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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Meeting Minutes BOARD OF SELECTMEN Monday, August 10, 2020 5:00 p.m.

**Wayland Town Building
41 Cochituate Road, Wayland, MA**

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY M. ANTES
THOMAS J. FAY
CHERRY C. KARLSON
DOUGLAS A. LEVINE

Note: In compliance with the March 12, 2020 Massachusetts Office of the Governor's Order Suspending Certain Provisions of the Open Meeting Law M.G.L. Chapter 30A, Section 20, this meeting of the Board of Selectmen was livestreamed on local broadcast on the WayCAM Government Channel and open to the public to view and participate via Zoom. No in-person attendance of members of the public was permitted. Public Comment was available by both telephone and Zoom during the time designated for Public Comment.

Attendance: Lea T. Anderson, Mary M. Antes, Thomas J. Fay, Cherry C. Karlson, Douglas A. Levine. L. Anderson, M. Antes, T. Fay and D. Levine participated remotely by tele-videoconferencing via Zoom and WayCAM; C. Karlson participated by tele-videoconferencing and was also present at Town Building.

Also Present: Town Administrator Louise Miller, Management Analyst Seath Crandall

Remote participation by tele-videoconferencing: Selectman Elect/Finance Committee Member Dave Watkins

A1. Call to Order by Chair, Review the Agenda for the Public C. Karlson called the meeting of the Board of Selectmen to order at 5:01 p.m. when a quorum was available by teleconference and noted that the meeting would be broadcast live and recorded for later broadcast by WayCAM. The meeting was open for the public to view and participate on Zoom. C. Karlson announced a phone number (508-358-6812) for the public to call to offer comments and reviewed for the public how to participate via Zoom. C. Karlson reviewed the agenda for the public.

A2. Announcements and Public Comment M. Antes reminded residents to vote in the State Primary; mail-in ballots must be returned by Election Day, Tuesday, September 1, 2020 at 8:00 p.m. and in-person early voting is available between Saturday, August 22 and Friday, August 28, and on September 1. M. Antes directed residents in need of more information to the website Vote411.org.

C. Karlson announced that the Public Comment line was open and later closed the Public Comment period at 5:19 p.m. There was no public comment.

A3. Committee Appointments: update in vacancies C. Karlson noted that the five appointees before the Board were uncontested re-appointments.

A3.a. Discussion and potential vote to appoint the following position:

Committee	Appointee	Term End Date
Senior Tax Relief Committee (COA representative)	Joan Bradford	June 30, 2023
Audit Committee (Finance Committee representative)	Klaus Shigley	June 30, 2023
Zoning Board of Appeals (full member)	Aida Gennis	June 30, 2023
Zoning Board of Appeals (full member)	David Klatz	June 30, 2023
Zoning Board of Appeals (associate member)	Shaunt Sarian	June 30, 2023

L. Anderson moved, seconded by D. Levine, that the Board appoint the following people to the following committees, with all terms ending June 30, 2023: Senior Tax Relief Committee (COA representative), Joan Bradford; Audit Committee (Finance Committee representative), Klaus Shigley; Zoning Board of Appeals (full member), Aida Gennis; Zoning Board of Appeals (full member), David Klatz; and Zoning Board of Appeals (associate member), Shaunt Sarian. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A3.b. Interview and potential vote to appoint

Committee	Appointee	Term End Date
Audit Committee	Debbie Vogt	June 30, 2023

The Board welcomed D. Vogt, reviewed her application for a three year term on the Audit Committee, and discussed her qualifications for the seat.

D. Levine moved, seconded by M. Antes, that the Board of Selectmen appoint Debbie Vogt to the Audit Committee for a term ending June 30, 2023. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A14. Consent: Review and vote to approve (see separate sheet)

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of approving and signing Task Order no. 4 on Contract Agreement no. 18-2002 with Kleinfelder Northeast Inc. for FY 2021 Municipal Separate Storm Sewer System (MS4) Compliance Assistance Engineering Services at a cost not to exceed \$94,983.00.
4. Vote the question of approving and signing the Warrant for the 2020 State Primary to be held Tuesday, September 1, 2020.
5. Vote the question of ratifying the School Committee's appointment of Chris DiBona to the Wayland Housing Partnership for a term ending June 30, 2023.
6. Vote the question of accepting with thanks one (1) donation totaling \$100.00 to the Wayland COVID-19 Relief Fund.

