



# TOWN OF WAYLAND

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## BOARD OF SELECTMEN

JOHN BLADON  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

### Board of Selectmen Meeting Minutes June 11, 2012

**Attendance:** John Bladon, Edward Collins, Douglas Leard, Joseph Nolan

**Also Present:** Town Administrator Fred Turkington

Chair J. Bladon 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. He announced that the meeting is being broadcast and videotaped for later broadcast by WayCAM.

**A2. Public Comment** There was no public comment.

**A7. Consider and Approve Consent Calendar** D. Leard moved, seconded by J. Nolan, to approve the consent calendar. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**A8. Review Correspondence** The Board reviewed the week's correspondence. J. Nolan inquired whether the open microphone nights at the Dudley Chateau were permitted under the terms of the management plan and licenses; F. Turkington indicated yes. D. Leard asked whether the Town Center Green Committee should meet with the Board of Selectmen before finalizing a plan that might be unacceptable. F. Turkington offered to schedule them on the July 18 agenda to review progress on potential items that might be sighted and ask for Board input. He also asked that the Permanent Municipal Building Committee minutes be revised to include sufficient details. E. Collins noted the letter from the state auditor and asked what else might be done. J. Bladon replied that School Committee was considering a request to the Finance Committee for funds to conduct the audit contemplated by the Annual Town Meeting article.

**A3. Liquor License Hearing, Bertucci's Restaurant, Wayland Town Center** J. Bladon opened the public hearing on the application filed by Bertucci's Restaurant Corp., dba Bertucci's Italian Restaurant, for a new alcoholic beverage license to serve and sell all alcoholic beverages, at 14 Elissa Avenue, Wayland, at 7:30 p.m. Bertucci company officials and their counsel appeared to request the all alcohol liquor license. They explained that the restaurant would be architecturally similar to other locations, with dedicated parking for take-out customers, and no bar seating. J. Nolan reminded the company about TIPS certification and the need to have the general manager meet with the Police Chief prior to the tentative November 1, 2012, opening, and to have a manager on premises during all hours of operation. Bertucci's agreed. D. Leard moved, seconded by E. Collins, to close the hearing. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by D. Leard, to approve the application filed by Bertucci's Restaurant Corp., dba Bertucci's Italian Restaurant, for a new alcoholic beverage license to serve and sell all alcoholic beverages, at 14 Elissa Avenue, Wayland. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**A4. Interview Candidates for Appointment and Reappointment to Fill Vacancies on Boards and Committees** Sheila Carrel appeared before the Board to interview for an appointment to the Historical

Commission. The Board expressed enthusiasm for her credentials and teaching background. Tom Greenaway appeared for reappointment to the Finance Committee. E. Collins asked about his position on free cash levels, the role of stabilization funds, and the process for making OPEB contribution. The Board complimented T. Greenaway on his balance, input, and good humor during a difficult year. Barbara Howell and Markey Burke appeared before the Board to interview for reappointment to the Conservation Commission. Both explained the importance of protecting natural resources and the ability of the commission to work together. Linda Segal and Eric Goldberg appeared to interview for reappointment to the Zoning Board of Appeals. E. Collins recused himself from the interview and the subsequent reappointment vote due to a potential for perceived conflict of interest, given he is representing clients in two separate matters before the Zoning Board of Appeals involving cell tower antennae.

**A5. Update on NStar's Mitigation Plan for Transmission Lines Adjacent to Oak Hill Road and Meadow View Road** F. Turkington provided a summary of the July 13 afternoon meeting with NStar officials and State Representative Tom Conroy and staff, reviewing mitigation plans and summarizing conversations with residents and officials relative to tree cutting in easements beneath transmission lines. E. Collins questioned whether herbicides were compatible with the nearby well, referencing correspondence from Wayland Wells. F. Turkington responded that he asked NStar to comment on the issues raised regarding the well. D. Leard questioned whether the company took seriously the need to improve communication, given the unwillingness to finalize mitigation plans prior to cutting. E. Collins questioned why the company had not yet provided easement language promised at June 4 meeting.

