

PACKET

June 26

2019



LOUISE L. E. MILLER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
THOMAS FAY
CHERRY C. KARLSON
DOUGLAS A. LEVINE

REVISED

BOARD OF SELECTMEN

Wednesday, June 26, 2019

7:00 p.m.

Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland, MA

Proposed Agenda

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. The meeting likely will be broadcast and videotaped for later broadcast by WayCAM.

- 7:00 pm 1. Call to order by Chair
- Review of agenda for the public
- 7:05 pm 2. Announcements and public comment
- 7:10 pm 3. Financial Advisor Contract: Discuss and vote to approve
- 7:20 pm. 4. FY 2019 Fiscal Year End Line Item Transfers: Vote to approve line item transfers
- 7:30pm 5. Board and Committee Appointments:
1. Vote to appoint the following:

RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2019 JUN 25 PM 12:09

<u>Committee</u>	<u>Volunteer</u>	<u>Term Ending Date</u>
Community Preservation Committee	Susan Green	June 30, 2022
Community Preservation Committee	Gretchen Schuler	June 30, 2022
Constable for the Town of Wayland	William Pickett, Jr.	June 30, 2022
Constable for the Town of Wayland	Louis Gaglini	June 30, 2022
Council on Aging	Nancy Leifer	June 30, 2022
Council on Aging	William Sterling	June 30, 2022
Council on Aging	Denise Yurkofsky	June 30, 2022
Cultural Council	Rachel Sideman-Kurtz	June 30, 2022
Dog Control Appeals Board	Jeffrey Baron	June 30, 2022
Dog Control Appeals Board	Susan Wagner	June 30, 2022

BOARD OF SELECTMEN
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Proposed Agenda – Page Two

<u>Committee</u>	<u>Volunteer</u>	<u>Term Ending Date</u>
Energy and Climate Committee	Anne Harris	June 30, 2022
Energy and Climate Committee	William Huss	June 30, 2022
Historic District Commission	Caitlin Ahern	June 30, 2022
Historic District Commission	Margery Baston	June 30, 2022
Historic District Commission	Seema Mysore	June 30, 2022
Historic District Commission	Kathleen Steinberg	June 30, 2022
Historical Commission	Katherine Gardner-Westcott	June 30, 2022
Historical Commission	Ann Gordon	June 30, 2022
Metropolitan Area Planning Council	Mary Antes	June 30, 2022
MetroWest Regional Transit Advisory Board	Joseph Nolan	June 30, 2022
Municipal Affordable Housing Trust Fund Board	Mary Antes	June 30, 2022
Municipal Affordable Housing Trust Fund Board (Housing)	Susan Weinstein	June 30, 2022
Permanent Municipal Building Committee	Michael Gitten	June 30, 2022
Personnel Board	Miranda Jones	June 30, 2024
Senior Tax Relief Committee	Stephen Colella	June 30, 2022
Surface Water Quality Committee	Elizabeth Newton	June 30, 2022
Youth Advisory Committee	Sarah Greenaway	June 30, 2021
Youth Advisory Committee (Health)	Lisa Raferty	June 30, 2021

2. Interview and potential vote to appoint Adam Gutbezahl to a three-year term on the Finance Committee

7:50 pm 6. Select Board/Town Manager Act: Update on draft; discuss communications plan including setting dates for community forums; review discussion presentation (to be distributed at meeting)

BOARD OF SELECTMEN
Wednesday, June 26, 2019
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Proposed Agenda – Page Three

- 8:00 pm 7. Town Administrator's Report
1. Verizon Cell Tower Update
 2. Committee Appointments Update
 3. Fire FLSA Update
 4. Public Records Requests Update
 5. Waiver of Permit Fees for Council on Aging Program to Replace Smoke Detectors
 6. Use of Compostable Bags by Wayland Businesses Update
 7. River's Edge Project at 484-490 Boston Post Road Update
- 8:20 pm 8. Minutes: Vote to approve Board of Selectmen minutes of June 3, 2019; June 10, 2019 and June 21, 2019
- 8:35 pm 9. Consent Calendar: Review and vote to approve (see separate sheet)
- 8:40 pm 10. Correspondence Review
- 8:50 pm 11. Selectmen's reports and concerns
- 8:55 pm 12. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any
- 9:00 pm 13. Enter into Executive Session
- I. 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, and
 - II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation – Ordway MCAD action, and
 - III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss and strategy with respect to litigation – Stephen Cass v. Town of Wayland, and

BOARD OF SELECTMEN
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Proposed Agenda – Page Four

- IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) and (6) to review and approve the executive session minutes of June 3, 2019 and June 10, 2019

VOTE TO APPROVE AND HOLD: Executive session minutes of June 3, 2019 and June 10, 2019

- V. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) review and consider for potential release the following executive session minutes: June 25, 2018; October 1, 2018 and November 19, 2018, and

VOTE TO APPROVE AND POTENTIALLY RELEASE WITH REDACTIONS: Executive sessions minutes of June 25, 2018; October 1, 2018 and November 19, 2018

9:30 pm 14. Vote to approve and release with redactions: Executive session minutes of June 25, 2018; October 1, 2018 and November 19, 2018

9:35 pm 15. Adjourn

5.) Board and
Committee Appointment
1.) Vote to appoint

**Board of Selectmen Appointments
Status as of June 24, 2019**

**Appointments for June 26, 2019 agenda: all Board of Selectmen as Appointing Authority
(unless otherwise noted)**

<u>Committee</u>	<u>Volunteer</u>	<u>Term Ending Date</u>
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Youth Advisory Committee	Sarah Greenaway	June 30, 2021
Youth Advisory Committee (Health)	Lisa Raferty	June 30, 2021

Interviews: to be scheduled

Conservation Commission: 2 positions
Finance Committee: 2 positions
Zoning Board of Appeals: 2 positions

Pending Appointments for July 15, 2019 agenda (showing number of positions and primary appointing authority): *waiting to hear back from some incumbents, waiting for votes from primary appointing boards, need volunteers*

Committees – number of openings and primary appointing authority

Audit Committee 2 terms expiring in 2019 (Selectmen, School Committee); 2 unfilled positions
(Finance Committee, Selectmen)
Community Preservation 4 (Planning, Recreation, Historical Commission, Bd of Public Works)
Cultural Council 10+ (Selectmen)
Dog Control Appeals Board 1 (Selectmen)
Economic Development Committee 2 (Selectmen)
Local Emergency Planning Committee 1 (Selectmen)
Municipal Affordable Housing Trust Fund Board 1 (Planning Board)
Permanent Municipal Building Committee 1 (Selectmen)
Public Ceremonies Committee 2 (both Moderator)
Senior Tax Relief 1 (Finance Committee)
Wastewater Management District Commission 1 (Selectmen)
Wayland Housing Partnership 1 (Planning Board)
Youth Advisory Committee 2 (School Committee)

5.) Board and
Committee Appointm
(info on appointments
to Town Boards
and Committi

APPOINTMENTS TO TOWN BOARDS AND COMMITTEES

The Board of Selectmen is responsible for making a number of appointments to town boards and committees. The following procedures generally will be used to post openings, make appointments, and fill vacancies.

POST OPENINGS

- The Office of the Town Administrator shall post all vacancies on the Town Building foyer bulletin board for a minimum of one (1) week.
- Applicants, who must be registered voters in the Town of Wayland, shall submit a statement describing their interest, background, and qualifications relevant to the opening being sought, and a résumé, if available.
- Applicants are encouraged to attend at least one meeting of the committee to which they seek appointment and discuss the board's function and responsibilities with a current member of the Board or the appropriate staff member before being considered for appointment.

ANNUAL APPOINTMENTS

- The Board of Selectmen shall interview all applicants new to Town Government.
- Boards or committees are encouraged to submit input on the reappointment of a member and questions for use by the Selectmen in interviewing applicants for their respective boards.
- All vacancies should be filled before the expiration of the term to the extent practical.

VACANCIES

Vacancies that occur between annual appointments shall be filled as soon as is reasonable following the guidelines for annual appointments.

REAPPOINTMENTS

The Selectmen shall solicit recommendations for reappointment from the chairpersons of boards and committees with members whose terms are ending.

- All candidates for reappointment to the Conservation Commission, Finance Committee, Personnel Board, and the Zoning Board of Appeals may be interviewed by the Board of Selectmen.
- Reappointments to other boards generally will not be subject to interviews by the Board of Selectmen unless there is an objection from the chair of the board or at the request of a Selectman.

Approved March 1, 2004; revised and restated on October 13, 2010; revised October 5, 2015.

See Wayland Code §6-1. For provisions regarding specific appointments, see Wayland Code §19-1 (Finance Committee); §43-2 (Personnel Board); §198-201 (Zoning Board of Appeals); and §198-204 (Planning Board Associate Member).

5.) Board and Committee
Appointments
2.) Interview
with Adam
Gutbezahl

Adam G. Gutbezahl

EXPERIENCE

Smith & Brink, P.C.
Associate Attorney

Braintree, MA
Jan. 2017-Present

- Represent insurance companies in litigation against healthcare providers who have allegedly engaged in fraudulent medical and billing practices in violation of the federal Racketeer Influence and Corrupt Organizations Act and False Claims Act/Whistleblower Law.
- Conduct investigations of complex networks of businesses and individuals in order to establish fraudulent activity.
- Research federal and state laws, regulations, and produce advisory opinions in furtherance of performing legal writing. Draft and file detailed complaints, discovery requests, motions, and legal briefs.
- Engage in settlement negotiations on behalf of clients, including a recent settlement in excess of \$500,000.

Committee for Public Counsel Services
Trial Attorney, Children and Family Division

Salem, MA
June 2016-Jan. 2017

- Represented parents and children in termination of parental rights matters, as well as children and young adults in Family Court and social services cases.

Council of the District of Columbia
General Counsel, Committee on Finance & Revenue

Washington, DC
Sept. 2015-May 2016

- Authored and researched over 20 pieces of legislation addressing various topics, including consumer protection, employment law, consumer protection, and tax transparency.
- Advised the Committee Chair on pending government contracts and legislation that involves economic development, tax abatements, and labor law.

Legislative Counsel, Committee on Transportation & the Environment

Oct. 2014-Sept. 2015

William Cranch Legal Fellow, Committee on Transportation & the Environment

Nov. 2013-Sep. 2014

- Conducted oversight of the District Department of Transportation, an annual budget of \$310 million that designs and builds roads and bridges, provides public transit service, and manages the public space.
- Spearheaded multiple working group sessions to improve District laws and regulations addressing topics that include the use of public athletic fields and increasing safety for bicyclists and pedestrians.

Maeva Marcus, Director, Institute for Constitutional History
Research Assistant

Washington, DC
May 2012-May 2013

- Reviewed all 131 opinions authored by then-Judge Antonin Scalia from the District of Columbia Court of Appeals and wrote a memorandum to prepare Justice Scalia for an oral history of his time on the Court of Appeals bench.