M. Antes moved, seconded by T. Fay, that the Board vote to approve the Consent Calendar. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Joint Meeting with Board of Assessors to interview candidate(s) and vote to appoint to fill vacancy

a. Massimo Taurisano C. Karlson invited members of the Board of Assessors (BOA) to the meeting including Molly Upton, John Todd, Philip Parks, and Zack Ventress as well as Assistant Assessor, Matthew Lanefski.

C. Karlson announced that the intent of the Board was to meet jointly with the Board of Assessors (BOA) to fill a recently vacated seat on the BOA as prescribed in Chapter 41 Section 11. C. Karlson thanked Jayson Brodie for his service over many years. The seat could be filled following a resignation, a vote of the BOA to request the Board jointly fill the seat, the Board's announcement of intent to fill the seat, and the public posting of the vacancy for seven days. The Board received one application, M. Taurisano. L. Anderson welcomed M. Taurisano and congratulated him on his election by voters at the June 9, 2020 election.

M. Antes moved, seconded by T. Fay, that the Board of Selectmen vote to appoint Massimo Taurisano to the Board of Assessors to the end of Annual Town Meeting to fill the remainder of the term of office for the seat vacated by J. Brodie, unless M. Taurisano can sooner assume the term of office to which he was elected at the 2020 Town Election. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine, P. Parks, J. Todd, M. Upton, Z. Ventress. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 9-0. The Board of Assessors adjourned its meeting at 5:29 p.m.

A5. Cable Advisory Committee: discussion and potential vote to proceed with the Cable Advisory

Committee Business plan D. Levine reviewed the draft business plan developed by the Advisory Committee in consultation with the WayCAM Board and KP Law. D. Levine noted that a Town-wide survey was planned for the near future. WayCAM Director Jim Mullane and Cable Advisory member Lauren Zajac joined the meeting to discuss the Cable Advisory Committee business plan. J. Mullane reviewed the plan in detail and summarized the benefits to the students, Council on Aging, and the community.

T. Fay moved, seconded by L. Anderson, that the Board vote to proceed with the Cable Advisory Committee Business Plan presented in the packet, as amended. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Special Town Meeting: a. Meet with lead Petitioners for STM Articles b. Discussion and potential vote on the order the articles will appear in the warrant c. Discussion and potential vote on Board of Selectmen's position on article(s) d. Next steps

A6.a. Meet with lead Petitioners for STM Articles C. Karlson recognized Gretchen Schuler, Old Connecticut Path, and lead petitioner for a warrant article to repeal Chapter 53 of the Acts of 2010. G. Schuler reviewed the history of the 2009 ATM article. Town Meeting voters approved a request to the State Legislature to pass a Special Act that provided for newly elected officials to serve terms that would commence at the close of Annual Town Meeting. Town Code requires that ATM be held up to two days but not more than seven days after the said election. G. Schuler described how it became problematic in 2020, when ATM was not held within seven days of the election due to the pandemic. G. Schuler noted that the Act of 2010 affects both the newly elected officials and the officials who chose not to seek reelection.

A6.b. Discussion and potential vote on the order the articles will appear in the warrant C. Karlson reviewed the order of the articles with the Board. The Board agreed to re-order the articles to 1. River's Edge Easement 2. Petitioner's Article: Repeal Chapter 53 of the Acts of 2010 3. Petitioner's Article: Return Unused Funds related to the CoA/CC

A6.a. Meet with lead Petitioners for STM Articles (continued) C. Karlson recognized Nancy Funkhouser, Rice Spring Lane, and lead petitioner for a warrant article to Return Unused Funds. N. Funkhouser described the rationale for a warrant article to unencumber the funds for the Council on Aging/Community Center (CoA/CC) project and return the funds to the General Fund.

D. Levine was disconnected from the meeting between 6:21 p.m. and 6:25 p.m.

L. Miller reported that the Town had received a bid proposal from BOS Retail 1 LLC, which owns the Town Center property, for the potential development of a CoA/CC on the parcel at Town Center across from X-Golf Wayland and Ace Hardware. L. Miller reported that the Town was negotiating conditions of the purchase of the property for a nominal amount; part of the funding in question would be used to review and evaluate the feasibility of the proposal.

