



# TOWN OF WAYLAND

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BOARD OF SELECTMEN  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
STEVEN J. CORREIA  
DOUGLAS J. LEARD  
JOSEPH F. NOLAN

## Board of Selectmen Meeting Minutes April 22, 2013

**Attendance:** Anthony V. Boschetto, Edward J. Collins, Steven J. Correia, Douglas J. Leard, Joseph F. Nolan  
**Also Present:** Town Administrator Fred Turkington, Secretary MaryAnn DiNapoli

Senior Member J. Nolan called the meeting of the Board of Selectmen to order at 7:05 p.m. in the Large Hearing Room and reviewed the agenda for the public. The Board observed a moment of silence for the victims of the Boston Marathon bombing. J. Nolan thanked the public safety officials and Wayland officers Sean Gibbons and Jennifer Ordway for their assistance in the enforcement efforts. D. Leard also thanked the first responders and noted the importance of emergency planning. F. Turkington distributed and reviewed additional material for the Board. J. Nolan announced that the Friends of the Library Bake and Book Sale would take place at the town building on April 26-28, 2013.

**A2. Public Comment** Molly Upton, 23B Bayfield Road, said she voted against the appropriation for the DPW facility at Annual Town Meeting because of the proposed location, and said she hopes the relevant boards and committees will take the opportunity to relocate the new facility to the Route 20 site. Margo Melnicove, 245 Lakeshore Drive, said that many of the speakers at Town Meeting preferred that the DPW facility be sited on Route 20, and that a scaled-down version of the River's Edge housing project be moved to River Road. She noted there would then be no need for an expensive access road, and the housing project would no longer be in the town's wireless services overlay district.

**A3. Organizational Matters** E. Collins moved, seconded by S. Correia, to appoint D. Leard as Chair of the Board of Selectmen, and to appoint Tony Boschetto as Vice Chair/Clerk of the Board of Selectmen, to serve until the first meeting following adjournment of the 2014 Annual Town Meeting. S. Correia said he felt that E. Collins had the experience necessary to serve as Vice Chair. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Board agreed to review the Guiding Principles and Code of Conduct, and to provide input to the Town Administrator for future discussion and approval. The Board discussed the proposed meeting schedule through June, the potential meeting schedule through December 2013, the goals for October 2012 through September 2013, and the expiring May 2012-April 2013 portfolio assignments. D. Leard asked Board members to send their comments to F. Turkington by April 30.

**A4. Joint Session with Personnel Board to Hear Presentation from AFSCME and Teamsters Relative to Working Conditions at Garage Located at 195 Main Street** The Board was joined by the Personnel Board to hear presentations from AFSCME and the Teamsters in regard to working conditions at the current DPW garage at 195 Main Street. Nancy McCarthy, Chair, Personnel Board, advised that all the members of the Board of Selectmen and the Personnel Board have toured the current DPW facility. Shannon George, business agent for the Teamsters, introduced Joe Doucette, Senior Working Foreman, who read the grievance into the record. He described the difficult working environment, and noted hazardous fumes, exposed

insulation, and unsanitary conditions. He thanked the board members, staff and residents who supported the new building. Michael Downey, Staff Representative for AFSCME Council 93, said the conditions at the current facility are unacceptable, and the safety and health of the staff should be the first priority of the town.

