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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

**Meeting Minutes
BOARD OF SELECTMEN
Friday, April 17, 2020
11:00 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, this meeting of the Board of Selectmen 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 tele-videoconferencing; and C. Karlson participated by tele-videoconferencing and was also present at Town Building.)

Also Present: Town Administrator, Louise Miller; Finance Director, Brian Keveny; Business Analyst, Jason Adams; IT Director, Mike McCann; Randall Moore, Chair of the Audit Committee; Representatives from Melanson Heath & Company PC: Principal, Scott McIntire, CPA; Audit Manager, Alina Korsak, CPA.

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 11:03 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. C. Karlson thanked the staff COVID-19 response team. C. Karlson announced the Health Department COVID-19 Hotline (508) 358-6805, and the Town Hotline for help with essential services (508) 358-7701.

A3. Fiscal Year 2019 Audit: Discussion with auditor Melanson Heath, Finance Director, and members of the Audit Committee of the FY2019 Audit and management letter; review and potential vote to issue management's response B. Keveny introduced S. McIntyre and A. Korsak from Melanson Heath, the firm that performed the FY2019 audit. The firm completed the audit and had presented the report to the Audit Committee on Feb. 3. S. McIntyre and A. Korsak presented a slideshow to the Board summarizing the 130-page Comprehensive Annual Financial Report (CAFR), governance letter, and management letter. A. Korsak reported that the governance letter states that the auditor had no material uncorrected adjustments or disagreements with the financial report; the audit went smoothly. The four management letter comments were: 1. Ensure Compliance with Uniform Guidance; 2. Re-establish Timely Cash Reconciliations; 3. Fund the Withholding Account; and 4. Improve Controls Over Payroll. The slideshow will be made publically available after the meeting.

R. Moore, chair of the Audit Committee noted that the Audit Committee had reviewed the CAFR and management letter with B. Keveny and Melanson Heath at its Feb. 3 meeting, and had a discussion on the issues regarding cash reconciliations, medical insurance withholdings, and payroll controls. The Audit Committee also met with L. Miller on Feb. 26 and heard additional context and background information in

relation to the management letter. The Audit Committee agreed to wait until after the publication of the final management letter to issue an opinion and set of recommendations for FY2019. The Audit Committee received the management letter on Apr. 8, but had not yet had a discussion or issued a formal response on behalf of the Audit Committee. R. Moore noted that the Audit Committee would add the topic to a future agenda to formulate an opinion. L. Anderson and M. Antes noted that there were some edits to the Town's response to the management letter.

C. Karlson opened the meeting for Public Comment and announced the phone number 508-358-6812.

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen vote to issue management's response to the FY2019 Audit and management letter, 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.

A4. COVID-19: Town Administrator Update and Review of Response Plan; vote as necessary actions, including but not limited to: 1. Discussion and possible vote to extend the due date for exemption and deferral applications to May 1, 2020 as allowed by M.G.L Chapter 59, section 59; 2. Response to social gathering; 3. Public Meetings; 4. Board of Health report; 5. Facilities update; 6. Discuss Town Meeting/Special Town Meeting Possibilities

A4.1. Discussion and possible vote to extend the due date for exemption and deferral applications to May 1, 2020 as allowed by M.G.L Chapter 59, section 59 L. Miller reported that the Board of Assessors (BOA) had received thirty-five exemption applications, and two of the applications were received after the April 1 statutory deadline. The applications were late due to impediments associated with the state of emergency. L. Miller recommended that the Board extend the deadline for all exemption and deferral applications to May 1, authorized by recent legislation allowing the extension of deadlines.

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen vote to extend the due date for exemption and deferral applications to May 1, 2020 as allowed by M.G.L. Chapter 59, Section 59. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4.2. Response to social gathering L. Miller commended the COVID-19 response team, Wayland Police, Wayland Fire, Wayland DPW and Eversource who were all responsive during Monday's storm. L. Miller reported that after the storm, the Town added additional signage to areas where people had been congregating. Six staff members from the Conservation Department, DPW and Police were assigned to patrol parks, fields and trails to discourage gatherings; they were provided marked uniforms. The Town also issued a reverse 911 robo-call on Saturday evening to remind residents about the need to physically distance from people outside their household members. L. Miller felt the efforts had been effective, and the number of complaints decreased since the last meeting. L. Miller reported that Town Counsel had approved the COVID-19 relief fund that the Board discussed last week.

L. Miller reported that the Finance Committee had received the financial update that was included in the Board packet; the report indicated that the Town could expect 75% reimbursement for COVID-19 related expenses; FY2020 revenue would be lower than the year-end projections, due to local, excise and receipts from restaurants not in operation. She expected to end the year balanced as expenses were now forecasted to be lower due to the fact that all non-essential and unnecessary expenses stopped in early March. L. Miller reported that the efforts to re-align essential personnel schedules had reduced the amount of overtime expenditures.

