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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
DAVID V. WATKINS

**Meeting Minutes
BOARD OF SELECTMEN
Monday, March 22, 2021
5:00 p.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 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 live streamed 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 designated time.

Attendance: Lea T. Anderson, Mary M. Antes, Thomas J. Fay, Cherry C. Karlson, David V. Watkins. The Board participated remotely by video-teleconferencing via Zoom and WayCAM. C. Karlson participated by video-teleconference and was also present at Town Building.

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee and Management Analyst Seath Crandall were present at Town Building and participated by video-teleconference.

A1. Call to Order by Chair, Review the Agenda for the Public At 5:01 p.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was available by video-teleconference and reviewed the agenda. C. Karlson announced that the meeting would be broadcast and recorded by WayCAM in compliance with revised Open Meeting Law requirements and announced by full name each Board member who was participating remotely. C. Karlson announced that no in person attendance by members of the public would be permitted, provided a phone number for the public to call to offer comments and reviewed the procedure to participate via Zoom.

A2. Announcements and Public Comment There were no announcements from the Board.

Heather Pineault, Country Corners Road, joined by teleconference and said that she was a member of the Town Administrator's Racial Justice Advisory Group and one of the petitioners of the Human Rights Commission warrant article. She commented on her own behalf describing a recent racial incident in Wayland.

Mary Ann Borkowski, Lake Shore Drive, joined by teleconference to announce The Floral Heart Project: A COVID Memorial set up at First Parish in Wayland.

Elaine Donnelly, Hampshire Road, joined by teleconference to announce the findings from a survey conducted by the Wayland Lived Experience Project. E. Donnelly reported that the survey results indicated that the majority of respondents characterize the discrimination they experienced as motivated by a racial, cultural, or ethnic difference.

Janot Mendler de Suarez, Orchard Lane, joined by teleconference and said that she was a member of the Town Administrator's Racial Justice Advisory Group. She commented on her own behalf strongly urging the Board to publicly issue a statement in support of Asian-American residents.

Sasha Gill, Old Connecticut Path, joined by teleconference to voice objection to the Resolution on Truth and Local Media.

Richard Turner, Nob Hill Road, Chair of Public Ceremonies Committee joined by teleconference to announce that the current COVID-19 restrictions would not allow for a Memorial Day Parade. R. Turner reported that there would be a virtual ceremony.

A3. Traffic at the Elementary Schools: Discuss and potential vote on recommendations of Interim Police Chief regarding traffic signage at Happy Hollow Elementary, Loker Elementary and Claypit Hill Elementary Schools C. Karlson reminded the Board that it serves as the Traffic Commissioners for the Town.

Interim Police Chief Sean Gibbons joined the meeting by teleconference to discuss the traffic patterns at the elementary schools. L. Miller reported that the Superintendent of Schools had requested the Police Department to review the traffic patterns at each school in response to the anticipated increase in number of students arriving by car rather than school bus. S. Gibbons suggested establishing a No Left Turn order at the Happy Hollow School to improve traffic flow; he recommended reevaluation next school year when more students may be arriving by school bus.

T. Fay moved, seconded by M. Antes, that the Board of Selectmen approve a No Left Turn sign for the stipulated hours as shown in Chief Gibbons's presentation. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Town Administrator update: a. COVID-19 b. Town Building Reopening Plan c. Selectmen Goal Setting Retreat d. River's Edge Petition for Public Involvement Plan (PIP): e. PFAS

A4.a. COVID-19 L. Miller reviewed a letter to Massachusetts Department of Public Health indicating the Town's intent to participate in a regional collaboration to distribute COVID-19 vaccine. L. Miller anticipated that up to nine communities would enter into an inter-municipal agreement. L. Miller reported that expenses related to vaccine distribution may be reimbursable from individual Health Insurance providers and the Federal Emergency Management Agency (FEMA).

A4.b. Town Building Reopening Plan L. Miller reported that there was a plan to reopen the Town Building on a limited basis by appointment in most cases beginning Monday, March 29. L. Miller reported that some members of the group First Amendment Auditors have requested tours of the Town Building and the Public Safety Building.