**A5. Discussion with Members of Permanent Municipal Building Committee, Finance Committee, Board of Public Works, and Personnel Board on How to Address Current Conditions and Move the DPW Facility Project Forward** The Board was joined by the members of the Personnel Board, Permanent Municipal Building Committee, Finance Committee, and Board of Public Works to discuss the current conditions of the DPW facility and the plans for moving forward. J. Moynihan, Public Buildings Director, said that the current facility had been cleared of debris and safe egress had been restored over the weekend. F. Turkington reviewed options for mitigating the current conditions and minimizing costs. T. Boschetto thanked the union representatives for presenting their issues. He acknowledged the need for a DPW facility, but noted the objections to the current plan, and suggested that the Permanent Municipal Building Committee review the objections in preparation for the presentation to the next Town Meeting. J. Nolan noted that 64% of Town Meeting supported the proposal. He said the town needs to allocate additional funding to address the outstanding issues. The Board discussed available funding sources, the estimated costs of repairing the current facility, and the timeline for building a new facility. J. Moynihan estimated that, given approval for the construction at a fall Town Meeting, the new building could be ready for use by June of 2015. He said moving the facility to the Route 20 location would add approximately 8-9 months to the timeline for site review. He also noted that due to the vote at Town Meeting, all the current bids must be rejected and a new bid process must be started. T. Boschetto asked the Permanent Municipal Building Committee if they could bring certainty to the current access issues. Matt Kaufman, Permanent Municipal Building Committee, said \$95,000 in additional funding is needed to complete the necessary applications. Mike Lowery, Chair, Board of Public Works, said the land swap was already in place due to a vote of Town Meeting, and all components need to be funded. He said methane mitigation will be required in any case, due to the closure of the landfill. Bill Steinberg, Chair, Finance Committee, said a significant portion of the reserve fund of \$250,000 could be used, and there is the potential to use a portion of unexpended funds from other budgets as well. T. Boschetto asked if the projected cost included the use of the current facility until the new one is completed. J. Moynihan said it was assumed the staff would use the current facility until the new one is ready, and he reviewed the funds spent on repairs for the past three years to date. The Board discussed the advantages and drawbacks of moving the site to Route 20. J. Moynihan noted the additional time involved, the demolition costs, and the site plan approval costs. Rebecca Stanizzi, Chair, Economic Development Committee, said if the Route 20 property is used for senior housing, there is still enough property remaining for a celltower. She also noted the nearby celltower in Sudbury. Don Ouellette, Director of Highway Operations, said the Route 20 site has less acreage, more environmental and wetlands issues, more visibility to the street, and is not accessible to the saltshed. Kent George, 15 Indian Dawn, asked for confirmation that the Conservation Commission was amenable to the plan, and expressed concern that they were not present. He said the commission should have provided approval before Town Meeting. J. Moynihan described his meeting with the Conservation Commission, and F. Turkington said they indicated it was possible to develop a plan to meet their requirements. He said the Conservation Commission's voted opinion appeared in the Warrant. E. Collins asked why the application to the Conservation Commission had been withdrawn; J. Moynihan said the funds were not available for the required design plan. F. Turkington suggested that the Board request an evaluation of the Route 20 site. D. Leard asked for an opinion from the Attorney General regarding the wireless overlay district. T. Boschetto asked that the Conservation Commission be invited to the next meeting for further discussion.

**A6. Discuss Future Consideration of Annual Town Meeting Articles Not Approved and Implementation of Approved Articles**

The Board considered how to develop an organizational structure for services now provided by WaylandCares. J. Nolan suggested assigning a committee to review the issue. D. Leard asked if regional grants were available. S. Correia said the committee will need to address the questions raised at Town Meeting, and T. Boschetto said the committee must be objective. The Board asked the Town Administrator to draft a committee charge for consideration at the next meeting. The Board discussed the funding of prior year OPEB contributions by fee-supported activities. T. Boschetto said OPEB needs to be addressed to re-establish the trust of the residents, and agreed to prepare a draft committee charge for review by the Board. E. Collins said he will meet with Town Counsel Mark Lanza regarding the re-write of the Dog Control Bylaw.

**A7. Review and Approve Consent Calendar (See Separate Sheet)**

J. Nolan moved, seconded by S. Correia, to approve the consent calendar with the exception of the minutes of April 4, 2013, April 7, 2013, and April 9, 2013. YEA: T. Boschetto, E. Collins, S. Correia, D. Leard, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. J. Nolan moved, seconded by S. Correia, to approve the minutes of April 4, 2013, April 7, 2013, and April 9, 2013. YEA: T. Boschetto, E. Collins, S. Correia, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: D. Leard. Adopted 4-0-1.

