



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

AFR  
5/9/2011

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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 April 25, 2011

**Attendance:** John Bladon, Steven Correia, Thomas Fay, Joseph Nolan, Susan Pope

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

Chair S. Correia called the meeting of the Board of Selectmen to order at 7:01 p.m. in the Selectmen's Meeting Room.

**A2. Organizational Matters** S. Correia moved, seconded by S. Pope, to elect T. Fay as the Chair of the Board of Selectmen to serve until the first meeting following the adjournment of the 2012 Annual Town Meeting. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by T. Fay, to elect S. Pope as the Vice Chair and Clerk of the Board of Selectmen to serve until the first meeting following the adjournment of 2012 Annual Town Meeting. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

Chair T. Fay reviewed the agenda for the public. F. Turkington distributed the portfolio assignments for May 2010 through April 2011 for the Board's review. J. Nolan noted that the MWRTA Board voting member is Town Planner Sarkis Sarkisian. The Board agreed to consider and finalize the assignments by next week. The Board approved the proposed schedule of Board meetings for May and June 2011, and considered options for the next Selectmen office hours.

**A3. Public Comment** T. Fay referenced a letter submitted to the Board by several residents of Joyce and Keith Roads, expressing concern that there are opportunities for student utilization of woods and vernal pools in the property near the Middle School being considered for recreational use. As background, F. Turkington said \$45,000 was appropriated at town meeting to hire consultants, hold a series of public forums, and create a strategy to develop fields appropriate to the property, and to pursue CPA funds as a funding source. The Board requested that the letter be inserted in the Selectmen packet for next week.

**A4. Review of Annual Town Meeting and Implementation Plans for Approved Articles** The Board reviewed the 2011 Annual Town Meeting, and discussed the issues of electronic voting and funding, timing and comfort at the meeting, capital detail in the warrant, the future use of audiovisual equipment, and increasing voter turnout. F. Turkington said the new Town Moderator, Dennis Berry, will meet with the Board on May 16, and the Electronic Voting Implementation Subcommittee will issue a report by June 1 about the future use of electronic voting. He followed up on the approved articles; he said the bylaws will be sent to the Attorney General for review, a letter to the State Representative will be sent regarding the resident alien voting article, and appointments must be made to the Youth Services Committee. The Board considered the comments from the post-town meeting forum, and expressed concern that the time per article was the longest ever recorded. F. Turkington said the majority of time was spent on the capital budget, and there should be some consideration of streamlining the process. S. Correia said that the time was not spent in debate, but in questions. J. Bladon said anecdotally, some board/committee members did not appear because of the length and difficulty of the meeting. J. Nolan said some residents have lost

interest in the process, and the Board should talk to the moderator about making the meeting more efficient. F. Turkington said there was an effort on the part of certain residents to misrepresent information that was provided to them in order to affect outcomes. T. Fay thanked F. Turkington and the Finance Committee for the amount of work they put into town meeting, and he thanked Cherry Karlson, Chair, Finance Committee, for her skills and leadership during the meeting. S. Pope said she would forward the feedback received following the Town Meeting Procedures Subcommittee scheduled for May 3. The Board reviewed the request from F. Turkington to the Finance Committee for the restoration of funds cut from the FY2012 capital budget for town facilities repairs from either a year-end allocation from the 2011 reserve fund or by allowing transfer of funds from other unexpended account prior to the close of FY2011.

**A3. Public Comment** John Dyer, 287 Cochituate Road, said the 375<sup>th</sup> Anniversary Celebration Committee will be meeting on April 27 to plan upcoming events, and invited the public to join them. J. Nolan also noted there will be discussion on the future of the Hannah Williams Park earlier in the evening on April 27 at the park.

**A5. Presentation by Members of the Planning Board to Discuss Proposed Design Review Advisory Subcommittee Duties, Composition and Appointment Process** Colleen Sheehan and Bill Whitney, Planning Board, appeared before the Board to consider the creation of a Design Working Group to develop guidelines for developers and landowners as to the types of design, materials, and general aesthetics that will enhance the value of the land, buildings and cultural heritage of the economic centers in the town's business district. The Board expressed concern that the group would discourage developers or inhibit creativity; B. Whitney said a clear signal as to what the town expects will enable developers to come in with a project that is more likely to be welcomed. T. Fay asked if a bylaw will be proposed; C. Sheehan said they are only creating advisory guidelines. John Dyer, 287 Cochituate Road, said an architectural review panel was created during the development of Traditions that created guidelines which later migrated into zoning bylaws, and he encouraged the Board to review the work of the panel.

