



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 January 3, 2012

Attendance: John Bladon, 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 7:02 p.m. in the Large Hearing Room and reviewed the agenda for the viewing public. F. Turkington said the new Wayland High School is open, and the petitioners' workshop for Annual Town Meeting will be held on January 9.

A1. Presentation of Request for Playscape at Town Center to Recreation Commission, Board of Public Works, and Board of Selectmen by Jennifer Pearlman, 34 Pequot Road, on Behalf of Numerous Residents Jennifer Pearlman spoke in favor of a town playscape at the new town center and presented a petition of support signed by 226 residents.

A2. Joint Session with Board of Public Works and Recreation Commission to Review Duties and Responsibilities (Town Counsel to be Present); Review and Discuss Communications Issues The Board met with members of the Board of Public Works, Public Works Director Don Ouellette, members of the Recreation Commission, Recreation Commissioner Nancy McShea, and Town Counsel Mark Lanza. Bob Virzi, Chair, Recreation Commission, said the initial concern that a Board of Public Works would allow the fields to deteriorate has not been the case, but that the roles and responsibilities of each board must be clearly defined. He said the Recreation Commissioner job share with Sudbury is working well. Chris Brown, Chair, Board of Public Works, said they are learning their new roles and it is an evolving process. Brud Wright, Recreation Commission, said the BoPW has done an adequate job of field maintenance, but there are hundreds of examples where the BoPW has stepped in and taken the place of the Recreation Commission with disastrous consequences. Anna Meliones, Recreation Commission, said the biggest issue is communication, and there is a need for more meetings. S. Correia said board members and staff should work to improve communication amongst themselves. B. Virzi said residents don't have a clear idea of the proper role of each board, and B. Wright said the staff is unclear as to who has oversight authority over them. J. Nolan suggested a quarterly meeting of the three boards, better communication with staff, and more frequent meetings between the BoPW and the Recreation Commission. A. Meliones said the Town Administrator should hold monthly meetings of the department heads. M. Lanza summarized the role of each board; he said the Recreation Commission establishes programs, and the DPW is responsible for buildings and maintenance. He said there is a clear misunderstanding of the changes brought about the formation of the Department of Public Works. B. Wright said the ability of the Recreation Commission to control its staffing has been usurped, and he cited the Inter Municipal Agreement with Sudbury. Stas Gayshan, Recreation Commission, said there should be multiple meetings between boards; administration should address staff difficulties; and communication between boards and staff in regard to policy should be improved. Mike Lowery, BoPW, said the Board must be responsible for staffing if they are to be responsible for the budget. F. Turkington said that for those involved in the original transition, the clear intent was to provide for management by staff and policy setting by elected boards. B. Wright said that first, he will be meeting with the recreation staff in Sudbury to assess their operations, and secondly, the BoPW should immediately stop spending recreation funds. C. Brown said he is the liaison to the Recreation Commission, and he suggested

that the Recreation Commission appoint a liaison to the BoPW. J. Nolan moved, seconded by S. Pope, that the Board of Public Works, the Board of Selectmen, and the Recreation Commission will meet quarterly, and that the Board of Selectmen endorses the idea of a monthly meeting of the Chair of the Board of Public Works, the Chair of the Recreation Commission, and their respective department heads. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A3. Joint Session with Board of Public Works to Review Water Reserve; Future Capital Needs; Discuss Establishment of Enterprise Fund Linda Segal, 9 Aqueduct Road, announced she would be audiotaping the meeting. The Board met with members of the Board of Public Works and Public Works Director Don Ouellette. C. Brown provided background on the current water reserve. He said best practice is to maintain an amount equal to the largest capital item (\$2M), plus 25% of the annual budget (approximately \$800,000). He also noted that additional funds were voted at town meeting through a petitioners' article to replace water pipes in the amount of \$500,000, which comes to a total of \$3.3 million. F. Turkington said in terms of comparing Wayland to other communities, the town needs to be mindful of the volatility of water rates and collections, the age of the infrastructure, and the eventual need for a second treatment plant. D. Ouellette noted that the water division has been under budget for two years, and described the town's favorable comparison to the comparable town of Tewksbury. Mike Lowery, Board of Public Works, said the Board will consider the surplus in the next round of water rates. F. Turkington encouraged the BoPW to publish hearing dates in the water bill, and said there is a need to minimize misinformation. Participants discussed various means of providing better information to the public, the need for a better system of reportable numbers, the possibility of engaging an outside consultant, and the ramifications of not having an adequate reserve account. T. Fay asked if there would be a capital request at Annual Town Meeting for a wireless meter reading system, and an article to create an enterprise fund. D. Ouellette said the Finance Committee suggested using the surplus for the meter reading system, and Jon Mishara, Board of Public Works, said the Board favors an enterprise fund, and has been operating as such de facto.

