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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, May 8, 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 received 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; Business Analyst, Jason Adams; IT Director, Mike McCann; Assistant Town Administrator, Elizabeth Doucette

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 11:10 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. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (2) to conduct a strategy session in preparation for contract negotiations with non-union personnel (Town Administrator); and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of April 24, 2020; APPROVE AND HOLD: Executive Session minutes of April 24, 2020

At 11:14 a.m., Chair 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) (2) to conduct a strategy session in preparation for contract negotiations with non-union personnel (Town Administrator); and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of April 24, 2020 with the anticipation of approving and holding said minutes.

The Chair 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: M. Antes, L. Anderson, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Chair invited attendance by Louise Miller, Town Administrator; Elizabeth Doucette, Assistant Town Administrator; Kathleen Buckley, Human Resources Manager.

C. Karlson declared the Board reconvened in open session at 11:29 a.m.

A3. Announcements C. Karlson announced a donation to the Town. The Wayland Youth Lacrosse league had cancelled the spring season due to the pandemic; they offered the opportunity for families to donate a portion of the registration refunds to the COVID-19 Relief Fund. About 40 families donated over \$10,000 to the COVID-19 Relief Fund. The Board expressed appreciation.

A4. Audit Management Letter: review report of the Audit Committee, discussion and possible vote to reissue Management Letter C. Karlson tabled this topic until a future meeting.

A5. COVID-19: Town Administrator update and review of Response Plan; vote any necessary actions, including but not limited to: 1. Health Department Update; 2. Update on Governor's actions; 3. Update on Town's Finances; 4. Update on COVID-19 Relief Fund and food assistance efforts 5. Update on meeting protocols; 6. Update on Town Meeting; 7. Update on Town Election

A5.1. Health Department Update L. Miller reported that the Board of Health (BOH) announced that there are 26 new cases of COVID-19 this week in Wayland; 25 of these cases were located in long-term care, assisted care or nursing facilities. L. Miller reported that Wayland's Health Director, Public Health Nurse, and she continue to feel positive about the Town's response and that residents are following directives regarding stay at home and social distancing. The BOH will prepare a local order and guidance on mask wearing.

A5.2. Update on Governor's actions L. Miller reported that the Governor re-opened golf courses on a limited basis, as of May 7. The state-issued guidance on the re-opening generated a long list of questions seeking clarification. C. Karlson noted there are two golf courses in Wayland and both have been in contact with the Town Administrators Office and the Health Department regarding the re-opening. As businesses reopen there will be many questions. T. Fay suggested holding Zoom meetings with business owners as a more efficient way of communicating and answering questions.

A5.3. Update on Town's Finances L. Miller noted that the Board Packet included the third quarter financial report for FY2020, and it included projections through year-end. The report was also presented to the Finance Committee. L. Miller noted that a reduction in revenue is expected for the Waste Water Enterprise Fund.

C. Karlson referenced an email from a resident to the Board from May 3, which inquired about bus contracts, the opportunity to return unspent tax dollars to residents, and the potential furlough of Town employees. C. Karlson asked L. Miller to summarize those topics in writing for residents who cannot view the public meetings. L. Miller did not know at the time the value of all the Town contracts not being paid. L. Miller reported that there is special legislation pending that would authorize school departments to continue to pay on contracts to secure services for the future. L. Miller noted that there was currently no mechanism to return taxes to taxpayers; budget surplus typically is appropriated as free-cash in the following fiscal year. L. Miller noted that the Town had assessed the possibility of furloughing employees, but almost all employees are able to work remotely and/or report to work. Only seasonal employees or employees associated with pay-for-services in the School Department would be susceptible to furlough. L. Miller noted that the Town is self-insured for health insurance and after a cost-analysis determined that it was not cost effective for Wayland to furlough employees through the end of this fiscal year.

L. Anderson asked when the Town would make decisions about FY2021. L. Miller answered that the April revenue information would be available soon, and it would inform a projection for FY2021. L. Miller advised the Board that the Town could expect to see some reduction in state aid revenue and in expenditures for non-essential expenses and personnel overtime.

T. Fay asked how the pandemic is affecting residents' ability to pay real estate taxes. L. Miller noted that the Treasurer would provide a report on that topic soon. T. Fay asked about reallocating staff to departments that will see an increase in workload once re-opened. L. Miller noted some departments are able to conduct business as usual, but she anticipated that staff may be reassigned to assist with the Town Election. T. Fay asked for an update on the permitting software. L. Miller reported that the bids are being evaluated now.

A5.4. Update on COVID-19 Relief Fund and food assistance efforts C. Karlson noted that the Town was in the fifth week of providing food assistance and support to over twenty Wayland families, who may have financial difficulties, underlying health issues or otherwise quarantined in the household. Volunteers continue to help facilitate.