J. Nolan left the meeting at 8:05 p.m.

**A6. Process for Evaluating Septage Facility Property for Future Use** The Board considered the future use of the septage facility. T. Fay suggested the Board form a committee to review its options. J. Bladon said the Economic Development Committee has already considered exploring options, and the Board noted that the Permanent Municipal Building Committee might also take on the task. J. Bladon also suggested forming a working group of expertise from interested town departments. F. Turkington noted that there is a range of data to be collected before any further study is done, including the viability of the leaching fields, and that there are no funds appropriated for research or consulting. S. Correia asked if the property can be used in a joint venture with Sudbury, and F. Turkington said yes, the Board has the authority to create an Inter Municipal Agreement. He said a town meeting vote is needed to authorize the use of the property for something besides septage. He discussed the DEP evaluation of the property for expanding wastewater capacity. It was noted that action on forming a committee should be taken within the next two months if the goal of the Board is to have an article prepared for the 2012 Annual Town Meeting.

**A7. Vote to Appoint Melanson & Heath as Auditors for FY2011, FY2012 and FY2013 and Authorize the Town Administrator to Finalize and Execute a Contract for Services** F. Turkington provided background on the history of the auditors for the town and the procedure for choosing Melanson & Heath.

J. Bladon moved, seconded S. Correia, to appoint Melanson & Heath as Auditors for FY2011, FY2012 and FY2013, and to authorize the Town Administrator to finalize and execute a contract for services. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0.

**A8. Consider and Approve Consent Calendar** T. Fay moved, seconded by J. Bladon, to approve the consent calendar. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0.

**A9. Review Correspondence** J. Bladon noted that proposed state aid for roads and bridges will increase to \$475,000 in FY2012. T. Fay asked if the MassHighway work in Cochrane center will coincide with the water pipe repairs in order to save money. F. Turkington said the town will attempt to do so, depending on the timing. S. Correia asked if there was any public comment to the DEP beyond the six comments that were included in the packet; F. Turkington said no, and the DEP is holding a public hearing on May 19 to foreclose any possible attempts at appeals.

**A10. Report of the Town Administrator** F. Turkington said the town will suspend negotiations on a shared transfer station facility with Sudbury, and must now insure that Wayland has sufficient staff. He said the town will appear before the Historic District Commission on Thursday for the Public Safety Building repairs, and will then proceed to bidding the work. He said the Board of Assessors and the Finance Committee will review the overlay reserve by September 30 and a range of excess funds will be determined by August 31. He has contacted State Representative Tom Conroy to consider filing legislation that would eliminate the limitation on the amount of funds appropriated in revolving funds. He said the first meeting with National Grid regarding the energy program will take place tomorrow, and the May 19 DEP hearing has been posted on the website. The next meeting of the Operational Review Committee will be May 12, to discuss the implementation of the Part One reporting recommendations. S. Pope expressed concern about the overwhelming number of public records requests. F. Turkington said he is trying to coordinate the requests between departments to eliminate duplication, and he will work with people who don't know the process. The Board said the town should be responsive to the public, but should also be fairly compensated for any extra workload.

**A11. Selectmen's Reports and Concerns** The Board discussed the revised charge for a Permanent Municipal Building Committee. S. Pope moved, seconded by J. Bladon, to adopt the Resolution Creating a Permanent Municipal Building Committee as presented. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. S. Correia moved, seconded by J. Bladon, to extend the duration and appointments of the members of the temporary advisory Operational Review Committee to September 30, 2011. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. S. Correia moved, seconded by S. Pope, to appoint Jim Forti to the Youth Advisory Committee for a term to expire on June 20, 2014. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. S. Pope said she would forward written comments of the Board to the Town Meeting Procedures Subcommittee discussion on May 3, and she announced that the next Iron Chef competition will be Sunday, September 18, 2011.