A4. Public Comment Anette Lewis, 33 Claypit Hill Road, said she hopes that boards, committees, staff and residents can work together respectfully. T. Fay said he hopes residents will also show respect to the town staff.

A5. Discussion on Notice from Twenty Wayland for Decision Within 90 Days on Option for Septic System for Municipal Parcel as Described in Section K.3(a) and (b) of the Development Agreement The Board discussed the advantages and drawbacks of the option for the septic system on municipal parcel, and asked the Town Administrator to outline the decision points for the next meeting.

A6. Consider and Approve Consent Calendar J. Nolan moved, seconded by J. Bladon, to approve the consent calendar, with the addition of the approval of the 2012 Auto Dealers license for Wayland Automotive, 322 Commonwealth Road. 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.

A8. Discussion on Response to Open Meeting Law Complaint of George Harris dated December 12, 2011, Relative to Distribution of Documents by Email T. Fay said he was not able to come to a resolution with George Harris in regard to his open meeting law complaint, and the Board then reviewed a letter of response to the State Attorney General. J. Nolan moved, seconded by S. Correia, to approve the letter to the Office of Attorney General dated January 4, 2012, regarding the Open Meeting Law complaint of

George Harris dated December 21, 2011. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A9. Report of the Town Administrator F. Turkington reported on the draft agenda for the upcoming meeting with the Sudbury Board of Selectmen; subjects include a meeting with an NStar representative, an update on Minuteman, the housing project at the former septic facility, and various collaboration efforts. He provided a summary of the month's meeting schedule, and an update on the intersection construction project.

A10. Selectmen's Reports and Concerns S. Correia updated the Board on his meeting with the Finance Committee regarding enhanced financial reporting. J. Bladon said he will speak to Michael DiPietro, Finance Director, about the standard reports issued by Munis. F. Turkington noted that the Wayland Voters Network had printed false information regarding the security of town finances, and he is working a preparing a correction. T. Fay said he met with Kent George and Tony Boschetto with a proposal for a workable Audit Committee. He asked J. Bladon and S. Correia to draft a committee charge for the next meeting. J. Bladon updated the Board on the work of the Operational Review Committee, and said it needs more time to complete its work. J. Bladon moved, seconded by J. Nolan, to extend the charge of the Operational Review Committee to February 29, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board reviewed the procedures for the performance evaluation of the Town Administrator, and asked if the procedures complied with the state open meeting laws; F. Turkington said yes. T. Fay asked Board members to submit their evaluations to him by January 31. S. Pope and J. Bladon considered office hours on Saturday, January 21. S. Pope said she has received complaints from residents about debris on the Route 20 sidewalk. S. Correia asked that boards and committees post their minutes in a more timely manner. J. Nolan noted the opening of the new high school.

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 9:57 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 3, 2012 Meeting

1. Email dated December 30, 2011 from Town Counsel Mark Lanza to Selectmen, Board of Public Works, and Recreation Commission regarding responsibilities of boards and staff in preparation for discussion on January 3, 2012.
2. Email dated January 3, 2012 from Donna Bouchard to Selectmen regarding water rates and water reserves (copy provided to Board of Public Works and Finance Committee).
3. License renewal for 2012 for Wayland Automotive. Sales, 322 Commonwealth Road, and receipt indicating payment of all outstanding taxes (to be added to consent calendar).
4. Email exchange between George Harris and Chair Tom Fay dated December 29-30, 2011 regarding potential settlement; draft letter prepared by Town Administrator to Attorney General responding to OML complaint submitted by George Harris on December 12, 2011 relative to the distribution of a draft op-ed piece by email to Selectmen on November 28, 2011.
5. Letter of 1/3/2012 from Jennifer Pearlman to Board of Selectmen re: Town Center Playground, and Petition signed by Residents