A4.c. Selectmen Goal Setting Retreat L. Miller reminded the Board that there would be a goal setting retreat on Monday, March 29. C. Karlson reminded the Board that the meeting would be held in person.

A4.d. River's Edge Petition for Public Involvement Plan (PIP) L. Miller reported that the first PIP meeting was held on March 18. The Town received two documents from the Vertex Companies, LLC, Licensed Site Professionals (LSP) for the Alta River's Edge project; they will be posted on the Town website.

A4.e. PFAS L. Miller reported that there would soon be a new webpage related to Per- and Polyfluoroalkyl Substances (PFAS) as required by the Massachusetts Department of Environmental Protection (DEP). L. Miller reported that a second sampling had been taken from the Happy Hollow wells near Wayland High School and the results were expected soon. L. Miller reported that the Town had received notice from the Environmental Protection Agency (EPA) indicating that East Middlesex Mosquito Control used containers to store and transport Anvil 10+10, an insecticide used to control mosquitoes regionally; this may be a source of PFAS.

A5. Town Administrator's Racial Justice Advisory Group: discuss and potential vote for proposed Human Rights, Diversity, Equity and Inclusion Committee L. Miller provided an overview of the Advisory Group's proposal for a new Human Rights, Diversity, Equity and Inclusion Committee that would be charged to serve as an advisory resource to Town Departments and elected and appointed boards, commissions and committees. L. Anderson thanked the residents for their passion and work on the proposal. T. Fay and C. Karlson concurred. L. Anderson asked what the Committee would do with any incident reports that required investigation. L. Miller reported that Town Counsel had opined that the Committee could serve as a reporting portal, but would not be charged with conducting investigations, as investigations fall under the jurisdiction of the Police and/or the FBI. D. Watkins expressed the need for a broader investment and a way to measure the committees' deliverables. L. Miller reported that the deliverables would be determined after the data was collected. M. Antes noted that similar committees to support residents with concerns exist all across the state.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve the proposed charge for a Human Rights, Diversity, Equity and Inclusion Committee, as presented. D. Watkins suggested that the Board take no action until Annual Town Meeting votes on the closely related petitioner Article FF. T. Fay suggested that the Board's action on the proposal would inform the subsequent petitioners' action on Article FF. T. Fay

recommended that the Board not take a position on the petitioner article. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. 2021 Annual Town Meeting (ATM): a. 2021 ATM articles: review and discuss; potential votes to insert articles in Warrant and vote Board position

FF. Establish Wayland Human Rights Commission T. Fay reiterated his recommendation that the Board not take a position on the petitioners' article given the similarities between it and the proposed Human Rights Committee the Board just approved.

G: Update FY2022 Personnel By-Laws and Wage & Classification Plan and Fund FY2021 Union and Non-Union Personnel Agreements C. Karlson noted that the article costs had been revised, with a new total cost of \$117,184. The Board previously voted 5-0 to support the article and expressed agreement with the revisions, as presented.

J. Fiscal Year 2022 Omnibus Budget C. Karlson reported that the Finance Committee voted unanimously against funding OPEB with taxation.

D. OPEB Funding

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen reconsider Article D. OPEB Funding given the recent action taken by the Finance Committee and its preference to fund OPEB with Free Cash. There was discussion regarding the intent to change the funding source. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: none. Adopted 4-1.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve Article D. OPEB Funding for \$250,000 funded by Free Cash. There was a review of the Town Administrator and Finance Director's previous recommendation for OPEB funding. Roll Call Vote: YEA: T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: M. Antes, L. Anderson. Adopted 2-1-2.

J. Fiscal Year 2022 Omnibus Budget (continued) C. Karlson stated that the action just taken by the Board would result in a slight change to the total amount of funding for Article J.

AA. CPA Historic Preservation: Rehab 70-74 Main Street L. Miller reported that Town Counsel had provided non-substantive revisions to the article language.

BB. Historic Preservation: Cemetery Stones Condition Assessment and Library Archival Document Conservation L. Miller reported that Town Counsel had substantive revisions to the funding. The revision reallocated the funding source for the Cemetery Stone study to expend funds from the administrative line of the CPA Funds. Town Meeting approval is not required for CPA administrative expenditures.

