



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

FREDERIC E. TURKINGTON JR.
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

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

Board of Selectmen Meeting Minutes February 4, 2013

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

The Board recognized William Prendergast for his service to the Wastewater Management District Commission. Wastewater Management District Commission Chair Fred Knight and former Chair Gene Roberts commended his dedication and stewardship. Treasurer/Collector Paul Keating presented notes from bond sales for the approval and signature of the Board.

A2. Public Comment Mike Lowery, Chair, Board of Public Works, expressed concern that the Danforth Green agreement was approved without input from other boards. J. Bladon said the Board approved a Memorandum of Understanding. He also said it was his understanding that the 2005 agreement had expired and became null and void after the original owner of the property filed bankruptcy.

A3. Public Hearing per Massachusetts General Laws Chapter 166, Section 22, Regarding Petition from NStar to Obtain a Grant of Location to Install New Guy Stub Utility Pole 80/33-S and Anchor on Stonebridge Road J. Bladon reopened the public hearing regarding a petition from NStar to obtain a Grant of Location to install a new guy stub utility pole 80/33-S and anchor on Stonebridge Road at 7:19 p.m. The Board was joined by Joanne O'Leary, NStar Community Representative. Tom Gulley, 20 Meadowview Road, and president of the Oak Hill neighborhood, said he was opposed to giving NStar any permits until repairs were made to the damages caused by the recent clearing of the easements, and a plan for remediation and hazard elimination for the new installation is submitted. J. O'Leary explained the safety need for the new guy stub utility pole. D. Leard asked for an update on the removal of poles on Route 27 at Route 20. J. O'Leary said the new wiring was postponed due to emergency work, but the work is ready to be done and is scheduled for removal. The Board asked the Town Administrator to determine liability in the case of an accident caused by the poles in the roadway. S. Correia said there were concerns about the lack of cleanup by NStar in the easements in the Oak Hill neighborhood. J. O'Leary said that William Hayes, NStar Senior Arborist, was very involved with the neighborhood. She said the goal is to manage the vegetation and provide for public safety. While she acknowledged the dramatic change, she said that in the future there will be low growth vegetation so the service will be safe and reliable while the esthetic value will be retained. J. Nolan asked how, as public officials, the Board could best look out for the interests of the residents. J. O'Leary said that the mitigation was done as promised, but NStar was amenable to picking up any remaining debris. She said the damaged gate is owned by the town water department. She also noted that these are active rights-of-way, and NStar will be returning for routine maintenance work. J. Nolan requested that she return on an annual basis to provide an update to the Board. E. Collins said he was disappointed to see J. O'Leary at the meeting, because he had requested someone with decision making authority. He said the poles should be removed tomorrow, and they were in violation of state statutes. He said he was outraged at

