



# 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 November 1, 2012

**Attendance:** John Bladon, Edward Collins, Steven Correia, Joseph Nolan

**Also Present:** Town Administrator Fred Turkington, Secretary MaryAnn DiNapoli

Chair J. Bladon called the meeting of the Board of Selectmen to order at 7:02 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** Betsy Meindl, 3 Nolan Farm Road, asked the Board to take a position against Ballot Question 3, Medical Use of Marijuana, on the state ballot next week. Linda Segal, 9 Aqueduct Road, advised the Board that Baystone Development had not yet submitted a new application to the Framingham Planning Board for the proposed Danforth Green project.

**A3. Review and Approve Consent Calendar (See Separate Sheet)** J. Nolan moved, seconded by E. Collins, to approve the consent calendar. YEA: J. Bladon, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: D. Leard. ABSTAIN: none. Adopted 4-0.

**A5. Review of Logistics and Procedures from Special Town Meeting with Town Moderator Dennis Berry; Preliminary Discussion on Potential Dates and Schedule for 2013 Annual Town Meeting** Dennis Berry, Town Moderator, appeared before the Board to discuss the October 2012 Special Town Meeting and the upcoming 2013 Annual Town Meeting. The participants reviewed several options for scheduling the 2013 Annual Town Meeting. D. Berry said the consensus of the Town Meeting Procedures Subcommittee was to begin on April 7, with follow-up meetings if necessary on Monday-Wednesday-Thursday. Members considered the implications of the school vacation week and religious observances, and the consequences of a split meeting. D. Berry asked the Board to consider the input of the Finance Committee and vote the dates at the next meeting. S. Correia asked if there had been any suggestions as to how to shorten the meeting. D. Berry said the committee considered better preparation of articles, the use of the website to answer questions, and lessening the time at the microphones. He noted the importance of balancing the need for information with the wish to expedite the meeting. F. Turkington suggested modifying the timing in the budget article, and giving the Moderator more latitude to call the question. David Bernstein, member of the Town Meeting Procedures Subcommittee, suggesting using a visual display of the pending question instead of reading it. He said the committee is reviewing statistics from previous meetings. J. Bladon said he supports having a reasonable level of detail in the budget discussion, while continuing to budget at a high enough level to maintain flexibility.

**A6. Discussion of Proposal from Baystone Development Regarding Mitigation of Danforth Green Housing Project, Old Connecticut Path, Framingham** J. Nolan reported on a discussion with Baystone Development regarding the proposed Danforth Green Housing Project. He said that while the negotiations are moving in the right direction, he is not yet satisfied. The Board discussed whether the West Plain Street intersection was in the original proposal; F. Turkington said that regardless of the current traffic study, the

developers have agreed to upgrade the intersection. It was the sense of the Board to review the latest traffic studies and prepare a response to Baystone Development.

**A7. Discussion on Ballot Question #3, Medical Use of Marijuana, led by Mr. Corriea** Police Chief Robert Irving and Heidi Heilman, Chair, WaylandCares, appeared before the Board to discuss the state ballot question #3 regarding the medical use of marijuana. S. Correia said there will be a financial impact on the town should this ballot question pass, especially in public safety and the Board of Health. H. Heilman explained the ramifications of passage. She said the town will collect no sales tax or property tax, as the dispensaries will be considered nonprofit. She also said that cash businesses encourage theft, the law will allow people to grow marijuana at home, people operating machinery cannot be tested, there is no age limit, no parental consent, and no required prescription expiration dates. She noted the ballot question is being financed by an Ohio businessman who wants to decriminalize marijuana. J. Bladon described his personal experience with a cancer victim who needed to alleviate suffering. H. Heilman said a better law could be written in such a way as to give access to people who need it. R. Irving said the Massachusetts Police Chiefs are unanimously opposed, and if the ballot question is successful, it will severely stress the resources of the police department. H. Heilman said she will meet with the Planning Board to draft a bylaw for the 2013 Annual Town Meeting to limit zoning for dispensaries. E. Collins said the war on drugs has been unsuccessful, and as there is obviously a tremendous demand for the drug, we need to deal with it. J. Bladon said he cannot support this ballot question, but would hope we find a way to provide relief to those who are suffering. S. Correia moved, seconded by J. Nolan, that the Board does not support ballot question 3. YEA: J. Bladon, S. Correia, J. Nolan. NAY: E. Collins. ABSENT: D. Leard. ABSTAIN: none. Adopted 3-1.