D. Levine rejoined the meeting at 6:25 p.m.

A6.c. Discussion and potential vote on Board of Selectmen's position on article(s)

T. Fay moved, seconded by M. Antes, to insert and support the proposed STM article known as Article A. River's Edge Development Access and Drainage Easement. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

T. Fay moved, seconded by M. Antes, to support the proposed STM article known as Article B. Return Unused Funds. In discussion, Board members voiced opposition to an article that could undermine and preclude debate of Article 11 (CoA/CC Reallocation of Previously Appropriated Funds), which it supports. Roll Call Vote: YEA: none. NAY: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. ABSENT: none. ABSTAIN: none. Motion did not pass, 0-5.

T. Fay moved, seconded by L. Anderson, to support the STM petitioner article known as Article C. Repeal Chapter 53 of the Acts of 2010. The Board discussed supporting the sentiment of the article, but also recognizing that the Acts of 2010 make sense from a public policy perspective. The Board was unready to vote a position until there is more information on a possible modification in a state of emergency. T. Fay withdrew his motion, and L. Anderson withdrew her second to the motion.

D. Levine left the meeting at 6:48 p.m. to attend the Finance Committee meeting

A6.d. Next steps

A7. 2020 Annual Town Meeting: review and discuss status of each article; identify open issues C.

Karlson led the Board through the list of articles to discuss open issues. C. Karlson reviewed the process to move to re-order the articles and dispose of the articles agreed to pass over. The Board discussed outreach to help residents become familiar with the new warrant.

A8. Fiscal Year 2021 Budget update L. Miller reported that Article 9 would reinstate the entire FY 2021 budget and indicated that the Finance Committee would review some revisions to expenditure funding sources ahead of ATM. L. Miller reported that there would be an anticipated shortfall for transfer from Ambulance

Receipts and the Children's Way. Department Managers will be reviewing Capital and Operating Budgets. L. Miller noted that a more detailed review would be provided at the August 17 meeting. The School Department would also be reviewing the school budget and expect changes due to COVID-19. The school budget would be included in the recommendation to the Finance Committee on August 24. L. Miller noted that the Town finished FY 2020 on budget without a deficit and did not require a reserve fund transfer for any expenses. She projected the same for FY 2021. The Board discussed a plan to communicate the budget to the Board, Finance Committee, Town Meeting and to the residents.

A10. Board of Health request for COVID-19 testing evaluation committee: discussion Health Director, Julia Junghanns, and Board of Health members, Dr. J. Schuler and Dr. A. Soslow joined the meeting to discuss the request from the Board of Health to develop a subcommittee. L. Miller reported that the Board of Health had recently received a presentation by Susan Garfield and had a discussion regarding COVID-19 testing for students and staff at Wayland Public Schools. The Board of Health requested that the Board establish an advisory committee to explore the utility of testing students and staff. L. Miller noted that there was a need to assess legal and liability issues as well as HIPAA. The Board concurred that the establishment of an advisory workgroup may be more appropriate. C. Karlson requested that J. Junghanns and L. Miller develop a charge for the proposed group to be reviewed by the School Committee, the Board of Health, and the Board of Selectmen at the next meeting.

A9. 2021 Annual Town Meeting: a. Discussion and potential vote to set date C. Karlson tabled this topic.

A11. One-time discount for renewal of certain licenses: discussion and potential vote to approve L. Miller reported that many of the licensees have not been able to maintain the same level of business and thought it would be a nice gesture to vote a one-time reduction in the fees. L. Miller proposed a 25% reduction and discussed the option to prorate the fees for businesses.

L. Anderson moved, seconded by M. Antes, to accept the local license fees as recommended in the packet. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Town Administrators Update: a. COVID-19: Update; b. Board of Health COVID-19 Update; c. Route 27 Bridge; d. Route 20 South Landfill; e. School Bus Parking; f. FY2019 Audit Management Letter

A12.a. COVID-19: Update L. Miller reported that the state was holding steady in Phase III Step 1, due to a slight uptick in case numbers. L. Miller noted that there was a travel advisory for people re-entering Massachusetts from certain states and that the advisory was impacting Town personnel. L. Miller reported that many of the concerns the Town received pertained to the re-opening guidelines. L. Miller gave an example that Wayland playgrounds remained closed and acknowledged that many other towns have elected to open playgrounds. L. Miller indicated that the Center for Disease Control and Prevention (CDC) and Massachusetts Department of Elementary and Secondary Education (DESE) both indicate that playgrounds need to be cleaned regularly and common surfaces be disinfected; the Town does not have the capacity to continually disinfect playgrounds between users.