A7. 2021 Annual Election: a. Polling Places b. Discussion and potential vote Annual Election Warrant to be held May 11, 2021 L. Miller updated the Board that the Superintendent of Schools sought and received a one-day waiver of the required in-person schooling for the purposes of the Town Election from the Department of Elementary and Secondary Education (DESE). L. Miller reported that the Town Meeting Warrant would serve as both the Election Warrant and the Town Meeting warrant, and that the warrant sets and notifies the public of the polling locations as required by law.

A8. Early in-person, early voting by mail and Absentee Voting: discuss and potential vote to provide for early in-person voting for 2021 Annual Election L. Miller reported that both early voting by mail and absentee voting have been automatically extended by the state legislature for local elections. L. Miller stated that the Board would need to take action to allow early in-person voting for the 2021 Annual Town Election. Town Clerk, Anna Ludwig joined the meeting by teleconference and recommended against in-person early voting for the local election, as it would be a significant strain on Town resources.

A9. Resolution on Truth and Local Media: discuss T. Fay discussed the importance of transparency but would be amenable to withdrawing the resolution. L. Anderson concurred and encouraged everyone to publicly correct inaccurate information when it arises. D. Watkins recommended that the Board withdraw the resolution. M. Antes concurred and encouraged the Town to be better at making correct information accessible.

A10. BAN related to River's Edge: discuss and review potential options in which to pay BAN; potential vote L. Miller reviewed the history of the Bond Anticipatory Note (BAN) and that the original amount of \$525,000 would be due in April 2021. L. Miller stated that the Town had previously anticipated that the proceeds would be available to pay the BAN, but the proceeds would not be available until after the end of the fiscal year. L. Miller and the Finance Director previously recommended that the Board rollover the BAN until FY2022. L. Miller reviewed the options that would be available in FY2022.

A11. Minutes –March 8, March 15 and March 18, 2021; review and vote to approve

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen approve the minutes of March 8, as amended, March 15, and March 18, 2021, as amended. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Consent: review and vote to approve

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 accepting with thanks one (1) donation in the amount of \$36.00 to the Testing for School COVID-19 Relief Fund.
4. Vote the question of accepting with thanks one (1) donation in the amount of \$500.00 to the Wayland COVID-19 Relief Fund
5. Vote the question of approving and signing contract with Solitude Lake Management, LLC for Mechanical Harvesting at Dudley Pond.
6. Vote the question of approving expenditure of \$10,034.00 for invoices #135459, #135853, #136578 from Anderson & Kreiger for legal services related to River's Edge.
7. Vote the question of re-appointing Catherine A. Radmer to Board of Registrars for a three (3) year term through April 1, 2024.
8. Vote to approve the re-consideration of the application of Jindu, Inc., d/b/a Jindu Modern Asian Cuisine, for a new on-premises annual liquor license to sell all alcoholic beverages at the Jindu Modern Asian Cuisine Restaurant, located at 131 Boston Post Road, Wayland, MA. The Seller's DOR (Department of Revenue) and DUA (Department of Unemployment Assistance) clearances have been reviewed by the Board of Selectmen and are included in this reconsideration.
9. Vote the question of designating Louise Miller, Town Administrator, as sole signatory to sign off on the reconsideration liquor application for Jindu, Inc. d/b/a Jindu Modern Asian Cuisine, located at 131 Boston Post Road, Wayland, MA.
10. Vote the question of designating Louise Miller, Town Administrator, as sole signatory to sign off on the liquor license when/if the liquor application for Jindu, Inc. d/b/a Jindu Modern Asian Cuisine, located at 131 Boston Post Road, Wayland, MA, is approved by the Alcoholic Beverages Control Commission.
11. Vote the question of approving two (2) sandwich boards to be displayed from April 3, 2021 to April 10, 2021 at the following locations: Old Connecticut Path and Cochituate Road (Five Paths) and Route 20/Old Connecticut Path by the Coach Grill for promoting the Wayland High School Scholarship program

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

A13. Correspondence The Board reviewed the correspondence in the packet.