J. Bladon opened the discussion to the public. Rob Noa, 7 Meadow View Road, announced that he filed litigation seeking a temporary restraining order that was not granted, but an early hearing was scheduled on June 14 at 2:00 p.m. at Middlesex Superior Court in Woburn. He asked the Board to prevail upon NStar and the DPU to continue the voluntary cessation of work until his motion could be heard. Cheng Xu, 20 Oak Hill Road, showed pictures before and after of the impact of cutting on his property. Deborah Dyson Diaz, 22 Oak Hill Road, asked that wetlands boundaries be confirmed, that survey work be conducted in the field and that erosion issues be considered. James Hamilton, 3 Meadow View Road, reviewed his email relative to the extent that the cutting exceeding Federal guidelines and stated NStar policies to contractors instruct work to stop when confronted in the field. Linda Segal, 9 Aqueduct Road, reviewed the Wayland Wells comments, and asked that the Town confer with environmental counsel relative protection of sensitive areas.

J. Nolan moved, seconded by E. Collins, that the Board direct the Town Administrator to write a letter to the DPU and NStar seeking a continued suspension of planned vegetation management program pending a mitigation plan and responses to concerns raised by residents including wellhead protection, erosion control, wetlands delineation, aggressiveness of tree-cutting, and any limitations of rights in the easement. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**A6. Review of Annual Town Meeting and Implementation of Approved Articles** The Town Administrator reviewed the revised price proposals from two certified residential appraisers to review 4 town-owned parcels of land authorized for sale – 26 Lakeshore Drive, 52 Hawthorne Road, and 4 and 8 Sycamore Road. J. Nolan moved, seconded by D. Leard, to authorize the Town Administrator to engage Ken MacDonough at an estimated fee of \$1,600 for the appraisal of the four parcels. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**A9. Report of the Town Administrator** F. Turkington reviewed the efforts of NStar, provided an update on the department director's meeting, reviewed the agenda for the June 18 meeting, and discussed

Selectmen's Office hours. J. Nolan and E. Collins agreed to check their schedules and confirm the date of June 22 from 3:00 to 5:00 p.m.

**A10. Selectmen's Reports and Concerns** J. Nolan moved, seconded by D. Leard, to reappoint Markey Burke and Barbara Howell to the Conservation Commission for terms expiring June 30, 2015. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by D. Leard, to reappoint Tom Greenaway to the Finance Committee for a term expiring June 30, 2015. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by D. Leard, to reappoint Eric Goldberg to the Zoning Board of Appeals and Linda Segal as an Associate Member of the Zoning Board of Appeals for terms expiring June 30, 2015. YEA: J. Bladon, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: E. Collins. Adopted 3-0-1. J. Nolan moved, seconded by D. Leard, to appoint Sheila Carel to the Historical Commission for a term expiring June 30, 2013. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by D. Leard, to approve the following list of reappointments of members of boards and committees for the terms as specified below. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

