

**Board of Selectmen  
March 16, 2020  
Supplemental Packet**

TABLE OF CONTENTS

1. COVID-19 updates on the Town website (5)
2. Town of Wayland, MA Ecode360
3. H 4572 An Act to Address Challenges in Town Governance Resulting from COVID-19 dated March 16, 2020
4. Correspondence from Jason Palitsch to Louise Miller, dated March 16, 2020 re: H 4572
5. Correspondence from Wade Blackman to Louise Miller, dated March 16, 2020 re: Families First Coronavirus Response Act
6. Election Date Motion DRAFT
7. Notice of Intent to Declare Recess and Continuance of April 5, 2020 Annual Town Meeting DRAFT
8. Declaration of Postponement of April 5, 2020 Annual Town Meeting DRAFT
9. Memo from Louise Miller to all Board and Committee Chairs dated March 14, 2020 re: open meeting law guidelines under COVID-19
10. Call in directions for Board of Selectmen meeting March 16, 2020
11. Correspondence from George Harris to Cherry Karlson, dated March 15, 2020 re: open meeting law complaint dated March 3, 2020
12. Correspondence from George Harris to Cherry Karlson, dated March 15, 2020 re: open meeting law complaint dated March 4, 2020

To All Residents  
March 13, 2020

Governor Baker today held a press conference where he reiterated his State of Emergency declaration.

All non-essential town business meetings will continue to be cancelled until further notice as a precautionary measure. All essential town business meetings will take place in person if space can be provided for all participants to maintain social distancing. In addition, the Governor issued an Executive Order suspending certain provisions of the Open Meeting Law. The Town is reviewing the implications of the Executive Order for Town business and will issue guidelines for Committees, Boards and Commissions on Monday.

The Board of Selectmen, Board of Health, and School Committee held an emergency meeting Thursday night to discuss the emergent COVID-19 situation in Wayland. The meeting is available on Waycam at [www.waycam.tv](http://www.waycam.tv)

The Board of Selectmen will receive a COVID-19 update on Monday evening at their posted meeting. Please note that the Board of Selectmen meeting will begin Monday at 6:00 pm.

We continue to work with all Town and School officials to follow recommended guidelines as they continue to be issued and updated by Massachusetts Department of Health (MDH), the Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO). We will continue to update you as we receive information.

To: All Residents and Parents of Wayland Public School Students  
From: Town Administrator and Board of Selectmen  
School Superintendent and School Committee  
Health Director and Board of Health  
Date: March 14, 2020, 4:00 pm  
Re: Guidelines During School Closure

The decision to close Wayland public schools is only one part of the broader public health attempt to slow the spread of the COVID-19 virus. We are learning new information daily and recognize varying sources may have conflicting information. Our guidance may change based on that information. Please check the Town's website regularly at [www.wayland.ma.us](http://www.wayland.ma.us).

**The Wayland Board of Health urgently reminds all parents and children that it is critical during this time that students and families refrain from group meetings and practice "social distancing".** We need all community members to do their part or the school closure will not be successful in limiting the spread of the virus.

Maintaining social distance is different than self-quarantine. Self-quarantine means remaining in your home. Social distancing means staying approximately 6 feet away from others. You may be able to go for a run, hike in the woods, play in the yard or driveway, have a Skype visit, but not have a group sleepover or multi-person playdate. We need families to make responsible decisions.

**While the schools are closed for two weeks, we strongly urge parents to supervise their children and ensure they are not participating in group activities.** Necessary life activities may be accomplished, e.g. grocery shopping, doctor's appointments. Large group gatherings are to be avoided at this time, in other words, **you should not attend any gathering where you cannot practice social distancing (approximately 6 feet between persons).**

Please refer to the CDC guidance on COVID-19 which we have copied below:

- Know where to find local information on COVID-19 and local trends of COVID-19 cases.
- Know the [signs and symptoms](#) of COVID-19 and what to do if symptomatic:
  - Stay home when you are sick
  - Call your health care provider's office in advance of a visit
  - Limit movement in the community
  - Limit visitors
- Know what additional measures those at [higher risk](#) and who are vulnerable should take.
- Implement [steps to prevent illness](#) (e.g., stay home when sick, handwashing, respiratory etiquette, clean frequently touched surfaces daily).
- Create a [household plan](#) of action in case of illness in the household or disruption of daily activities due to COVID-19 in the community.
  - Consider 2-week supply of prescription and over the counter medications, food and other essentials. Know how to get food delivered if possible.
  - Establish ways to communicate with others (e.g., family, friends, co-workers).
  - Establish plans to telework, what to do about childcare needs, how to adapt to cancellation of events.
- Know about emergency operations plans for schools/workplaces of household members.