EDUCATION

The George Washington University Law School
Juris Doctor, with honors (Top 16% to 35% of class)

Washington, DC
May 2013

- *The George Washington Law Review*, Executive Editor, Volume 81
- Moot Court Board, Member, 2012-2013
- Judge Grenadier International Moot Court Competition, Best Oral Advocate, 2012
- GW Law Writing Center, Writing Fellow, 2012-2013

The George Washington University
Bachelor of Arts in International Affairs, cum laude

Washington, DC
May 2006

ADMISSIONS

Massachusetts | US District Court, District of Massachusetts | US District Court, Eastern Dist. of Michigan



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7.) TA's Report
5.) Waiver of Permit
Fees for COA Program
to Replace Smoke
Detectors

MEMORANDUM

To: Board of Selectmen
From: Louise Miller, Town Administrator
Date: June 26, 2019
Re: Waiver of Permit Fees for Council on Aging Program to Replace Smoke Detectors

The Fire Department seeks waiver of the \$50.00 Building Department permit fee for the replacement of hardwired smoke detectors for seniors applying through a program administered by the Council on Aging. The cost of the smoke detectors and carbon monoxide detectors is covered through grants. The labor is provided by the Fire Department and a volunteer licensed electrician. The Council on Aging receives requests from seniors and sends the information to the Fire Department. The waiver would be a blanket waiver for all applicants from this program.

Please see the attached memorandum from Fire Chief Houghton for more detailed information.

Memo

To: Board of Selectmen
From: Fire Chief Houghton
Date: June 11, 2019
Re: Waiving Permit Fees for Smoke Detector Program

The Fire Department is seeking approval from the Board of Selectmen to authorize the Building Commissioner to waive the \$50.00 permit fee for the swapping out of hardwired smoke and carbon monoxide detectors, which is part of the long-standing smoke and carbon monoxide detector program offered to seniors by the Wayland Fire Department in collaboration with the Council on Aging (COA).

Funding for this program has come from the Commonwealth through grants and funding from local businesses. The COA provides a list of seniors interested in having detectors installed for the first time, existing detectors replaced due to the age of the devices, detectors tested, or simply having the batteries replaced.

Firefighters in the public education group provide these services upon request to any senior citizen free of charge. We have found many of these homes do not have working detectors or proper coverage of detectors to alert them to a problem and give them time to escape the home.

Recently we have come across an issue with some of the seniors' homes that have the detectors hardwired to AC power rather than the typical battery-operated detectors. These detectors are past the ten-year shelf life and need to be replaced. We have the funding to purchase the detectors, but they require an electrician to do the five-minute swap out. The COA has a licensed electrician who has volunteered to do those that need to be done. The Electrical Inspector through the Massachusetts Electrical Code is requiring a permit for each of the homes that are done. Asking some of our most vulnerable seniors to pay the \$50.00 permit fee will in most cases prevent us from providing the services leaving them unprotected.

Our efforts to provide these potentially lifesaving devices to our seniors who have hardwired systems will not likely be completed. Our funding is for the equipment; not for permitting and labor to install. I have spoken to the Building Commissioner who understands our program and our issue. He will be happy to allow for the waiver of the permit fees upon the approval of the Board of Selectmen. I ask that you consider waiving the fee as part of the collaborative Fire Department and COA program to allow us to continue to protect our seniors.

7.) TA's Report
6.) Use of Compostable
Bags
(Green CCA)

Hegarty, Teri

Subject: FW: Compostable bags and Green CCA
Attachments: MCAN Green Aggregation.pptx

From: Paul Dale <_____
Date: Saturday, June 15, 2019 at 5:13 PM
To: "Karlson, Cherry" <ckarlson@wayland.ma.us>
Subject: Compostable bags and Green CCA

Hello Cherry,
The week is over and I owe you a response to our telephone call earlier in the week.

I have talked with our plastics expert, Clint Richmond, with the following conclusions:

- A compostable bag would be an acceptable alternative to paper, but
- We don't understand why this would result in a significant cost savings to the Villa.

[W.r.t. their takeout business I would have guessed that the ban on polystyrene (e.g. Styrofoam) would have been more objectionable than the plastic bag ban.]

Would it be possible or useful to better understand the cost issue which you indicated is at the heart of their request?

We also talked about changing the bylaw to allow a town board, such as the BoH, to set the actual parameters of what is and is not acceptable. I understand the flexibility that this offers, but I personally am concerned that it would introduce risk that special interests might prevail in the future.

(As a truly awful example of special interests, which has nothing to do with Wayland, I will mention that I am actively involved in a major environmental "all hands on deck" campaign to try to get the Dept. of Energy Resources (DOER) to withdraw proposed changes they published in April that would gut the restrictions and instead facilitate and incentivize burning biomass to generate electricity. Cutting trees and burning them is so bad in so many ways, but the DOER and Gov. Baker are captive to the logging industry. There is an effort underway to get a prohibition on biomass through the legislature, but this, as with all legislation, is a torturous process. In hindsight, it would have been better if the environmentalists had not agreed to a discretionary regulatory approach back in 2012. Sorry for the digression)

Finally, MCAN has presented Green Community Choice aggregation to the Wayland Energy and Climate Committee in the past and I heard that it was well received. On a personal level, I am interested in helping to advance this in the Town. I invited Carol Oldham of MCAN to speak to the MA Sierra Club Energy Committee earlier this spring and FYI I have attached her presentation.

Best regards,
Paul Dale

From: Karlson, Cherry <ckarlson@wayland.ma.us>
Sent: Tuesday, June 4, 2019 4:51 PM
To: Paul Dale
Subject: Plastic bags and straws

Paul,

I just left you a phone message, but thought I would try email as well.

I wanted to talk with you about three things:

Plastic Bag Bylaw: we have had a request from a restaurant to be able to provide compostable plastic bags for take out/carry out. We discussed it briefly at last night's BoS meeting.

Banning Plastic Straws: as you likely know, a high school student brought forward a petitioners article for town meeting. It was withdrawn as the language needed refinement. I owe the student an email to talk about planning to bring this back to town meeting.

Bylaw language: each of these has very specific bylaw language that does not leave much room for handling future adaptations/changes without going back to town meeting. Might it make sense to revise the bylaw (to be determined how) and have it supported by a detailed policy. And then to do the same format for straws.

No decisions have been made – just wanted to get your thoughts and input – and the Board requested that I reach out to you.

I look forward to catching up!

Cherry

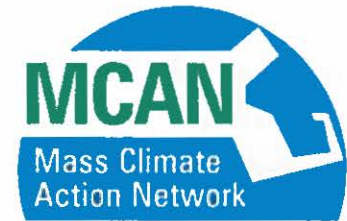
Cherry Karlson
Board of Selectmen
Town of Wayland



Green Aggregation

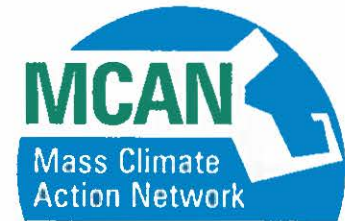
What it is, why it is important, how to do it

What is MCAN?



MCAN was founded in 2000, and helps town level groups take action on climate locally. We are a network of organizations (our chapters) and advocates at the town and city level who work to make community level change and turn that into state and national level change.

What is aggregation?

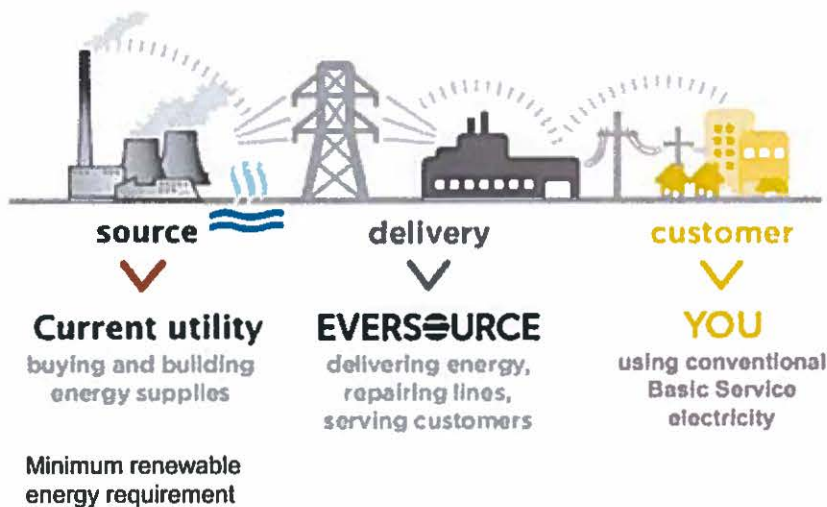


Community Choice Aggregation (CCA) is a process by which municipalities can aggregate and switch the electricity of the households and small businesses from basic service over to cleaner energy.

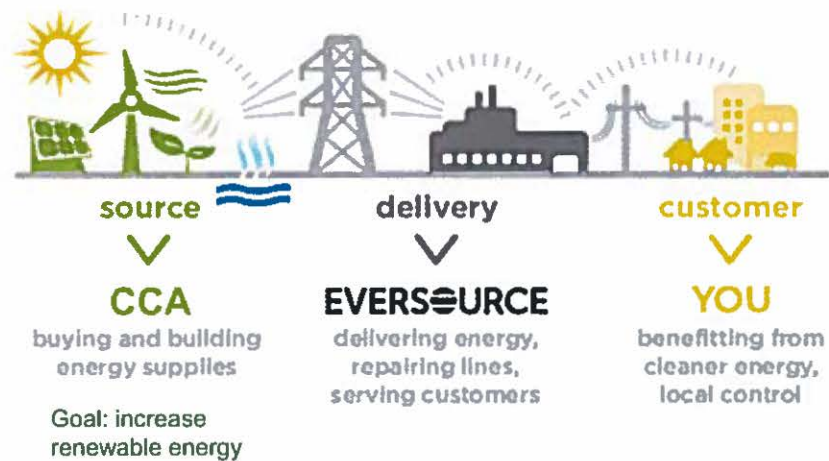
An energy broker is employed to ensure the municipality can purchase the amount of energy and mix the town desires, and residents may opt out at any time.

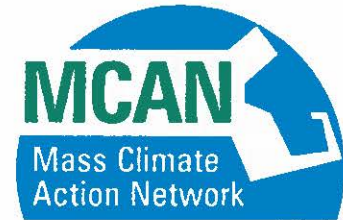
The electricity is still distributed and billed through the original utility i.e. Eversource.

What is aggregation?



How CCA Works





What is aggregation?

Utilities no longer make energy

CCA or CCE is Bulk buying for (clean) energy

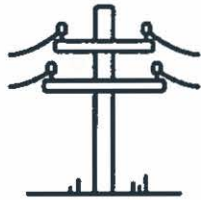
Town becomes “default supplier”

It’s a **significant** step that lets you cut your climate pollution as a community

CCA allows residents and small businesses to seamlessly switch to more renewable energy, and do the right thing on climate change.