Name	Appointing Authority	Board/Committee	Term
Joseph Boykin	Selectmen	Advanced Life Support Committee	one
Douglas J. Leard	Selectmen	Advanced Life Support Committee	one
Mark I. Neuman	Selectmen	Advanced Life Support Committee	one
Michael Patterson	Selectmen	Advanced Life Support Committee	one
Vincent J. Smith	Selectmen	Advanced Life Support Committee	one
Beth A. Zeeman	Selectmen	Advanced Life Support Committee	one
Richard Turner	Selectmen	Cable Advisory Committee	one
Thomas Klem	Selectmen	Cable Advisory Committee	one
Phillip Radoff	Selectmen	Cable Advisory Committee	one
Larry Kiernan	Selectmen	Central MA Rail Trail Committee	three
Betsy Connolly	Selectmen	Community Preservation Committee	three
Mary Antes	Selectmen	Council on Aging	three
Betsy Soule	Selectmen	Council on Aging	three
Carol B. Martin	Selectmen	Council on Aging	three
Susan Koffman	Selectmen	Dog Control Appeals Board	three
Jean Prince	Selectmen	Economic Development Committee	three
Sam Potter	Selectmen	Economic Development Committee	three
Tonya Largy	Selectmen	Historical Commission	three
Elisa Scola	Selectmen	Historical Commission	three
R. Richard Conard	Selectmen	Historical Commission	three
John Dyer	Selectmen	Historical Commission	three
Desmond J. McAuley	Selectmen	Historic District Commission	three
Meaghan Winokur	Selectmen	Historic District Commission	three
Mary Antes	Selectmen	Metropolitan Area Planning Council	one
Vacant	Selectmen	MBTA Advisory Board	one
Mary Antes	Selectmen	Metrowest Regional Collaborative Comm	one
Sarkis Sarkisian	Selectmen	Metrowest Regional Transit Authority Advisory Board	one
Maryanne Peabody	Selectmen	Personnel Board	five

Thomas Sciacca	Selectmen	River Stewardship Council	three
David Gusimini	Selectmen	Sealer of Weights and Measures	one
William Zellen	Selectmen	Senior Tax Relief Committee (representing Council on Aging)	one
Robert Hatton	Selectmen	Senior Tax Relief Committee (representing Board of Assessors)	one
Anne Gilbert	Selectmen	Senior Tax Relief Committee (representing Finance Committee)	one
Stephen J. Colella	Selectmen	Senior Tax Relief Committee	one
Patricia Nelson	Selectmen	Senior Tax Relief Committee	one
Pauline DiCesare	Selectmen	Senior Tax Relief Committee	one
Kara Harvey	Selectmen	Senior Tax Relief Committee	one
Rebecca MacGregor	Selectmen	Senior Tax Relief Committee	one
Lillian Mills	Selectmen	Senior Tax Relief Committee	one
Linwood E. Bradford Sr.	Selectmen	Surface Water Quality Committee	three
Thomas J. Largy	Selectmen	Surface Water Quality Committee	three
Marlene Dodyk	Selectmen	Youth Advisory Committee (representing School Committee)	three

J. Nolan moved, seconded by D. Leard, that the Board adopt the updated Guiding Principles and Code of Conduct for Board Members. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**A11. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**

J. Bladon said there were no additional topics.

**A12. Adjourn** There being no further business before the Board, nor any items not anticipated by the chair 48 hours prior to the meeting, E. Collins moved, seconded by D. Leard, to adjourn the meeting of the Board of Selectmen at 9:42 p.m. YEA: J. Bladon, E. Collins, D. Leard, J. Nolan. NAY: none. ABSENT: S. Correia. ABSTAIN: none. Adopted 4-0.

**Items Distributed For Use by the Board of Selectmen at the June 11, 2012 Meeting**

1. Memoranda dated June 8, 2012, from James Hamilton, Robert Noa, and Tom Gulley related to NStar Electric plan to remove trees in easement below and adjacent to transmission lines in the Oak Hill and Meadow View Road neighborhood; Letter dated June 8, 2012, from NStar to State Rep. Thomas Conroy on same issue.

**Items Included as Part of Agenda Packet for Discussion During the June 11, 2012 Board of Selectmen's Meeting**

1. Application or Bertucci's Restaurant Corporation for an Annual, All Alcohol Restaurant Liquor License for Bertucci's Italian Restaurant, 14 Elissa Avenue
2. Proposals to Provide Appraisal of Vacant Land
3. Letters of interest and resumes from applicants to vacancies on boards and commissions.
4. List of appointees with expiring terms as of June 30, 2012 subject to reappointment
5. Selectmen's Manual proposed modifications to the Board Description, Guiding Principles and Code of Conduct (revised draft dated May 31, 2012).