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TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Meeting Minutes
BOARD OF SELECTMEN
Wednesday, May 27, 2020
2:30 p.m.

Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

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

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; Assistant Town Administrator, Elizabeth Doucette; Finance Director, Brian Keveny; 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 2:31 p.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. C. Karlson reviewed the agenda for the public.

A2. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (3) to discuss strategy with respect to collective bargaining with Wayland Teachers Association regarding health insurance payroll deductions; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of May 8, 2020; APPROVE AND HOLD: Executive Session minutes of May 8, 2020; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and release with redactions the executive session minutes of December 16, 2019 (first session), April 24, 2020 and May 8, 2020.

At 2:34 p.m., Chair C. Karlson moved, seconded by L. Anderson, 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 Wayland Teachers Association regarding health insurance payroll deductions; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of May 8, 2020; with the anticipation to approve and hold said minutes; and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and release with redactions the executive session minutes of December 16, 2019 (first session), April 24, 2020 and May 8, 2020.

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; and School Committee member, Ellen Grieco.

The Board reconvened in open session at 3:02 p.m.

A3. Announcements M. Antes announced that there was a need for poll workers; anyone 18 years and older who was interested should contact the Town Clerk.

A4. Town Finance Update 1. Fiscal Year 2020 Update 2. Fiscal Year 2021 Update 3. Fiscal Year 2021

1/12 budget Update L. Miller reported that the Town expected a revenue shortfall for the fourth quarter of FY2020 and in the first quarter of FY2021 totaling approximately \$375,000 for each quarter. L. Miller noted that the Town had adjusted expenditures in the fourth quarter to offset the expected loss of revenue which resulted in the budget closing for FY2020 as originally expected. L. Miller reported that projections are uncertain for state aid in FY2021, which represents less than 10% of the Town budget. L. Miller reported that the Town would start receiving COVID-19 reimbursements in FY2021. L. Miller noted that she also expected a turn back for FY2020, resulting in about \$200,000 to cover any unexpected expenditures to finish out the fiscal year.

L. Miller presented a FY2021 projected budget, which was based on the fourth quarter FY2020 projections, provided both an operating budget and \$1.5 million in free cash for capital expenditures. L. Miller noted that the Town should be able to maintain the free cash level and capital expenditures would not be affected.

Finance Director, B. Keveny reviewed the proposed FY2021 monthly budgets for July, August, and September that could be submitted to the Department of Revenue (DOR) for approval in lieu of a full FY2021 budget until such time a budget is approved at Annual Town Meeting (ATM). B. Keveny described the six areas of budgeted revenue for FY2021: the General Fund budget, Capital Appropriations, OPEB, state assessments, overlay, and taxation, which account for 99% of budgeted revenue. B. Keveny, noted that in a normal year the Town budgets for about \$500,000 in uncollected revenue, and also that each year the Town collected revenue that went uncollected from a prior year. B. Keveny noted that the Town expects to collect 100% of state aid. B. Keveny reported that the total budget for local receipts is \$5 million in the areas of motor vehicle excise tax, meals tax, and building permits. The Town's meals tax payment, normally about \$200,000 in the fourth quarter, is expected to be less due to the stay-at-home advisory. This payment covers the months of March, April, and May when restaurants were essentially closed. B. Keveny reported that the Town will also see a shortfall in licenses and permits due to restrictions on construction in the spring, but could see a surge of new permits in the early part of FY2021. B. Keveny reported that he expected no shortfall in transfers from other funds and that the budget included \$1.4 million of free cash to balance the capital budget. B. Keveny noted that there was \$600,000 of unbudgeted revenue, which will offset the monies not collected in the FY2020 levy.

B. Keveny noted that the FY2021 balanced budget appears in the Warrant for the 2020 ATM. It remains unclear if the DOR will allow municipalities to use the budgeted value of \$5.1 million in local receipts or use the actual FY2020 values of local receipts. B. Keveny summarized the expected \$2 million in turn backs, which are unspent payroll and expense appropriations. B. Keveny described how the FY2021 monthly budgets closely resemble the budget of the first quarter of the prior year with some variations. The Board will vote on approving to submit a monthly budget after the Town receives more information from the DOR.