Electricity System Overview

Each utility bill has two categories:



1. **Delivery:** the wires that get power to you



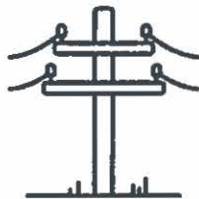
2. **Supply:** the actual electricity

- The utility, or local distribution company, manages this
- For most of Boston, Eversource is the utility

- Eversource provides supply by default, called **Basic Service**
- At any time, customers can choose their own supplier and leave Basic Service
- Most residential and small business accounts are still on Basic Service, while most large commercial accounts have chosen their own supplier

Slide thanks to Patrick at MAPC

Current electricity system



1. **Delivery:** Eversource



2. **Supply:** Eversource Basic Service

EVERSOURCE
Account Number: [REDACTED]
Statement Date: 11/30/18

Electric Usage History - 1,000 kWh (kWh)

Electric Usage Summary

This month your average daily electric use was **4.8 kWh**.

After being at this address for a year, comparative yearly energy information will be displayed in blue.

Payment will be sent to bank for processing on 12/21/18 **\$44.04**

Electric Delivery Charge	\$18.92
Electric Supply Charge	\$25.12
Electric Service Charge	\$0.00
Electric Meter Charge	\$0.00

Current Charges for Electricity

Category	Amount
Supply	\$18.92
Delivery	\$25.12

Your electric supplier is
Eversource
347 Station Drive
Westwood, MA 02225

News For You

Go paperless with E-Bill and receive an email reminder instead of a paper bill each month. It's easy, convenient and secure. Log into your account at Eversource.com and select "My Profile" to enroll in E-Bill today.

Recent Payment to: Eversource, PO Box 56007, Boston, MA 02205-6007

EVERSOURCE

Account Number: [REDACTED]

Please make your check payable to Eversource or to make your payment today visit Eversource.com. If making your payment, please allow up to 5 business days to post to your account.

Payment will be sent to bank for processing on 12/21/18 **\$44.04**

Amount Enclosed

Slide thanks to Patrick at MAPC

Basic Service Supply

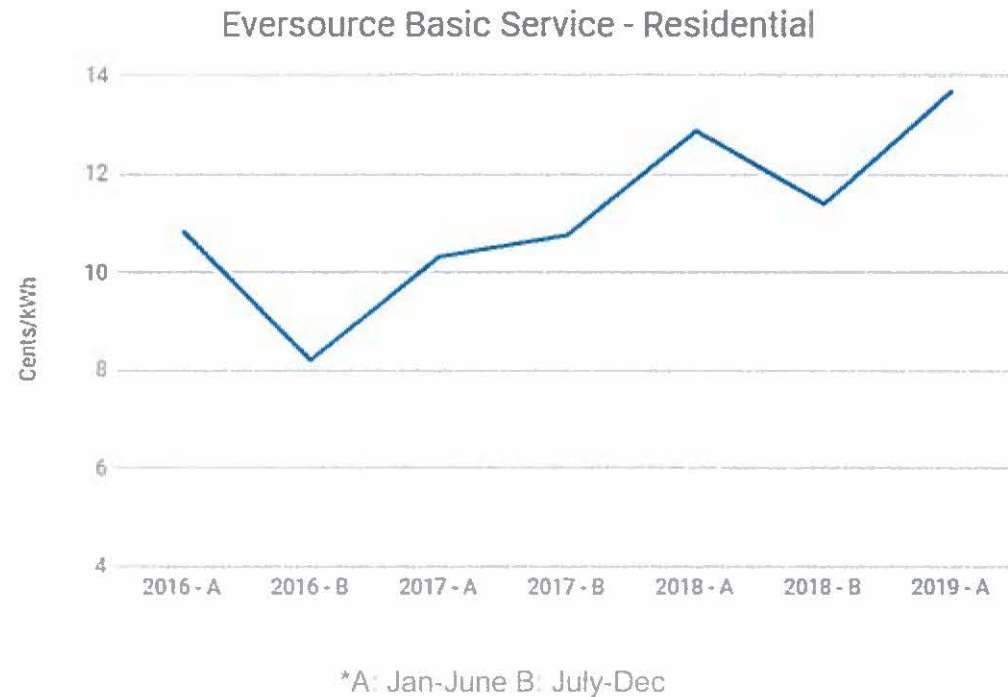
Utilities are restricted in how they procure Basic Service supply

- Purchase half their load for one-year terms
- Required to go out to bid at set times of the year

Result is price changes every 6 months

- Often big winter price spikes

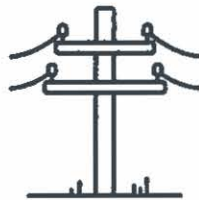
Basic Service contains the minimum amount of renewable energy required by state law



Slide thanks to Patrick at MAPC

Electricity system under aggregation

Still receive a single bill, with slight changes



1. **Delivery:** Eversource



2. **Supply:** Supplier chosen by City's aggregation

Note: Supplier's name is listed along with Municipality

EVERSOURCE

Total Amount Due by 02/17/19 **\$65.08**

Amount Due On 01/14/19 \$23.09
 Last Payment Received On 01/14/19 \$43.89
 Balance Forward \$0.00
 Total Current Charges \$65.08

Electric Usage History - Kilowatt Hours (KWH)

Month	Usage (KWH)
Nov 14	~12
Oct 14	~10
Nov 13	~10
Dec 13	~11
Jan 14	~7

Electric Usage Summary

This month your average daily electric use was **7.1 kWh**

After being at this address for a year, comparative yearly energy information will be displayed in blue.

Current Charges for Electricity

Category	Amount
Supply	\$31.94
Delivery	\$33.14

Your electric supplier is
 SYRACY
 691 TRANS STREET, SUITE 1 400
 HONOLULU, HI 96802
 WWW.SYRACY.COM
 808-529-5888
 Billing for QUARTER OF SOUTHVILLE

News For You

Learn the signs and stop the scams! Whether online, in person or over the phone, scammers use deceptive tactics like posing as utility employees to get personal and customer account information. Eversource is there when you need us. Visit the 'Safety' section of Eversource.com for more information on scams.

Recent Payment To: Eversource, PO Box 58037, Boston, MA 02205-0037

EVERSOURCE

Account Number: **1216 207 1224**

Total Amount Due by 02/17/19 **\$65.08**

Amount Enclosed

Slide thanks to Patrick at MAPC

FAQ's



Will I be able to keep my current plan?

Yes! No one is locked into the Community Choice Aggregation plan, and you may opt out of the plan to keep the Eversource defaults or whatever energy buying program you choose.

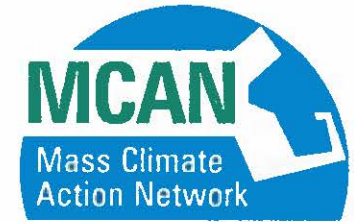
Will this affect the utility companies' profit margins?

No. Eversource earns its money on the transmission and delivery only, not on the power generation, so utility jobs should not be affected.

Will buying more solar cause brownouts on cloudy days?

No. The grid is able to sustain a much higher percentage of renewable sources than it currently delivers. We could reasonably double the amount of solar currently powering our grid without running into trouble

FAQ's

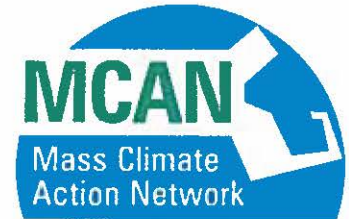


What percentage renewable should we choose?

Buying local renewable energy can be a bit more expensive than some other sources.

Find the magic number for your town: it supports more renewable energy on your power grid while keeping the new aggregated supply rate competitive with what the electric utility is offering.

How do you do it?

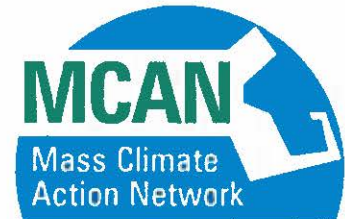


Basic Outline of Community Choice Aggregation Approval Process:

- Petitioners submit Town Meeting warrant article(s). Form support committee.
- Town Meeting approves warrant to pursue a CCA plan
- Broker creates aggregation plan (at no cost to town)
- Board of Selectmen approves aggregation plan
- Department of Energy Resources reviews aggregation plan
- Department of Public Utilities approves plan
- Broker issues request for bids and electricity suppliers respond with bids
- Town selects electricity supplier
- Broker publicizes CCA to residents and small businesses, and handles all opt-out requests

If no plans or energy prices are deemed acceptable, there is no obligation for the town to proceed.

Why is aggregation cool?



Can give everyone in town cleaner energy

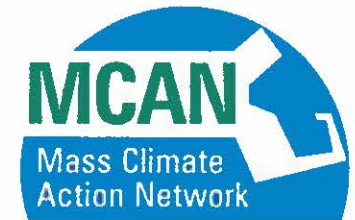
BUT they can opt out

Most people want to do the right thing,

But cannot handle the research

Protects customers

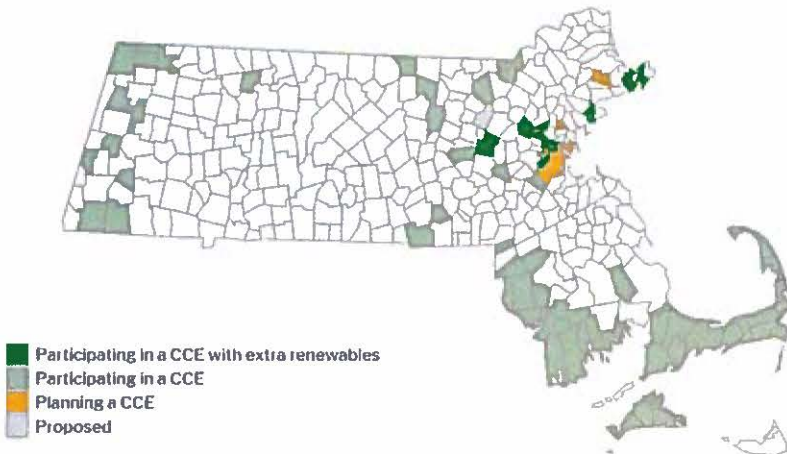
Protects the climate



Towns in MA are choosing green energy

Let's Join the Massachusetts Movement

Dozens of towns across the state are using Community Choice to go green!



