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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

THOMAS J. FAY
ADAM G. GUTBEZAHL
CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

Meeting Minutes BOARD OF SELECTMEN

Monday, July 12, 2021

7:00 p.m.

Wayland Town Building

Council on Aging Room

41 Cochituate Road, Wayland, MA

Attendance: Thomas J. Fay, Cherry C. Karlson, Carol B. Martin **Remote Participation:** David V. Watkins.

Absent: Adam G. Gutbezah

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, and Management Analyst Seath Crandall.

A1. Call to Order by Chair, Review the Agenda for the Public: At 6:05 p.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present. T. Fay announced that the meeting would be held in-person, live-streamed and recorded for later broadcast on the local WayCAM Government Channel. T. Fay announced each member by full name and that D. Watkins would participate remotely. T. Fay announced that members of the public were invited to attend and participate in-person or remotely through video-teleconference via a Zoom "hand raise." T. Fay reminded the public of the state's mask advisory and reviewed the agenda.

A2. Executive Session: I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with: □ The Wayland Library Staff Association MFT, AFT, AFL-CIO II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road; III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Stephen Cass v. John Ritchie; IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of June 29, 2021 Approve and Hold: Executive Session minutes of June 29, 2021:

At 6:09 p.m., Chair T. Fay moved, seconded by C. Karlson, that the Board of Selectmen enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with the Wayland Library Staff Association MFT, AFT, AFL-CIO, pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Stephen Cass v. John Ritchie; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of June 29, 2021 with the intent to approve and hold said executive session minutes of June 29, 2021.

T. Fay declared 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, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezah. ABSTAIN: none. Adopted 4-0.

T. Fay invited attendance by Town Administrator L. Miller, Assistant Town Administrator J. Bugbee, and Management Analyst S. Crandall. T. Fay announced that the Board would reconvene in open session in approximately forty minutes.

At 7:04 p.m., the Board reconvened in open session.

A3. Announcements and Public Comment: D. Watkins announced that he would host an information session at the July 19 meeting of the Electronic Voting Implementation Subcommittee on the topic of Remote Participation at Annual Town Meeting.

Gretchen Schuler, Old Connecticut Path, joined in person to comment on item #13 of the Consent Calendar and discouraged the Board from disregarding the work that had already been accomplished by the Historical Commission and the Planning Board through the 2005 Master Plan for the Wayland Railroad Interpretive Site.

Judy Ling, Concord Road, joined in person to express opposition to the Site Plan Approval application scheduled to be heard by the Zoning Board of Appeals (ZBA) regarding the Loker Turf Field project, stating the project was not approved at Annual Town Meeting (ATM) and this practice sets bad precedent.

Clifford Lewis, Chair of the Board of Public Works (BoPW) joined in person to request that the Board take no action on item #5 on the Consent Calendar: Solar at the Landfill. C. Lewis read a statement indicating that the authority to enter into an agreement for the Transfer Station landfill rested with the Board of Public Works and solar power generation was not permissible under the zoning bylaws.

Mary Ann Bukowski, Lakeshore Drive, joined by teleconference to request an update from the Board regarding the upcoming Police Chief hiring process.

Michael Lowery, Lakeshore Drive, member of the BoPW, but speaking on his own behalf, joined in person to request that the Board take no action on item #5 on the Consent Calendar: Solar at Landfill. M. Lowery read a statement indicating that the authority to enter into an agreement for the Transfer Station landfill rested with the Board of Public Works and authorizing an agreement would strain the relationship between the BPOW and Board of Selectmen. He added solar power generation is not an allowable use of the land under the zoning bylaws.

Hope Podell, Jennison Ave, joined by teleconference to express opposition to the Site Plan Approval application to be heard by ZBA regarding the Loker Turf Field project. She stated that it seemed unreasonable for the Recreation Commission to continue the permit process, in view of the fact that ATM had twice rejected the project. She added she was concerned that private funding efforts were underway, possibly as a means to circumvent the capital budget process.

Kay Gardner-Westcott, Chair of the Historical Commission joined by teleconference and commended the Scouts for their Rail Trail survey that was discussed at the previous meeting. She expressed concern on the agenda topic of Eversource Vegetation Maintenance Activity.

