



LOUISE L. E. MILLER
TOWN ADMINISTRATOR
TEL. (508) 358-3620
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

**Meeting Minutes
BOARD OF SELECTMEN
Friday, April 10, 2020
11:30 a.m.
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA**

Note: In compliance with the March 12, 2020 Massachusetts Office of the Governors' Order Suspending Certain Provisions of the Open Meeting Law M.G.L. Chapter 30A, Section 20, the April 10, 2020 Board of Selectmen meeting was livestreamed on local broadcast on WayCAM. Public Comment was accessible by telephone 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 videoconferencing; and C. Karlson participated by teleconferencing and was also present at Town Building.)

Also Present: Town Administrator, Louise Miller; Business Analyst, Jason Adams; IT Director, Mike McCann

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 11:33 a.m. when a quorum was available, and noted that the meeting would be broadcast live and recorded for later broadcast by WayCAM. C. Karlson announced that members of the Board would participate remotely to maintain social distance, and gave a phone number (508-358-6812) for the public to call to offer comments during the Public Comment agenda item. C. Karlson reviewed the agenda for the public.

A2. Announcements M. Antes reminded residents to respond to the 2020 US Census.

A3. COVID-19: Town Administrator Update and Review of Response Plan; vote as necessary actions, including but not limited to: Legislative Update: Town Meetings and Budgets; Update on FY2020 budgets and Town finances; Board/Committee meetings; Issues related to COVID-19 response: Construction projects and permits, Residents congregating, Signage, Helping neighbors: groceries, errands, Dogs; COVID-19 Relief Fund, discussion and vote to establish

A3.1. Legislative Update: Town Meetings and Budgets L. Miller reported that the state legislature passed a bill on April 3 to help municipalities with operational challenges resulting from the COVID-19 public health emergency. L. Miller reported that the new law loosens certain requirements and deadlines in the state law, particularly in the area of Annual Town Meetings (ATM) and enacting municipal budgets. L. Miller noted that the Town Moderator had declared a continuance of ATM to April 30, and that the Board would need to take action again to postpone ATM beyond the date of the stay-at-home advisory. L. Miller also noted that local elections require twenty (20) days notice.

A3.2. Update on FY2020 budgets and Town finances

L. Miller reported that if ATM is unable to adopt an annual budget by June 30 due to a declared emergency, the Board shall notify the Division of Local Services (DLS), and the Department of Revenue (DOR) may approve expenditures from any appropriate fund or account of an amount sufficient for the operations of the town during the month of July of not less than one-twelfth of the total budget approved in the most recent

fiscal year, pursuant to a plan approved by the Board, with such authority continuing for each successive month that the emergency prevents the adoption of a budget by Town Meeting.

L. Miller noted that the new law would be helpful if the Town were delayed from adopting an annual budget due to the COVID-19 emergency; the DLS's director of accounts may authorize the town to appropriate (for use in fiscal 2021) from the available undesignated fund balance or free cash certified by DLS as of July 1, 2019, including undesignated fund balances in enterprise funds or special revenue accounts. L. Miller reported that she did not expect a deficit for this fiscal year.

L. Miller reported that the new law would allow the Town, if it were delayed from adopting an annual budget due to the COVID-19 emergency, to expend amounts from revolving funds not to exceed the authorized expenditure in FY 2020. L. Miller reported that revolving funds would be problematic going into next fiscal year, where some of the Town's revolving funds were not receiving fee-for-service revenue during the state of emergency and some revolving funds pay for salaries of employees.

L. Miller reported that local property tax bills were sent out on March 27, with due date of May 1. There was a delay of the Board of Assessors (BOA) hearing and decision on 21 abatement requests; each applicant was granted an extension to July 1, and those owners would receive a revised bill. There are some exemptions that still need to be decided by the BOA on its agenda for April 16.

A9. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any. C.

Karlson reported that a resident had submitted a comment on the topic of the senior circuit breaker exemption. C. Karlson noted that the application deadline is set by statute to April 1, but two applications came in after April 1 due to the public health emergency. The BOA sought guidance from the Board of Selectmen on whether or not those applications received after the deadline can be reviewed. C. Karlson recommended that the Board issue guidance to the BOA on those two specific late exemption applications. L. Miller recommended that the BOS state their intent, and ratify with a decision at a future meeting. The Board members each expressed support and intent to ratify an extension of exemption applications for all residents and to put the topic on a future agenda.

A3.3. Board/Committee meetings L. Miller reported that some Boards and Committees have requested to hold meetings to conduct routine or non-essential business and to meet in the evening hours. L. Miller reported that meetings currently require staff and resources that support compliance with Open Meeting Law (OML) and to maintain integrity and security for the Town. L. Miller reported that a concern exists about public meetings being 'Zoom bombed' and noted guidance from the FBI that was included in the Board packet. L. Miller reported that the Town would continue to follow the FBI guidance and would not be inclined to open meetings up to public Zoom forums, staff evening hours, or support non-essential meetings.

