



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 19, 2012

Attendance: John Bladon, 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 7:01 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the public. F. Turkington said the warrant for the 2012 Annual Town Meeting will be mailed to all households tomorrow, and Town Meeting starts on Monday, April 9, at the Middle School at 7:30 p.m. He said there will be a tour and public hearing at the DPW garage at 190 Main Street on Saturday, March 24, at 9:00 a.m. The next Selectmen's meeting will be on Wednesday, March 28, and will include the warrant hearing. S. Pope said the High School Open House will be Wednesday, March 21, at 7:00 p.m.

A2. Public Comment Kim Cook, 12 Ellie Lane, asked the Board to join her and the Finance Committee in voting against Article 18, "Amend Town Code Section 19-8."

A3. Consider and Approve Consent Calendar S. Pope moved, seconded by J. Bladon, to approve the consent calendar. YEA: J. Bladon, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. ABSENT: S. Correia. Adopted 4-0.

A4. Review Correspondence The Board reviewed the week's correspondence. J. Nolan asked about the property at 122 Woodridge Road; F. Turkington said Building Commissioner Dan Bennett is aware of the situation and will insure that the work being done is appropriate. S. Pope expressed concern about the difficulties of the property owners at 7 Old Vineyard Way in regard to the Conservation Commission; F. Turkington provided a brief history of the property. S. Pope asked the Board to consider a letter of support for House Bill 3979, the Chapter 90 Bond Bill. J. Bladon said that although the maintenance on the town paddock appeared to be routine, resident Alice Boelter still has issues she would like resolved. F. Turkington said he has asked the Director of Public Works to provide any available records.

A7. Report of the Town Administrator F. Turkington reviewed the items distributed for use by the Board. He noted a memorandum from the Board of Health regarding concerns about the sodium level in town water, and said the levels of sodium are not actionable. He said the Energy Initiatives Advisory Committee is pursuing funding for a regional solar/photovoltaic cell development project. He reviewed the public records requests received over the last week and update the Board on the Frishman litigation.

A5. Review and Discuss Annual Town Meeting Articles The Board was joined by Molly Upton, 23B Bayfield Road, petitioner for Article 9, "Appropriate Funds to Study Teacher Compensation." J. Bladon asked how she determined the estimated cost of \$16,000; she said she made it up. He expressed concern that that the study could yield information that would impact union negotiations. M. Upton said she is willing to amend the article to ensure the information is only available to the School Committee. S. Pope questioned whether additional funding and outside consultants were necessary, as this information is public and available to the staff. M. Upton said she was looking for unique information such as credits from other districts, caps

on positions, the origins of the steps and lanes, and other data that could be used as a tool by the School Committee in the negotiating process.

The Board was joined by the Board of Assessors and Ellen Brideau, Director of Assessing, to discuss Article 18, "Amend Section 19-8 of the Town Code: Board of Assessors." J. Nolan said his concern with the article is that the process is being shortened and the changes are substantive. Bruce Cummings, Board of Assessors, said the proposed revisions provide clarification and are more inclusive; he said nothing has been taken away. S. Pope said the last revisions were twelve years ago and it is good to keep the town code timely and accurate. F. Turkington questioned the lack of support from the Finance Committee; B. Cummings said they heard commentary from the public without rebuttal from the Board of Assessors. E. Brideau pointed out that the changes will update the town code to be consistent with the new software system and processes. T. Fay said it seems the changes will increase transparency and efficiency. B. Cummings noted that corrections to the timing of the abatement process will be more helpful to residents and more cost effective for the town. J. Brodie said the Board of Assessors approved the article by a vote of 5-0.

The Boards discussed the petitioners' Article 19, "Amend Town Code Section 19: Require Tax Rate Hearing." The petitioners were not present. J. Brodie said the Finance Committee had requested that the petitioners combine this article with the previous article to amend Section 19-8 of the town code, but the petitioners were not amenable to the change. He said the article as presented would create compliance difficulties for the Board of Assessors. He noted several flaws in the article, for example: there is very little time to hold the required tax rate hearing between the setting of the tax rate and the time it is sent to the state, and the article compels parties other than the Board of Assessors to take part in the hearing, even though the Board of Assessors has no jurisdiction to oblige them to do so. J. Brodie said the proposed article could put the Board of Assessors in a situation where they must either violate the new town code or violate a mandate from the Department of Revenue. He noted that he had asked the petitioners to consider making changes to the proposed amendment, but the petitioners declined.

