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TOWN OF WAYLAND

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BOARD OF SELECTMEN

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

BOARD OF SELECTMEN
Monday, January 13, 2020
7:00 p.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland, MA

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Thomas J. Fay, Douglas A. Levine (arrived at 7:09 p.m.)

Also Present: Town Administrator Louise Miller, Assistant Town Administrator Elizabeth Doucette

A1. Call to Order by Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room in the Wayland Town Building when a quorum was present, noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcements and Public Comment M. Antes announced that Town Census forms are coming out soon. The Federal Census form comes out April 1 and will be available on-line. The federal government is hiring temporary census workers. Responding to both censuses is very important. C. Karlson announced that the Goessels family has been working with the Public Ceremonies Committee on their "Good Governance Award".

Bill Sterling, Morse Road, expressed his appreciation for the Council on Aging/Community Center RFP (Request for Proposals). He said that it reflects the needs established by various studies and defines criteria well. He encouraged the Board to support the proposed article to repurpose previously appropriated funds for a CoA/CC project.

D. Levine arrived at 7:09 p.m.

A3. Annual Town Meeting (ATM) Articles: Review and potential vote to submit C. Karlson led the Board through the list of articles being proposed for Annual Town Meeting. L. Miller explained the purpose of the article on "tailings", which are uncashed checks written to employees or vendors. This article provides a process for the Town to recover funds, instead of the State.

D. Levine reviewed the article on repurposing funds for the CoA/CC so that previously appropriated funds totaling \$545,583 could be used on design of a CoA/CC location other than Town Center. The Board briefly discussed other articles on the list.

L. Anderson moved, seconded by M. Antes to submit the following six articles on the list and authorize the Chair to sign the forms: Tailings: Accept Statute re: Uncashed Checks; CoA/CC: repurpose funds previously approved; Allow Town to Enter Contracts up to 5 Years; Fiscal Year 2020 Omnibus Budget; Surface Water Quality Committee Budget; Capital Stabilization Fund. YE: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board agreed on BoS assignees for ATM articles.

A4. Town Manager Special Act: Review revised language, prepare Annual Town Meeting article and identify next steps L. Anderson led the Board through the draft Act dated 1/13/20. T. Fay suggested removing references in Section 1.8 to Wayland Center in case Town offices or the Public Library ever relocate. M. Antes suggested minor grammatical corrections to Section 3.5. C. Karlson recommended clarifying the transitional authority wording in Section 3.5 when moving from a Town Administrator to Town Manager should the Act pass at ATM and be accepted by the General Court. L. Anderson offered to ask Town Counsel to help with clarifying the language. The Board then discussed the article submission wording. D. Levine asked for a revision of the section on peer communities' statutory management structure. He offered to help refine the wording.

M. Antes moved, seconded by T. Fay, to submit the article Select Board/Town Manager Special Act and authorize the Chair to edit and sign the forms. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board discussed the next steps. L. Anderson offered to draft a list of Frequently Asked Questions (FAQs) organized by category so that composing responses could be delegated to all five members of the Board.

A5. FY2021 Operating and Capital Budgets Update

Discuss and possible vote to request debt exclusion recommendations from Finance Committee L. Miller reported on the Capital Budget. The Finance Committee agreed to redesignate \$135,000 from painting the exterior of the Public Safety Building to procuring Public Safety software. She also reported that the Rte. 27 bridge construction work will be rescheduled from FY2023 to FY2022 because of its terrible condition. CPC (Community Preservation Committee) voted to submit an article for funding ADA projects at the library without a preservation restriction. L. Miller reported on the Operating Budget and that the Finance Committee had further questions on staffing that she will answer this week.

C. Karlson reported that Jeanne Downs, Chair of the School Committee, submitted a request from the School Committee for a debt exclusion for two projects: Part 3 of the WHS Athletic Complex project at \$2.2 million and the Loker School roof replacement at \$3.8 million. The Town needs to approve the total amount even though the Loker roof has qualified for MSBA reimbursement at 35.42%. The School Committee voted 3-0 to request a debt exclusion for these two items. L. Miller reported that the Loker Field project's approved debt exclusion vote from last year is still valid and that the budget has not changed.