the treatment of the residents of the Meadowview Road area, and said there was no evidence provided that any safety issues existed. He said NStar would not allow neighbors to join together to negotiate, and would not allow anyone to come to the assistance of a non-english speaking resident. He asked for the name of the individual who approved the razing of a neighborhood. J. O'Leary said that tremendous safety issues can arise when high energy transmission lines are overtaken by vegetation, and that NStar transmission teams must follow state and federal guidelines, as high energy lines go across state borders. She said that when W. Hayes reviews easements, he meets with property owners and makes every effort to cooperate. S. Correia said NStar made promises and didn't keep them. J. O'Leary said there was considerable time and expense spent in mitigation, and wasn't notified until January 2013 that there were issues remaining. J. Nolan suggested that NStar have written contracts with each resident. F. Turkington said the issues are with six residents, and he asked that NStar contact these six households to resolve the outstanding complaints. E. Collins asked why town officials were not notified in advance. J. O'Leary said notification was made to the Conservation Commission, and the work was done on easements owned by NStar. However, she said they learned that this approach doesn't work today, and they will improve their notification going forward. In regard to the pending application, J. Bladon asked who had requested the removal of the tree. J. O'Leary said the tree is being removed by the Wayland Board of Public Works, and without support the wires will fall and power will be lost to homes, fire alarms, streetlights, etc. J. Bladon asked for a clarification of the removal of the double poles. J. O'Leary said the poles outside of Russell's are scheduled to be removed as soon as possible, and the poles behind the guardrail are pending new distribution wires. S. Correia said the information should be provided to the Board in writing. D. Leard said it was a disgrace that a non-English speaking resident was denied a translator. J. O'Leary said she was unaware of this, and that NStar did have translators available. S. Correia expressed his displeasure at the lack of customer service. T. Gulley said there were no independent witnesses to see what was promised by NStar, but he has email documentation. Deborah Dyson Diaz, 22 Oak Hill Road, thanked the Board for opportunity to be heard. She said many neighbors have tried to contact NStar and not gotten an answer. Scott Machanic, 26 Meadowview Road, said he was the resident who was not allowed to help a non-english speaking neighbor, and the neighbor felt that if he stayed, NStar would not provide him mitigation. S. Machanic asked the town to find out how much benefit NStar received by selling the trees. J. Nolan said that NStar has made progress in regards to communication after the last storm, and he would like to see more communication in the future. J. O'Leary said NStar spent considerable time and money in replacing plantings and working with residents, and has confidence in the professionalism of William Hayes. S. Correia said NStar should continue to spend as much money as it takes to resolve these issues. J. Bladon closed the hearing at 8:28 p.m. E. Collins said he will approve the application for safety reasons, but wished to make it clear that NStar must honor its commitments. S. Correia moved, seconded by J. Nolan, to approve the petition from NStar to obtain a Grant of Location to install a new guy stub utility pole 80/33-S and anchor on Stonebridge Road. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Review and Approve Consent Calendar (See Separate Sheet) D. Leard moved, seconded by J. Nolan, to approve the consent calendar, with the condition that the workers compensation insurance information for Herb Chambers Inc., dba Herb Chambers Maserati, be verified. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A5. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. The Board expressed condolences to the family of former firefighter Paul A. Lyons Jr. J. Bladon suggested that the email from a resident regarding publicity for the 375th town anniversary be passed along to the committee.

A6. Report of the Town Administrator F. Turkington said the bond issue was below the target set by the town and will save \$233,270 over the next ten years. The Board reviewed the variances in the FY2013 year-to-date budgets and the Massachusetts Municipal Association Spring legislative breakfast schedule. D. Leard and E. Collins agreed to conduct the next Selectmen's office hours. F. Turkington told the Board that a downed electric line caused a power outage at the Town Building on Thursday night, and the Finance Committee was forced to reschedule its meetings to the following week; therefore, the Board of Selectmen has been posted to attend the Finance Committee meeting on February 6. He reviewed other upcoming meetings and agendas.

A7. Selectmen's Reports and Concerns E. Collins expressed concerns about the recent information that the existing permit for the Danforth Green project is void. F. Turkington said he will confirm the information and its effects with Town Counsel. S. Correia asked that the town boards be advised of the rulings of the Attorney General regarding the Open Meeting Laws. E. Collins asked that they be posted on the town website, and he noted that there will be an appeal to the latest decision. S. Correia provided an update on the issues regarding the Minuteman Regional High School. D. Leard said he represented the Board at the U. S. Junior Nationals Curling Competition at the Broomstones Curling Club, and will represent the Board at the Girl Scout Awards Ceremony on March 12.

A8. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
J. Bladon said, "I know of none."

A9. Adjourn There being no further business before the Board, D. Leard moved, seconded by S. Correia, to adjourn the meeting of the Board of Selectmen at 9:16 p.m. YEA: J. Bladon, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Included as Part of Agenda Packet for Discussion During the February 4, 2013 Board of Selectmen's Meeting

1. Certificate of Appreciation to William Prendergast.
2. Information from residents of Meadow View and Oak Hill Road neighborhoods on NSTAR mitigation efforts; information related to public hearing on location of pole and guy wire on Stonebridge Road.
3. FY2013 Year-to-Date Budget Reports