A14. Selectmen's reports and concerns D. Watkins requested to discuss Article X. Accept Spencer Circle again. L. Miller reported that the Town received a document from the Planning Board related to the article and that Town Counsel recommended that a clarification be issued by the Department of Public Works to the homeowners. L. Miller reported that Town Counsel would be available at the Board's meeting on April 13 to answer questions regarding the article. L. Anderson acknowledged the public comment requesting that the Board support Asian-American residents, and announced that Wayland Interfaith Leaders Association (WILA) had issued a statement on recent anti-Asian violence.

A15. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any There were none.

A16. Adjourn. At 8:35 p.m., T. Fay moved, seconded by L. Anderson, to adjourn the meeting. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by Board of Selectmen during the Meeting of March 22, 2021 otherwise not in Packet

1. A3. Elementary School Traffic Safety Report as prepared by Interim Police Chief Sean Gibbons
2. A6. Draft Article G. Update FY2022 Personnel By-Laws and Wage and Classification Plan and Fund FY2021 Union and Non-Union Personnel Agreements
3. A6. Article J. Fiscal Year 2022 Budget
4. A7.1 Memorandum from Town Administrator to Board of Selectmen dated March 22, 2021 re: Polling Locations – Local Election May 11, 2021
5. A7.2 Town Election Warrant Vote
6. A7.3 Draft Front Cover of Town Meeting Warrant Book 2021
7. A7.4 Draft Language within Town Meeting Warrant Book 2021
8. A10. Memorandum from Town Administrator to Board of Selectmen dated March 22, 2021 re: Bond Anticipatory Note – River’s Edge
9. A11. Draft Board of Selectmen Meeting Minutes of March 8, 2021
10. A11. Draft Board of Selectmen Meeting Minutes of March 15, 2021
11. A11. Draft Board of Selectmen Meeting Minutes of March 18, 2021
12. A12. Memorandum addressed to Board dated March 22, 2021 re: Current Board of Registrars
13. A Statement of Response to anti-Asian Violence from Members of the Wayland Interfaith Leaders Association, dated Mar 19, 2021

Items included in the Agenda Packet during the Board of Selectmen Meeting of March 22, 2021

1. Plan for Regional Vaccination Collaboration
2. Correspondence from The Vertex Companies to Town Administrator dated March 4, 2021 re: Public Meeting – Draft Public Involvement Plan River’s Edge
3. Link to Release Abatement Measure (RAM) Plan for River’s Edge
4. Link to Documents related to the public involvement Plan for River’s Edge
5. Correspondence from Kristen Sarson to Town Administrator re: River's Edge RTN 3-34474 IRACPSS
6. Correspondence from Vertex Companies to Town Administrator dated March 17, 2021 re: Availability of Report for Public Comment Immediate Response Action Completion & Permanent Solution Report
7. Wayland Human Rights, Diversity, Equity, and Inclusion Committee (Purpose, Composition, Term, Duties, and Procedure)
8. Article AA. CPA – Historic Preservation: Rehabilitation of 70-74 Main Street Final
9. Article D. OPEB Funding
10. Article BB. CPA – Historic Preservation: Cemetery Stones Condition Assessment and Library Archival Document Conservation
11. Article FF. – Establish Wayland Human Rights Commission
12. Article J.- Fiscal Year 2022 Omnibus Budget
13. Correspondence from Department of Labor Services (DLS) to Town Administrator dated March 18, 2021 re: DLS Alert, “An Act Further Providing for Early Voting by Mail” Signed into Law
14. An Act Further Providing for Early Voting Bill
15. Wayland Board of Selectmen Resolution on Truth in Local Media

CORRESPONDENCE

1. Correspondence from Doug Leard, Chair, Local Emergency Planning Committee (LEPC), to the Board of Selectmen and Louise Miller, Town Administrator, dated March 18, 2021, re: Follow-up to the March 16, 2021 LEPC Meeting
2. Correspondence from resident Karen Blumenfeld, to Board of Selectmen, dated March 18, 2021, re: document for Human Rights Council info for Packet (includes PowerPoint of the Lived Experiences Project)