



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 19, 2012

Attendance: Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan

Also Present: Town Administrator Fred Turkington, Secretary MaryAnn DiNapoli

Vice Chair S. Correia called the meeting of the Board of Selectmen to order at 7:05 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. F. Turkington said the town offices are closed for the Thanksgiving holiday on Thursday and Friday, November 22 and 23, and that the next meeting of the Board will be December 3. J. Nolan thanked all the staff and poll workers who participated in the recent elections.

A2. Public Comment Ted and Kerri Rice, 10 Old Sudbury Road, expressed concern about the impact to their home caused by the new Stop & Shop in the town center project. T. Rice said that the clearing of the trees has caused light pollution to their property, and he asked the Board to contact the developer, Twenty Wayland LLC, to request mitigation.

A3. Liquor License Hearing for Wayland Variety & Deli Corporation, 70 Boston Post Road S. Correia opened the hearing at 7:15 p.m. for the Wayland Variety & Deli Corporation, 70 Boston Post Road, violation of Massachusetts General Law Chapter 138, Section 34, regarding sale of liquor to underage persons, and for violation of the Wayland Board of Selectmen rules for provision and consumption of alcoholic beverages for a server failing to be recertified in a TIPS program. Police Chief Robert Irving said that on November 1, 2012, a 19-year-old female was able to purchase alcoholic beverages, and further, that the list of TIPS certified servers was not available. Owner Pankaj Patel appeared before the Board and offered his apologies. He said his staff will be fully TIPS certified within the week. E. Collins asked if the clerk had an explanation for his actions; P. Patel said he has apologized, and he did not realize that his TIPS certification had expired. D. Leard asked if certification holders are notified when their TIPS expires; R. Irving said it depends on the training center. S. Correia asked if there were any other incidents at this establishment; R. Irving said there was a tobacco violation four years ago. R. Irving said that P. Patel was very cooperative and has undertaken measures to correct the situation, and he suggested that the Board suspend the license for one day and put them on probation for one year. It was the consensus of the Board to extend the suspension of the license for two days, given that there were two violations. J. Nolan moved, seconded by D. Leard, to close the hearing at 7:31 p.m. YEA: E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: J. Bladon. ABSTAIN: none. Adopted 4-0. J. Nolan moved, seconded by D. Leard, that the liquor license for Wayland Variety and Deli Corporation be suspended for a period of two days, November 30 and December 1, 2012. All alcoholic beverages must be secured, covered and not exposed for sale during business hours of the establishment on that date. The liquor license of Wayland Variety and Deli Corporation is also placed on probation for a period of one year, commencing on November 20, 2012 and ending on November 19, 2013. During the period of probation, any violation of Massachusetts Liquor Laws,

Chapter 138, or the rules supplement for “Provisions and Consumption of Alcoholic Beverages” will result in an automatic penalty of five days suspension of the liquor license for each separate violation. Furthermore, the licensee will provide the Chief of Police with a list of all servers of alcoholic beverages at Wayland Variety and Deli, accompanied with a certificate of completion for “Training for Intervention Procedures,” or other acceptable alcohol server training program, within 60 days of November 19th, 2012. No sales of alcoholic beverages are to be made by any current employee not certified in an acceptable alcohol server training program. Any new employees hired, as alcohol servers, during the next year must complete “Training for Intervention Procedures” or other acceptable alcohol server training, within sixty (60) days of their date of hire and a certificate of completion must be delivered to the Chief of Police. YEA: E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: J. Bladon. ABSTAIN: none. Adopted 4-0.

A4. Discussion and Vote on Dates and Schedule for 2013 Annual Town Meeting F. Turkington presented options for scheduling the 2013 Annual Town Meeting and the correlating price for electronic voting. He noted the memoranda from Dennis Berry and Anette Lewis looking for a consistent annual schedule, and described the variables that need to be taken into consideration. The Board discussed the possibility of sharing the electronic voting with Sudbury, and the use of the High School auditorium. F. Turkington noted that the auditorium did not have a place for the poll workers to set up. D. Leard said he prefers to avoid a Sunday meeting, and he is opposed to the split option. E. Collins said he is also opposed to the split option, and he is in favor of the recommendation to make the process more regular. He said he would also like to standardize the order of the articles. D. Leard moved, seconded by J. Nolan, to begin the 2013 Annual Town Meeting on Thursday, April 4, 2013, and to continue the meeting, if necessary, on April 7, 9, and 10, 2013. YEA: S. Correia, D. Leard, J. Nolan. NAY: E. Collins. ABSENT: J. Bladon. ABSTAIN: none. Adopted 3-1. S. Correia said the Town Meeting Procedures Subcommittee is discussing possible procedures to address reconsideration and shorten the length of the meeting.