The Board was joined by petitioner Shawn Kinney, 6 Dairy Farm Lane, to discuss Article 28, "Request Audit of School Fee-Based Programs Since FY2007." J. Bladon cited the letter of February 21, 2012, from the State Auditor, advising that an audit is unnecessary, and asked if the article was now moot. S. Kinney said no; he said there are excess funds in the school revolving accounts and an audit must be done. S. Pope asked if it would be advisable to allow the Operational Review Committee to complete its work first. J. Bladon said the committee could address the issue. He also questioned how the process could be recreated going back over several years. J. Nolan asked why the article specified that the Board of Selectmen request the audit and not School Committee; S. Kinney said the School Committee should not oversee an audit of its own finances. J. Nolan asked how the audit would be funded if the state auditor declines to undertake the project; S. Kinney said he did not know.

A6. Discussion of Potential Restrictions on Access to River Road if a DPW Facility is Constructed

The Board was joined by Paul Doerr, 58 River Road, and Bill Davlin, 44 River Road, to discuss potential restrictions on access to River Road if a DPW facility is constructed on that site. Participants considered the use of the salt shed property to reposition the new facility, proposed vehicle restrictions, the advisability of closing River Road to all traffic, and the need for emergency access. Board members agreed to schedule site visits.

A8. Selectmen's Reports and Concerns The Board discussed the application for the Solarize Mass Energy Program. F. Turkington said the program aggregates purchasing through a state agency by engaging local

residents who want solar equipment, who then engage in a bid process organized by volunteers. He said the town could also be included in the request for solar equipment. J. Nolan moved, seconded by J. Bladon, to authorize the District Local Technical Assistance Grant for a regional solar/photovoltaic cell development project. YEA: J. Bladon, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. ABSENT: S. Correia. Adopted 4-0. F. Turkington distributed for review a potential opinion piece prepared by J. Bladon entitled "Should We Elect the Finance Committee?" S. Pope moved, seconded by J. Nolan, to approve for insertion into the Town Crier and the Wayland Patch the opinion piece, "Should We Elect the Finance Committee?" YEA: J. Bladon, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. ABSENT: S. Correia. Adopted 4-0. J. Nolan said the beach house project is progressing well. He said he will have his draft performance evaluation of the Town Administrator for next week. T. Fay said that the Historic District Commission will no longer allow electronic signs in the historic district, and he would like to see that restriction enacted throughout the town. In regard to a resident's request for an improved online calendar to avoid scheduling conflicts, he noted that the Board does not have the authority to direct other boards and committees as to when to hold meetings.

A9. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any T. Fay said there were no additional topics.

A10. 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 9:25 p.m. YEA: J. Bladon, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. ABSENT: S. Correia. Adopted 4-0.

Items Distributed For Use by the Board of Selectmen at the March 19, 2012 Meeting

1. Email dated March 19, 2012 from Anette Lewis to Selectmen and others regarding the need for a policy mandating use of an online calendar to coordinate meetings to avoid scheduling conflicts.
2. Legal opinion dated March 16, 2012 from School Committee Counsel Jim Toomey regarding school revolving funds; letter was distributed by School Committee member Shawn Kinney during discussion on 2012 ATM Article #28 Request Audit of School Fee-Based Programs Since FY2007.
3. Memorandum dated March 19, 2012 from William Davlin to Selectman Tom Fay concerning restrictions to the access to River Road site considered for DPW facility.
4. Email dated March 18, 2012 from Energy Initiatives Advisory Committee chair Anne Harris advising that the Solarize Massachusetts initiative will be a joint application with the towns of Lincoln and Sudbury, together with a draft letter of support dated March 19, 2012 from Town Administrator.
5. DRAFT op-ed guest column entitled "Should We Elect the Finance Committee?" (distributed at the time of discussion).