A3.4. Issues related to COVID-19 response:

A3.4a. Construction projects and permits L. Miller reported that she and the Health Director conducted a site visit to a construction site, after a concern had been reported. L. Miller reminded contractors that the Building Department was closed and was not accepting new permit applications.

A3.4b. Residents congregating L. Miller reported that the Town is receiving a lot of complaints about residents congregating. In response the Town will patrol areas with Town, Conservation and DPW employees. L. Miller reported that the Town will install enhanced signage, issue a leash order, and could enforce restrictions to parking lots.

A3.4c. Signage (addressed above)

A3.4e. Dogs L. Miller reported a temporary order to leash all dogs in all public areas; all dogs must be on a leash not to exceed 6 feet in all public areas. L. Miller reported that the Dog Officer would quarantine any dog with no dog tags. Wayland is experiencing a bigger problem with dogs than other towns. C. Karlson reported that she had consulted with L. Hansen, Conservation Administrator, who expressed concern with full parking lots, illegal parking, unleashed dogs and owners who were not picking up after dogs. L. Hansen urged residents to be respectful of any order in place to keep the areas open to the public.

A3.4b. Residents congregating (revisited) C. Karlson mentioned a note to the Board about groups congregating, such as one gathering at Alpine Field. L. Miller reported that the Wayland Police Department

(WPD) was patrolling all parks, fields and trails to break up the congregations. People are using fields that are closed, and even one field which was an active construction site.

D. Levine expressed concern with an ongoing problem, and if signage and friendly reminders are not working, the Board should empower the WPD to enforce orders with written warnings or fines. D. Levine requested that the WPD provide the Board with some metrics or data to understand how bad the problem is in Wayland. T. Fay and L. Anderson expressed reservations on imposing fines. L. Miller said the problem is worse with preteens and teens, and the responsibility lies with the parents. The Board discussed more ways to communicate orders. D. Levine expressed that the communication was not working.

A3.4d. Helping neighbors: groceries, errands L. Miller expressed concern about the consequences of well-intentioned residents who were supporting neighbors; all residents need to ensure that they are following guidelines to not put others at risk. L. Miller expressed concern that asymptomatic or pre-symptomatic people carrying coronavirus could be helping high-risk residents. The Health Department has learned that the coronavirus is being spread through well-intentioned volunteers. L. Miller reported that the Town is taking requests for help with food, grocery, prescriptions or other essential needs. The Town is providing pick-up and delivery of some prescriptions; some local pharmacies are now offering expanded delivery services. L. Miller reminded residents that only police officers are legally allowed to deliver controlled substances. Residents should call 508-358-7701 for assistance. L. Miller reported an increase in scams and warned against people providing personal information. There are also reports of young people being sexually harassed via social media.

A3.5. COVID-19 Relief Fund, discussion and vote to establish C. Karlson reviewed a draft flyer in the Board packet for a relief fund. C. Karlson reported that the Town had received requests from residents for food assistance, and by establishing a fund the Town could purchase food essentials on behalf of residents. C. Karlson described the intent of the fund was not to provide a shopping service, but that it would provide basic essentials - nutritious shelf stable proteins and vegetables to those in need. C. Karlson commended Boy Scout Troop 1 for generous donations. C. Karlson recommends the Board establish a COVID-19 relief fund, and if there are any remaining funds after the state of emergency, the balance would be divided between the Wayland Community Fund and the Friends of the COA.

T. Fay moved, seconded by D. Levine, that the Board of Selectmen vote to establish a COVID-19 Relief Fund, pending Town Counsel review. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

L. Anderson noted a document in the Board packet, a letter to the Massachusetts Administration from Mayors, Town Managers and Town Administrators dated April 8, 2020 requesting a more stringent state-wide stay-at-home order, narrow essential employee lists, and for the state to help standardize town responses. L. Miller reported that the municipal leaders group expressed how this particular emergency presents administrative challenges different from other types of states of emergency. L. Miller gave the example of an administrative challenge, where the Town received a public document request for all death certificates since March 1; the state has not waived the requirement to respond within ten (10) days, but the Town does not have a lot of essential resources to dedicate to these types of requests.

A4. Public Comment (Public phone line 508-358-6812)

Anette Lewis, Claypit Hill Road, offered four comments. A. Lewis commented on the use of reverse 911 calls; she felt the speaker spoke too fast and recommended that the speaker repeat the message twice for future calls. A. Lewis recommended that the Board check the bylaws pertaining to penalties and fines. C. Karlson confirmed that the state legislature has granted the Board the authority under the state of emergency. A. Lewis commented that the flyer in the Board packet was unclear about who was eligible for grocery assistance; there are some who are not in financial need, but have needs accessing groceries. A. Lewis also commented that the letter to the Massachusetts Administration in the Board packet was too broad for a community like Wayland because it was not a high-density area. A. Lewis asked why the Town does not use MMA or Town Counsel if there was an issue with meeting public records requests. L. Miller confirmed that the Town was actively utilizing those resources.