Name	Detail on Default Rate		
Acton	Extra 5%	Salem	Extra 5%
Bedford	Extra 5%	Somerville	Extra 5%
Boston	Extra 5%	Stoneham	Extra 5%
Brookline	Extra 25%	Sudbury	Extra 5%
Cambridge	Extra 25%	Swampscott	Extra 5%
Dedham	Extra 5%	Watertown	Plan in development
Gloucester	Extra 5%	Winchester	Extra 5%
Lexington	Extra 5%		
Millis	Extra 5%		
Natick	Extra 5%		
Newton	Extra 46%		
Rockland	Extra 5%		

Success Stories

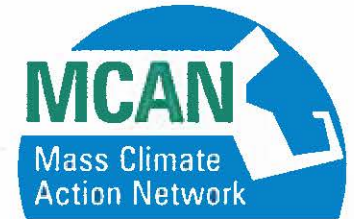


Dedham: 5% additional clean energy, with 100% option = 19% clean

Brookline: 25% additional clean energy = 39% clean

Newton: 46% additional clean energy = 60% clean

Towns in MA are choosing green energy



Name	Broker	Price per Kwh in Cents	Dates for Green Aggregations	Detail on Default Rate
Acton	Peregrine	10.72	9/2017 to Present	5% Extra MA Class I
Arlington	Good Energy	10.756	8/2017 to Present	5% Extra MA Class I
Brookline	Good Energy	11.098	7/2017 to Present	Extra 25% MA Class I
Cambridge	Peregrine	10.486	7/2017 to Present	Extra Solar (25% more than SREC Carveout, so about 1% extra Class I)
Dedham	Good Energy	10.27	1/2016 to Present	5% Extra MA Class I
Lexington	Peregrine	10.449	7/2017 to Present	Extra 5% MA Class I REC
Newton	Peregrine	11.34		Extra 46% MA Class I
Natick	Peregrine	12.242	7/2017 to Present	Extra 5% MA Class I
Somerville	Good Energy	10.538	7/2017 to Present	Extra 5% MA Class I
Sudbury	Good Energy	10.749	8/2017 to Present	Extra 5% MA Class I
Winchester	Good Energy	10.898	7/2017 to Present	Extra 5% MA Class I

**Eversource basic
Is currently 13.588
Per kilowatt hour
1/20/2019**

A few closing thoughts:



A few things to think about (aka Carol's 2 cents):

- FOCUS on green energy, not cost savings.
- Do at least 5%, think about ramping up or re-thinking your percentage, ie 1% per contract, etc.
- Some brokers have more experience with doing green aggregation than others.
- Class 1 renewable energy is best at getting rid of dirty energy

Questions?

Email addresses:

Carol carololdham@massclimateaction.net

Oriana orianareilly@massclimateaction.net

Drew drew@massclimateaction.net

7) THIS REPORT
6) Use of Compostable
Bags
(guidelines)

Hegarty, Teri

Subject: FW: FYI - guidelines on "compostable" claims
Attachments: From Section fifteen of the Federal Trade Commission.docx

From: Paul Dale <_____
Date: Monday, June 17, 2019 at 12:59 PM
To: "Karlson, Cherry" <ckarlson@wayland.ma.us>
Cc: Clint Richmond <_____
Subject: FYI - guidelines on "compostable" claims

In the process of doing other work I came across this. Thought I should pass it on in case we dig deeper (pun intended) into the compostable issue.

I could ask questions about how many Wayland residents do their own composting and what happens to the specific bag being proposed if it ends up at the Wayland transfer station or gets taken away by one of the trash haulers - which many residents hire.

-Paul Dale

From Section fifteen of the Federal Trade Commission's Act 15 U.S.C. § 45

<https://www.ftc.gov/sites/default/files/attachments/press-releases/ftc-issues-revised-green-guides/greenguides.pdf>

§ 260.7 Compostable Claims.

(a) It is deceptive to misrepresent, directly or by implication, that a product or package is compostable.

(b) A marketer claiming that an item is compostable should have competent and reliable scientific evidence that all the materials in the item will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner (i.e., in approximately the same time as the materials with which it is composted) in an appropriate composting facility, or in a home compost pile or device.

16

(c) A marketer should clearly and prominently qualify compostable claims to the extent necessary to avoid deception if: (1) the item cannot be composted safely or in a timely manner in a home compost pile or device; or (2) the claim misleads reasonable consumers about the environmental benefit provided when the item is disposed of in a landfill.

(d) To avoid deception about the limited availability of municipal or institutional composting facilities, a marketer should clearly and prominently qualify compostable claims if such facilities are not available to a substantial majority of consumers or communities where the item is sold.

Example 1: A manufacturer indicates that its unbleached coffee filter is compostable.

The unqualified claim is not deceptive, provided the manufacturer has substantiation that the filter can be converted safely to usable compost in a timely manner in a home compost pile or device. If so, the extent of local municipal or institutional composting facilities is irrelevant.

Example 2: A garden center sells grass clipping bags labeled as "Compostable in California Municipal Yard Trimmings Composting Facilities." When the bags break down, however, they release toxins into the compost. The claim is deceptive if the presence of these toxins prevents the compost from being usable.

Example 3: A manufacturer makes an unqualified claim that its package is compostable. Although municipal or institutional composting facilities exist where the product is sold, the package will not break down into usable compost in a home compost pile or device. To avoid deception, the manufacturer should clearly and prominently disclose that the package is not suitable for home composting.

Example 4: Nationally marketed lawn and leaf bags state "compostable" on each bag. The bags also feature text disclosing that the bag is not designed for use in home compost

17

piles. Yard trimmings programs in many communities compost these bags, but such programs are not available to a substantial majority of consumers or communities where the bag is sold. The claim is deceptive because it likely conveys that composting facilities are available to a substantial majority of consumers or communities. To avoid deception, the marketer should clearly and prominently indicate the limited availability of such programs. A marketer could state "Appropriate facilities may not exist in your area," or provide the approximate percentage of communities or consumers for which such programs are available.

Example 5: A manufacturer sells a disposable diaper that states, “This diaper can be composted if your community is one of the 50 that have composting facilities.” The claim is not deceptive if composting facilities are available as claimed and the manufacturer has substantiation that the diaper can be converted safely to usable compost in solid waste composting facilities.

Example 6: A manufacturer markets yard trimmings bags only to consumers residing in particular geographic areas served by county yard trimmings composting programs. The bags meet specifications for these programs and are labeled, “Compostable Yard Trimmings Bag for County Composting Programs.” The claim is not deceptive. Because the bags are compostable where they are sold, a qualification is not needed to indicate the limited availability of composting facilities.

From Section fifteen of the Federal Trade Commission's Act 15 U.S.C. § 45

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8.) BOS Draft
minutes of
June 3, 2019



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

LOUISE L. E. MILLER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

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

DRAFT

Board of Selectmen
Meeting Minutes

June 3, 2019

7:00 p.m.

Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland

Attendance: Lea T. Anderson, Mary M. Antes, Thomas J. Fay, Cherry C. Karlson, Douglas A. Levine

Also Present: Town Administrator Louise Miller, Assistant Town Administrator Elizabeth Doucette

A1. Call to Order by Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room in the Wayland Town Building when a quorum was present, noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcements and Public Comment A display for Race Amity Day is in the lobby and there will be a movie on Sunday at the Peace Lutheran Church. On June 11 the Energy and Climate Committee will have a program on heat pumps at the Wayland Library. RiverFest 2019 will be June 22 and 23.

Tonya Cunningham, Williams Rd., read a brief statement about the Town's policy regarding Public Records requests.

Bill Sterling, thanked the Board for placing the COA/CC issue on the agenda.

A3. Vote to approve award of \$258,909 Bond Anticipatory Note to Monson Bank at a rate of 2.14%, zero premium L. Miller, explained that this Bond Anticipatory Note (BAN) allows for cash flow to finish out the current fiscal year.

L. Anderson moved, seconded by M. Antes that the Board of Selectmen vote to approve the award of \$258,909 Bond Anticipatory Note to Monson Bank at a rate of 2.14%, zero premium. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Discussion with Recreation Commission: Loker Field Asa Foster and Thruston (Brud) Wright, came before the Board to discuss the Loker Field project and how the Board would like the Commission to move forward. C. Karlson noted the goal is to get everyone the best information possible before they vote. T. Fay asked if Recreation has discussed the vote at ATM and where they would like to go from here. T. Wright said they have discussed it and appreciate all the pro and con comments and realize it was their job to communicate effectively. He stated that they have decided to move forward with the Loker Field project and said they think it's the best location and explained why.

Recreation Commission member Kelly Peirce came before the Board. M. Antes stated that the Recreation Commission has not responded to the environmental issues that have been brought up and it will help them in their future presentation if they address that. D. Levine stated there are two major environmental issues about this project and all information has to be publicized and made available. The first one is the site itself and the need for a peer review of the documents related to the clean-up of the Dow site. The second issue is the potential environmental impact that is within the Town's control.

L. Anderson asked if there is a way to find out what was surveyed the last time in regards to Native

American history and culture. T. Wright said there is an area of concern and they made sure the field is not in that area. C. Karlson suggested that a map be made available showing that. A. Foster stated that the project plan has not changed since that survey was conducted. The Board encouraged committees and boards to meet and discuss this. C. Karlson referred to an earlier discussion of the meaning of the word "Amity" and how it might be applicable to making progress on the field issue. Information about lighting, a vernal pool, and the budget to date was also discussed. C. Karlson asked that the Recreation Commission not bring back the same project to Town Meeting. She also encouraged that any new information and research be shared with appropriate staff.

John Sax, 203 Willow Brook Drive, expressed concern that field proponents were only listening to each other.

Gary Lilienthal, 314 Willow Brook Drive, asked the Board about the public comment process.

A5. 2019 Special Town Meeting: Review schedule The Board reviewed the draft schedule for the 2019 Special Town Meeting. It has been reviewed by staff and the Town Administrator's office. M. Antes suggested that October 29, 2019 would be the best date for the League of Women Voters issues forum. The Board will review the schedule in a final state at the next meeting.

A6. 2020 Annual Town Meeting: Discuss potential dates C. Karlson noted a typo on the second page and listed everyone she has contacted to date. The goal is to put it out there and to make a decision when information from the Interfaith Leadership Association is available. She said the 7th and 8th nights of Passover have to be added. The Board briefly discussed the potential dates.

A7. Annual Budget Policy: Review and vote policy C. Karlson explained that the draft policy has been put into a more generic format, not specific to a fiscal year. She reported that the budget summit in September will include a 5-year capital plan.

T. Fay moved, seconded by D. Levine, that the red-lined version in the packet referring to the policy on the Annual Budget process be adopted by the Board. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A8. Vote to sign agreement between Public Employee Committee (PEC) and Town of Wayland I. Miller reported that the Public Employee Committee (PEC) has signed the agreement regarding health insurance for employees and retirees. The agreement is now public and covers a three-year period from July 1, 2019 through June 30, 2022. L. Miller reported that employees were most interested in looking for ways to reduce health insurance costs. The agreement adds a high deductible plan and increases town contributions for family plans. Seven percent of employees are moving to high deductible plans in response to this agreement.

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen approve the memorandum of agreement between the Town of Wayland and the Wayland Public Employee Committee effective July 1, 2019 through June 30, 2022. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson thanked L. Miller and the negotiating team for their work.

A9. Plastic Checkout Bag Reduction Bylaw: Review and discuss compostable bag question L. Miller reported that a business in town has requested consideration for using compostable bags. L. Miller distributed samples of compostable bags and explained the bylaw. T. Fay said he was interested to see what other towns have done about the issue of banning bags. C. Karlson said she would reach out to Paul Dale, the lead petitioner for the 2017 Annual Town Meeting article, about possibly updating the bylaw.

A10. Civility Policy: Review and discuss Personnel Policy and Board of Selectmen guidelines; possibly vote to revise and/or approve policy L. Miller reported that she went through several trainings with employees and noted that the civility training in particular was really well received by staff. She said staff has brought to her attention several instances where they have been subjected to unacceptable behavior that crosses the bounds of civility by boards and residents. T. Fay asked if these have been isolated incidents. L. Miller said no; it's been a pattern among certain individuals. M. Antes suggested creating a code of conduct for Town Meeting. D. Levine offered his assistance in any form and stated that this behavior is intolerable. L. Anderson suggested the recording of all meetings might deter bad behavior. L. Miller stressed that all discussions should remain factual and not personal.

