



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 December 12, 2011

Attendance: John Bladon, Steven Correia, Thomas Fay, Joseph Nolan (arrived 9:05 p.m.), Susan Pope

Also Present: Town Administrator Fred Turkington, Secretary MaryAnn DiNapoli

Chair T. Fay 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 public.

A2. Public Comment David Bernstein, 25 Glezen Lane, asked that the 2012 Annual Town Meeting be held on a Sunday because more people can participate and there will be more time to study the issues. Anna Meliones, 255 Concord Road, said there should be more communication between town departments and between staff and boards. She also expressed concern about the staff job sharing, and noted that she was speaking on her own behalf and not that of the Recreation Commission. Gretchen Schuler, 126 Old Connecticut Path, speaking for the Historic District Commission, noted several violations and unsafe conditions at the intersection development. F. Turkington said several consultants have been hired by the oversight boards to ensure future compliance. Anette Lewis, 33 Claypit Hill Road, said that was insufficient, and a project manager should be hired. Louis Jurist, 86 Sears Road, urged the Board not to schedule Annual Town Meeting on a Sunday, as it was difficult for young families to attend. He also spoke in favor of electronic voting, saying it is efficient and accurate. Linda Segal, 9 Aqueduct Road, thanked the Board for holding monthly Selectmen's hours, expressed her support for a Sunday meeting, and announced the date of the next Raytheon PIP meeting. Kent George, 15 Indian Dawn, and Tony Boschetto, 123 Brook Trail Road, requested that the Board create an audit committee, and said they would submit recommendations. T. Fay noted it was on the evening's agenda, and remarked that the auditor had issued a positive report. Alice Walker, Lakeshore Drive, said the elderly are disenfranchised by evening meetings. Bruce Cummings, 6 Eden Road, said that an audit committee should be transparent, and not become a self-selected committee.

A3. Tax Classification Hearing Following Presentation by Board of Assessors The Board opened the tax classification hearing at 7:15 p.m., and was joined by the Board of Assessors and Ellen Brideau, Director of Assessing. T. Boschetto said he was opposed to a split rate, because the benefit to the residents would be outweighed by the burden on commercial properties. Cherry Karlson, Chair, Finance Committee, said the recommendation of the committee is to retain a single rate. Molly Upton, 23B Bayfield Road, speaking as a resident and not as a member of the Board of Assessors, said she is in favor of the split residential/commercial rate and the residential exemption. Bruce Cummings, Board of Assessors, said the split rate would create massive costs for small businesses, at a time when there are already several vacancies in town. Kim Cook, 12 Ellie Lane, said she is opposed to the open space discount because it shifts the burden from large land owners to smaller land owners. She also said she is in favor of the residential/commercial split, and suggested the town compare its proposed business tax rate to other towns. B. Cummings said that open space is regulated by MGL Chapter 61 and the town is required to abide by state law. E. Brideau explained the state law. K. Cook asked for an explanation of the tax rate impact on the town center project.

B. Cummings said every decision is applied equally to all residents. K. Cook asked if the town center fixed assessment is affected by the tax rate. B. Cummings said that was not an appropriate inquiry for a classification hearing. A. Lewis asked if the total commercial value of \$87 million includes chapter land; E. Brideau said yes. L. Segal asked for an update of the status of the full list and measure project. B. Cummings said that was not an appropriate inquiry for a classification hearing. T. Fay closed hearing at 8:08 p.m. J. Bladon moved, seconded by S. Pope, to maintain a uniform tax rate. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0. J. Bladon moved, seconded by S. Pope, to maintain the current discount for open space. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0. S. Correia moved, seconded by J. Bladon, to maintain the current status by rejecting the residential exemption. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0. J. Bladon moved, seconded by S. Correia, to maintain the current status by rejecting the small commercial exemption. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0. T. Fay thanked the Board of Assessors for its work.

A4. Joint Session with Finance Committee and Board of Assessors to Review Elements of the Tax Recapitulation Sheet

The Board was joined by the Finance Committee, Finance Director Michael DiPietro, and Director of Assessing Ellen Brideau, to review the tax recapitulation sheet. Participants reviewed appropriations and funding sources. J. Brodie described the process and obligations, and reviewed the decision process. M. DiPietro said the recapitulation sheet will be submitted tomorrow, and should be certified by the state within the week, so tax bills can go out by January 1, 2012.

