



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 January 10, 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 7:04 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public. J. Nolan congratulated Marge O'Brien on her retirement from the staff of the Council on Aging, and he thanked her for her service to the town. F. Turkington announced a library presentation at the town building on Tuesday evening, January 11, "How to Live Longer in Wayland." He said on Thursday evening, January 13, the 375th Anniversary Committee will hold its first meeting, and the Planning Board/Zoning Board of Appeals will hold its first public meeting on the zoning bylaw revisions article for the Annual Town Meeting. He noted the passing of Retired Deputy Fire Chief Richard Gladu. He said any cancellations due to the coming snowstorm will be posted on the town website.

A2. Public Comment George Harris, 8 Holiday Road, addressed the issue of the open meeting law complaint he filed on January 5, 2011, concerning the public forum held on December 7, 2010. He said the issue is whether the forum on December 7, 2010, was a meeting of the Board of Selectmen and should therefore have been posted. J. Nolan said it was never intended to be a meeting, but rather a discussion with the Recreation Commission regarding the future of the Loker property, and he would like to resolve the issue before the town is obligated to incur any legal fees. S. Correia said it was not the intent of the Board to have a meeting. S. Pope said it was not presented to her as a meeting, and noted that if it had been a posted meeting, she would have had to cancel her travel plans to attend. G. Harris said that when three members of the Board showed up for the forum, it became a meeting of the Board, and suggested that one of them should have remained seated in the audience. F. Turkington said the issue is a matter of jurisdiction and deliberation; the property that was discussed at the forum is under the exclusive care and control of the Conservation Commission and the Recreation Commission. S. Correia asked G. Harris if he would be willing to work it out informally. G. Harris said he would talk to S. Correia, but he would pursue the matter with the Attorney General in the meantime.

A3. Library to Launch 2011 Wayland Reads Program Ann Knight, Library Director, and Sally Cartwright, Chair of Wayland Reads, appeared before the Board to discuss its current offering, "Zeitun" by Dave Eggers. S. Cartwright said the book is about bringing a community together over a common experience; in this case, the Hurricane Katrina. She said discussions and events are planned throughout the month. The Board approved the placement of banners to publicize the events.

A4. Consideration of Appointments to Boards and Committees Doug Goddard appeared before the Board to interview for appointment to the Public Safety Building Advisory Committee. He said he is an

architect, working in Framingham, and has dealt extensively with structural problems. He said he is available for meetings, and he discussed his work in flood plains and with water mitigation issues.

T. Fay moved, seconded by J. Bladon, to appoint Kent Greenawalt to the Dudley Area Advisory Committee as the designee of the Planning Board for a term to expire November 30, 2011. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A5. Approval of Change of Manager Application for Broomstones Inc. This agenda item was postponed until the next meeting.

A7. Discussion of Potential Town Meeting Articles The Board reviewed and discussed potential town meeting articles. J. Nolan moved, seconded by T. Fay, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Bylaw to Create Consent Calendar and Limit Removal of Items to Objections of at Least Ten (10) Citizens.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by J. Nolan, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Sale of Town-owned Land at 24 and 26 Lakeshore Drive.” 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 accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Acquire Sudbury’s Interest in Septage Facility.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington noted that the following three articles would be submitted by their respective boards, but asked that the Board insert them as placeholders in the event the boards are not available to meet before the warrant closing. T. Fay moved, seconded by J. Bladon, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Amend Special Act Establishing Department of Public Works by Merging Wastewater Management District Commission with Board of Public Works.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by T. Fay, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Amend Zoning Bylaw Site Plan Approval Requirement for Educational and Religious.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. F. Turkington noted that the towns of Sudbury and Lincoln both adopted the following floodplain article last spring. J. Nolan moved, seconded by S. Pope, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Amend Zoning Bylaw – Updated Federal Floodplain Overlay District Map.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. S. Pope moved, seconded by J. Bladon, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Compensation for Town Clerk.” 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 accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Establish Enterprise Fund for Joint Transfer Stations and Recycling Center.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Bladon, to accept for consideration for insertion into the 2011 Annual Town Meeting Warrant the article “Adopt Bylaw Allowing User Fee Bills to be Sent with Property Tax Bills.” YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A6. Petitioner’s Workshop for 2011 Annual Town Meeting Chair S. Correia opened the Petitioner’s Workshop for the 2011 Annual Town Meeting at 8:22 pm. F. Turkington reviewed the procedures for submitting a petitioner’s article, and invited residents to contact him with any questions. Betsy Connolly,

56 Woodland Road, said she is submitting an article to increase the Council on Aging budget to provide \$25,000 in funding for PILOT to expand senior outreach and services. F. Turkington asked her to consult with the Finance Committee regarding appropriations separate from the budget. S. Pope said it was her impression that the Council on Aging did not fully support the article. F. Turkington said he will have the Town Counsel review it. The workshop was closed at 8:35 p.m.

