



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 March 5, 2012

Attendance: John Bladon, Steven Correia, Thomas Fay, Joseph Nolan (arrived 7:04 p.m.), 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 6:36 in the Selectmen's Meeting Room.

Executive Session At 6:36 p.m., S. Pope moved, seconded by S. Correia, that the Board of Selectmen go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to conduct a grievance hearing with representatives of SEIU Local # 888 pursuant to the provisions of the collective bargaining agreement. Chair T. Fay declared that the conduct of the grievance hearing with representatives of SEIU Local #888 in an open meeting may have a detrimental effect on the litigating position of the Board. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSENT: J. Nolan. Adopted 4-0. The Board invited Town Administrator Fred Turkington, Assistant Town Administrator/Human Resources Director John Senchyshyn, and representatives of SEIU Local #888 participating in the grievance hearing to attend and participate in the executive session. Executive Assistant MaryAnn DiNapoli will attend to record the minutes of the executive session. The Board will return to open session in approximately 30 minutes to resume the agenda for the public portion of the posted meeting of the Board of Selectmen.

A1. The Board returned to open session at 7:04 p.m. Chair T. Fay reviewed the agenda for the viewing public. F. Turkington reminded the public that the Presidential Primary election will be held tomorrow, March 6, and he reviewed the agendas for upcoming meetings.

A2. Public Comment George Harris, 8 Holiday Road, praised the intersection project at Routes 126/27. He asked the Town Administrator for the Board email policy. He said he believes that the Board of Selectmen has an ethical conflict of interest in taking a position on the petitioners' article regarding the composition of the Finance Committee. Kim Cook, 12 Ellie Lane, said she requested copies of town counsel invoices and was told that there was a charge for the copies and the administrative time of \$254; she asked the Board to instruct the Town Administrator to release the records to her without payment.

A3. Consider and Approve Consent Calendar S. Pope moved, seconded by S. Correia, to approve the revised consent calendar. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A4. Review Correspondence The Board reviewed the week's correspondence. J. Bladon asked about the possibility of reusing the modular buildings at the high school, and F. Turkington said both the High School Building Committee and School Committee has investigated its options and decided it was most economical to release them. S. Correia noted the request of Peter Gossels to withdraw his offer to serve on the Minuteman Building Committee, and asked if there was anyone else willing to serve. S. Pope said the horse corral has a long history in Wayland and is a great asset to the town; she commended the DPW for securing

the fences. J. Nolan noted the high school open house on March 21. T. Fay questioned the septic plans for Twenty Wayland in the Board of Health minutes, and whether the property at 7-9 Gage Road would be under the jurisdiction of the Housing Authority.

A5. Discussion on 2012 Annual Town Meeting Articles and Logistics The Board reviewed the articles and the logistics for Annual Town meeting, April 9, 2012. F. Turkington distributed a cost proposal from Option Technologies Interactive, the vendor for electronic voting, and advised the Board of the need to make a collective decision as to projected attendance. Dennis Berry, Town Moderator, said he will introduce abbreviated procedures for non-controversial articles, clarify the previous procedures, and establish audiovisual protocol. Alan Reiss, 463 Old Connecticut Path, asked the Board to fully fund electronic voting. T. Fay noted that if attendance at Town Meeting exceeds 1,000 participants, the electronic voting cannot be used. The Board thanked F. Turkington and M. DiNapoli for their work in putting together the warrant. S. Pope moved, seconded by J. Bladon, to withdraw from the Annual Town Meeting warrant the following two articles: Article 32, "Amend Town Code Section 6-3: Residency Requirement for Appointed Government Bodies, and Article 33, "Change Composition of Youth Advisory Committee to Provide Non-Voting Status for Non-Resident Members Appointed by Virtue of their Position." YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0. The Board was joined by petitioner Jay Sherry, 18 Pine Needle Road, to discuss the article, "Reduce Rate of CPA Tax Surcharge." J. Sherry expressed his concerns about the current CPA tax, including the lack of history, the inability to quantify upcoming expenditures, the lack of any capital planning, and the ability of the town to reset the rate at any future town meeting if needed. The Board discussed the need for liquidity in the CPA account, its potential use for recreation and historic structures, and the loss of the state matching funds. The Board was joined by petitioners Donna Bouchard, 72 Concord Road, George Harris, 8 Holiday Road, and Andrea Wagner, 6 Dairy Farm Lane, regarding the article, "Amend Town Code Section 19: Elect Finance Committee." G. Harris said the Finance Committee did not consider three points: that elections provide checks and balances, that more than twice as many towns elect Finance Committees as opposed to appointing them, and that the Department of Revenue has advised communities that policy makers should be elected rather than appointed. J. Nolan said a fundamental change to town government should be thoroughly researched before it is presented to town meeting, and suggested the article be revised to form a study committee. Petitioner Kent George, 15 Indian Dawn, appeared before the Board to discuss the article, "Establish and Fund an Audit and Review Committee." He said the intent of the article is to provide oversight and to work in cooperation with town boards and departments. The Board discussed the differences between the proposed audit committee and audit committee formed by the Board of Selectmen.

A6. Report of the Town Administrator F. Turkington reviewed upcoming agendas. In regard to the comments of K. Cook, he advised the Board that the town was required to provide redacted legal invoices, and the fees are in compliance with the FOIA statute. He said he met earlier in the day with representatives of FEMA who conditionally approved drainage relief under the library to the wetlands. He provided an update on the progress at the town center project.

A7. Selectmen's Reports and Concerns T. Fay said the draft performance evaluation of the Town Administrator should be ready for the next meeting. J. Nolan and S. Correia said they have gotten positive feedback on the Route 126/27 intersection project. S. Pope reported on the Selectmen's office hours. S. Correia asked about the power outage at the beach house. T. Fay said the Board should have an email policy, and F. Turkington advised that he is seeking documentation to support the retention of copies of emails. F. Turkington advised the Board that there will be a current year transfer request at town meeting for the Minuteman Regional Vocational school capital assessment.

A8. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any T. Fay said there were no additional topics.

A9. 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 9:34 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 March 5, 2012 Meeting

1. Revised consent calendar adding vote to authorize securing of 2 Gage Road following fire on March 2, 2012 and approving February 2012 invoice for legal services of town counsel.
2. Email dated January 25, 2012 from Town Administrator regarding the access road to the transfer station, together with 1978 Town Meeting votes and Warrant information pertaining to the property.
3. Finance Committee comments on Article #3, Current Year Transfers.
4. Cost proposal from OTI for electronic voting services at 2012 Annual Town Meeting.