L. Miller said she would like the Board to adopt a similar Civility Policy as the one Wayland employees adhere to. She said the current one needs to be updated. The goal is for the Board to distribute a policy to other boards and committees and elected and appointed officials. D. Levine offered to work with L. Miller on drafting a policy. M. Antes also offered to help.

A11. Town Manager Special Act: Review most recent draft; discuss presentation; schedule outreach

L. Anderson led the Board through an updated version of the draft Town Manager Special Act (TMSA) based on input from the meeting two weeks ago and from Town Counsel. The Board discussed the suggested changes. T. Fay confirmed that the changes still leave policy decision making for the Library in the hands of the Library Board of Trustees. Hiring authority was discussed and how it relates to union contracts. L. Anderson and C. Karlson said they will reach out to the current Town Clerk about the draft related to matters affecting the Clerk's office. L. Miller asked why the Finance Director has the authority and responsibilities of the Town Accountant. C. Karlson said it is either in the code or job description. T. Fay confirmed that the Board of Library Trustees would appoint an interim Library Director if needed. T. Fay said a resident suggested making a chart to show the changes from current code to make it clear for residents. M. Antes stressed the need to explain what being responsible means versus doing the work as far as job descriptions.

L. Anderson suggested setting up a webpage on the TMSA. She handed out a draft presentation and asked the Board for feedback. The Board discussed the need for simple visuals, organization charts, and department-specific slides. C. Karlson asked for feedback so that the Board could review it again next week, as well as discuss a schedule for information sessions.

A12. Town Administrator's Report

1. **School Bus Parking** The Town has received a permit from the Town of Sudbury's Conservation Commission and is awaiting a license from MassDOT for the Town to review. The next step is to prepare the site for school bus parking.
2. **Permitting Software Update** The Town received \$38,000 in a Community Compact grant from the state and so far has spent \$30,000 of the funds. L. Miller said she sent in a request for more time to spend the rest of the grant. She said she is hoping for a 6-month extension with the project starting in November. Representative Carmine Gentile included \$50,000 for the Town's permitting software in the House budget. It's anticipated the rest of the funds totaling \$8,000 will be requested at Fall Town Meeting.
3. **Verizon Cell Tower Update** There will be a balloon test on June 6 at the High School from 2pm-6pm. Feedback from the Permanent Municipal Building Committee suggested having the cell tower on a different structure than the lights.
4. **Committee Appointments: Status** Letters went out to all appointed committee members whose terms expire at the end of the fiscal year. L. Miller said she would keep the Board updated.
5. **PEC (Public Employee Contract) Agreement Update** See above agenda item and vote.
6. **Wayland Meadows, LLC's cost examination under Chapter 40B** A letter was sent to the MassHousing Finance Agency asking for clarification on a few items. L. Miller said she would ask Town Planner S. Sarkisian to follow up with the agency.

A13. Review and vote to approve Board of Selectmen regular session minutes of May 13, 2019; May 20, 2019 and May 29, 2019.

L. Anderson moved, seconded by M. Antes that the Board of Selectmen approve the regular session minutes of May 13, 2019 and May 29, 2019, as amended. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A14. Consent Calendar: Review and vote to approve (see separate sheet)

1. Vote the question of approving and signing the weekly payroll and expense warrants
2. Vote to ratify the contract between Constellation NewEnergy, Inc. and the Town of Wayland (electricity agreement)
3. Vote to ratify the contract between Direct Energy Business Marketing, LLC and Town of Wayland (natural gas agreement)
4. Vote to sign the Race Amity Day Proclamation
5. Vote the question of approving and signing invoice #120563, from KP Law, dated April 23, 2019, for professional services rendered through March 31, 2019, in the amount of \$12,366.36.

6. Vote the question of approving and signing invoice #120565 from KP Law, dated April 23, 2019, for professional services rendered through March 31, 2019, in the amount of \$482.15
7. Vote the question of approving and signing invoice #128947/5-15-001 from Anderson Kreiger, dated April 8, 2019, for River's Edge Special Counsel services in the amount of \$7,770.00.
8. Vote the question of approving and signing invoice #129411/5-15-001 from Anderson Kreiger, dated May 16, 2019, for River's Edge Special Counsel services in the amount of \$455.00.
9. Review and vote on Request for Exemption as required by MGL 268A Section 20(b) for the following employee to work in the Recreation Department in the capacity of Site/Camp Director – Wayland Escapes: Shawn Powers
10. Vote to authorize the Chair to sign certificates awarding the Veterans Memorial Freedom Prize and Freedom Prize Finalists
11. Vote to authorize Cherry Karlson, Chair, or Louise Miller, Town Administrator, to sign Local Initiative Program Regulatory Agreement for 11 Hammond Road
12. Vote the question of approving and signing Improvements to Wayland High School Athletic Facilities. The Contract is for the construction project with a value of \$5,797,000 and will be performed by Heimlich Landscaping and Construction Corporation

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

A15. Correspondence Review C. Karlson explained that the report from Doug Harris (Item #3) didn't make the correspondence list in time. T. Fay asked about the affordable housing update (Item #2) and what the Town's current percentage is with the addition of River's Edge.

A16. Selectmen's reports and concerns L. Anderson stated the Energy and Climate Committee is planning to bring forward a Special Town Meeting article on Green Community Choice Aggregation. L. Miller said she would like to put together a list of questions with B. Keefe and then talk to the Committee. M. Antes asked about the letter regarding the field at Oxbow and asked if someone was following up with that. C. Karlson asked L. Miller to bring the Board up to speed about the project at the next meeting since some of the comments made in public comment weren't accurate. The Board noted that the Memorial Day Parade and Ceremony went very well. C. Karlson stated that the Town has received an Open Meeting Law complaint and she will work with L. Miller to produce a draft response for the next meeting. She noted the issue from the complainant is the same as his previous complaints and the Board is still awaiting a decision from the Attorney General's Office.

C. Karlson said she attended the BoPW's meeting on May 21 with L. Miller. She heard updates on stormwater and water finances; L. Miller was able to explain the changes to the procurement process. She said the BoPW has continued to express their need for additional laydown areas, specifically the old landfill site on Route 20. She asked L. Miller to keep that in mind for the Capital Plan.

A17. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:
None.

A18. Enter into Executive Session: 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 and, 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 River's Edge Project at 484-490 Boston Post Road and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination and, Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with Wayland Firefighters Local 1978, International Association of Firefighters, AFL-CIO, and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to review and approve the executive session minutes of May 20, 2019. APPROVE AND HOLD: Executive Session minutes of May 20, 2019. At 9:43p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into Executive Session 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 and, 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 River's Edge Project at 484-490 Boston Post Road and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation

Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination and, Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with Wayland Firefighters Local 1978, International Association of Firefighters, AFL-CIO, and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to review and approve the executive session minutes of May 20, 2019. APPROVE AND HOLD: Executive Session minutes of May 20, 2019.

The Chair declares 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: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. The Chair invites attendance by Louise Miller, Town Administrator and Elizabeth Doucette, Assistant Town Administrator. The Board will reconvene in approximately 30 minutes for the purpose of adjourning.

D. Levine left the meeting at 9:59 p.m. The Board returned to open session at 10:10 p.m.

A15. Adjourn L. Anderson moved, seconded by T. Fay, to adjourn the meeting at 10:10p.m. YEA: L. Anderson, M. Antes, C. Karlson, T. Fay NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 3, 2019

1. Tenth Amendment to Land Disposition Agreement
2. Slide Presentation: An Act Establishing the Position of Town Manager in the Town of Wayland
3. The Beacon publication for June 2019 (distributed to D. Levine; L. Anderson; and C. Karlson)

Items Included as Part of Agenda Packet for Discussion During the June 3, 2019 Board of Selectmen's Meeting

1. Bond Anticipation Note Municipal Purpose Load
2. Draft of 2019 Special Town Meeting Schedule
3. Draft of 2020 ATM Potential Dates
4. Draft of Board of Selectmen's Policy on the Annual Budget Process
5. Draft of Board of Selectmen's Policy on the Annual Budget Process (red-lined version)
6. Agreement Between the Town of Wayland and the Wayland Public Employee Committee
7. Correspondence from Lea Anderson, Chair, Board of Selectmen, to Wayland Business Owner and Manager, dated August 7, 2017 re: Plastic Checkout Bag Reduction Bylaw in Wayland
8. Correspondence from Maura Healey, Attorney General, to Beth Klein, Town Clerk, dated July 21, 2017, re: Wayland Annual Town Meeting of April 2, 2017 – Case # 8302; Warrant Article #14 (Zoning); Warrant Article #5, 23 and 24 (General)
9. Copy of Article 13: Plastic Bag Reduction Bylaw from 2017 Annual Town Meeting Warrant
10. Policy #A2-1.1 – Mutual Respect in the workplace-All Employees
11. Policy #A2-2.1 – Standards of Conduct – All Employees
12. Wayland Board of Selectmen – Board Description and Guiding Principles
13. Draft 5/28/2019 Select Board/Town Manager Act
14. Draft 5/29/2019 Select Board/Town Manager Act (red-lined version)
15. Notice of Balloon Test, Wayland High School Athletic Field, Thursday, June 6, 2019 from 2:00 pm to 6:00 pm
16. Draft of Correspondence from Louise Miller, Town Administrator, to Gregory Watson, Manager, Planning and Programs, re: Cost Examination for Wayland Meadows Development
17. Correspondence from Denise Cataldo, of Denise Cataldo, CPA, PC, to Sarkis Sarkisian, Town Planner, dated May 28, 2019, re: MassHousing Review of Cost Examination Report of Wayland Commons
18. Correspondence from Gregory Watson, Manager, MassHousing, Planning and Programs, to Lea Anderson, Chair, Board of Selectmen, dated March 6, 2019, re: MassHousing's Draft Report Regarding Cost Examination for the Wayland Commons development
19. Draft of Report on MassHousing's Analysis of the Cost Examination Dated March 1, 2019 and Received by MassHousing on March 5, 2019
20. Wayland Meadows, LLC, Schedule of Chapter 40B Maximum Allowable Profit from Sales and Schedule of Total Chapter 40B Costs Together with Independent Accountant's Report
21. Draft of Minutes of Board of Selectmen minutes of May 13, 2019
22. Draft of Minutes of Board of Selectmen minutes of May 29, 2019
23. Open Meeting Law Complaint files by resident George Harris May 29, 2019

Correspondence

1. Correspondence from resident John Sax to C. Karlson, Chair, Board of Selectmen; Doug Levine, Selectman; Thomas Fay, Selectman; Lea Anderson, Selectman; Mary Antes, Selectman; and Louise Miller, Town Administrator; dated May 28, 2019, re: Loker follow up memo to ZBA (includes MetroWest Daily News article "Disagreement between town boards throw another wrinkle into the controversy surrounding a proposed artificial turf field" dated May 24, 2019; and a copy of correspondence from Daniel Hill, Chair of the Wayland Planning Board, to the Wayland Zoning Board of Appeals, dated May 20, 2019, re: Loker Recreation Project – Clarification on Comments on Site Plan Review Application)
2. Correspondence from Brian Boggia, Executive Director, Wayland Housing Authority; and Katherine Provost, FSS Coordinator, to WHA Board of Commissioners; Wayland Housing Partnership; Municipal Affordable Housing Trust Fund Board; Wayland Town Administrator; Wayland Town Planner; dated May 10, 2019, re: Affordable Housing Update
3. Report from Doug Harris, Preservationist for Ceremonial Landscapes & Deputy Tribal Historic Preservation Officer, Narragansett Indian Tribal Historic Preservation Office, dated April 21, 2019, re: Why Should Loker be Respected and Protected?
4. "Save the Date" correspondence from Massachusetts Office of Disability, to Louise Miller, Town Administrator, dated May 17, 2019, re: Fifth Annual Disability Summit, September 27, 2019 from 8:30am to 12:30pm at the Boston Convention & Exhibition Center, 415 Summer Street, Boston, MA 02210
5. Wayland Free Public Library May 2019 Newsletter

01203 Draft
minutes of
June 10, 2019



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

DRAFT

Board of Selectmen

Meeting Minutes

June 10, 2019

7:00 p.m.

Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Thomas J. Fay

Absent: Douglas A. Levine.

Also Present: Town Administrator Louise Miller, Assistant Town Administrator Elizabeth Doucette

A1. Call to Order by Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room in the Wayland Town Building when a quorum was present, noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcements and Public Comment The Library will be hosting a program about climate-friendly home heating and cooling with heat pumps tomorrow at 7:00 p.m. The COA will kick off the 8th Annual Community Concert Series June 13 from 7-8 p.m. in the courtyard. RiverFest 2019 will be held on June 22 and 23. The merchants and property manager at Town Center are sponsoring the Wailin' Wednesdays concerts again. The first one is June 19 at 5:30-7:30 p.m. A pilot shuttle program along Route 20 will have two stops in Wayland at the Town Center and Coach Grill taking folks to the Riverside train station. The schedule and more information is available on the Town's website.

Kay Gardner-Westcott, 5 Richard Rd., clarified comments made at the last meeting regarding the Loker project, specifically information in the letter from Doug Harris.

Lina Russo, 89 Oxbow trustee, discussed a letter she emailed to the Board regarding the planting that has taken place at Oxbow. She noted that the trustees are awaiting a response from the BoS.

Tom Sciacca, discussed cell tower proposals in the area and stated that the River Stewardship Council was notified in advance in the past. He noted that there is no visible cell tower from the river. He talked about the history of the Loker parcel, concern about removal of trees, and how he feels it would be unfair to the people living at the Willow Brook condominiums if the project goes forward.

Carole Plumb, Bald Rock Rd., asked if any language would be put into the Town Manager Special Act that would require the Town to communicate with the residents.

Lorraine Greiff, Charena Rd., stated she has lived in town for 53 years and read a letter protesting the proposed cell tower on Wayland High School property and distributed a signed petition to the Board.

Ed Collins, Plain Rd., echoed what had been said at that night's public comment about the proposed cell tower and expressed his concern and urged the Board to move cautiously and carefully.

Rosemary Kenelsky, Kelsey Rd., asked the Board to figure out a different solution for the proposed cell tower.

A3. 2019 Special Town Meeting: Discuss and vote schedule The Board agreed that the schedule is similar to previous schedules and agreed to take a vote.

M. Antes moved, seconded by L. Anderson, that the Board of Selectmen accept the 2019 Special Town Meeting schedule, as amended. YEA: L. Anderson, M. Antes, C. Karlson, T. Fay NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

C. Karlson noted that D. Levine would not be able to attend the meeting tonight.

A4. 2020 Annual Town Meeting: Determine final dates The Board reviewed a document that includes input from Wayland's Interfaith Leaders. C. Karlson said it does include the dates that were already taken into consideration but does add comments. The High School Principal confirmed that the school would need 40-50 chairs with long white tables for their AP exams. Potential dates and scenarios were discussed by the Board. T. Fay asked the members of the Board if they prefer meeting on a Sunday. Every member said they could attend on a Sunday. The Board agreed that option 1, holding the election on Tuesday, March 31 and beginning Town Meeting on Sunday, April 5, would be the preferred option.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen choose option 1 for the scheduling of the 2020 Annual Town Meeting. YEA: L. Anderson, M. Antes, C. Karlson, T. Fay NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

A5. Loker Field: Review discussion with Recreation Commission; Consider need for additional environmental review The Board discussed the need for an additional environmental review. L. Miller said it would cost under \$10,000 and the Town has the funds. She suggested the review be done under the supervision of the Board of Selectmen. L. Anderson brought up the mapping of the Native American artifacts for the areas that are not in the survey of the Recreation area. Conservation voted to conduct a survey on that area but do not have the funds for it. L. Miller said Recreation might be able to pay for it out of their revolving fund. C. Karlson suggested there be a bigger conversation on how to best fund the survey.

T. Fay said he would follow up with Recreation on the different options of materials and the issue of hydrology in that area. C. Karlson noted that she had received notification from the BoPW that the field at the former DPW site would be discussed at a future meeting. T. Fay agreed to follow up with Recreation Commission Chair Asa Foster.

A6. Town Manager Special Act: Finalize presentation and schedule of outreach The Board received a clean version and a redlined version in the packet. L. Anderson went through all of the changes page by page and Board members offered suggestions. A discussion ensued about collections for the Library. Library information and student information are separately protected under state or federal law. T. Fay asked Town Counsel's timeframe regarding the note on page 8 in reference to repealing any existing laws inconsistent with this Act. He said he would ideally like it done before it is sent out. L. Anderson said she would ask Town Counsel C. Murray. The Board then reviewed the presentation. T. Fay complimented the charts. L. Anderson said the presentation should provide examples of the consequences of the lack of coordination that happens in the Town. C. Karlson said the Board would try to schedule a meeting next week, possibly in the morning, with only the Town Manager Special Act on the agenda so that the Board could release a revised draft to the community for discussion purposes.

A7. Town Administrator's Report

- 1. West Suburban Health Group Update** L. Miller said she is now on the steering committee for the West Suburban Health Group. She discussed an initiative from the state about mental health and the provisions of services. She stated some services would go into effect July 1, 2019 and July 1, 2020. Since there was a vote to postpone implementation for a year, the Town is technically in violation of the initiative but health insurance companies do not offer it.
- 2. Verizon Cell Tower Update** There was a balloon test last week at the high school. The discussion will continue with the School Committee. L. Miller reported that the Fire Chief said coverage in Wayland is a public safety issue. She noted that Verizon would be able to have a cell tower if they can prove gap in coverage. L. Miller discussed the cell tower districts that were created and how that applies to this proposed cell tower. S. Sarkisian and L. Miller are in touch with Verizon. She said the next steps for this issue rests with the School Committee.
- 3. Massachusetts General Law 61 B: Rod and Gun Club change of use** The Rod and Gun Club would like to convert part of their land and change its official use. This would be regardless of what happens with Verizon. An indoor firing range will be proposed. L. Miller said this act would trigger the opportunity for the Town to purchase the property.

4. **Permitting Software Update** The Town received the extension from the state for use of the remaining Community Compact funds.
5. **Committee Appointments: Status** A number of committee members were appointed to the wrong terms for the Cultural Council. Council members can only serve two 3-year terms. It appears some members are serving beyond their term limit or were sworn in for the wrong amount of time. That committee might take longer to get straightened out and the Town will advertise any openings when the assessment of the Cultural Council is complete.
6. **Police FLSA Update** L. Miller announced that the Town has reached an agreement with every police officer regarding overtime under the Fair Labor Standards Act and they are current with payments and on schedule.
7. **Public Records Update** At the end of the fiscal year the Town will produce a report about the public records requests throughout the year. L. Miller discussed an example where the Town is receiving daily public record requests of police logs from a company. L. Anderson suggested the Town approach legislative representatives about this problem. The Board discussed creating a position in Town to handle the many public records requests and other communication duties. C. Karlson said the Board has tried but will try again this year.
8. **Oxbow Meadows Field Project Update** A contractor is working to finish the field project. The field was not completed in the fall but the Town had requests for the plantings to be completed and instructed the contractor to go forward. Certain plants didn't survive the winter. L. Miller stated that the contractor would replace the plants. There's a new schedule and work should be completed by the middle of July. L. Miller discussed the irrigation issues and stated that Recreation will oversee the plantings. The plantings need to be completed in order for the order of conditions to be closed. L. Miller said the resident who made a public comment at a previous meeting regarding public records request was provided the documents that were available.
9. **FY21 Budget Schedule Update** The document included in the packet summarizes the findings of the meeting with FinCom's chair and vice chair, B. Keveny, C. Karlson, L. Anderson and L. Miller regarding the budget schedule and ways the Town can improve.
10. **Transfer of funds from the Board of Selectmen budget to pay Town Meeting vendors** L. Miller said Finance Director B. Keveny stated the Board can vote to spend the funds to pay the vendors as opposed to transferring the amount from the BoS budget to pay the vendors. E. Doucette discussed the outstanding expenses that total \$53,534.02.

A10. Consent Calendar: Review and vote to approve (see separate sheet)

1. Vote the question of approving and signing the weekly payroll and expense warrants
2. Vote to authorize the transfer of funds from the Board of Selectmen budget to pay Town Meeting vendors (*complete information will be available on Monday, June 10, 2019*)
3. Vote the question of approving and signing invoice #120893 from KP Law, dated May 23, 2019, for professional services rendered through April 30, 2019, in the amount of \$64.75
4. Vote the question of approving and signing invoice #121013 from KP Law, dated May 23, 2019, for professional services rendered through April 30, 2019 in the amount of \$8,548.67
5. Vote the question of approving the application to sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for 1634 Meadery, Dan Clapp, Manager, on July 3, 2019; July 31, 2019; August 28, 2019; and September 25, 2019
6. Vote the question of approving the application to sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Aaronap Cellars, Noel Powell, Manager, on July 24, 2019; and September 4, 2019
7. Vote the question of approving the application to sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Stonybrook Cider, Michael Lamontage, Manager, July 10, 2019; August 21, 2019; September 18, 2019; and October 2, 2019 (*conditional approval pending receipt of payment*)
8. Vote the question of approving the application to sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for House Bear Brewing, Carl Hirschfeld, Manager, July 17, 2019; August 14, 2019; and October 9, 2019
9. Vote the question of approving the application to sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Mill River Winery, Rick Rousseau, Manager, on June 26, 2019; August 7, 2019; and September 11, 2019 (*conditional approval pending receipt of completed paperwork and payment*)
10. Vote to approve and sign HUD Capital Fund Program Annual Contributions Amendment

11. Vote to authorize Louise Miller, Town Administrator, or Cherry Karlson, Chair, Board of Selectmen, to sign Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Project Local Action Units

M. Antes moved, seconded by L. Anderson, to approve the Consent Calendar, as amended with the addition of "\$53,534.02" added to #2. YEA: L. Anderson. M. Antes, T. Fay, C. Karlson. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

A8. Open Meeting Law: Review and discuss response for complaint filed by George Harris on May 29, 2019 The Board reviewed the response to the most recent Open Meeting Law complaint filed by George Harris. C. Karlson suggested two changes. L. Miller noted that Town Counsel said that the Town could request mediation with the Attorney General since it has received more than five OML complaints. M. Antes moved, seconded by T. Fay, that the Board of Selectmen approve the Open Meeting Law response for the complaint filed by George Harris on May 29, 2019. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

A9. Review and vote to approve Board of Selectmen regular session minutes of May 20, 2019 and June 3, 2019.