Doug Alongi, 8 Bogren Lane, thanked the Board for its efforts. D. Alongi expressed that it was too late to focus on messaging and urged the Board to fine people who are putting other people in harms away. He also

suggested covering the public basketball hoops. D. Alongi noted that the WPD reported to the Board that the problem exists. D. Alongi noted a survey of WHS students that concluded that 33% of WHS students surveyed don't believe in social distancing.

A5. Minutes: Review and vote to approve minutes of April 3, 2020

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen vote to approve the meeting minutes of April 3, 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.

A6. 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 to extend the deadline for paying taxes from May 1 to June 1, 2020 for all taxpayers who had filed an abatement request with the Board of Assessors.
4. Vote to extend the deadline for paying taxes from May 1 to June 1, 2020 for all taxpayers who have filed for a tax exemption with the Board of Assessors.
5. Vote to sign Certificates of Achievement in recognition of becoming an Eagle Scout to: Dylan Lane Bonanno and Collin Joseph Hess.

M. Antes moved, seconded by T. Fay, that the Board of Selectmen vote to approve the Consent Calendar and delegate the signing authority to Town Administrator Louise Miller for the items listed in the Board Packet. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. Correspondence Review. The Board reviewed correspondence included in the Board Packet.

A8. Selectmen's reports and concerns T. Fay reported he had attended the BOH meeting and noted that young people are getting the coronavirus both nationally and locally. T. Fay commended the library staff for continued online services. T. Fay sought clarification on landscape services, which were not originally essential, and then moved to essential. L. Miller reported that landscapers can be essential, but only under a very limited scope and the Town would issue some clarification. T. Fay expressed his agreement with covering the basketball hoops in Wayland parks. T. Fay acknowledged the faith leaders in Town who put together an interfaith service event. D. Levine also expressed agreement with covering the basketball hoops. C. Karlson noted a donation of surgical masks, and group of volunteers who packaged the masks and distributed them. She also recognized a team of volunteers who packed up food for delivery, and team of staff and volunteers who put together 3-D masks. All volunteers had signed up to volunteer through covid-19@wayland.ma.us.

C. Karlson noted a public service video available on WayCAM featuring the Health Director, Public Health Nurse and Town Administrator.

A4. Public Comment (Public phone line 508-358-6812)

D. Berry, Town Moderator, asked the Board if anything was needed from the Town Moderator to move ATM, and noted other moderators were looking at new or alternative formats for Town Meetings.

R. Turner, Nob Hill Road, thanked the Town for the grocery delivery. R. Turner asked the Board if the DCR or the Town maintained the Rail Trail, because there had been horse droppings on the trail. C. Karlson noted the issue would be added to a future agenda.

A9. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any. There were no additional items.

A10. Adjourn L. Anderson moved, seconded by M. Antes, to adjourn the meeting at 1:33 p.m. 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 April 10, 2020

1. There were none.

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

1. Letter to the Massachusetts Administration from Mayors and Town Administrators dated April 8, 2020
2. Social Distancing Power Point Presentation
3. FBI Boston Division Letter to Boston community partners re: COVID-19 dated April 10, 2020
4. FBI warning of Teleconferencing and Online Classroom Hijacking during COVID-19 Pandemic
5. FBI notification on School closings due to COVID-10 presenting potential for increased risk of child exploitation
6. Notice on COVID-19 Board of Health update April 3, 2020
7. Notice on COVID-19 Wayland update of COVID-19 cases April 5, 2020
8. Notice on COVID-19 Notice of Beach Closure and new guidelines April 6, 2020
9. Draft of Wayland COVID-19 Relief Fund Notice April 8, 2020
10. Draft of Board of Selectmen Meeting Minutes held on 04-03-2020

CORRESPONDENCE

1. Correspondence from Cherry Karlson, Board of Selectmen Chair to George Harris, Wayland Resident dated April 3, 2020 Re: Response to the Open Meeting Law Complaint filed on March 3, 2020.
2. Correspondence from Mira Netsky, Massachusetts Office of the Attorney General to George Harris, Wayland Resident dated April 6, 2020 Re: Open Meeting Law Complaint filed on March 3, 2020.
3. Correspondence from Board of Selectmen to Boy Scout Troop 1 of Cochrane, dated April 7, 2020 re: Thank you for donation of hand sanitizer, cleaning products and nonperishable food for distribution to the residents of the Town.
4. Correspondence from Board of Selectmen to Canghai Lu & Jing Xu, dated April 7, 2020 re: Thank you for donation of paper masks by employees and residents of the Town.
5. Correspondence from Board of Selectmen to Neil McPherson, dated April 7, 2020 re: Thank you for donation of 200 isolation gowns for use by Wayland's Firefighters.