**A9. Update by 375th Anniversary Commemoration Committee** Mary Antes, Chair, 375<sup>th</sup> Anniversary Commemoration Committee, appeared before the Board to provide an update on its activities. She unveiled the logo for the event, designed by Mike Smith, and described some of the planned events. She noted the difficulty of arranging for fireworks but said the committee is still working on it. She discussed using Mass Memories to digitize artifacts and record interviews, arranging for a permanent memorial, doing a show for WayCAM, and putting banners around the town. S. Correia asked if the committee would consider a redesign of the Town of Wayland flag. J. Nolan moved, seconded by S. Correia, to expand the 375<sup>th</sup> Anniversary Commemoration Committee by three more members, and to appoint Brad Keyes, Cynthia Miller, and Pamela Bonaguide to the committee for a term to expire on December 31, 2014. YEA: J. Bladon, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: D. Leard. ABSTAIN: none. Adopted 4-0.

**A7. Discuss and Finalize Selectmen Goals and Policy Priorities for Period from October 2012-September 2013** The Board reviewed the current version of the Selectmen Goals and Policy Priorities for Period from October 2012-September 2013. F. Turkington said he would incorporate the Board's revisions and bring it before them for a final vote on November 5.

**A4. Review Correspondence (See Separate Index Sheets)** The Board reviewed the week's correspondence. S. Correia expressed concern about the notice from NStar regarding vegetation management; F. Turkington said the same standard of tree pruning will be used as in the past. The Board noted the public comment on budget issues and the proposed project at the Finnerty's site. F. Turkington highlighted the operating expenditure and operating revenue reports.

**A10. Report of the Town Administrator** F. Turkington said the town has opted not to fill the position of Financial Analyst at the current time, and will pursue the hiring of a Finance Director. He said the town staff

is finalizing the material for the town center opening. He congratulated D. Leard for his work with the Local Emergency Planning Committee in storm management earlier in the week. He said NStar communication was improved, although he was disappointed in the time necessary to free up wires on Concord Road. He thanked the public works crew for an excellent job. F. Turkington reviewed upcoming agenda topics and meeting schedules. He discussed preparing a press release regarding the timeline for traffic signals and town center, and he asked the Board members to advise him as to who will attend the January 2013 MMA conference.

**A11. Selectmen's Reports and Concerns** J. Nolan reported on the Selectmen's Office Hours held on October 20. He said Paul Doerr, 58 River Road, attended to discuss the traffic restriction in his neighborhood. S. Correia asked for an update on the Frishman lawsuit; F. Turkington said it was referred to the insurance carrier for defense, and also noted that the lawsuit must be revised to include the defendants only in their capacity as town officials. J. Bladon asked if Town Counsel could review the possibility of reinstating the fines against Frishman. S. Correia said the Cable Advisory Committee is discussing mitigation with Verizon due to the lack of a full buildout. S. Correia provided an update on the activities of the Minuteman Regional High School Building Committee.

**A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** J. Bladon said "I don't know of any."

**A13. Adjourn** There being no further business before the Board, S. Correia moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:02 p.m. YEA: J. Bladon, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: D. Leard. ABSTAIN: none. Adopted 4-0.

#### **Items Distributed For Use by the Board of Selectmen at the November 1, 2012 Meeting**

1. The Sudbury, Assabet and Concord Wild & Scenic River Stewardship Council Newsletter, June 2012.

#### **Items Included as Part of Agenda Packet for Discussion During the November 1, 2012 Board of Selectmen's Meeting**

1. Motion to go into Executive Session; and Municipal Health Insurance Reform Legislation and Regulations Timeline, October 2011, from Massachusetts Municipal Association
2. Memorandum of 10/25/12 from Frederic E. Turkington, Jr., Town Administrator, re: Annual Town Meeting schedule options, proposed Annual Town Meeting schedule; Explanation of issues related to scheduling town meetings dated 10/20/12
3. Email of 10/24/12 from Frederic E. Turkington, Jr., Town Administrator, to Roy MacDowell, Baystone Development, re: Peer Review of VHB Traffic Update
4. Letter of 10/16/12 from Roy MacDowell, Baystone Development, to Joseph Nolan and Douglas Leard, re: Project History
5. State Ballot Question 3, Medical Use of Marijuana
6. Correspondence from WaylandCares, 10/15/12, re: Ballot Question 3; and Position Statement
7. News Article from Medfield Patch, 10/17/12, "Selectmen Have Heated Discussion About Marijuana"
8. Draft Policy Goals and Priorities for Town Administrator for October 2012 through September 2013