A5.5. Update on meeting protocols L. Miller reported that in consultation with IT Director, M. McCann, they have been assessing protocols to maintain the security, accessibility and integrity of public meetings, understanding not everyone in Town has a computer and internet. L. Miller noted that public hearings have different challenges and participation requirements. C. Karlson noted that since the state of emergency was declared, about 14 different committees have held over 40 public meetings. T. Fay noted that the reality of

holding remote public meetings will extend into the future, and recommended that the Town hire staff or use volunteers to allow meetings to occur in the evenings. L. Miller noted that there was a plan to extend meeting slots into evening hours, but WayCAM broadcast cannot handle simultaneous meetings. L. Miller anticipated more staff would become available as re-opening phases begin. L. Miller stressed that boards and committees should be mindful during the state of emergency, to only include agenda topics that classify as essential business and to be more efficient, instead of carrying topics across many weeks of meetings. D. Levine noted that many other towns and communities are having meetings and hearings in the evening and using Zoom exclusively and he volunteered to work with IT to give boards and committees the opportunity to meet in the evening. L. Miller noted that any format the meetings take will still require trained staff to broadcast the meeting on WayCAM. Boards in other communities have decided that public access broadcast is not necessary.

A5.6. Update on Town Meeting L. Miller noted that there is pending special legislation, Senate Bill 2680, that might allow some municipalities to hold a Town Meeting virtually, but it is only applicable to representative town meeting formats, not open town meeting formats. The legislation also would allow the Town to hold a Town Meeting outside town limits, if a larger venue was needed to distance voters. The legislation also has a provision to reduce the quorum to ten percent of the normal quorum; in Wayland the quorum is 100 voters. Under this provision only necessary budgetary items could be acted on, or items to meet federal deadlines. T. Fay asked about holding a limited ATM or Special Town meeting. L. Miller expressed support for those options. M. Antes expressed concern for holding a meeting outside of Town.

A5.7. Update on Town Election L. Miller reported that the special legislation requires public notification, and the document included in the Board packet is to be published. The document is titled Press Release 2020 Annual Town Election Information May 7, 2020. L. Miller reported that the Town Clerk had been working on the logistics of how to hold state and local elections safely, working with staff and volunteers to process the ballot requests, and recruit staff and volunteers for Election Day. L. Miller noted that only eight previous poll workers responded that they were willing to work the polls. The Town would need about forty more workers and may inquire with the COVID-19 volunteer list. L. Miller noted the need to send a reminder to residents about what is on the ballot. D. Levine asked about the sign boards in Town, and C. Karlson noted Town Code requires the posting two weeks ahead of the election.

L. Miller reported that a press release from the Massachusetts School Building Authority (MSBA) to all districts was also included in the Board Packet. This pertains to the Loker School Roof. L. Miller reported that the Loker School roof design is 80% complete and will be ready to go out to bid this May. L. Miller noted that the project is expected to benefit from a favorable bidding environment, and the bid results would be available by June 24. L. Miller noted that the project would need both a Town Meeting vote and the passage of a debt exclusion ballot question to move forward. D. Levine asked about the playground projects. L. Miller noted that the bid documents are being prepared and under review by an architect, and the projects will be bid in June. L. Miller noted that federal law requires that playgrounds be accessible to all.

A6. Public Comment C. Karlson opened the meeting to the public for comment. There was none.

A7. Town Administrator Contract: discussion and vote to approve FY20 salary and contract extension C. Karlson reported that the Board discussed the topic at an Executive Session earlier in the meeting. C. Karlson reviewed the timeline for the Board. An evaluation and salary review were due September 10, 2019; the Board delivered the review on December 9, 2019, and has had two negotiating discussions on December 16, 2019 and April 24, 2020. The Board voted in Executive Session to enter into a Memorandum of Agreement (MOA) with the Town Administrator to extend the contract one year, now set to expire on September 9, 2022 and to set the TA salary at \$195,000 retroactive to Sept. 10, 2019. C. Karlson thanked L. Miller for her patience and noted that this extension gives the Town the stability of her continued leadership and places this salary in the lower range of compensation for other Town Administrators and Town Managers in the area. C. Karlson noted that the vote in public session is the public ratification of the vote previously taken in executive session.

L. Anderson moved, seconded by D. Levine, that the Board of Selectmen approve the Memorandum of Agreement (MOA) between the Town of Wayland and Town Administrator, dated May 8, 2020. In discussion, T. Fay commended L. Miller for her work before and throughout the pandemic. D. Levine

echoed T. Fay's comments. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A8. Board and Committee Appointments: discussion and vote to approve process C. Karlson discussed several items in the packet regarding board and committees positions that are appointed by the Board, including a list of appointments expiring on June 30, 2020. C. Karlson described that the Board is in a unique position, because typically the elections have already happened before the Board begins the annual appointment process. C. Karlson noted that Board appointments are a lengthy process and proposed a plan to expedite the process. C. Karlson proposed that the Board send out the letters to current appointees, post all the appointed positions set to open to the public at large by June 30, 2020, and then first act on the responses from candidates that are both re-appointments to the same position, and uncontested, because interviews would not be necessary.

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen approve the process for the appointment of Board and Committee members. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A9. Health Insurance Waiver Policy: discussion and potential vote to clarify payment of waiver incentive L. Miller explained that an issue exists in the Health Insurance Waiver policy. The policy, which is intended to recognize the cost-savings to the Town, pays any eligible employee who waives the benefit of a town-sponsored health insurance plan a portion of the savings. This drafted clarification ensures that the Town does not make any payment to the employee until the employee settles any balance due to the Town for health insurance deductions. L. Miller noted Superintendent of Schools, Arthur Unobskey disagrees that the Board can require any adjustment to an employee's paycheck. C. Karlson suggested adding the topic to the next agenda.

