



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 February 27, 2012

Attendance: John Bladon, Steven Correia, Thomas Fay, Joseph Nolan, 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 7:06 p.m. in the Large Hearing Room and reviewed the agenda for the viewing public. F. Turkington previewed the three upcoming Board meetings in March, and S. Pope announced that Selectmen office hours will be held this Saturday at Mel's Commonwealth Café from 8:00 am to 9:00 a.m.

A2. Promotion and Appointment Ceremony for Fire Department Former Fire Chief Robert Loomer was presented with a letter of commendation for his years of service to the Town of Wayland. Vincent Smith was sworn in as Fire Chief; David Houghton was sworn in as Deputy Fire Chief; Robert Dorey was sworn in as Fire Captain, Ken McGuire was sworn in as Fire Lieutenant, and Michael Boyes was sworn in as Firefighter/Paramedic. Fire Chief Vincent Loomer commended past Wayland Fire Chiefs for their service and leadership.

A3. Public Comment Jack Peters, 98 Dudley Road, expressed concern about the litter between the Dudley Chateau parking lot and Dudley Pond.

A4. Consider and Approve Consent Calendar S. Pope moved, seconded by S. Correia, to approve the consent calendar. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A5. Review Correspondence The Board reviewed the week's correspondence. J. Bladon requested that the Police Department mark the crosswalk at Winthrop Road with cones. The Board discussed notifying the public as to the application of herbicides by NSTAR, and they thanked the Energy Initiatives Advisory Committee for its work in pursuing the LEAP grant, although the grant was ultimately denied.

A6. Discussion on 2012 Annual Town Meeting Articles and Logistics The Board discussed logistics for the upcoming Annual Town Meeting, including the cost of electronic voting, audiovisual equipment, and more comfortable seating. T. Fay said the amount of money spent reflects the town's commitment to local government, and he encouraged all residents to attend. Dennis Berry, Town Moderator, said that in informal discussions, people preferred the use of the Field House. He also said the use of one large room is preferable. F. Turkington cautioned that audiovisual equipment should be used on a very limited basis; i.e., for charts and maps, and not for motions and written changes. D. Berry said he will prepare supplementary rules for the use of the audiovisual equipment, as well as new abbreviated procedures for non-controversial articles. F. Turkington updated the Board on revisions to several articles, as well as corrections to technical and legal discrepancies. In regard to the petitioners' article requesting a school audit, he said the State Auditor has advised that the article is unnecessary and duplicative of the work of the Abrahams Group, and as such, the Town Administrator has asked the petitioners to withdraw the article. He said the Board will vote its positions after the Warrant Hearing on March 28.

A7. Discussion on Request from Twenty Wayland to Assent to Eminent Domain Takings Related to Filing of Plans with Land Court F. Turkington reviewed the request from Twenty Wayland regarding eminent domain takings and distributed a map of the parcels under discussion. S. Pope moved, seconded by J. Bladon, to (1) assent to the location of Parcel B and to the Land Court's issuance of new certificates of title for Parcel A and Parcel B as shown on Land Court Plan No. 17983I, which assent is attached hereto as Exhibit B; and (2) authorize the Town Administrator to execute a written agreement between the Town and Twenty Wayland, LLC, relative to not selling Lot 4-1, Lot 8-1, Parcel R-20 and Parcel R-21 as shown on said plan for a period of four months, provided that the Town Administrator shall hold two counterparts of said assent in escrow until Twenty Wayland LLC executes and delivers said agreement. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay provided an update on the work being done at the town center project; he said some retail facilities will be open by September 2012, and Stop & Shop is expected to be completed by Thanksgiving. F. Turkington updated the Board on the wastewater issue, and reported on meetings with the residents of Glezen Lane and Bow Road.

A8. Report of the Town Administrator F. Turkington said the Town Center Public Green Advisory Committee openings have been posted. He said the developer of the town center is dividing the project into separate lots for financing purposes, and is monitoring the residential market for any modifications that may be made to the overall plan. He reviewed the extensive list of recent public records requests, and discussed upcoming agenda items. In regard to the court ruling regarding Mark Frishman v. Town of Wayland, he said the Board will need to make a decision whether to pursue an appeal.

A9. Selectmen's Reports and Concerns F. Turkington updated the Board on the goal of enhanced financial reporting; he said new charts will be posted on the website by end of March. J. Bladon moved, seconded by J. Nolan, to extend the charge and appointments of Operational Review Committee to March 23, 2012. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board discussed the status of the revisions to the settlement agreement relative to the proposed new Danforth Green housing development. T. Fay said the Board should commission a new traffic study before considering any further negotiations with the developer. J. Nolan said he felt comfortable scaling back the previous traffic study. The Board discussed the need for more information and the sense that the current offer is not sufficient. S. Pope noted there has been minimal response from the neighborhood. The Board discussed a draft letter of response to the Attorney General regarding the Open Meeting Law complaint of George Harris dated December 12, 2011. S. Pope moved, seconded by J. Bladon, to authorize the Town Administrator to send the letter as presented to Jonathan Sclarsic, Esq., at the Office of the Attorney General, regarding the open meeting law complaint of George H. Harris dated December 12, 2011, concerning email communication by members of the Board of Selectmen. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. T. Fay said he will have more information on the status of the performance evaluation of the Town Administrator for the next meeting. S. Pope reported on the meeting of the Town Meeting Procedures Committee. In response to the concerns of J. Peters during public comment, the Board considered the need for litter removal. S. Correia reported on a recent Cable Advisory Committee meeting, and noted the need to create a working group to discuss the MAN issue. F. Turkington said that technology concerns should be directed to the Town Administrator. S. Correia recommended that Peter Gossels be considered to serve in his place on the Minuteman Regional High School Building Committee. The Board agreed to consider his appointment and vote at a later date. T. Fay reported on a meeting with Bill Steinberg and residents of River Road regarding a proposed DPW facility; he said the participants discussed restricting truck access to the site through Route 20. He said he would like to schedule a meeting of interested parties and members of relevant boards to walk the site.

A10. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
T. Fay said there were no additional topics.

A11. 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 8:52 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 February 27, 2012 Meeting

1. Town Counsel recommended revisions for compliance with law to petitioner's article to Establish and Fund an Audit and Review Committee, February 26, 2012.
2. Email dated January 25, 2012 from School Committee member Shawn Kinney to State Auditor requesting a cost estimate for performing an audit of certain school accounts pursuant to MGL ch. 11, sec. 12.
3. Letter dated February 21, 2012 from State Auditor to Mr. Kinney explaining that it finds no basis for conducting an audit because the accounts are under the jurisdiction of the Bureau of Accounts, Department of Revenue, and that the discretionary authority of the State Auditor is reserved for significant allegations of wrongdoing and criminal activity and it believes none exists in Wayland.
4. Motion to Assent to Town Center Project Site Parcel A and Parcel B, Certificates of Title Issuance, and to Authorize the Town Administrator to sign Agreement with Twenty Wayland, LLC re: not selling certain Town Center Cite Parcels, together with map depicting parcels and lots dated January 19, 2012.
5. DRAFT letter dated February 28, 2012 regarding OML complaint concerning distribution of information and opinion of public bodies by email.
6. Presentation by Jack Peters of the litter found at the Dudley Chateau and Dudley Pond on February 9, 2012