L. Anderson moved, seconded by D. Levine, to ask the Finance Committee to make a presentation on January 27 on the requested debt exclusions for the WHS Phase 3 Athletic Complex and the Loker roof. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Town Administrator's Report and Updates

- 1. Mass Works Grant Amendment** L. Miller reported on the meeting with the State on the proposed amendment for an additional \$2.6 million for pipes and connection for waste water between River's Edge and the Town Center. The original grant received was \$2.4 million for redoing the water line on Rte. 20. The Mass Works representatives requested this new project be submitted as a separate request rather than an amendment. Their focus is housing and community/business development, and they were enthusiastic about the many potential aspects of work on Rte. 20 including resurfacing, sidewalks, street lights, and the rail trail for pedestrians and bicycles. They encouraged Wayland to work with all appropriate agencies. C. Karlson asked for a broader community discussion to talk about a vision and possible funding sources for work on Rte. 20. M. Antes offered to pursue the idea of a forum on this topic.
- 2. Council on Aging/Community Center RFP** L. Miller reported that there has been little response to the RFP so far. Proposals are due Jan. 27.
- 3. River's Edge Update** L. Miller reported that she has spoken with Wood Partners which is looking at an August timeframe for a building permit.
- 4. Loker School Roof Project Update** L. Miller reported that she spoke with the architect who confirmed that the new cost estimate is so much higher due to MSBA's focus on funding roofs, construction inflation, and the MSBA's requirement for very conservative estimates.
- 5. High School Fields Project** L. Miller reported that currently we are anticipating a ribbon cutting in April.
- 6. Department of Housing and Community Development Safe Harbor Application** L. Miller spoke with the lawyer for Wood Partners on the status of the application for Safe Harbor. When it is filed, it

is expected that Wayland will receive Safe Harbor for one year with an extension to two years when the building permit is issued.

7. **Conservation Commission Regulations** L. Miller has reviewed the Storm Water/ Land Disturbance regulations and noted two areas of concern. On page 13 section 5, regulations require a 1 for 1 tree replacement for most trees. She thinks it makes sense for something slightly different for Town projects. On page 18, consultant services can be hired by the Conservation Commission at the applicant's expense. She asks about the discretion available to the ConCom. So far the Planning Board, Economic Development Committee, and Dept. of Public Works have reviewed the regulation. Town Counsel still needs to review. T. Fay offered to work with L. Miller on a response from the BoS.
8. **Transfer Station Revolving Fund Financial Update** The Finance Director and Town Administrator met with the BoPW. They ended up proposing to include a separate line item in the 2021 budget as a reserve of \$60,000 to \$70,000 for the Transfer Station. They agreed to allow a year for the BoPW to review the operations before making a decision on the Revolving Fund. In 2020 there will need to be a reserve fund transfer for \$30,000 - \$40,000 to cover related expenses. T. Fay asked if we have talked with Sudbury about a regional approach on trash. BoPW should be asked to study this.
9. **MAPC Technical Grant Application** L. Miller reported that the application is due on Jan. 31 and is focused on a zoning overlay in Cochrane.
10. **SAFER Grant Update** L. Miller reported that the grant applications are not yet available and the Town has not received information on the timing of the grant cycle.
11. **Moody's Bond Rating Call** Moody's call is scheduled for Jan. 22, and Moody's submitted fewer advance questions this year.
12. **Town Annual Audit** L. Miller will schedule the Audit Committee to meet in February; this is delayed from prior year because of the reconciliation issues that delayed closing the FY20 books. The Town will maintain a monthly consultant contract to ensure cash reconciliations are completed correctly. The delay impacted our ability to put together information for the DOR and as a result the free cash has not been certified yet.

A7. Minutes: Review and vote to approve minutes of January 6, 2020 and January 9, 2020 M. Antes moved, seconded by D. Levine, to approve the minutes of January 6, 2020, as amended, and January 9, 2020. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A8. Consent: Review and vote to approve (see separate sheet)

1. Vote the question of approving and signing the weekly payroll and expense warrants
2. Vote the question of approving four (4) sandwich boards to be displayed from March 15, 2020 through March 21, 2020 at the following locations: Fire Station Two in Cochrane; Old Connecticut Path and Cochrane Road (Five Paths); Route 20/Old Connecticut Path by the Coach Grill; and Town Center (corner of Routes 20 and 27) promoting the Wayland Cradles to Crayons Collect and Sort event on March 21, 2020 sponsored by the Wayland Children and Parent Association's (WCPA) and the Wayland Girl Scouts.
3. Vote to authorize Louise Miller, Town Administrator, to carry over unused vacation to the calendar year 2020
4. Vote the question of authorizing Louise Miller, Town Administrator, to sign the Local Initiative Program (LIP) Local Action Unit (LAU) Application for the property located at 484-490 Boston Post Road, Wayland, MA, ALTA at River's Edge, for submission to the Department of Housing and Community Development (DHCD).

The Board agreed to add the name of Elizabeth Doucette, Assistant Town Administrator, to item 4.