David Bernstein, Glezen Road, joined by teleconference to express opposition to the Site Plan Approval application to be heard by the ZBA regarding the Loker Turf Field project. D. Bernstein stated the Loker Turf Field project was rejected by Town Meeting, the Town Administrator is still seeking a permit for this project from ZBA, the Lab report on project's rubber infill shows the presence of multiple dangerous chemicals that could adversely impact the health of field users and the Board of Health (BoH) has not opined on the Lab report. D. Bernstein added because of this, he initiated an online petition asking the BoS to direct the Town Administrator to withdraw the Loker turf field application until BoH reviewed the Lab report and determined whether the field would pose a threat to public health. He stated the petition currently has over 300 signatures.

A5. Committee Appointments: discuss and potential vote to appoint:

Committee	Potential Appointee	Term End
Senior Tax Relief Committee	Pauline DiCesare	June 30, 2024

Committee Appointments: Interview, discuss and potential vote to appoint:

-Wayland Housing Partnership	Christine McKenna Lok	June 30, 2024
Human Rights, Diversity, Equity and Inclusion	Steven Wynne	June 30, 2022
Human Rights, Diversity, Equity and Inclusion	Kara Brown	June 30, 2022

The Board interviewed the C. McKenna Lok, reviewing her experience and interest in serving on the Wayland Housing Partnership. C. Martin moved, seconded by C. Karlson that the Board appoint C. McKenna Lok to the Wayland Housing Partnership for a three year term ending June 30, 2024. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

C. Karlson moved, seconded by C. Martin that the Board appoint Pauline DiCesare to the Senior Tax Relief Committee for a three year term ending June 30, 2024. C. Martin amended the motion to re-appoint Pauline

DiCesare to Senior Tax Relief Committee for a three year term ending June 30, 2024, upheld by C. Karlson. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

The Board interviewed K. Brown and S. Wynne, who participated via video-conference, to serve on the Human Rights, Diversity, Equity and Inclusion Committee (HRDEI). D. Watkins moved, seconded by C. Martin that the Board appoint S. Wynne to the Human Rights, Diversity, Equity and Inclusion Committee for a one-year term ending June 30, 2022. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0. The Board thanked K. Brown for her interest in serving.

A4. 2022 Annual Town Meeting: discuss potential dates, timing of holding Petitioner's information

session: The Board reviewed the proposed potential dates for the 2022 ATM. C. Karlson noted there were cost efficiencies to holding ATM sessions on consecutive dates. There was a discussion about the calendar and the schedule for petitioner's articles. The Board requested more information before making a decision.

A6. Twenty Wayland: Discuss and report on discussion with the Town's agreement with Twenty Wayland, LLC and/or KGI Properties relative to the property and development located at 400-440 Boston Post Road. T. Fay reported that there was no further discussion for the topic for open session.

At 8:18 p.m., T. Fay announced that the meeting would be in recess for approximately three minutes.

At 8:21 p.m., the meeting resumed in open session.

A7. Local Emergency Planning Committee: discuss and potential vote: The Board reviewed and discussed the revised proposal to reconstitute the Local Emergency Planning Committee (LEPC). L. Miller summarized the proposal that would re-constitute the LEPC to meet federal requirements of the Federal Emergency Planning and Community Right-To-Know Act (EPCRA). A discussion ensued regarding the membership of the LEPC, the appropriate number of community members, the charge and committee leadership. L. Miller suggested increasing voting members from eight to nine and installing the Fire Chief or designee as permanent chair.

C. Martin moved, seconded by D. Watkins, that the Board approve the Local Emergency Planning Committee charge, as amended. In discussion, C. Karlson thanked D. Leard, D. Watkins and L. Miller for assistance with revising the LEPC charge. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

A8. Governance Guidelines: continuation of discussion and potential vote: D. Watkins recommended the governance guidelines be divided into two parts, one section for personnel and another for boards, committees, and commissions. T. Fay noted that the topic would be discussed at future meeting.

A9. Town Administrator Update: a. River's Edge b. Capital Projects – Conservation & Recreation c. Potential Technology Upgrades in Town Departments d. Land Use Staffing e. Per- and Polyfluoroalkyl substances (PFAS) – grant application f. Departmental Reports: Human Resources, Conservation g. Spencer Circle h. Solar at Loker i. Solar at Transfer Station Landfill j. Eversource Vegetation Maintenance Activity Notice

A9.a. River's Edge: L. Miller reported the project was on track to meet the upcoming deadlines. An engineering update would be provided at the next meeting.