A8. Consider and Approve Consent Calendar S. Pope moved, seconded by J. Bladon, to approve the revised consent calendar, to include the release of the executive session minutes of July 8, 2010. J. Nolan abstained from voting on item 3 because he did not attend. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A9. Review Correspondence The Board reviewed the week's correspondence. J. Bladon noted that some of the ideas put forth by Minuteman Regional would have a detrimental effect financially on the town and should be discussed further. T. Fay asked if a committee should be established to monitor the Nyanza Community Involvement Plan; F. Turkington said the town has staff sitting on the committee. T. Fay said the letter from the Attorney General regarding the open meeting law was instructive and helpful. S. Pope noted the 14% increase in calls to the fire department. J. Nolan asked to have the Conservation Administrator update the Board on the Nyanza issue. S. Correia said the Board takes open meeting law complaints very seriously; all complaints are discussed with Town Counsel and the Board works through them as best it can.

A10. Report of the Town Administrator F. Turkington reviewed board and committee openings; he said he has received an application for the Economic Development Committee. In terms of the Annual Town Meeting logistics, he said he is reviewing with Capron the incremental costs for adding venues and days. He confirmed the Selectmen office hours at the library on January 29. In regard to the alleged open meeting law violation, it was the consensus of the Board to postpone a written response to George Harris until the Chair of the Board has met with him.

A11. Selectmen's Reports and Concerns J. Bladon reported on his meeting with the Operations Review Committee; he said the preliminary recommendations included more consistent procedures, additional reporting, and some changes in the code structure to capture expenses. He also reported on a meeting with the Energy Initiatives Advisory Committee regarding the submission of projects for which the town is requesting grant money. T. Fay said he continues to be concerned about the Frishman dog; F. Turkington said the dog was being walked without a leash or muzzle last week, but the police were not able to catch him. F. Turkington reviewed the four candidates for the Public Safety Building Advisory Committee. T. Fay said it would be preferable to have two architects and one lawyer, as the problem is structural. The Board thanked all the volunteers for their willingness to serve. T. Fay moved, seconded by J. Nolan, to appoint Kevin Crowley to the Public Safety Building Advisory Committee for term to expire on December 31, 2012. 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 appoint Bradford Carver to the Public Safety Building Advisory Committee for term to expire on December 31, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Bladon, to appoint Douglas Goddard to the Public Safety Building Advisory Committee for term to expire on December 31, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. T. Fay said the Pool Party Fundraiser at Sandy Burr was a success, and noted that they are still looking to raise more money. T. Fay asked if the state public works facility on Route 20 in Sudbury could be considered for use as the Wayland DPW facility. F. Turkington said no, it must be

within town boundaries. He asked about the Hannah Williams playground; F. Turkington said he will follow up. S. Pope said she attended a recent Council on Aging meeting and was surprised at the comments of the petitioner tonight, as the board did not take any action on the article. F. Turkington reported on the senior center feasibility study meeting; he said the preferred option is to vet and explore a combined facility at the town center. S. Pope said she has received many calls commending the work of the DPW during the last snowstorm. S. Correia discussed updates to the town website and the Cable Advisory Committee meeting regarding linking all of the town buildings. The Board requested that the committee come before them to discuss its proposals.

J. Nolan moved, seconded by J. Bladon, to adjourn the meeting of the Board of Selectmen at 9:10 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 January 10, 2011 Meeting:

1. Revised Consent Calendar to include the release of the executive session minutes of July 8, 2010
2. Draft Warrant articles for consideration for inclusion in the 2011 Annual Town Meeting Warrant: (1) Adopt By-Law Creating Consent Calendar; (2) Establish Enterprise Fund for Joint Transfer Station and Recycling Center; (3) Adopt Bylaw Allowing User Fee Bills to be Sent with Property Tax Bills; (4) Amend Special Act Establishing Department of Public Works by Merging Wastewater Management District Commission with Board of Public Works; (5) Amend Zoning By-Law Site Plan Approval Requirement for Educational and Religious Uses; and (6) Amend Zoning By-Law – Updated Federal Floodplain Overlay District Map.
3. Memorandum dated January 8, 2011 to Gretchen Schuler, Donna Bouchard, Selectmen and others regarding the process for developing and considering the zoning recodification bylaw.