A12.b. Board of Health COVID-19 Update L. Miller reported that the Board of Health and Health Department had confirmed a few new cases in Wayland due to community transmission, where a contact trace was not determined.

A12.c. Route 27 Bridge L. Miller reported that the project would close the bridge for about three weeks and a detour and the dates of closure would be communicated when established.

A12.d. Route 20 South Landfill L. Miller reported that some members of the Board of Public Works proposed setting up a committee to study the use of the Route 20 South landfill. L. Miller noted that this was an important parcel of land, described as a gateway into Wayland and was located across from the River's Edge Project. L. Miller reported that the Health Director, Conservation Agent, Town Engineer, and State and Federal agencies had been working on this, and that work would continue in parallel with any study group or committee. L. Miller suggested that the Board establish a vision committee to determine the future of all three parcels; she recommended that the group include members of the public and a designee from each of the Board of Health, Conservation Commission, Economic Development Committee, Planning Board, Recreation Commission, and

the Board of Selectmen. M. Antes suggested including the information from the Housing Partnership. The Board concurred that a group would be a good idea and would help support the Board's goals.

A12.e. Unemployment Update L. Miller reported that there have been over 100 unemployment claims to review and that the state presumes all claims are valid until reversed by a determination. L. Miller reported that there had been cases of fraud involving the use of some Town employee identities for which the Town would be reimbursed. L. Miller noted that the order of magnitude of unemployment expenses expected was unknown.

A12.f. Plowing of Private Road Appeals L. Miller reported that the Town would soon send the annual communication that informs residents of the opportunity to appeal to the Board's determination to not plow private roads, if conditions have changed.

D. Levine rejoined the meeting at 8:13 p.m.

A12.g. Council on Aging/Community Center update L. Miller did not have anything further on this topic beyond the previously discussed Petitioners' Article.

A12.h. FY2019 Audit Management Letter There was no update.

A12.i. Bond Refinancing L. Miller reported that there would be an opportunity to refund \$26 million of borrowing for the WHS project, which would result in significant savings estimated to be over \$100,000. Information was included in the Board packet. Finance Director B. Keveny and L. Miller will recommend combining the borrowing that is typically done in February.

A12.k. Racial Justice Advisory Committee L. Miller had received several letters of interest to join the Advisory Committee. L. Miller reported that a committee would be established and an introductory meeting would be held in the next week.

A12.l. KP Law Legal service year-end report L. Miller reported that a year-end report for legal services was included in the Board packet. L. Miller noted that there was a significant reduction in expenses for legal services.

A12.j. School Reopening - Facilities update L. Miller reported that a working group had been established to assess space use and ventilation in the public school buildings in preparation for school re-opening. The workgroup includes L. Miller, Facilities Director B. Keefe, and members of the Permanent Municipal Building Committee (PMBC), E. Sheffels and B. Chase. The group had retained a firm, which provided an architect, mechanical engineer and indoor air quality expert. The air quality engineer expert reviewed the Middle School building and determined that the ventilation system in the Middle School does meet all of the DESE standards. The group would produce a Space and Ventilation Study, which would review the ventilation requirements in order to meet the standards of DESE and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) to assure that there is adequate ventilation in school buildings. The group projected that the Town will be able to meet all minimum standards with maintenance and repairs, and could exceed the requirements with system-wide capital improvements.

D. Levine reported that the Finance Committee had voted unanimously in support of the River's Edge Easement warrant article.

A13. Minutes: Review and vote to approve minutes of July 20, 2020 and July 27, 2020 L. Anderson moved, seconded by M. Antes, that the Board approve the meeting minutes of July 20, 2020 and July 27, 2020, as amended. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A15. Correspondence Review The Board reviewed the correspondence in the Board Packet.

A16. Selectmen's Reports and Concerns C. Karlson attended the Purple Heart Recognition Day at the Flag Pole at Town Building and reported that it was a nice event. T. Fay asked if there were any staffing issues in the Town Clerk's Office in respect to the upcoming Primary Election. L. Miller reported that this election was more labor intensive than the Town Election and that Town personnel were supporting the Town Clerk's Office.

A17. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any There were none.

A18. Adjourn At 8:42 p.m., D. Levine moved, seconded by T. Fay, that the Board adjourn the meeting. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 10, 2020

There were none.