A5. Authorization to Seek Metropolitan Area Planning Commission Local Energy Action Plan Grant

Anne Harris and Ellen Tohn of the Energy Initiatives Advisory Committee appeared before the Board to request authorization to seek a local energy grant. A. Harris described the grant program offered by the Metropolitan Area Planning Commission and the necessity for the town to provide matching funds, which she said will be recovered by the energy savings. J. Bladon moved, seconded by S. Pope, to authorize the letter to the Metropolitan Area Planning Commission requesting a local energy action plan grant. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0. A. Harris and E. Tohn discussed other opportunities, including ESCO, the Regional Energy Services Company provided by the MAPC. A. Harris asked the Board to approve a letter of interest in participating in the funding of a regional energy manager. J. Bladon moved, seconded S. Pope, to approve the letter of interest in a joint application for a regional energy manager. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0.

A6. Action on Request from Dudley Chateau to Extend Hours to Serve Alcoholic Beverages on December 31, 2011, from 12:00 Midnight to 1:00 a.m. on January 1, 2012

The Board discussed the request from the Dudley Chateau for an extension of hours on New Year's Eve. T. Fay and J. Bladon noted that the establishment is on probation. F. Turkington said the request was circulated amongst the neighbors and there was no response. S. Pope said they have not violated their probation, and S. Correia said several neighbors had spoken in their favor. S. Pope moved, seconded by S. Correia, to grant the Dudley Chateau an extension of hours to serve alcoholic beverages on December 31, 2011, from 12:00 midnight to 1:00 a.m. on January 1, 2012. YEA: S. Correia, S. Pope. NAY: J. Bladon, T. Fay. ABSTAIN: none. ABSENT: J. Nolan. Voted 2-2-0, motion not carried.

A8. Consider and Approve Consent Calendar

J. Bladon moved, seconded by S. Correia, to approve the consent calendar. YEA: J. Bladon, S. Correia, T. Fay, S. Pope. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0.

A9. Review Correspondence The Board reviewed the week's correspondence. S. Correia asked if there is a better system to record traffic on Glezen Lane. S. Pope requested a meeting with NStar; F. Turkington said he will be meeting with NStar representatives and Sudbury town officials to discuss the aftermath of the October storm. T. Fay noted Moody's upgrade of the town.

A7. Approval of Schedule for 2012 Annual Town Election and Annual Town Meeting; Open Annual Town Meeting Warrant F. Turkington distributed alternate schedules for the Annual Town Election and Annual Town Meeting for discussion. The Board considered conflicts with holidays and school vacation, the timing of the required Finance Committee hearings, and the advisability of a Sunday meeting. Town Moderator Dennis Berry said he would prefer to hold the meeting early in the month of April. F. Turkington said it was the consensus of the Finance Committee to schedule the meeting early in April, and to oppose holding the meeting on a Sunday. S. Pope moved, seconded by J. Bladon, to open the Warrant for the Annual Town Meeting to be held on Monday, April 9, 2012, at 7:30 p.m. in the Wayland Middle School, and the Annual Election to be held on Tuesday, April 3, 2011, at designated polling places. The warrant for said Annual Town Meeting will be open from Tuesday, December 20, 2011, at 8:30 a.m., through Tuesday, January 17, 2012, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Tuesday, January 17, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A10. Report of the Town Administrator F. Turkington reviewed the town's upgraded rating by Moody's, and upcoming meetings and agenda items. J. Nolan moved, seconded by S. Correia, to approve the appointment of Vincent J. Smith as Fire Chief effective February 25, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington reviewed the procedures for choosing an auditor. S. Correia moved, seconded by J. Bladon, to approve the letter to Melanson & Heath dated December 13, 2012, in response to the recommendations for improved operations. 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. Bladon moved, seconded by S. Pope, to approve the following license renewals for 2012:

Allenco LLC (Paul Allen, President)	268 Boston Post Road	Sale of Used Vehicles II
Broomstones Inc.	1 Curling Lane	Liquor License, Club, All Alcoholic
Chumakov, Vladimir	129 Boston Post Road	Sale of Used Vehicles II
Coach Grill (BBRG Operating Inc.)	55 Boston Post Road	Liquor License On Premise All Alcoholic, Victualler License
Cornu, Timothy and Thomas	356 Boston Post Road	Sale of Used Vehicles II
Donelan's Supermarkets Inc.	177 Commonwealth Road	Liquor License Package Store Wine & Malt
Dudley Chateau of Cochituate Inc.	20 Crest Road	Liquor License On Premise All Alcoholic, Victualler License