A5. Presentation by WaylandCares Sustainability Committee Heidi Heilman and Diane Bladon, WaylandCares Sustainability Committee, appeared before the Board to discuss the creation of a WaylandCares agency. They reviewed the accomplishments of WaylandCares and made the case to continue its services. D. Bladon said the recommendation of the committee is that a permanent agency be created to continue to reduce youth substance abuse, focus on environmental and preventative strategies, seek out grant opportunities, and expand to serve other community sectors based on needs and availability of funds. She requested a FY2014 budget of \$102,667. D. Leard asked if their statistics regarding youth substance abuse correlated with the police statistics; D. Bladon said she didn’t know. E. Collins expressed concern about the potential expansion of the program, and he asked what enforcement measures would be put in place that didn’t already exist. H. Heilman said existing drug policies would be updated and the police would then be trained in regard to protocol and making referrals to a diversion program. She also said they will be preparing for the implementation for marijuana dispensaries. D. Leard asked how they handle confidential information; D. Bladon said they work on an environmental basis and not with individuals. The Board expressed concern about the cost of the program, given that the town is pursuing ten percent budget cuts. S. Correia said that the town has benefitted from their service, and thanked them for their work.

A6. Review and Approve Consent Calendar (See Separate Sheet) D. Leard moved, seconded by J. Nolan, to approve the consent calendar. YEA: E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: J. Bladon. ABSTAIN: none. Adopted 4-0.

A7. Review Correspondence (See Separate Index Sheet) The Board reviewed the week’s correspondence. J. Nolan noted the public comment regarding traffic issues; he said the current situation, while difficult, was

the result of public discourse and legal challenges. The Board noted the discord within the 375th Anniversary Commemoration Committee, and asked the Town Administrator to follow up on its fundraising activities. D. Leard asked if there was any response from Verizon regarding the issue of buildout; F. Turkington said no. The Board asked F. Turkington to follow up on policies and procedures regarding the delegation of financial authority to the town's key managers.

A8. Report of the Town Administrator F. Turkington updated the Board on the hiring process for the new Finance Director, and said his goal is bring a candidate before the Board by January. He said he is working with D. Leard to prepare a debriefing on Hurricane Sandy. He reviewed upcoming agenda topics and meeting schedules, and highlighted the budget and finance discussions. The Board discussed potential articles for the 2013 Annual Town Meeting. F. Turkington said he would follow up with the Dudley Area Advisory Committee to confirm that they will have an article prepared by January 15, 2013. The Board requested a consent calendar article. F. Turkington reviewed the capital budgets; he said they were consistent with prior year's plans, and copies had been provided to the Finance Committee.

A9. Selectmen's Reports and Concerns D. Leard asked for an update on the use of the municipal pad in town center. F. Turkington said discussions continue with the Council on Aging, the Library Trustees, and the Finance Committee. He said there is consideration being given to the renovation of the current town building, and using the municipal pad for a new town hall, which would be more expensive but may have benefits. D. Leard said the Wayland firefighter that was injured last week is doing well, but will be in recovery for a long time. He thanked Cynthia Hill for leading the effort to supply commodities to Breezy Point, New York, in the wake of Hurricane Sandy. J. Nolan updated the Board on state transportation funding, and he encouraged them to consider the Massachusetts Municipal Association resolution to fund transportation with an increase in the gas tax. E. Collins also commended Cynthia Hill for her charitable work. S. Correia reported on the Grand Opening of the new Stop & Shop at town center, and he thanked the staff for their licensing measures.

A10. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any S. Correia said he knew of none.

A11. Adjourn There being no further business before the Board, D. Leard moved, seconded by E. Collins, to adjourn the meeting of the Board of Selectmen at 10:02 p.m. YEA: E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: J. Bladon. ABSTAIN: none. Adopted 4-0.

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

1. Memorandum dated November 16, 2012 from Police Chief relative to recommendations for actions against Wayland Variety and Deli for liquor license violations, together with administrative hearing procedure.
2. Memorandum dated November 16, 2012 from Town Moderator to Selectmen transmitting recommendation of advisory Town Meeting Procedures sub-committee on date for Annual Town Meeting, together with comments from sub-committee member Anette Lewis.
3. Memorandum dated November 16, 2012 from Dave Bernstein reporting on results of analysis of use of time at town meetings for debate, voting, procedural time, and questions and responses.
4. Email dated November 16, 2012 from Anette Lewis relative to enforcement of certain conditions of Town Center permits.

5. Email dated November 19, 2012 from Linda Segal relative to PIP meeting for Raytheon site to be held on November 28, 2012.
6. Public comment on Town Center from Kerri Rice, 10 Old Sudbury Road and Susan Yahn, 18 Pine Brook Road.

Items Included as Part of Agenda Packet for Discussion During the November 19, 2012 Board of Selectmen's Meeting

1. Liquor license violation, Wayland Variety and Deli
2. Revised memorandum from Town Administrator to Selectmen dated November 15, 2012 regarding options for scheduling 2013 Annual Town Meeting; electronic voting pricing information dated October 22, 2012; email dated November 8, 2012 from Town Administrator to Moderator's Town Meeting Procedures advisory sub-committee; proposed schedule for 2013 Annual Town Meeting, election and FY2014 budget process.
3. Wayland Cares Sustainability Committee proposal for continued funding in FY2014, budget plan, organizational structure, job descriptions and organizational goals dated November 2012.
4. Capital Improvement Plan FY2014 to FY2018 (November 14, 2012)