A5. Annual Town Meeting (ATM) discussion with the Town Moderator, Dennis Berry covering potential dates, format, extension of ATM and pending legislation C. Karlson invited Town Moderator, Dennis Berry to the discussion. C. Karlson noted that there were documents included in the Board packet to summarize safety, openness, and fairness considerations for holding an Annual Town Meeting. L. Miller noted that the prohibition of gatherings of ten or more persons is waived for a Town Meeting.

C. Karlson noted three decisions that were needed: first, the need to extend the current May 29 Town Meeting; second, the need to select a new date and agenda; and lastly, the logistics of holding the meeting.

D. Berry summarized the work prepared by the Massachusetts Moderators Association included in the Board packet. D. Berry noted that Wayland would be required to have an in-person meeting, versus a virtual Town Meeting. C. Karlson noted that there are logistics that may disenfranchise voters. D. Berry noted that the concept of holding an outdoor meeting could be effected by weather, and brings a new set of logistical challenges.

D. Berry noted the intent to renew the current declaration to continue ATM until the end of the public health emergency in consultation with Board of Health, the Selectmen, and the Public Safety departments.

The Board and Moderator had a discussion on the logistics of the continuation of the ATM during the state of emergency. The Board agreed that D. Berry would write a declaration of continuation for 30 days from May 29. C. Karlson noted that the continuation to a date so close to the start of FY2021 would essentially compel the Town to submit a 1/12 budget to the DOR. M. Antes noted the need to acknowledge that a

continuation is also at variance with Town Code requiring ATM to be held within seven (7) days of the Town Election.

A7. Public Comment C. Karlson opened the meeting to the public for comment. There was none.

A6. COVID-19: Town Administrator update and review of Response Plan; vote any necessary actions, including but not limited to: 1. State re-opening plan 2. Roles of Wayland staff, boards and committees: develop guidance for roles and responsibility of re-opening plans 3. Wayland Plan a. Health Department Update; b. Town Beaches; c. Town Services and Town Building; d. Outdoor Recreation; e. Economic Development i. Restaurants ii. Other Businesses

A6.1. State re-opening plan L. Miller reported that the Town is in the middle of Phase I re-opening; a number of businesses have been allowed to resume business; and there is a noticeable increase in construction related activities. L. Miller reported an uptick in the number of compliance complaints.

A6.2. Roles of Wayland staff, boards and committees: develop guidance for roles and responsibility of re-opening plans L. Miller summarized the Town's obligations to meet new operational guidelines and employment protocols. L. Miller reported that some committees would need to meet as a result of the Phase I re-opening. L. Miller outlined the staffing requirements needed to support and execute a public hearing and public meeting and that the meetings are required to be live-streamed.

A6.3. Wayland Plan

A6.3.a. Health Department Update L. Miller reported that the Health Department reported the first person under 19 years confirmed COVID-19 positive, a total of seven new cases, and one new death.

A6.3.b. Town Beaches L. Miller reported that many Town Departments are working hard to open the Town Beach for the weekend. There will be new protocols in place to meet Phase 1 guidelines.

A6.3.c. Town Services and Town Building L. Miller reported that Town Buildings are still closed to the public, but visitors can submit documents by appointment.

A6.3.d. Outdoor Recreation L. Miller reported that there has been no further guidance issued for summer camps at this time.

A6.3.e. Economic Development: i. Restaurants ii. Other Businesses L. Miller reported that the Town Planner, Building Commissioner, Fire Chief and Health Director met to discuss re-opening businesses and restaurants. The Economic Development Committee will meet this Friday to discuss new guidelines.