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen approve the regular session minutes of May 20, 2019, as amended. YEA: L. Anderson, M. Antes, C. Karlson, T. Fay. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

A14. Enter into Executive Session: 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 and, Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the Rivers Edge Project at 484-490 Boston Post Road and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss and strategy with respect to litigation – Stephen Cass v. Town of Wayland, and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation related to Kenneth Nelson v. Town of Wayland, et al. At 9:23 p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into Executive Session 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 and, Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the Rivers Edge Project at 484-490 Boston Post Road and, Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss and strategy with respect to litigation – Stephen Cass v. Town of Wayland, and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation related to Kenneth Nelson v. Town of Wayland, et al.

The Chair declares 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: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0. The Chair invites attendance by Louise Miller, Town Administrator, Elizabeth Doucette, Assistant Town Administrator, Paul Brinkman, Town Engineer, and Sean Fair, Chair of the Conservation Commission. The Board will reconvene in approximately 30 minutes for the purpose of completing the agenda.

The Board returned to open session at 10:24 p.m.

T. Fay left the meeting at 10:24 p.m.

A11. Correspondence Review M. Antes asked if Conservation has weighed in on the application of herbicides (item #3). L. Miller said they didn't have an issue with it but were instead waiting for the Board of Health to take a vote. The BOH voted to approve the use but with certain notifications. C. Karlson noted the Town Clerk did a thorough job researching item #5.

A12. Selectmen's reports and concerns C. Karlson noted she contacted Paul Dale and he will follow up with a statement regarding plastic bag alternatives after he consults with the organization that supported the bylaw.

A13. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:
None.

A15. Adjourn L. Anderson moved, seconded by M. Antes, to adjourn the meeting at 10:26 p.m. YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: D. Levine, T. Fay. ABSTAIN: none. Adopted 3-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 10, 2019.

1. "Keep Residential Neighborhoods Free of Wireless Towers and Antennas" signed petition (presented during Public Comment)
2. Correspondence from Paul Brinkman, Town Engineer, to resident Kay Westcott, re: parcels of land and impacted conservation areas (presented during Public Comment)
3. Draft correspondence from Cherry Karlson, Chair of the Board of Selectmen, to Wayland resident George Harris, dated June 11, 2019, re: Open Meeting Law Complaint
4. Correspondence from Rebecca Murray, Supervisor of Records, Commonwealth of Massachusetts, to Louise Miller, Town Administrator, dated June 5, 2019 re: SPR19/1095 – administrative appeal closed
5. Plan of land in Wayland, Mass. owned by Wayland Rod & Gun Club, Inc.
6. Correspondence from Rev. Dr. Stephanie May, First Parish of Wayland, to Cherry Karlson, Chair, Board of Selectmen, dated June 6, 2019, re: Religious Holiday 2020
7. Correspondence from Tom Sciacca, to Jeanne Downs; Ellen Grieco; Nate Buffum; Kim Reichelt; Kathie Steinberg; and Arthur Unobskey all of the Wayland Public Schools, dated June 7, 2019, re: Tower at High School
8. Image of balloon test passed around for viewing by Louise Miller

Items Included as Part of Agenda Packet for Discussion During the June 10, 2019 Board of Selectmen's Meeting

1. Draft of Select Board/Town Manager Act (dated June 6, 2019)
2. Draft of Select Board/Town Manager Act (dated June 6, 2019 – red-lined)
3. Correspondence from Wayland resident Tonya Cunningham and Lina Russo, Trustee, on behalf of The Residence at 89 Oxbow Condominium Trust, to Sarkis Sarkisian, Planning Board; Katherine Brenna, Recreation Department; Linda Hansen, Conservation Commission; and Louise Miller, Town Administrator; dated May 29, 2019, re: Field at Oxbow Meadows
4. Open Meeting Law Complaint filed by Wayland resident George Harris, dated May 20, 2019, re: Board of Selectmen meetings 5/6/19 and 5/13/19
5. Draft v4 of 2019 Special Town Meeting Schedule
6. Draft Discussion on Spring 2020 Annual Town Meeting Date (dated June 10, 2019)
7. Draft FY 2021 Budget Schedule and Process (dated June 10, 2019)
8. Correspondence from Rebecca Murray, Supervisor of Records, Commonwealth of Massachusetts, to Wayland resident Tonya Cunningham, dated May 24, 2019, re: public records response appeal SPR19/1034
9. Correspondence from Rebecca Murray, Supervisor of Records, Commonwealth of Massachusetts, to Louise Miller, Town Administrator, dated May 28, 2019, re: public records response appeal SPR19/1034
10. Correspondence from Rebecca Murray, Supervisor of Records, Commonwealth of Massachusetts, to Wayland resident Tonya Cunningham, dated May 31, 2019, re: public records response appeal SPR19/1095
11. Correspondence from Louise Miller, Town Administrator, to Wayland resident Tonya Cunningham, dated June 4, 2019, re: public records response
12. Draft of Board of Selectmen minutes of May 20, 2019

CORRESPONDENCE

1. Correspondence from Louise Miller, Town Administrator, to Gregory Watson, Manager, Planning and Programs, Massachusetts Housing Finance Agency, dated June 4, 2019, re: Cost Examination for Wayland Meadows Development (includes attachment of MassHousing Review of Cost Examination Report of Wayland Commons created by Denise Cataldo, CPA, P.C.)
2. Copy of Commonwealth Massachusetts License Request from Ashley Sutton, received May 20, 2019, re: permit for seasonal dock on Lake Cochituate (North Pond)

3. Correspondence from William Hayes, Supervisor, Eversource, to Municipal Official, dated May 24, 2019, re: selective application of herbicides along power lines rights-of-way that pass through municipality
4. Correspondence from Joanne Campo, Deputy General Counsel, Commonwealth of Massachusetts, Office of Consumer Affairs and Business Regulation, to the Board of Selectmen, dated May 30, 2019, re: Recent Audit of Dealership (includes attachment of correspondence from Joanne Campo, to Giovanni Tosti, Herb Chambers Maserati, Wayland, MA, dated May 14, 2019, re: Lemon Law Sticker Audit)
5. Correspondence from Anna Ludwig, Wayland Town Clerk, to Secretary of the Commonwealth, Public Records Division, dated June 6, 2019, re: Notice of Acceptance, provisions of Massachusetts General Law, C. 41, sec. 110A – Saturday treated as a holiday
6. Flyer re: Affordable Single-Family Home Rental Opportunity, 11 Hammond Road, Wayland, MA

8.) BoS Draft
minutes of
June 21, 2019



TOWN OF WAYLAND

41 COCHITUATE ROAD
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BOARD OF SELECTMEN

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

DRAFT

Board of Selectmen

Meeting Minutes

June 21, 2019

8:00 a.m.

Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland

Attendance: Lea T. Anderson, Mary M. Antes, Thomas J. Fay, Cherry C. Karlson, Douglas A. Levine
(joined the meeting remotely at 8:18 a.m. by phone)

Also Present: Town Administrator Louise Miller, Assistant Town Administrator Elizabeth Doucette

A1. Call to Order by Chair C. Karlson called the meeting of the Board of Selectmen to order at 8:00 a.m. in the Selectmen's Meeting Room in the Wayland Town Building when a quorum was present, noted that the meeting would not be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcements and Public Comment C. Karlson announced that D. Levine will call in to participate remotely as he could not physically attend the meeting this morning. Additionally, a quorum was present, including the chair, all votes will be taken by roll call, and she will make certain that all present can hear his call. M. Antes reported that RiverFest 2019 will be held this weekend with three events on Saturday and one event on Sunday.

Mike Lowery, 120 Lakeshore Drive, speaking for himself, asked the Board to avoid discrepancies between the Town Manager Special Act and Chapter 151.2.2 of Town Code. He expressed concern about appointment of subordinate employees, Department Heads losing authority to appoint employees and that this would likely be opposed at Town Meeting.

Alice Boelter, Lake Shore Drive, commented that Mike Lowery's view was appropriate. She expressed concern that the meeting was being held at an inconvenient time for citizens to participate and that the Board should communicate with the public. (C. Karlson responded that as discussed at the last BoS meeting, the reason for today's meeting is to facilitate an earlier release of a draft act to the public to begin gathering input from the community.) A. Boelter expressed concern about bringing an article to Special Town Meeting in the fall because many people will be out of town in November and the proposed workload for the Town Manager.

Sarah Hubbell, 12 Winthrop Road, speaking on behalf of the Library Trustees, expressed concern that Section 3.1.f. of the draft act sets up a dual reporting structure for the Library Director and requested that an organization chart on the new reporting structure be provided. S. Hubbell also asked for assurance relative to Section 3.1.i. that the Board of Library Trustees (BoLT) will maintain authority over programs and expressed concern about coordinating programs with other departments.

At 8:18 a.m., Doug Levine joined the meeting by phone.

A3. Town Manager Special Act: review latest draft, vote to distribute document, discuss next steps
L. Anderson led the Board through the latest draft. She summarized changes since the last review including the name change from Town Manager Special Act to Select Board/Town Manager Act and Town Counsel's suggestion to move Section 5 Renaming of Select Board to the beginning, because all references in the document use the new name. Minor suggestions on spacing were made.

The Board discussed continuing concerns of the BoLT relative to the Town Manager being responsible for management. T. Fay said that he understood the BoLT's perspective, but feels comfortable that the language "as provided in state law" protects the Library. L. Anderson said that the buck stops at the Town Administrator's desk today for many financial, administrative and operational issues regarding contracts, collective bargaining, legal, budgeting, and more. She suggested that a slide defining "being responsible for" might be helpful. M. Antes suggested adding the words "in compliance with any applicable provision of a collective bargaining agreement" in Section 3.3.b to be consistent with Section 3.3.a. L. Miller reminded the Board that today, union department heads may not hire, fire, etc. employees that are in the same union. She suggested including an organization chart that shows which department heads are in a union and which are not. M. Lowery suggested using the word "oversight".

C. Karlson read aloud the draft cover letter to Board, Committee, Commission Chairs and Department Heads. The Board agreed to provide the cover letter and a link to the draft Select Board/Town Manager Act to the local press. L. Anderson reviewed the webpage that is currently on the Town's website and suggested changing the title of the document to match the current draft. M. Antes agreed to look for information on the 1989 Charter Commission work. D. Levine suggested meeting with the new reporter at the Crier to talk about an article. The Board agreed to discuss scheduling meetings with committees and the community at its next meeting.

L. Anderson moved, seconded by M. Antes that the Board of Selectmen issue the cover letter and draft Select Board/Town Manager Act of June 21, 2019 to Board, Committee, and Commission Chairs and Department Heads, post the documents on the Town's website, and send same to local press outlets. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any There were none.