L. Miller reported that revolving funds would be impacted by the state of emergency. L. Miller expressed an optimistic outlook for the Transfer Station revolving fund. She reported that the Recreation revolving fund would likely issue refunds for programming that did not occur, and that the School Committee was reviewing the school budget, revolving and special revenue funds. L. Miller noted that Representative Clark indicated there would be no federal aid for lost revenue; there would only be reimbursements for expenses. L. Miller stated that the Recreation Department may hire seasonal staff directly related to programming, and that it was premature to issue a hiring freeze.

A4.3. Public Meetings L. Miller noted that some Boards and Committees have requested to hold board meetings to conduct routine or non-essential business and to meet in the evening hours. L. Miller reported to

the Board that meetings currently require staff that supports 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 disposed to open meetings to the public through Zoom forums, schedule staff in evening hours, or support non-essential meetings.

A4.4. Board of Health report L. Miller reported that the Board of Health had confirmed 28 total cases in Wayland as of Apr. 17. L. Miller explained the reasons why the Board of Health case count does not match the State's report. The Town is reporting active, recovered and deceased cases in Wayland regardless of official residency; the state reports the number of cases of Wayland residents regardless of where that person is located. The Town will continue to report the Wayland actual cases regardless of residency.

L. Miller reported that the National Guard was called in to test all the residents at Traditions, and a medical order was issued for the staff of Traditions to be tested. L. Miller noted that this situation highlights the challenges of accurate case reporting. The National Guard would report to the Town if any of the residents tested positive, but the Town would not necessarily be notified by the patients' primary care physicians who test the Traditions staff members, who may or may not live in Wayland. L. Miller reported that the Town has provided n95 masks and gloves to the assisted living facilities in Wayland. The Town faces privacy barriers and other challenges with getting accurate information from privately owned congregate living facilities in Wayland.

A4.5. Facilities update L. Miller reported that some preparations would be required before re-opening public buildings and schools; some of the required work is currently restricted by the state.

A4.6. Discuss Town Meeting/Special Town Meeting Possibilities L. Miller reported that there are some capital projects that were slated to receive funding by a vote at Annual Town Meeting (ATM) that would need to occur before schools can re-open, such as accessibility improvements to playgrounds, kitchens, parking and classrooms. L. Miller noted that the Loker School roof project would need funding approval and a debt exclusion question to be answered before those projects could be prioritized. L. Miller reported that the Town may need a special town meeting to address the capital project items that cannot wait.

C. Karlson reported that the Town Moderator had discussed creative solutions to hold a Town Meeting, but it may be premature to make decisions. L. Miller noted that she was scheduled to meet with Town Clerk to discuss logistics of the election.

D. Levine noted a positive change in L. Miller's update about residents congregating. C. Karlson announced an email address Covidvolunteer@wayland.ma.us where residents could volunteer, and about twenty volunteers had already come forward.

L. Miller noted that volunteer efforts are still limited given the contagiousness of the coronavirus. Some areas that need help still need to be carried out by staff; for example, transporting controlled substances from pharmacies must be delivered by law enforcement. L. Miller described an incident where a Wayland senior received a phone call from a resident volunteer, a well-meaning stranger, who offered to pick-up a prescription and ultimately the prescription went missing. The Town then had to involve the police to locate and deliver the prescription. D. Levine described programs in some communities that are similar to Wayland's grassroots volunteer program, Wayland4Seniors, but those programs are initiated by the government and the volunteers were trained and background checked. L. Miller reported that the Town does not have the resources to provide a program like that at this time.

D. Levine recommended that the Board join the BOH's recommendation to wear face coverings in public spaces. L. Anderson would be supportive of an advisory and expressed concern about legality and enforcement of a mandatory order. T. Fay suggested issuance of a temporary order in the spirit of public safety. M. Antes expressed support of the recommendation to wear face coverings. Business Analyst, J. Adams joined the meeting and shared a message issued on Apr. 15 from the Attorney General, stating that a municipality can encourage face covering on an advisory basis. T. Fay suggested that any recommendation should be communicated through a reverse 911 call to reach the most people.

D. Levine moved, seconded by T. Fay, that the Board of Selectmen vote to support the BOH's strong recommendation and issue an advisory for face coverings while conducting essential business in grocery stores, pharmacies, and restaurants offering take-out. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson opened the meeting for Public Comment and announced the phone number 508-358-6812.

L. Miller reminded the Board that the risk for Eastern Equine Encephalitis (EEE) still exists and Aerial Larvae Pesticide spraying will occur from April 21 to April 29. A public notice would be issued soon.

