



TOWN OF WAYLAND

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AFR
9/27/2010

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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 September 13, 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. He thanked residents for their participation in the Dudley Pond Run/Walk, the re-opening event at the Wayland Library, and the "Iron Chef Wayland" event that all took place on September 12. F. Turkington announced the prescription drug disposal day on September 25. He said information on the new transfer station pilot project will be mailed this week, and that the deadline for submitting articles for the November 16 Special Town Meeting is Thursday, September 16, at 4:30 pm.

A2. Public Comment Richard Turner, 7 Nobhill Road, and Operations Director for WayCAM, advised viewers that due to problems with Comcast, the meeting tonight will be telecast on Verizon only. He said the meeting will be taped and available On Demand and will also be rebroadcast on Comcast.

A3. Discussion of Proposed Renewal License for Cable Television Franchise to Comcast of Massachusetts I, Inc. and Memorandum of Agreement with Verizon New England, Inc. for Compensation for Video-Return Service The consideration of the proposed cable franchise license renewal agreement with Comcast was postponed to a later meeting due to the continued editing of the document. The Board was joined by Steve Allen, Chair of the Cable Advisory Committee. The Board considered an amendment to the Verizon license increasing payments to the town to reflect installation of video return infrastructure by the town, and agreed to defer the approval of the MoA until next week. T. Fay moved, seconded by J. Nolan, that the Board of Selectmen, on behalf of the Town of Wayland, accept the Board of Selectmen Preliminary Assessment that the Cable Television Renewal License of Comcast of Massachusetts I, Inc., Should Not Be Renewed Pursuant to Section 626(c) of the Cable Act. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington said Special Counsel Bill Solomon will notify Comcast of the Board vote.

A7. Consider and Approve Consent Calendar J. Nolan moved, seconded by T. Fay, to approve the consent calendar. 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. Board members thanked Boston Duck Tours for its generous discount on the usage of its boats during the recent flooding. J. Bladon noted that Massachusetts is a leader in anti-bullying legislation. J. Nolan asked citizens to take note of the police report regarding a telephone scam that targets the elderly.

A9. Report of the Town Administrator F. Turkington reviewed upcoming agenda items. He updated the Board on the State of the Town/Community Values Forum to be held on Wednesday, September 29, to define and discuss community values. The Board discussed the need to find presenters and to have the League of Women Voters provide moderators. T. Fay suggested the panels be limited to two people per subject. J. Bladon said Board members should be prepared to voice their opinions. F. Turkington said he will do the necessary follow-up and begin to publicize the event. The Board thanked the Firefighters Association and Precourt for their donation of a bronze plaque to replace the stolen plaque at the Lokerville Green honoring World War II veterans. F. Turkington said he is negotiating with the preferred provider for the School/Town Audit and Consolidation RFP, and will report to the Board next week. He asked the Board if there is any interest in pursuing an affordable housing project at the old landfill property on Route 20. The Board discussed how to close the land properly in a green sense and how best to utilize it as a town parcel; members considered recreation and business uses. It was the consensus of the Board that the land was not suitable for affordable housing.

A10. Discussion of Board of Selectmen Goals for October 2010 to September 2011 The Board reviewed its goals for the coming year as revised by the Town Administrator after input from a previous meeting. J. Bladon suggested adding the thinking on town values and semirural character of the town which underlies the vision for the Master Plan; he said the Board should define the true qualities of Wayland and how they are prioritized. F. Turkington said that Sudbury articulates its community values. T. Fay asked about recycle bins, and F. Turkington said he will work it into the DPW goals.

A4. Interview Candidates for Appointment to Boards and Committees Joseph Karbowksi appeared before the Board to interview for appointment to the Youth Advisory Committee. He said he has worked as a registered nurse for twenty years, a per diem nurse for the school system, a youth advisor through the Unitarian church, and a soccer and baseball coach. The Board discussed with him the problem of teenage alcohol abuse and the need to pursue grant opportunities. S. Pope moved, seconded by J. Nolan, to appoint Joseph Karbowksi to the Youth Advisory Committee for a term to expire on June 30, 2013. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A5. Review Draft Charge for Proposed Dudley Area Advisory Committee F. Turkington said that he and T. Fay have reached a tentative agreement with the Dudley area neighbors to pursue funding to hire a variety of experts to come up with a consensus that will satisfy the residents of that community. He said the goal will be address not just the 7.3 acres of town-owned land, but also to solve broader community issues, such as septic needs and pond management. J. Nolan said the goal is to find balance; he said it does not preclude the housing option, if that is found to be the highest and best use. F. Turkington noted there is an article for the Special Town Meeting to provide funding for consultants. T. Fay said Dudley Pond is a huge asset to the town, and this is a good first step to improve that area. He thanked the neighbors and the housing advocates for working together during this process. F. Turkington said he will have a final draft charge for a Dudley Area Advisory Committee within the next two weeks.

