



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 Meeting Minutes March 7, 2011

BOARD OF SELECTMEN

JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Attendance: John Bladon, Steven Correia, Thomas Fay, Joseph Nolan (arrived 7:15 p.m.), 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 7:00 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public. F. Turkington noted that the warrant for the Annual Town Meeting will be mailed on March 22, and the warrant hearing will be held on March 28 at 7:30 p.m. in the Large Hearing Room of the Wayland Town Building.

A2. Public Comment F. Turkington read a statement from Anette Lewis, 33 Claypit Hill Road, requesting further information about the article, "Sale of Town-owned Land at 24 and 26 Lakeshore Drive," as well as more information regarding the items on the consent calendar. Jackie Ducharme, 44 Pond Drive, said she was very disappointed in the Dudley Area Advisory Committee. She said the criteria submitted for a chair by the Wayland Neighbors For Responsible Land Use was ignored. She also said that there was no conversation with the committee before the RFP was developed, thereby making the committee the editors and not the authors.

A6. Consider and Approve Consent Calendar T. Fay moved, seconded by S. Pope, to approve the consent calendar. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. S. Pope asked for an update on the status of the Frishman dog. F. Turkington said the court has ordered Mr. Frishman to reveal the location of the dog; he said the town was granted attorney's fees but the civil fines were held in abeyance pending the Frishman's compliance with the court order.

A7. Review Correspondence J. Bladon commended the Fire Department for its accreditation by the Massachusetts Fire Services Commission, and he noted the Police Department sponsorship of the National Take-Back Initiative for prescription drugs on April 30. T. Fay asked S. Pope if the Town Meeting Advisory Committee had authorized the survey in correspondence; S. Pope said no, it was a project undertaken by one member. F. Turkington noted that the Town Planner had contacted everyone who had questions about the zoning bylaw revisions at the Fall Town Meeting. T. Fay suggested that the Board submit a letter of support to the legislature regarding health insurance reform; the Town Administrator said he would draft a letter for Board approval.

A3. Liquor License Hearing for Change in Ownership Interest and Transfer of License for Coach Grill, 55 Boston Post Road S. Correia opened the hearing for the Change in Ownership Interest and Transfer of License for Coach Grill at 7:21 p.m. The Board was joined by Attorney for BBRG Steven Miller, Director of Corporate Security for BBRG Maurice Delvendo, and Coach Grill Manager Ming Jung. S. Miller said BBRG Operating Inc. is being purchased by BBRG TR, LLC, a Florida corporation that operates multiple high-end dining concepts in many states. He said there will be no change in the layout, staff, or menu. The Board discussed maintaining the quality of the current establishment and ensuring that the new owners are familiar with the town guidelines regarding managers. It was noted that the Coach Grill has not had any liquor license violations. F. Turkington asked if the new owners would be interested in town approval of alcoholic beverage service to begin at 10:00 a.m. on Sunday for their brunch; M. Jung said the current 11:00 a.m. service is acceptable. The hearing was closed at 7:29 p.m.

T. Fay moved, seconded by S. Pope, to approve the transfer of the common victualler's all alcoholic beverages license of BBRG Operating Inc. dba Coach Grill, to BBRG TR, LLC, dba Coach Grill, 55 Boston Post Road. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay moved, seconded by J. Nolan, to approve the continued designation of Ming Jung as the manager of the BBRG TR, LLC, dba Coach Grill. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

A7. Review Correspondence S. Pope also commended the Fire Department for its accreditation by the Massachusetts Fire Services Commission, and thanked both the Police and Fire Departments for their detailed monthly reports. J. Nolan commended the Fire Department for the purchase of new "jaws of life" equipment, and commended the Town Administrator and Human Resources Director for the negotiation of health care programs for the town.

A8. Report of the Town Administrator F. Turkington noted the vacancy on the Board of Public Works, and said interviews will be conducted at the meeting of March 28. In regard to logistics for the Annual Town Meeting, he said if there is still a concern about parking due to the snow, arrangements will be made for a shuttle bus.

A4. Update by High School Building Committee on Status of Project Lea Anderson and Eric Sheffels of the High School Building Committee appeared before the Board to provide an update on the status of the High School Building project. L. Anderson said monthly reports are available on the website. E. Sheffels discussed the project schedule and provided a financial overview. The Board discussed the impact on the neighborhood in regard to noise and lighting, the change orders, and the need for improved audiovisual equipment and acoustics for town meetings and general use. T. Fay reminded the committee that trucks are not allowed on the project before 7:40 a.m.