A9.b. Capital Projects – Conservation & Recreation: L. Miller provided a status update on the outstanding Conservation and Recreation capital projects. C. Karlson asked L. Miller to describe the Site Plan Approval application process for the Loker Turf Project before the ZBA. L. Miller reported that she had submitted an application to the ZBA in February on behalf of the Recreation Commission for Site Plan Approval and Special Permit for sports lighting. L. Miller stated the hearing remained open through ATM, the project was not approved and the Recreation Commission has not met since ATM to discuss their application. T. Fay reported that it was his understanding the intent of the elected Recreation Commission to finish the permitting process for the project. L. Miller noted that the ZBA decision is adjudicatory and would determine whether the project was in compliance with the Zoning regulations, adding it would not be a decision to determine if or how the Town would fund or construct the project.

C. Karlson asked L. Miller if private funding was raised, how would that affect the project. L. Miller noted the acceptance and expenditure of any gift funds and/or a license to construct on the land would require Board approval. T. Fay indicated the Board would be discussing town wide fields at a future meeting. D. Watkins stated

it has been more than six years where there has been an issue of building fields, adding the Board need to collaborate with Recreation on identifying a long-term solution for fields. T. Fay and C. Martin concurred. L. Miller stated she has asked K. Brenna to develop a plan for the Recreation Commission that encompasses all Recreation capital requests.

L. Miller reviewed the Conservation Department's Capital Project Report, including the Snake Brook Dam repairs and discussed the potential to rethink some of the open capital projects. C. Martin noted the total number of outstanding current capital projects to sixty-four.

A9.c. Potential Technology Upgrades in Town Departments: L. Miller reported she would like to streamline communication between residents and town officials, and suggested the Town budget for the use of a non-emergency 311 service for residents to share information about services, make complaints, or report problems. L. Miller also reviewed the potential to use technology to track public records requests as well as the use of e-permitting software for liquor licensing and other permits issued by the Board. L. Miller and J. Bugbee also reported that there was a potential need to add a contracts module in the MUNIS platform to better track projects.

A9.d. Land Use Staffing: L. Miller reported she would provide a proposal to consolidate some functions among the Building, Health, Planning and Conservation Departments. The proposal would reallocate some personnel, consolidate some of the administrative work related to e-permitting as well as reorganize the physical spaces that the departments use.

A9.e. Per- and Polyfluoroalkyl substances (PFAS) – grant application: L. Miller reported that the Town had recently applied for up to \$700,000 in state grants.

A9.f. Departmental Reports: Human Resources, Conservation: L. Miller reported that the Human Resources and Benefits Manager report was included in the packet, and the Conservation Department would provide an update at a future meeting. There was a discussion about employee appraisals and compensation studies.

A9.g. Spencer Circle: L. Miller reported that the two easements were signed by residents, but still needed a signature from the developer to proceed. L. Miller reported the documents related to the Order of Taking were being prepared for the August meeting of the Board of Public Works. C. Karlson noted that the Town Meeting action would expire 120 days from the May 16 ATM approval.

A9.h. Solar at Loker: L. Miller updated the Board on the Loker School Solar project and presented a slide deck summarizing the status of the letter of intent, the ATM authorization, and the engineering design. L. Miller noted that the project construction was delayed to 2022. L. Miller described how the project would be self-sufficient and cover Loker's electricity costs. T. Fay recommended the Board discuss its interest in a resiliency design at a future meeting. John Harper, associate member of the Energy and Climate Committee, joined the meeting and described the resiliency design features as well as the shared savings agreement.

A9.i. Solar at Transfer Station Landfill: L. Miller reported that the Town had received a proposal from Ameresco for a solar and storage project at the landfill at the Transfer Station. Using a slide deck, L. Miller summarized the project and proposed timeline of the approvals needed. J. Harper summarized how the proposed solar agreement would create Eversource credits that would ultimately reduce Wayland's municipal electric bills by approximately \$60,000 annually. M. Lowery, Lakeshore Drive, member of the Board of Public Works, commented on the challenges of the topography of the site.

A9.j. Eversource Vegetation Maintenance Activity Notice: C. Martin reported that there were concerns the prior vendor had not being mindful of the mile markers during maintenance. L. Miller reported that she had been in contact with the involved parties.