A10. Minutes: Review and vote to approve minutes of May 1, 2020 The approval of the May 1, 2020 meeting minutes was tabled to the next meeting.

A11. 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 the question of authorizing for the Town of Wayland COVID-19 Relief Fund expenditures to be made by Louise Miller, Town Administrator and Elizabeth Doucette, Assistant Town Administrator. *(Note: Item 3 was excluded from the vote, because it was approved on May 1, 2020)*
4. Vote the question of approving and signing Contract 20-1062-1 with TBA Architects for On-Call Architectural and Engineering Services for a term of three (3) years.
5. Vote the question of approving and signing Contract 20-1062-2 with DiGiorgio Associates, Inc for On-Call Architectural and Engineering Services for a term of three (3) years.
6. Vote the question of approving and signing Contract 20-1062-3 with Brett Thibault Architect for On-Call Architectural and Engineering Services for a term of three (3) years.
7. Vote the question of approving and signing Contract 20-1062-4 with Rotti, McGroddy Design Collaborative, LLC for On-Call Architectural and Engineering Services for a term of three (3) years.
8. Vote the question of authorizing Louise Miller, Town administrator to execute each OnCall Architectural and Engineering Services task order.
9. Vote the question of approving three (3) yard signs to be displayed from May 11, 2020 to May 18, 2020 at the following locations: Old Connecticut Path and Cochituate Road (Five Paths), Route 20/Old Connecticut Path by the Coach Grill and Fire Station Two in Cochituate by League of Women Voters of Wayland to promote residents to complete the 2020 Census.
10. Vote the question of approving two (2) sandwich boards to be displayed from May 9, 2020 to May 16, 2020 at the following locations: Fire Station Two in Cochituate Rd and Route 20/Old Connecticut Path by the Coach Grill by Wayland-Weston Youth Football and Cheer organization to promote registration.
11. Vote the question of accepting with thanks 17 donations totaling \$3,961.00 to the Wayland COVID-19 Relief Fund.

12. Vote the question to ratify Agreement with Clifton Larsen Associates for Water and Wastewater Receivables Reconciliation.

M. Antes moved, seconded by L. Anderson, to approve the Consent Calendar in the Board Packet, excluding item 3. In discussion, M. Antes noted the week-long duration for the yard signs in item 9 would require weekly approvals. T. Fay asked L. Miller to explain the on-call design and architectural engineering firms listed in items 3, 4 and 5. L. Miller noted these were for routine and small scale projects for the Town. L. Anderson noted the generous donations in item 11. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Correspondence Review. The Board reviewed correspondence included in the Board Packet.

A13. Selectmen's reports and concerns T. Fay recommended that the Board consider the future of Open Town Meeting format in Wayland, and the potential need to explore other options that leverage technology. M. Antes noted the need to keep the US Census signs up through July. C. Karlson recommended adding the item to a future Consent Calendar. C. Karlson noted that the Boards' iPads needed to be updated and the Board members should return them to the Town Administrators Office.

A14. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any There were none.

A15. Adjourn T. Fay moved, seconded by D. Levine, to adjourn the meeting at 1:12 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 May 8, 2020

1. Memorandum of Agreement between the Town of Wayland and Town Administrator, dated May 8, 2020

Items included as part of the Agenda Packet for discussion during the Board of Selectmen Meeting of May 8, 2020

1. Final Report to the Wayland Board of Selectmen from the Wayland Audit Committee regarding the FY19 Audit Cycle dated April 30, 2020
2. Town of Wayland Management letter from Melanson Heath for the Year Ending June 30, 2019.
3. Notice on COVID-19 Wayland update Order: Wear Mask and Face Coverings in Public May 1, 2020
4. Notice from Wayland Public Ceremonies Committee on Cancellation of all Memorial Day Ceremonies and Parade on Monday, May 25th, 2020
5. Budget Status Report FY2020 3rd Quarter from Brian Keveny, Finance Director May 4, 2020
6. Press Release 2020 Annual Town Election Information May 7, 2020
7. Town of Wayland Town Administrator Employment Contract August 6, 2018
8. Board and Committee Vacancies as of June 30, 2020
9. SAMPLE Appointment Letter May 1, 2020
10. List All non-elected Committee Terms Expiring 2020
11. REVISED - Health Insurance Incentive Waiver Program Guidelines July 1, 2019 – June 30, 2022
12. Policies and Procedures excerpt page 14 Signs – Public Display and Use of Town Signboards

CORRESPONDENCE

1. Correspondence from Board of Selectmen to Margo Melnicove, dated May 4, 2020 re: Thank you for donation of food items to be distributed to residents of the Town in need.
2. Correspondence from Judy Orloff, Town of Wayland Resident to Director of Community Development, Metrowest Chamber of Commerce dated May 4, 2020 re: developing and providing service commitments for young high school and college people in the area.