Einstein Brothers Bagels	44 Main Street	Victualler License
Herb Chambers of Wayland Inc. dba BentleyBoston and dba Rolls-Royce Motor Cars of New England and dba Herb Chambers Lamborghini of Boston	533 Boston Post Road	Sale of Used Vehicles I
International Auto Works Inc.	118 Main Street	Sale of Used Vehicles II
J.J McKay's (Town & Country Restaurant Inc.)	171 East Commonwealth Rd	Liquor License On Premise All Alcoholic, Victualler License, Entertainment License
Lavins Inc. of Wayland	330 Old Connecticut Path	Liquor License Package Store All Alcoholic
Liberty Pizza (MC&G Pizza Inc.)	116 Main Street	Victualler License
Mobil Oil (Mark Shepard)	268 Boston Post Road	Sale of Used Vehicles II
Mel's Commonwealth Café (Elmwood Donuts, Inc.)	310 Commonwealth Road	Liquor License On Premise Wine & Malt, Victualler License
New Sandy Burr Inc.	103 Cochituate Road	Liquor License On Premise All Alcoholic, Victualler License
Post Road Liquors Inc.	44 Boston Post Road	Liquor License Package Store All Alcoholic
Primebar Grill (Old Wayland Restaurant Inc.)	131 Boston Post Road	Liquor License On Premise All Alcoholic, Victualler License, Entertainment License
Starbucks Coffee Company	44 Main Street	Victualler License
Stephen Jones dba State Road Auto Body	292 Boston Post Road	Sale of Used Vehicles II
Spice 'n Pepper (Aprileileen Corporation)	236 Boston Post Road	Victualler License
The Villa Inc.	48 East Plain Road	Liquor License On Premise All Alcoholic, Victualler License, Entertainment License
Viva Mexican Grill and Tequileria Inc.	15 East Plain Street	Liquor License On Premise All Alcoholic, Victualler License
Water Lily (Ho-Tai Wayland Inc.)	309 Boston Post Road	Liquor License On Premise Wine & Malt, Victualler License
The Wayland Country Club	121 Old Sudbury Road	Liquor License On Premise All Alcoholic, Victualler License
Wayland Imports (Glenn B. Schwartz)	70 Boston Post Road	Sale of Used Vehicles II
Wayland Mobil (E & J Service Station LLC)	315 Commonwealth Road	Sale of Used Vehicles II

Wayland Pizza House	336 Boston Post Road	Victualler License
Wayland Variety and Deli Corporation (Beer & Wine Pkg)	70 Boston Post Road	Liquor License Package Store Wine & Malt
Wayland Wine and Spirits (P & P Liquors Inc.)	302 East Commonwealth Rd	Liquor License Package Store All Alcoholic
Weston Automotive Inc. (Steven Yerardi, President)	274 Boston Post Road	Sale of Used Vehicles II

YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The license for Wayland Automotive Sales, 322 Commonwealth Road, was not approved due to nonpayment of property taxes.

J. Bladon updated the Board on his research regarding increased financial reporting. S. Pope reviewed the concept of an Audit Committee and provided information from six towns. She said she will also contact the Massachusetts Municipal Association, and F. Turkington said he will include the information in the packet next week. S. Correia reported on a meeting of the Community Preservation Committee and described the requests for funding. In regard to the issue of staffing, T. Fay suggested that the Board meet again with the Recreation Commission and the DPW. S. Correia asked that boards and committees get their minutes approved and posted in a timely manner.

A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any

T. Fay said there were no additional topics.

A13. Adjourn There being no further business before the Board, J. Bladon moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 10:45 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 December 12, 2011 Meeting

1. Final report dated June 2011 of the Town Meeting Procedures sub-committee chaired by Dennis Berry.
2. Email dated December 10, 2011 from Molly Upton; email dated December 10, 2011 from Linda Segal; email dated December 11, 2011 from Donna Bouchard to Selectmen; email dated December 12, 2011 from Judy Currier; email dated December 12, 2011 from Mark Lucier; excerpt of minutes of July 26, 2010 meeting of the Board of Selectmen; all information relates to the discussion relative to scheduling of the Annual Town Meeting and whether to hold a Sunday session.
3. Email dated December 11, 2011 from Town Administrator to Selectmen, together with draft 2012 Annual Town Meeting schedule that presumes starting after spring school recess (late April).
4. Summary of information on audit committees from select towns as prepared by Selectman Sue Pope (December 9, 2011).
5. DRAFT letter dated December 12, 2011 in support of Local Energy Action Program grant prepared by Selectman John Bladon.
6. DRAFT letter dated December 15, 2011 for Selectmen in support of joint application for regional energy manager prepared by Town Administrator.
7. Proposal for Wayland Audit/Oversight Committee, submitted by Kent George and Tony Boschetto during public comment.
8. Memorandum dated December 12, 2011 from Gretchen Schuler, chair of Historic District Commission, regarding inspection of road improvements by Twenty Wayland, LLC submitted during public comment.