A5. Public Comment

Doug Alongi, Bogren Lane, asked the Board to comment on how Framingham was able to mandate a face mask order. C. Karlson answered that private business could make requirements, and Framingham may not necessarily have issued a government mandate. L. Miller noted there was no publically available information that a mandate had been ordered. D. Levine answered that even if their local Board of Health took a vote, it potentially did not have the authority to do so, because the Attorney General does not grant the authority to a Board to issue a mandate.

A6. OML Complaint: discussion and potential vote to approve response to the Open Meeting Law complaint dated March 4, 2020 from resident George Harris pertaining to the approval of the Board of Selectmen's executive session minutes of November 25, December 9 and December 16, 2019

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen vote to approve and issue the draft response to the Open Meeting Law complaint dated March 4, 2020 by resident George Harris. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. OML Complaint: discussion of Open Meeting Law complaint dated April 13, 2020 from resident George Harris pertaining to the approval of the Board of Selectmen's executive session minutes of December 16, 2019

C. Karlson offered to prepare a response on behalf of the Board and the Board agreed.

A8. Minutes: Review and vote to approve minutes of April 10, 2020

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen vote to approve the meeting minutes of April 10, 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.

A9. 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.

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen 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.

A10. Correspondence Review.

The Board reviewed correspondence included in the Board packet.

A11. Selectmen's reports and concerns T. Fay expressed concern that a resident had conducted illegal septic work, and reminded all residents that even though the Town Building is closed that most Town business is functioning remotely. T. Fay commended Eversource for getting the Town back up after the storm, and suggested the Town issue a message to Eversource. T. Fay commended the Town staff for clearing the trails after the storm.

A12. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any

There were none.

A13. Adjourn D. Levine moved, seconded by T. Fay, to adjourn the meeting at 1:18 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 17, 2020

1. Slideshow from Melanson Heath PC

Items included as part of the Agenda Packet for discussion during the Board of Selectmen Meeting of April 17, 2020

1. Melanson Heath Management Letter for FY2019
2. Comprehensive Annual Financial Report (CAFR) For the Year Ending June 30, 2019 (130 pages)
3. Memorandum to Finance Committee Date: April 15, 2020 From: Louise Miller, Town Administrator Re: COVID-19 Response – Financial Update
4. Notice on COVID-19 Date: April 9, 2020 at 4:00 p.m. Re: Pharmacy Services - Delivery Update
5. Notice on COVID-19: Date April 10, 2020 - Board of Health Weekly Update Case Report
6. Proclamation Wayland Board of Selectmen Resolution Recognizing Health Care Workers And First Responders, dated April 3, 2020
7. Town Crier Letter: Working Together as a Community to Address COVID-19
8. Sign: Temporary Order Leash All Dogs In Public Areas, April 16, 2020
9. Open Meeting Law complaint and attachments dated March 4, 2020 from resident George Harris
10. Draft Response from Board of Selectmen to Open Meeting Law complaint and attachments dated March 4, 2020 from resident George Harris
11. Open Meeting Law complaint dated April 13, 2020 from resident George Harris
12. Draft of Board of Selectmen Meeting Minutes held on 04-10-2020

CORRESPONDENCE

1. Correspondence from George Harris, Wayland Resident to Cherry Karlson, Board of Selectmen Chair dated April 13, 2020 Re: Open Meeting Law complaint filed April 13, 2020 for Board of Selectmen meeting held March 27, 2020.
2. Correspondence from Town resident Allie Wilkinson to Board of Selectmen dated April 9 re: submission for public comment on concern of residents congregating.
3. Correspondence from Town resident Ken Isaacson to Board of Selectmen dated April 10 re: submission for public comment to request Board of Selectmen to consider, and vote today, to extend the deadline for applying for this year's circuit breaker.
4. Correspondence from Town resident Ken Isaacson to Board of Selectmen dated April 10 re: comment on and thank you for Board of Selectmen's approach and decision in meeting held April 10, 2020 regarding two late Circuit Breaker applications.
5. Correspondence from Town resident Steven Glovsky to Louise Miller, Town Administrator dated April 14 re: submission for public comment regarding the number of positive tests in the Town and the Selectmen's discussion of residents congregating.
6. Correspondence from Town resident Rosamond Geller to Board of Selectmen dated April 15 re: public comment regarding the Selectmen's discussion of residents and teens not adhering to the social distance restrictions.
7. Correspondence from Town resident Douglas Alongi to Board of Selectmen dated April 17 re: public comment asking the Board of Selectmen to authorize more restrictions to increase the safety for the Town like requiring masks be worn if entering stores.
8. Correspondence from Board of Selectmen to Mike Lowery, dated April 10, 2020 re: Thank you for dedicating time and resources in assisting the Town with printing, laminating & posting signs.
9. Correspondence from Board of Selectmen to Jing Wang, dated April 13, 2020 re: Thank you for donation of 300 single packed surgical-type masks and 3 protective suits for use by employees and residents of the Town.