Items included as part of the Agenda Packet for discussion during the Board of Selectmen Meeting of August 10, 2020

1. Board and Committee Vacancies as of August 3, 2020
2. Page 9 of Board of Selectmen Policies and Procedures re Board and Committee appointments
3. Resume for Deborah Vogt
4. Chapter 41 Section 11: Appointment to Fill Vacancy in Town Office
5. Resignation letter of Jayson Brodie from Board of Assessors
6. Massimo Taurisano Application and Resume for the Board of Assessors Vacancy
7. Cable Advisory Committee Business Plan
8. 2020 STM Petitioner's Article 1: Return Unused Funds related to CoA/CC
9. 2020 STM Petitioner's Article 2: Repeal Chapter 53 of the Acts of 2010
10. 2020 STM BoS Article: River's Edge Development: Access and Drainage Easements
11. Article Language for 2020 STM River's Edge Development: Access and Drainage Easements Draft dated 08-07-2020
12. River's Edge Development Easement Plan
13. 2020 STM Article List
14. 2020 ATM Article List
15. 2020 Fall ATM Article Worksheet
16. Draft dates for the 2021 ATM
17. Memorandum from Teri Hegarty re: Proposed Discounts for Specific Licenses
18. COVID-19 Board of Health Weekly Update August 3, 2020
19. Private Road plowing appeal process and information 2019
20. Department of Public Works Snow and Ice Policy
21. Memorandum from Town Administrator to Board of Selectmen dated August 7, 2020 re: High School Debt Refunding and Proposed Revised Schedule for FY2021 Debt Issuance
22. Racial Justice Advisory Committee Advertisement
23. KP Law legal breakdown through June 2020
24. Draft of Board of Selectmen Meeting Minutes held on 07-20-2020
25. Draft of Board of Selectmen Meeting Minutes held on 07-27-2020

Supplemental Packet 1:

26. Town of Wayland Warrant, 2020 Annual Town Meeting, Sunday April 5, 2020

Supplemental Packet 2:

27. River's Edge Easement article language draft
28. Petitioner's Article language draft: Return Unused Funds
29. Petitioner's Article language draft: Repeal Chapter 53 of the Acts of 2010

CORRESPONDENCE

1. Correspondence from Ronald M Davids, Esq. on behalf of David Watkins, to Town Clerk and Town Moderator dated July 24, 2020 re: David Watkin's Verified Complaint, Emergency Motion for Declaratory Judgement and Preliminary Injunctive Relief; and Proposed Order.
2. Correspondence from Thomas Turner, Wayland Resident, to Board of Selectmen dated July 27, 2020 re: Concerns regarding excessively hot and humid weather and proposing cooling centers in town. Also concerns regarding the closure of Town Buildings to the public.
3. Correspondence from the Wayland Teachers' Association to Board of Selectmen dated July 27, 2020 re: Health and safety concerns regarding the opening of school buildings to staff and students.

4. Correspondence from Peter Hoge, Wayland Resident, to Board of Selectmen dated August 4, 2020 re: Proposing repairs and restorations to the Wayland Historic Stonebridge
5. Correspondence from Greg Franks, Comcast Cable, to Town Administrator dated July 28, 2020 re: Update on continuation of offering two free months of internet service to Internet Essentials customers through December 31, 2020.
6. Correspondence from Elizabeth Rust, Regional Housing Services Office to Town Administrator dated July 31, 2020 re: Fiscal Year 2020 Quarter 4 status report for the Regional Housing Services Office.
7. Correspondence from Eversource to Town of Wayland dated June 2020 re: Gas Emergency Preparedness and Response as Situations Evolve during the COVID-19 Pandemic.
8. Correspondence from Town Administrator to Sean Cronin, Division of Local Services dated July 24, 2020 re: Fiscal Year 2018 Community Compact Cabinet's (CCC) Information Technology Grant
9. Correspondence from Town Administrator to Lisa DeFeo, Department of Conservation & Recreation dated July 24, 2020 re: FY20 General Appropriations Act Town of Wayland Earmark to improve community playground space.
10. Correspondence from Town Administrator to Claudio Veigo, Department of Housing and Community Development dated July 24, 2020 re: FY20 general Appropriations Act Town of Wayland Earmark for permitting software.
11. Correspondence from Chief of Police, Patrick Swanick to Town Administrator dated July 2020, re: monthly report for July 2020