A10. Route 20 Corridor Survey: discuss and potential vote regarding proposed town survey on topics that include the Route 20 Corridor: D. Watkins reviewed the proposed surveys and survey timeline which is intended to assist the Board with identifying a scope of work for the improvements of the Route 20 Corridor. The Board discussed the draft surveys and proposed revisions.

A11. Minutes - June 14, 2021 and June 29, 2021; review and vote to approve: C. Martin moved, seconded by C. Karlson, to approve the minutes of June 29, 2021, as amended. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

A12. Town Beach Private Event Request: review and potential vote to approve request to use Town Beach for private event: T. Fay noted that the Recreation Department typically considers and approves event requests, and the event request before the Board included a one-day liquor license request. D. Watkins expressed concern for alcohol consumption at the beach. T. Fay concurred. T. Fay asked the Board on its propensity to approve a one-day liquor license on the Town's waterfront. It was the sense of the Board not to send the application to other boards yet and to coordinate timing with Police Chief. C. Martin expressed an inclination to support; T. Fay, D. Watkins and C. Karlson expressed opposition.

A13. 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 approving and signing Task Order No. 4 to Contract Agreement number 19-1062 with BETA Group, Inc. for Professional Engineering Services related to the Route 20 Corridor Study.
4. Vote the question of approving and signing Task Order No. 5 Contract Agreement number 19- 1062 with BETA Group, Inc. for Professional Engineering Services related to Construction Supervision of the Wastewater Sewer Project.
5. Vote the question to approve and sign a letter of intent with Ameresco, Inc. or another provider for the purpose of installing and supplying Solar at the Transfer Station landfill.
6. Vote the question of approving and signing Task Order No. 16 to Contract Agreement number 18-2006 with Tighe & Bond, Inc. for Landfill Monitoring.
7. Vote the question of approving and signing agreement with Massachusetts Audubon Society for Professional Services related to the development of the conservation land management plan of the Sedge Meadow Conservation Area.
8. Vote the question of approving and ratifying the Town Administrator's signature to the amendment, effective July 1, 2021, to the agreement by and between the Towns of Acton, Bedford, Concord, Lexington, Sudbury, Wayland and Weston, originally dated June 1, 2017 to share services of a Regional Housing Services Office. Amendment to replace Exhibit B with new Membership Fee Schedule Chart for FY2022.
9. Vote the question of granting permission for Wayland resident Marbo Hansen, One Lake Road Terrace, to rent the Town Beach for a private Event to be held on Saturday, September 18, 2021 from 2:30 pm – 6:00 pm for approximately 45-50 people. If approved, the rentee would have to apply for permits from the Selectmen, for a one-day liquor license; to the Building Department, for a permit for the tent and any electrical needs; to the Health Department, for the food being served; and agree to work with the Recreation Department on additional needs, including hiring a traffic detail, custodial staff, lifeguards, and Recreation staff to provide access to the Beach House bathrooms, including the refrigerator and freezer. The rentee would also need to check with the Fire Department in case a Fire permit is required. When/if approved the rentee will also be required to provide all necessary Certificates of Insurance and a site plan for parking and the actual event. The rentee would also be required to advise the abutters of the upcoming event.
10. Vote the question of approving and ratifying the Town Administrator's signature to the Massachusetts Department of Public Health Office of Local & Regional Health Public Health Excellence Grant Program for Shared Services RFR #21433 Municipality Statement of Commitment
11. Vote the question of approving invoice #132280 from KP Law, PC dated June 30, 2021 in the amount of \$1,463.00 for legal services through June 30, 2021.
12. Vote the question of approving invoice #132281 from KP Law, PC dated June 30, 2021 in the amount of \$290.00 for legal services through June 30, 2021.
13. Vote to question to grant the Town Administrator to enter into an agreement(s) with the Massachusetts DCR relative to the rail trail within Wayland's town borders, including, but not limited to, local signage, user parking, historical education, enhanced bicycle and pedestrian safety, recreational access and art.
14. Vote the question of approving and signing agreement with Koch Separation Solutions, Inc. for the purchase of replacement filtration cartridges for Baldwin Pond Water Treatment Facility.