A8. Report of the Town Administrator F. Turkington said the options for the relocation of utilities at the Public Safety Building will be on the agenda of the Historic District Commission on March 24; the Commission is expected to provide an advisory opinion for Town Meeting. He said the Dudley Area Advisory Committee is meeting tonight to review and finalize the proposed RFP for consultant services. He noted that the RFP was written by staff to keep the project moving; he said it was never expected that volunteers would write it. T. Fay asked if it was typical for the town to prepare an RFP for a committee to review. F. Turkington said yes, the same procedure had been used many times. S. Correia said the committee can make any changes it deems appropriate to the RFP. J. Nolan noted that it was only a template. F. Turkington said there have been a number of requests regarding the use of town funds, and he is trying to pull the information together. S. Correia said the annual audit has never found any discrepancies. F. Turkington recommended rotating auditors in the future to ensure that the town is strong in all aspects of its financial management.

A5. Discussion on 2011 Annual Town Meeting Warrant Articles The Board reviewed the article, "Sale of Town-owned Land at 24 and 26 Lakeshore Drive." F. Turkington said the land is not buildable and only has value to the abutter; he said it must be declared surplus before it can be sold. T. Fay moved, seconded by S. Pope, to declare the town-owned land at 24 and 26 Lakeshore Drive to be surplus. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0. In regard to the petitioners' article, "Appropriate MtBE Settlement Funds for Water Projects," F. Turkington noted that the lead petitioner was not present. He said he has asked Town Counsel Mark Lanza to prepare a legal opinion as to the appropriateness of the article if the budget is passed with the funding source

resolved. T. Fay asked if the article would apply to other streets; F. Turkington said that is dependent upon the opinion of Town Moderator.

The Board discussed the proposed resolution for creating a Permanent Municipal Building Committee. T. Fay asked that the members of the High School Building review the proposed charge, and J. Nolan suggested getting sample charges through the MMA from other towns. S. Correia suggested adding a liaison to the public. F. Turkington said he will present a revised copy by March 21.

A9. Selectmen's Reports and Concerns J. Nolan reported on the Selectmen's office hours at Bent Park; he said he felt it was very successful. He said the 495 Partnership/MWRTA has sent letters to the Executive Office of Housing and Economic Development to support the use of grant funds for the Route 20 corridor. S. Pope reported on Town Meeting Procedures Committee. She said she continues to be concerned that they operate beyond the scope of the committee. F. Turkington suggested that the Board review their final report. S. Pope said the committee will hold an "After Town Meeting" discussion on April 14. T. Fay noted that the winter storms of January 11-12 were declared a federal disaster, thereby making federal funds available to the town.

The Board was joined by Dennis Berry, David Bernstein, and Matthew Shear of the Town Meeting Advisory Committee, and Town Moderator C. Peter R. Gossels, to consider the implementation of childcare services during the April Annual Town Meeting. D. Bernstein suggested that the cafeteria of the Middle School be used for parents with young children, and that interactive audiovisual equipment be provided so the parents can participate in the vote. The Board discussed the logistics, the cost, the liability to the town, the ability of the parents to participate fully in the meeting, and the burden of experimenting with childcare and electronic voting at the same time. The Board did not agree to the implementation of childcare services at the upcoming town meeting.

The Board reviewed a letter prepared by T. Fay in response to a letter in the Town Crier written by Stanley Ducharme and Maureen Flaherty regarding the Dudley Area Advisory Committee. The Board approved the letter and authorized the Town Administrator to submit the letter to the Town Crier.

J. Bladon provided an update on the Operational Review Committee. He said the Economic Development Committee will meet with the Board next week. In regard to the Energy Initiatives Advisory Committee, he said a grant has been submitted for approximately \$130,000 in Green Communities Funds and the Committee is exploring a pilot program with NSTAR.

T. Fay moved, seconded by J. Bladon, to adjourn the meeting of the Board of Selectmen at 10:12 p.m. YEA: J. Bladon, S. Correia, J. Nolan, S. Pope, T. Fay. NAY: none. ABSTAIN: none. Adopted 5-0.

Items Distributed For Use by the Board of Selectmen at the March 7, 2011 Meeting

1. Proposed Charge and Composition of Permanent Municipal Building Committee
2. Email dated March 5, 2011 from Anette Lewis to Selectmen regarding consent calendar and public comment on disposition of town-owned land at 24 and 26 Lakeshore Drive
3. Draft guest column to Town Crier regarding Dudley Area Advisory Committee
4. Email from Donna Bouchard dated March 7, 2011 to Finance Committee regarding petitioners' article relative to FY2011 School Department budget restatement