A5. Adjourn T. Fay moved, seconded by L. Anderson to adjourn the meeting at 8:57 a.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, D. Levine, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 21, 2019

1. Draft memo to Board, Committee, and Commission Chairs and Department Heads regarding distribution of the Select Board/Town Manager Act dated June 21, 2019
2. Webpage screen shot of Town Manager Special Act information from the Town's website

Items Included as Part of Agenda Packet for Discussion During the June 21, 2019 Board of Selectmen's Meeting

1. Draft 6/19/19 Select Board/Town Manager Act

PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM JUNE 8, 2019 THROUGH AND INCLUDING JUNE 24, 2019 OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR JUNE 26, 2019

Items distributed to the Board of Selectmen – JUNE 8, 2019 – June 24, 2019

1. Correspondence from Tom Sciacca, to Jeanne Downs; Ellen Grieco; Nate Buffum; Kim Reichelt; Kathie Steinberg; and Arthur Unobskey all of the Wayland Public Schools, dated June 7, 2019, re: Tower at High School
2. Correspondence from Sarkis Sarkisian to the Board of Selectmen, dated June 19, 2019, re: MWRTA & Sudbury hosting Route 20 Shuttle Ribbon Cutting

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 10, 2019

1. "Keep Residential Neighborhoods Free of Wireless Towers and Antennas" signed petition (presented during Public Comment)
2. Correspondence from Paul Brinkman, Town Engineer, to resident Kay Westcott, re: parcels of land and impacted conservation areas (presented during Public Comment)
3. Draft correspondence from Cherry Karlson, Chair of the Board of Selectmen, to Wayland resident George Harris, dated June 11, 2019, re: Open Meeting Law Complaint
4. Correspondence from Rebecca Murray, Supervisor of Records, Commonwealth of Massachusetts, to Louise Miller, Town Administrator, dated June 5, 2019 re: SPR19/1095 – administrative appeal closed
5. Plan of land in Wayland, Mass. owned by Wayland Rod & Gun Club, Inc.
6. Correspondence from Rev. Dr. Stephanie May, First Parish of Wayland, to Cherry Karlson, Chair, Board of Selectmen, dated June 6, 2019, re: Religious Holiday 2020
7. Correspondence from Tom Sciacca, to Jeanne Downs; Ellen Grieco; Nate Buffum; Kim Reichelt; Kathie Steinberg; and Arthur Unobskey all of the Wayland Public Schools, dated June 7, 2019, re: Tower at High School
8. Image of balloon test passed around for viewing by Louise Miller

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2. Webpage screen shot of Town Manager Special Act information from the Town's website

Items Included as Part of Agenda Packet for Discussion During the June 21, 2019 Board of Selectmen's Meeting

1. Draft 6/19/19 Select Board/Town Manager Act

Items included as part of the Agenda Packet for discussion during the June 26, 2019 Board of Selectmen Meeting

1. Board of Selectmen Appointments --Status as of June 24, 2019
2. Appointments to Town Boards and Committees (Board of Selectmen procedures)
3. Resume of Wayland resident Adam Gutbezahl
4. Correspondence from Louise Miller, Town Administrator, to Board of Selectmen, dated June 26, 2019, re: Waiver of Permit Fees for Council on Aging Program to Replace Smoke Detectors

5. Correspondence from Fire Chief Houghton, to the Board of Selectmen, dated June 11, 2019, re: Waiving Permit Fees for Smoke Detector Program
6. Correspondence from Paul Dale, to Cherry Karlson, Chair, Board of Selectmen, dated June 15, 2019, re: Compostable bags and Green CCA (Includes copy of Mass Climate Action Network ppt "Green Aggregation: What it is, why it is important, how to do it.")
7. Correspondence from Paul Dale, to Cherry Karlson, Chair, Board of Selectmen, dated June 17, 2019, re: FYI – Guidelines on "Compostable" Claims (Includes information from section fifteen of the Federal Trade Commission's Act 15 U.S.C. § 45
8. Draft of Board of Selectmen meeting minutes of June 3, 2019
9. Draft of Board of Selectmen meeting minutes of June 10, 2019
10. Draft of Board of Selectmen meeting minutes of June 21, 2019

BOARD OF SELECTMEN
Wednesday, June 26, 2019
7:00 p.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland, MA

CONSENT CALENDAR

1. Vote the question of approving and signing the weekly payroll and expense warrants
2. Vote the question of approving a waiver of permit fees for the Council on Aging Program to Replace Smoke Detectors
3. Vote the question of approving and signing the Affordable Housing amendment to the Inter-municipal Agreement with Regional Housing Services Office
4. Vote the question of approving and signing invoice #16 from Valerio, Dominello & Hillman, LLC, dated June 7, 2019, for legal services rendered through May 31, 2019, in the amount of \$66.00
5. Vote the question of approving and signing invoice # 121272 from KP Law, dated June 14, 2019 for professional service through May 31, 2019 in the amount of \$240.50
6. Vote the question of approving and signing invoice # 121352 from KP Law, dated June 14, 2019 for professional service through May 31, 2019 in the amount of \$930.78
7. Vote to approve expenditure of \$15,000 from the Dudley Pond Grant Account to engage Solitude Lake Management for the provision of herbicide treatment of Eurasian watermilfoil, as recommended by the Surface Water Quality Committee.



Valerio
Dominello &
Hillman, LLC

One University Avenue
Suite 300B
Westwood, MA 02090

RECEIVED
JUN 10 2019
Board of Selectmen
Town of Wayland

T: 617.862.2005
F: 617.862.2025
W: VDHBoston.com

June 7, 2019

Town of Wayland
ATTN: Louise Miller
41 Cochituate Road
Wayland, MA 01778

BREAKDOWN OF LEGAL SERVICES RENDERED THROUGH 5/31/19

	<u>Hours</u>	<u>Total</u>
Invoice Number 16	0.30	\$66.00
TOTAL FEES		\$66.00
TOTAL DUE		<u>\$66.00</u>

1003.00

KP LAW, P.C.
101 ARCH STREET
BOSTON, MA 02110
(617) 556-0007

INVOICE NO: 121272

WAYLAND TAX
MS. LOUISE MILLER
WAYLAND TOWN HALL
41 COCHITUATE ROAD
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICE
THROUGH

May 31, 2019

June 14, 2019

TOTAL FEES:	\$240.50
TOTAL COSTS:	<u>\$0.00</u>
BALANCE DUE:	<u>\$240.50</u>

KP LAW, P.C.
101 ARCH STREET
BOSTON, MA 02110
(617) 556-0007

INVOICE NO: 121352

WAYLAND TOWN HALL
41 COCHITUATE ROAD
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICE
THROUGH

May 31, 2019

June 14, 2019

TOTAL FEES:	\$592.00
TOTAL COSTS:	<u>\$338.78</u>
BALANCE DUE:	<u>\$930.78</u>

BOARD OF SELECTMEN
Wednesday, June 26, 2019
7:00 p.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland, MA

CORRESPONDENCE

1. Correspondence from Thomas McEnaney, KP Law, to Clerk, Appellate Tax Board, dated June 7, 2019 re: Mahoney's Garden Center v. Board of Assessors, Town of Wayland
2. Correspondence from Justin Hammerle, Development & Acquisitions, Picerne Real Estate Group, to Town of Wayland, rec'd June 10, 2019, re: interest in purchasing land at 412 Commonwealth Road, Wayland, MA 01778
3. Correspondence from Gregory Watson, Manager, Planning and Programs, to Louise Miller, Town Administrator, dated June 11, 2019, re: Cost Examination for Wayland Meadows, LLC
4. Correspondence from Cherry Karlson, Chair, Board of Selectmen, to Wayland resident George Harris, dated June 11, 2019, re: Open Meeting Law complaint filed May 29, 2019 (includes attachment of original complaint)
5. Correspondence from Wayland resident George Harris, to Carrie Benedon, Director, Division of Open Government, Office of the Attorney General, dated June 18, 2019, re: Pending Complaints Against Wayland Board of Selectmen
6. Correspondence from Kerry Anne Kilcoyne, Assistant Attorney General, Division of Open Government, to Sean Fair, Chair, Wayland Conservation Commission, dated June 20, 2019, re: Open Meeting Law Complaint, OML 2019-74
7. Correspondence from Jonathan Sachs, Chair, Wayland Zoning Board of Appeals, to Wayland Board of Selectmen, dated June 19, 2019, re: resignation as chair and member of Wayland Zoning Board of Appeals
8. Correspondence from William Pickett, Jr., to Board of Selectmen and Louise Miller, Town Administrator, dated May 31, 2019, re: reappointment as Constable for the Town of Wayland, Massachusetts
9. Correspondence from Sherre Greenbaum, to Board of Selectmen, dated June 19, 2019, re: request for reappointment to Conservation Commission and reappointment highlights
10. Correspondence from Wayland resident Molly Upton, to Board of Selectmen, Louise Miller, Town Administrator, and Teri Hegarty, Executive Assistant, dated June 23, 2019, re: ConCom reappointment of Sherre Greenbaum
11. Correspondence from Wayland resident Karl Klapper, to Board of Selectmen and Louise Miller, Town Administrator, dated June 23, 2019, re: reappointment of Sherre Greenbaum to Conservation Commission
12. Correspondence from Wayland resident Katherine Gardner-Westscott, to Louise Miller, Town Administrator, and the Board of Selectmen, dated June 23, 2019, re: Letter of Support for Sherre Greenbaum
13. Correspondence from Wayland resident Sheila Carel, to the Board of Selectmen, dated June 24, 2019, re: Support for Sherre Greenbaum's reappointment as a member of the Wayland Conservation Commission
14. Copy of Memorandum of Agreement Between the Town of Wayland the Wayland Public Employee Committee (July 1, 2019 through June 30, 2022)
15. Survey comments from Wayland resident Any Oppenheim, received June 7, 2019, re: Economic Development Committee
16. Survey comments from Wayland resident Ann Gordon, received June 4, 2019, re: Historical Commission
17. Survey comments from Wayland resident Nancy Leifer, received June 4, 2019, re: Council on Aging Board

18. Comments from Wayland resident Susan Green, received June 6, 2019, re: Community Preservation Committee
19. Survey comments from Wayland resident Denise Yukofsky, received June 6, 2019, re: Council on Aging Board
20. Survey comments from Wayland resident Margery Baston, received June 6, 2019, re: Historic District Commission
21. Survey comments from Wayland resident Elizabeth Newton, received June 6, 2019, re: Surface Water Quality Commission
22. Survey comments from Wayland resident Katherine Gardner Westscott, received June 12, 2019, re: Historical Commission
23. Survey comments from Wayland resident Jen Gorke, received June 12, 2019, re: Finance Committee
24. Survey comments from Wayland resident Klaus Shigley, received June 17, 2019, re: Finance Committee
25. Report from Patrick Swanick, Chief of Police, to the Board of Selectmen, dated May 2019, re: Monthly Police Department Report
26. Report from Julia Junghanns, Director, Board of Health, to the Board of Selectmen, dated June 10, 2019, re: Board of Health Director's Report