15. Vote the question of approving and signing agreement with N. Cibotti, Inc. for Waterline Replacement project located on Sedgemoor Road.
16. Vote the question of approving and signing agreement with Mass Installation, Inc. for the Automated Meter Installation project to include all materials and labor needed for implementation.

C. Karlson moved, seconded by D. Watkins, to approve the Consent Calendar with the exception of items #3, #4, #5, #6 and #9. There was a discussion on item #13 with the Board acknowledging the need to gather input before implementing any changes or updates to the Rail Trail. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

A14. Correspondence: The Board reviewed the Correspondence without comment.

1. Correspondence from Heather Pineault to Board of Selectmen dated June 24, 2021 re: Desire for an update regarding the Police Chief Search and interest in community being involved in process.
2. Correspondence from George Harris to Board of Selectmen dated June 30, 2021 re: Concern of audio quality during the latest Board of Selectmen Meeting.
3. Correspondence from Elaine Donnelly to Board of Selectmen dated June 28, 2021 re: Interest in community involvement for the Police Chief Search and request for transparency in the process.
4. Correspondence from Sonia Ali of Islamic Center of Boston to Town Administrator dated June 30, 2021 re: A thank you for the help in searching for a workable venue in Town for the upcoming Eid-al-Adha Holiday.
5. Correspondence from Eversource Energy to Board of Selectmen dated July 6, 2021 re: notice of vegetation management service in the right-of-way.

A15. Selectmen's Reports and Concerns: C. Karlson requested that L. Miller post the budget schedule, as well as provide a future status update on the Racial Justice Advisory Group and the 'Ask the TA' initiative. T. Fay reported on a recent discussion with state officials. L. Miller updated the Board on the preparations for the Police Chief hiring process. L. Miller reported that the consultant, Bernie Lynch, from Community Paradigm Associates, LLC was preparing a survey and revising the Town profile description based on the Board's previous discussion. L. Miller reported that the consultant firm had expressed concern with broad public participation, L. Miller concurred, and added that public participation had the potential to politicize the selection of a department head in the Police Department.

A16. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A17. Adjourn: At 10:25 p.m., C. Martin moved, seconded by C. Karlson, to adjourn the meeting. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

Items included in the packet during the Board of Selectmen Meeting of July 12, 2021:

1. Potential Dates for ATM 2022 Draft 7.12.2021
2. 2021 Annual Town Meeting Warrant Article Process: Guide for Petitioners
3. Town of Wayland Board/Committee Appointments Status as of July 1, 2021
4. Human Rights, Diversity, Equity, and Inclusion Committee Application from K. Brown
5. Wayland Housing Partnership Application from C. McKenna Lok
6. Human Rights, Diversity, Equity, and Inclusion Committee Application from S. Wynne
7. Memorandum To: Board of Selectmen From: Town Administrator cc: Conservation Administrator Re: Conservation Capital Projects dated July 12, 2021
8. Memorandum To: Board of Selectmen From: Town Administrator cc: Recreation Director Administrator Re: Recreation Capital Projects dated July 12, 2021
9. Human Resources & Benefits Report to the Board of Selectmen re: Joint Tasks - HR Manager and Benefits Manager, dated Monday, July 12, 2021
10. Eversource Vegetation Maintenance Activity Notice from Eversource Energy, dated July 7, 2021
11. Draft v1.4 Re-envisioning Route 20 Corridor Survey, dated July 5, 2021
12. Draft Board of Selectmen Minutes of June 29, 2021
13. Permit Application from Marbo Hansen for Recreation Department Special Event at Town Beach

Items Distributed for Information and Use by Board during the Meeting of July 12, 2021 Otherwise Not Included in The Packet (Handouts):

1. PowerPoint Slide presentation dated July 12, 2021 prepared by Town Administrator and John Harper, re: Loker School Solar Project Update
2. PowerPoint Slide presentation dated July 12, 2021 prepared by Town Administrator and John Harper, re: Proposed Solar Project at Landfill at Transfer Station
3. Memorandum from Town Administrator to Board of Selectmen dated July 11, 2021 re: Recommendation for Re-Issuance of Mission/Charge for Local Emergency Planning Committee, Appointment of Committee, and Role FY2022 CIP and Funding Recommendations for Five-Year CIP Departmental Requests.
4. Handout from resident Doug Leard with comments on Memorandum on Recommendation for Reissuance of Mission/Charge for Local Emergency Planning Comm