**A8. Review Correspondence (See Separate Index Sheet)**

E. Collins said the Board should avoid open meeting law violations in the future. S. Correia said the personnel issues and lack of communication regarding the Minuteman Regional High School project are a serious problem, and the Board should set up a meeting with Minuteman officials for further discussion. J. Nolan said that in regard to the open meeting law complaint, it is vital that the boards and committees file their minutes in a timely manner. The Board requested the Town Administrator draft a memo to board and committee chairs to that effect. J. Nolan thanked Jim Forti for his service on the Youth Advisory Committee, and Tony Boschetto for his service on the Audit Committee. T. Boschetto asked for further clarification regarding the status of the capital projects.

**A9. Report of the Town Administrator**

F. Turkington reviewed the April Department Directors meeting and discussed the March 31, 2013 revenue and expenditure reports. He reviewed upcoming agenda topics and meeting schedules.

**A10. Selectmen's Reports and Concerns**

T. Boschetto submitted a conflict of interest statement regarding his wife's employment, and he expressed concern about the accuracy of recent press releases. F. Turkington said the press release for the Board meeting is normally distributed on a Friday, but this week's was sent Sunday evening. The Board welcomed T. Boschetto to the Board, and acknowledged John Bladon for his prior service to the Board. S. Correia reported on the Cable Advisory Committee meeting this week. D. Leard noted that the grievance hearing before the Personnel Board regarding working conditions at the DPW Garage will be held on May 20. The Board agreed to continue to hold Selectmen's office hours, and J. Nolan and T. Boschetto agreed to host the next event in mid-May. The Board asked F. Turkington to have Counsel prepare a training session for board and committee members regarding the most current open meeting laws.

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

D. Leard said, "I know of none."

There being no further business before the Board, S. Correia moved, seconded by J. Nolan, to adjourn the meeting of the Board of Selectmen at 10:02 p.m. YEA: T. Boschetto, 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 April 22, 2013 Board of Selectmen's Meeting**

1. Selectmen's policy on officers and meetings; Board Description, Guiding Principles and Code of Conduct.
2. Proposed meeting schedule of Board of Selectmen for May – June 2013 and July - December 2013.
3. Selectmen's portfolio assignments for May 2012 through April 2013 (adopted April 30, 2012) and Selectmen's and Town Administrator goals and priorities for October 2012 through September 2013 (adopted November 5, 2012).
4. Email dated April 16, 2013 from Assistant Town Administrator relative to meeting of the Board on April 19, 2013; grievances filed on April 8 and 9, 2013 by AFSCME Local Council 93, Local 690 and Teamsters Local 170 regarding working conditions at current highway and parks maintenance garage located at 195 Main Street, together with grievance procedure provisions from applicable collective bargaining agreements.
5. Emails dated April 12 and 13, 2013 from Town Administrator regarding process for discussing DPW issues; information on scope and cost to address critical health and workplace safety issues at 195 Main Street facility; cost to conduct studies related to issues raised regarding proposed DPW facility.
6. Proposed organizational structure, job descriptions, budget and five-year goals/year 6 action plan for Wayland Cares.
7. Information regarding OPEB funding requirements and discussion on funding liability for user fee supported employees from start of funding through FY2012.
8. Emails dated April 3, 5, 8 and 9, 2013 between Susan Koffman and Town Administrator and between Moderator and Town Counsel relative to legal issues raised on dog control bylaw.
9. Emails dated April 3, 2013 between George Harris and Town Administrator relative to scheduling Open Meeting Law training.

**Items Distributed For Use by the Board of Selectmen at the April 22, 2013 Meeting**

1. Email dated April 22, 2013 from Town Administrator to Selectmen transmitting additional FY2013 financial reports for the period ending March 31, 2013, and *draft* portfolio/liaison assignments for Board discussion
2. Email dated April 22, 2013 from Town Counsel to Town Administrator relative to dog control bylaw discussion.