A6. Review Special Town Meeting Schedule and Approve Submission of Special Town Meeting Articles The Board reviewed articles for the November 16 Special Town Meeting. It was agreed to wait for a consensus before voting to support the submission of the article, Municipal Affordable Housing Trust Fund. J. Nolan moved, seconded by T. Fay, to submit for eligibility into the Warrant for the Special Town Meeting the article, Adopt Stretch Energy Code as a Bylaw. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Dudley Area Land Study

Funding. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none.
Adopted 5-0.

Members of WayCAM (Ken Isaacson, Susan Koffman, and Richard Turner) appeared before the Board to discuss the potential article, Refurbish Wayland High School Weight Room. K. Isaacson said the School Committee voted to co-sponsor two articles: one to appropriate money to refurbish the weight room for further use, and another to authorize the School Committee to lease the weight room to WayCAM.

J. Nolan moved, seconded by T. Fay, to submit for eligibility into the Warrant for the Special Town Meeting the article, Authorization to Transfer and Lease Wayland High School Weight Room. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by T. Fay, to submit for eligibility into the Warrant for the Special Town Meeting the article, Wayland High School Field House Weight Room Code Upgrade. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Acquire Town of Sudbury's Interest in Septage Facility. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Amend Public Ceremonies Committee Composition and Charge. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Acquire Town of Sudbury's Interest in Septage Facility. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Acquire 41 River Road Open Space Land. 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 submit for eligibility into the Warrant for the Special Town Meeting the article, Rescind Authorized but Unissued Debt. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A11. Selectmen's Reports and Concerns J. Nolan moved, seconded by T. Fay, to approve the installation of a stop sign at Glezen Lane and Concord Road (South Leg of Triangle Traveling Westbound) . YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board approved the response to the public records request prepared by the Town Administrator. The Board discussed the process for evaluating the performance of the Town Administrator. J. Bladon said he spoke with Fire Chief Robert Loomer in regard to capital request for a wireless alarm system to replace copper wire. He said the Economic Development Committee is not prepared to submit its two articles for business overlay districts, and will plan to submit them in the spring. S. Correia asked if the fire alarms call boxes will be removed. F. Turkington said he would check with the Fire Chief. T. Fay discussed the need to name the subject of executive sessions on the public agenda. He said that while he has no problem with the spirit of the request, it is not required under the law, and there are instances where it would harm town to publish the subject of the lawsuit discussed. F. Turkington said that if the subject of the discussion is in the motion, it will be on the agenda. T. Fay said the meeting of the Historic District Commission with Twenty Wayland was productive. He said he expects the Historic District Commission will meet with Kevin Dandrade and further postpone the new application. S. Pope thanked the residents who attended the Iron Chef fundraiser. J. Nolan said he has received the athletic field master plan and will review it for the Board.

A12. Executive Session At 9:31 p.m., T. Fay moved, seconded by J. Nolan, 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 *Town of Wayland v. BSC* (civil engineer for the architect of the Public Safety Building) in 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 twenty minutes for the sole purpose of adjourning the meeting.

The Board returned to open session at 9:50 p.m.

T. Fay moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 9:50 p.m. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

Handouts During Meeting:

1. Letter received 9/13/2010 from Robert J. Dorey, President, Wayland Firefighters Association, to F. Turkington, re: Donation of World War II Veterans Plaque on Lokerville Green
2. Email of 9/13/10 from J. Bladon re: Addition to Town Administrator Goals
3. Special Town Meeting Article, Dudley Area Land Study Funding
4. Special Town Meeting Article, Amend Public Ceremonies Committee Composition and Charge
5. Special Town Meeting Article, Wayland High School Field House Weight Room Code Upgrade
6. Special Town Meeting Article, Municipal Affordable Housing Trust Fund



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CONFIDENTIAL

Board of Selectmen Executive Session Minutes September 13, 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 9:31 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 meeting is *Town of Wayland v. BSC* (civil engineer for the architect of the Public Safety Building).

Discussion: T. Fay said that BSC filed several procedural motions on Friday that were dismissed by the court. He said it was important that a representative of the town be in the courtroom during the proceedings. S. Correia and J. Nolan agreed to be available. T. Fay said Special Counsel John Perten had prepared all the witnesses and was ready for the trial.

Adjourn: By motion of J. Nolan, seconded by S. Pope, the Board, by roll call vote, unanimously voted to exit executive session at 9:50 p.m.