A8. Minutes: Review and vote to approve minutes of May 15, 2020 L. Anderson moved, seconded by D. Levine, that the Board approve the meeting minutes of May 15, 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. Executive Session Minutes: vote to release with redactions the executive session minutes of December 16, 2019 (first session), April 24, 2020, and May 8, 2020. D. Levine moved, seconded by M. Antes, that the Board of Selectmen vote to release with redactions the executive session minutes of December 16, 2019 (first session), April 24, 2020, and May 8, 2020. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. 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 appointing Virginia Gardner, as Town Registrar for a term expiring April 1, 2023.
4. Vote the question of approving and signing invoice #125799 from KP Law, dated April 30, for professional services rendered through May 15, 2020 in the amount of \$570.00
5. Vote the question of approving and signing invoice #125800 from KP Law, dated April 30, for professional services rendered through May 15, 2020 in the amount of \$6,097.32
6. Vote the question of approving and signing invoice #125847 from KP Law, dated April 30, for professional services rendered through May 15, 2020 in the amount of \$232.00
7. Vote the question of approving three (3) yard signs to be displayed from May 28, 2020 to June 4, 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.

8. Vote the question of approving two (2) sandwich boards to be displayed from May 30, 2020 to June 6, 2020 at the following locations: Old Connecticut Path & Cochituate Rd (Five Paths) and Town Center (Corner of Routes 20 and 27) by Wayland-Weston Youth Football and Cheer organization to promote registration.
9. Vote the question of accepting with thanks eight (8) donations/grants totaling \$4,065.00 to the Wayland COVID-19 Relief Fund.

M. Antes moved, seconded by L. Anderson, to approve the Consent Calendar in the Board Packet. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Correspondence Review. The Board reviewed correspondence included in the Board Packet. L. Anderson noted item 2: proclamation on Race Amity Day. C. Karlson will add the item to a future agenda.

A12. Selectmen's reports and concerns T. Fay reported that he attended the Recreation Commission meeting and discussed the Oxbow Field Project. The contractor continues to work on issues at the field, but there has been ongoing vandalism at the field. L. Miller reported that the Police would respond to the matter. L. Anderson thanked the DPW for street sweeping. L. Anderson noted that a member of the Surface Water Quality Committee inquired about asking the DPW to help with maintenance for the water bodies in Town. She will ask L. Miller to follow up. M. Antes reported that the water is on at the community garden and people are enjoying it. C. Karlson reported that the relief fund supported food deliveries to eighteen families this week. C. Karlson proposed to schedule two Board meetings in June.

A13. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any There were none.

A14. Adjourn D. Levine moved, seconded by M. Antes, to adjourn the meeting at 4:50 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 15, 2020

1. There were none.

Items included as part of the Agenda Packet for discussion during the Board of Selectmen Meeting of May 27, 2020

1. Memorandum FY2020 FY2021 Projections May 25, 2020
2. Memorandum from Finance Director, B. Keveny, on FY2020 General Fund Estimates May 25, 2020
3. Fiscal 2020 Budget vs Actual – Full Budget Summary May 25, 2020
4. FY 2021 One Twelfth Budget Summary May 25, 2020
5. Board of Selectmen & Town Moderator Annual Town Meeting Discussion Outline May 27, 2020
6. Massachusetts Moderators Association Planning Guide for Town Meeting During a Pandemic May 22, 2020
7. Notice on COVID-19 Update: Governor Baker's State Reopening Plan – Phase 1
8. Notice on COVID-19 Wayland update of COVID-19 cases May 15, 2020
9. Draft of Board of Selectmen Meeting Minutes held on 05-15-2020

CORRESPONDENCE

1. Correspondence from Ken Isaacson, Town of Wayland Resident to Board of Selectmen dated May 20, 2020 re: Suggested options for how to hold Annual Town Meeting.
2. Correspondence from Ann Landry, Advisory Board member for The National Center for Race Amity (NCRA) to Board of Selectmen dated May 20, 2020 re: Asking the Board of Selectmen to issue a Proclamation declaring that June 14, 2020 be Race Amity Day in Wayland.