**A12. Executive Session** At 9:21 p.m., J. Bladon 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 T. Fay declared that discussion of strategy with respect to collective bargaining with firefighters and DPW workers (Teamsters)

in an open session may have a detrimental effect on the negotiating position of the Town. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. The Board invited Town Administrator Fred Turkington, Assistant Town Administrator/Human Resources Director John Senchyshyn, and Fire Chief Robert Loomer, to attend and participate in the executive session, and Executive Assistant MaryAnn DiNapoli to attend and record the minutes. The Board will return to open session in approximately 20 minutes.

Fire Chief Robert Loomer left the executive session at 9:32 p.m. The Board returned to open session at 9:46 p.m.

J. Bladon moved, seconded by S. Correia, to adopt the Memorandum of Agreement between the Town of Wayland and the Local 1978 of the International Association of Firefighters AFL-CIO dated April 4, 2011. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0.

J. Bladon moved, seconded by S. Correia, to adopt the Memorandum of Agreement between the Town of Wayland and the Teamsters Union Local 170 dated March 23, 2011. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0.

T. Fay moved, seconded by J. Bladon, to adjourn the meeting of the Board of Selectmen at 9:48 p.m. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0.

#### **Items Distributed For Use by the Board of Selectmen at the April 25, 2011 Meeting**

1. Press Release Announcing "National Take Back Initiative," sponsored by the Federal Drug Enforcement Administration, providing Safe Disposal of Unused or Expired Prescription Drugs to be held on Saturday, April 30, 2011, from 10:00 a.m. to 2:00 p.m. at the Wayland Public Safety Building
2. Email dated April 23, 2011, from Jim Forti to Town Administrator expressing Interest in Serving as a Member of the Youth Advisory Committee as the Selectmen's Appointee for a Term Expiring June 30, 2014
3. Email dated April 21, 2011, from Town Administrator to Director of Youth Services Regarding Implementation of Article 24 of the 2011 Annual Town Meeting, which adjusted the Composition and Terms of Members of the Youth Advisory Committee
4. Letter dated April 20, 2011, from Linda Segal to the Attorney General, Division of Open Government, Complaining about the Delay in Publishing a Decision in her OML Complaint Dated August 5, 2010
5. Letter dated April 24, 2011, from Robert Goldsmith to Town Administrator, Selectmen and Wastewater Management District Commission Regarding Use of the Septage Facility Leaching Fields to Receive Treated Wastewater



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Approved for  
Release  
6/13/2011

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## CONFIDENTIAL

### Board of Selectmen Executive Session Minutes April 25, 2011

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

**Also Present:** Town Administrator F. Turkington, Assistant Town Administrator/Human Resources Director John Senchyshyn, Fire Chief Robert Loomer, Secretary M. DiNapoli

**Purpose:** The session was called at 9:21 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (4-0) in open session as permitted by M.G.L. Chapter 30A, Section 23(a)(3) to discuss strategy with respect to collective bargaining with firefighters and DPW workers (Teamsters) in an open session may have a detrimental effect on the negotiating position of the Town.

**Discussion:** J. Senchyshyn presented the Memorandum of Agreement between the Town of Wayland and the Local 1978 of the International Association of Firefighters AFL-CIO dated April 4, 2011. The MOA had been ratified by the union. He said the agreement includes the change in healthcare to rate saver plans and salary increases of 0% for FY11, and 1.0% for FY12 and 2.5% for FY 13. He also said he met previously with the Finance Committee regarding the financing of Advanced Life Support (ALS) services. R. Loomer discussed the background of ALS in Wayland, and he described the steps the town is taking to build the firefighter staff to paramedics. He said he expects to have 24-hour coverage in 2 ½ to 3 years. The Board discussed the increase in the emergency medical calls, and the need for efficiencies and shared services. R. Loomer noted that the town is already below average in per capita costs. R. Loomer left the meeting at 9:30 p.m.

J. Senchyshyn presented the Memorandum of Agreement between the Town of Wayland and the Teamsters Union Local 170 dated March 23, 2011. The MOA had been ratified by the union. He noted that this is the first contract negotiated as a combined DPW. The contract includes movement to the rate saver plans. Wage increases are 1.0% for FY 12, 2.5% for FY 13 and 2.0% for FY14.

J. Senchyshyn updated the Board on continuing negotiations with the police union, SEIU Local 888 and AFSCME 335L.

**Adjourn:** By motion of J. Nolan, seconded by S. Pope, the Board, by roll call vote, unanimously voted to exit executive session at 9:46 p.m.