M. Antes moved, seconded by D. Levine, to approve the Consent Calendar in the Board Packet, as amended. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Correspondence Review The Board reviewed correspondence. T. Fay suggested meeting with Tom Sciacca to discuss his concern about River's Edge impact on scenery, recreation access, and ecology relative to the Sudbury River.

A10. Selectmen's reports and concerns M. Antes reported that the League of Women Voters (LOWV) suggested that the Board consider issuing a proclamation to recognize the 100-year anniversary of the League. There will be a reception on Feb. 10 at 6:30 p.m. prior to the Board's meeting. M. Antes reported that the Civics Bee participants from Wayland are Doug Levine, Anna Ludwig, and Jim Grumbach.

T. Fay reported that the Recreation Commission thinks it would be helpful to have a forum on the Loker Field project prior to Annual Town Meeting. They are considering holding the forum on March 18, the day before the LOWV Issues Forum.

L. Anderson reported that she attended the Energy & Climate Committee (E&CC) meeting last week to talk about the Community Choice Aggregation article process. The E&CC is looking for direction from the Board of Selectmen on projects on which their committee should focus.

A11. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any
There were none.

A12. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the Rivers Edge Project at 484-490 Boston Post Road; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation—Jane Doe v. Town of Wayland

At 9:00 p.m. C. Karlson moved, seconded by D. Levine, that the Board of Selectmen enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the Rivers Edge Project at 484-490 Boston Post Road; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation – Jane Doe v. Town of Wayland

The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, negotiating or bargaining position of the Town. Roll call vote: YEA: T. Fay, M. Antes, C. Karlson, D. Levine, L. Anderson. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Chair invites attendance by L. Miller, Town Administrator, and Elizabeth Doucette, Assistant Town Administrator. The Board will reconvene in approximately 30 minutes solely for the purpose of adjourning.

The Board returned to open session at 9:36 p.m.

A13. Adjourn M. Antes moved, seconded by T. Fay, to adjourn the meeting at 9:37 p.m. YEA: L. Anderson, M. Antes, D. Levine, T. Fay, C. Karlson. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of January 13, 2020

1. Board Policy on Proposition 2 ½ Ballot Questions
2. Draft copies of ATM articles: Allow Certain Contracts up to 5 years; Capital Stabilization Fund; (with letter attached); Reallocate Previously Appropriated Funds for Community Center;
3. Surface Water Quality Commission; Accept Massachusetts General Laws Chapter 200A; Select Board/Town Manager Special Act (with copy of Select Board/Town Manager Act draft dated 1/13/2020)
4. Invite to Massachusetts Municipal Association Annual Business Meeting on January 25, 2020 from Jim Lovejoy, Selectboard Member, Mount Washington, President, Massachusetts Selectmen's Association (includes agenda and redlined copy of the ByLaws for the Massachusetts Select Board Association to be approved on January 25, 2020; and Values, Vision and Service brochure of the MMA's Annual Meeting and Trade Show on January 24 and 25, 2020 in Boston) – distributed to Cherry Karlson; Lea Anderson; Doug Levine; and Thomas Fay
5. Correspondence from Erin Wortman, President and Marc Draisen, Executive Director, of the Metropolitan Area Planning Council, to Regional Partner, dated December 16, 2019, re: 2020 Edition of the MAPC Calendar (includes oversized map and calendar) – distributed to Cherry Karlson; Lea Anderson; Doug Levine; and Thomas Fay
6. Massachusetts Municipal Association Annual Business Meeting Agenda Booklet – Distributed to Cherry Karlson and Lea Anderson

7. Draft Board of Selectmen meeting minutes of January 6, 2020

Items included as part of the Agenda Packet for discussion during the January 13, 2020 Board of Selectmen Meeting

1. List of 2020 Annual Town Meeting (ATM) articles as of January 9, 2020
2. Draft of Select Board/Town Manager Act – dated 1/13/2020
3. Draft of January 9, 2020 Board of Selectmen meeting minutes

CORRESPONDENCE

1. Correspondence from Teri Hegarty, Executive Assistant, to Patricia Hathaway, Alcohol Beverage Control Commission Licensing Department, dated January 9, 2020, re: Annual Report for 2019
2. Correspondence from Teri Hegarty, Executive Assistant, to Louise Miller, Town Administrator, dated January 9, 2020, re: quota of alcoholic beverages licenses
3. Monthly Police Department Report for December 2019 from Patrick Swanick, Chief of Police
4. Invitation to the Board of Selectmen from the Foundation for MetroWest, to attend the “Launching Forward: Impact MetroWest” event on Wednesday, January 22, 2020