



# TOWN OF WAYLAND

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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 December 19, 2011

**Attendance:** John Bladon (arrived 7:05 p.m.), Steven Correia, Thomas Fay, Joseph Nolan, Susan Pope  
**Also Present:** Town Administrator Fred Turkington, Secretary M. 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. F. Turkington said the next meeting of the Board will be Tuesday, January 3, 2012, and he noted that Santa's Ride, sponsored by the Wayland firefighters, will take place over the next three days.

**A2. Public Comment** Jackie Ducharme, 44 Pond Drive, speaking on behalf of the Wayland Neighbors for Responsible Land Use, said the sense of urgency to craft an article for the 2012 Annual Town Meeting is undermining the mission of the neighbors. Speaking on her own behalf, she noted that at a previous meeting, Selectman S. Correia expressed his approval of 61A Chapter land because it provided open space, and she said the residents of Dudley Woods do not enjoy the luxury of having open space. Bill Hearne, 16 Keith Road, asked the Board, in conjunction with the Finance Committee, to set explicit guidelines for next year's operating and capital budgets. Joan Lynch, 19 Forest Hill Road, provided background information to her request for the road race, "Katie's Race," on November 4, 2012.

**A3. Interview Candidates for Appointment to Boards and Committees** Rebecca MacGregor appeared before the Board to interview for appointment to the Senior Tax Relief Committee. She described her background as a tax attorney with a focus on estate and gift taxation, and her interest in serving on the committee. The Board discussed her ability to make the time commitment, the aging population of Wayland, the recent senior tax relief plan voted by the town of Sudbury, and state legislation.

**A5. 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** T. Fay reopened the discussion from last week regarding the request from the Dudley Chateau to extend its hours on New Year's Eve. S. Pope moved, seconded by S. Correia, to grant the request from the Dudley Chateau to extend its 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, J. Nolan, S. Pope. NAY: J. Bladon, T. Fay. ABSTAIN: none. Voted 3-2.

**A4. Discussion with George Harris Regarding Open Meeting Law Complaint dated December 12, 2011, Relative to Distribution of Material by Email** George Harris appeared before the Board to discuss his open meeting law complaint relative to the distribution of material by email. T. Fay said the material was informational, and did not comprise an exchange of opinion. However, he said that if the complaint is withdrawn, the Board will agree to no longer review informational pieces by email. G. Harris provided a list of demands to the Board in order to withdraw his complaint, including acknowledging the error in public, pledging not to engage in such behavior in the future, adopting policies to preclude such future behavior, and signing a pledge to abide by the open meeting law. As there was no agreement on the part of the Board to accept his offer, G. Harris said he will forward his complaint to the Attorney General. T. Fay said he would

meet with G. Harris again to review a potential settlement; G. Harris said the Board should send him a proposal and he will review it.

**A6. Consider and Approve Consent Calendar** S. Pope moved, seconded by J. Nolan, to approve the consent calendar. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

**A7. Review Correspondence** The Board reviewed the week's correspondence. F. Turkington provided background information on the letter from the Erving Board of Selectmen regarding electors. The Board discussed the emergency permit application from the MWRA.

**A8. Review of Research on Audit Committee Structure and Responsibilities** The Board reviewed the research provided on the structure and responsibilities of audit committees from other towns. T. Fay noted that he and J. Bladon are meeting with Kent George and Tony Boschetto this week to discuss the formation of an audit committee in Wayland. Board members discussed the benefits and drawbacks of appointed members versus elected members, and whether the committee should be responsible for monitoring budgets or serve in an advisory role.

**A9. Report of the Town Administrator** F. Turkington reviewed a meeting with NStar representatives and Sudbury officials regarding the response to the October snowstorm. He said it was a productive meeting, and both towns stressed the need for improved communications, an advance schedule of tree-trimming, an analysis of circuits, and a rating system for capital upgrades. S. Correia asked for a review of the tree-trimming schedule from the tree warden. The Board suggested that NStar officials be invited to attend the joint meeting of the Wayland and Sudbury Selectmen in January. F. Turkington said he met with the Board of Library Trustees and the Council on Aging regarding a peer review of the feasibility study for a joint facility to be constructed on the municipal parcel at Town Center, and agreed to procure a new design firm to complete the project. The Board reviewed and approved a draft letter prepared by F. Turkington to Twenty Wayland LLC regarding the intersection construction, and to remind them that communication with the residents is critical.

**A10. Selectmen's Reports and Concerns** F. Turkington provided an update on enhanced financial reporting; he said he exchanged information with the consultant hired by the Finance Committee, and will have draft reports to review this week. J. Bladon updated the Board on energy efficiency and the green communities initiatives. He said the Energy Initiatives Advisory Committee is still considering the potential for a solar energy project coupled with the sale of methane gas, and they will be putting out an RFP to private developers to get their thoughts. S. Correia moved, seconded by J. Bladon, to have J. Bladon draft a press release regarding the town's efforts in regard to energy initiatives. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. J. Nolan noted that the committee should also consider ESCO, the Regional Energy Services Company provided by the MAPC. The Board reviewed potential articles for the 2012 Annual Town Meeting. F. Turkington said the Finance Committee will determine whether the capital process for a new highway garage goes forward. The Board agreed there was a vital need for a new facility. The Board also considered water infrastructure, the continuing feasibility study for the joint library and Council on Aging facility, a potential article from the Dudley Area Advisory Committee, funding to begin the process for a proposed apartment complex by the Economic Development Committee, the Planning Board overlay district in Cochituate, the potential need to adjust the MUOD office and retail space, and the vote of the Community Preservation Committee to spend \$800,000 of its funds on

various projects. F. Turkington said he met with the Recreation Commission to review the Gale Report and consider options for fields.

The Board discussed the process for the annual performance review of the Town Administrator, and agreed to continue the discussion until the January 3 meeting. J. Nolan praised the volunteers who showed up to help build the town ice skating rink. He asked F. Turkington to provide a comparison of the fire and police chief salaries. S. Pope disputed the allegation of the Wayland Voters Network that the Board ignored residents when setting the date for town meeting; she said the Board consulted with the Town Moderator, board and committee members, and residents, and made a fair decision. S. Correia discussed the upcoming events to celebrate the new high school. J. Bladon said the Board press releases have been factual and not opinion pieces. T. Fay suggested that the Council on Aging consider using space at the new high school, and he reported on a meeting with the Town Planner Sarkis Sarkisian and Planning Board Chair Kevin Murphy regarding potential grant money for work on Route 20. F. Turkington said he will draft a response to the open meeting complaint filed by George Harris. S. Pope moved, seconded by J. Nolan, to appoint Rebecca MacGregor to the Senior Tax Relief Committee for a term to expire on June 30, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

**A11. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

T. Fay said there were no additional topics.

**A12. 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 9:55 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 19, 2011 Meeting**

1. DRAFT letter prepared by Town Administrator to Twenty Wayland, LLC regarding compliance with permits, approvals, licenses and settlement agreements related to Town Center project
2. Community Preservation Committee, draft minutes of December 7, 2011 meeting