorably, and the project should begin before Thanksgiving and is expected to open by April 2012 in time to service the proposed Stop & Shop. F. Turkington reviewed upcoming agenda topics, including the meeting with the Sudbury Board of Selectmen on December 2 and the Finance Committee forum on December 6 to review debt and capital. He reported on the progress of the audit study and said the interim report should be available within the next few weeks. He reviewed budget schedules and portfolio liaisons. F. Turkington presented a draft response to George Harris in regard to his public records request of October 16, 2010. J. Nolan moved, seconded by S. Correia, to authorize F. Turkington to sign the letter to George Harris dated October 16, 2010, in response to his public records request. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A10. Selectmen's Reports and Concerns S. Pope reported on her meeting with the Town Meeting Advisory Committee. She noted that while they had many good ideas, there was a tendency to address issues that were not within its charge. T. Fay asked if there was any consideration being given to the consolidation of the wastewater function into the DPW as recommended in the Maximus Report. He said it would be beneficial to pursue the issue soon so as to have it completed by the time the new treatment plant is operational. F. Turkington said the DPW is interested in pursuing that option, and the issue is one of timing. T. Fay noted the applications from residents to serve on the Youth Services Committee, and he emphasized the need to continue to promote board vacancies. J. Nolan reported on the Recreation Commission hearing on the Field Use Study. He said it was well attended and there was constructive dialogue. He noted that the Gale Associates Report reflects an extensive capital budget that will also increase the operating budget in terms of maintenance. The Board discussed the schedule for the next Selectmen's office hours. It was agreed that S. Pope and J. Nolan would host the next session during the afternoon of November 12 at the Wayland Library.

A11. Executive Session At 9:38 p.m., T. Fay moved, seconded by S. Pope, 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 if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town. Chair S. Correia declares that consideration of the matter of negotiation strategies in an open meeting may have a detrimental effect on the negotiating 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, John Senchyshyn, Assistant Town Administrator/Human Resources Director, and Cherry Karlson, Chair, Finance Committee, to attend and participate in the executive session. The Board will return to open session in approximately 30 minutes for the sole purpose of adjourning the meeting.

The Board returned to open session at 10:25 p.m.

T. Fay moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:25 p.m. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

Items Distributed For Use by the Board of Selectmen at the October 28, 2010 Meeting

1. Revised Consent Calendar.
2. Memorandum from Public Buildings Director John Moynihan to Town Administrator dated October 27, 2010 itemizing FEMA flood mitigation reimbursement requests.
3. Memorandum from Public Buildings Director John Moynihan to Town Administrator dated October 27, 2010 and email dated October 19, 2010 describing MEMA flood mitigation grant application projects.
4. Executive summary of repair work proposed to remedy basement water penetration problems at Public Safety Building (draft report), 4 pp.
5. Draft letter from BOS chair Steve Correia to George Harris dated October 28, 2010 responding to public records request of October 16, 2010.
6. Letter from George Harris to Assistant Attorney General Jonathan Sclarsic dated October 27, 2010 responding to Selectmen's letter dated October 19, 2010 relative to OML complaint of September 20, 2010 (traffic certification, *Twenty Wayland v. HDC* case).
7. Letter / OML complaint of George Harris to Board of Selectmen dated October 27, 2010, together with letter dated September 30, 2010 from BOS chair Steve Correia to Mr. Harris and MGL Ch. 30A, Sec. 23 and 940 CMR 29.05.
8. Documents related to the Public Safety Building litigation (letter included in correspondence packet).
9. Letter of 10/28/10 from Wayland Community Pool Inc. to Board of Selectmen re: 258 Old Connecticut Path Mortgage Approval