Full information can be found on the CDC website at:

<https://www.cdc.gov/coronavirus/2019-ncov/prepare/index.html>

**We urge ALL residents to evaluate their own health** and determine if they are feeling mildly ill with a head cold, headache, cough and/or experiencing any CDC identified symptoms of COVID-19. If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the Coronavirus Hotline 508-358-6805 and your primary care physician for guidance.

As always, additional information can be found on the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us). General questions can be addressed to the Town Administrator's Office at 508-358-7701.

To: All Wayland Residents  
From: Board of Library Trustees  
Town Administrator and Board of Selectmen  
Date: 1:45 pm - March 15, 2020

The Wayland Free Public Library is closed effective immediately. The decision to close is only one part of the broader public health attempt to slow the spread of the COVID-19 virus.

The Board of Library Trustees will work with Library and Town staff to determine what, if any services, may continue to be available, such as electronic and digital resources, ordering and picking up books.

We urge ALL residents to evaluate their own health and determine if they are feeling mildly ill with a head cold, headache, cough and/or experiencing any CDC identified symptoms of COVID-19. If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the Coronavirus Hotline [508-358-6805](tel:508-358-6805) and your primary care physician for guidance.

As always, additional information can be found on the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us). General questions can be addressed to the Town Administrator's Office at [508-358-7701](tel:508-358-7701).

To: All On-Premises Drink or Food Consumption Licensees  
From: Town Administrator and Board of Selectmen  
Date: March 16, 2020 at 10:00 am

In further efforts to slow the spread of the COVID-19 virus throughout the Commonwealth, **Governor Baker has prohibited gatherings of over 25 people and on-premises consumption of food or drink. Effective beginning at 12:00 a.m. on Tuesday, March 17, 2020, all on-premises consumption licensees are prohibited from selling alcohol or food to the public until 11:59 p.m. on April 5, 2020, unless further extended or otherwise modified.**

This includes restaurants, bars, or all other establishments that offer food or drink.

These establishments may continue to provide food for takeout and delivery only, provided that they follow social distancing protocols (maintaining approximately 6 feet distance from others whenever possible).

Please note that this does not apply to licenses for off-premises consumption, including package stores.

We continue to urge all residents to evaluate their own health and determine if they are feeling mildly ill with a head cold, headache, cough and/or experiencing any CDC identified symptoms of COVID-19. If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the Coronavirus Hotline [508-358-6805](tel:508-358-6805) and your primary care physician for guidance.

As always, additional information can be found on the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us). Other questions can be addressed to the Town Administrator's Office at [508-358-7701](tel:508-358-7701).

To: All Residents  
All Profit or Non-Profit Organizations, However Organized  
From: Town Administrator and Board of Selectmen  
Date: March 16, 2020 at 10:00 am

In further efforts to slow the spread of the COVID-19 virus throughout the Commonwealth, **Governor Baker has prohibited gatherings of over 25 people, effective March 17, 2020.**

The Governor's Executive Order applies to

- all activities that bring together 25 or more persons in a single room or single space at the same time.
- all types of activities, whether private, public, community, civic, leisure, or faith-based.
- all venues, whether large or small, public or private. It applies to each venue such as auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center, private club, or any other confined indoor or outdoor space.

The Executive Order is in effect through April 5, 2020, unless further extended or otherwise modified.

We continue to urge all residents to evaluate their own health and determine if they are feeling mildly ill with a head cold, headache, cough and/or experiencing any CDC identified symptoms of COVID-19. If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the Coronavirus Hotline [508-358-6805](tel:508-358-6805) and your primary care physician for guidance.

As always, additional information can be found on the Town's website at [www.wayland.ma.us](http://www.wayland.ma.us). Other questions can be addressed to the Town Administrator's Office at [508-358-7701](tel:508-358-7701).

*Town of Wayland, MA  
Monday, April 29, 2019*

## Chapter 58. Selectmen, Board of

### § 58-3. States of emergency.

[Added 12-5-1983 STM by Art. 3]

The Board of Selectmen shall have the authority to declare a state of emergency in the Town of Wayland upon the occurrence of any disaster, catastrophe, fire, flood, earthquake, storm or other natural calamity. Any state of emergency proclaimed by the Board of Selectmen shall, unless sooner terminated by proclamation of the Board of Selectmen, terminate five days from the day it takes effect.

**HOUSE . . . . . No. 4572**

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**The Commonwealth of Massachusetts**



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE · BOSTON, MA 02133  
(617) 725-4000

KARYN POLITO  
LIEUTENANT GOVERNOR

*March 16, 2020*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act to Address Challenges in Town Governance Resulting from COVID-19.” This legislation is designed to provide flexible solutions for communities across the Commonwealth as the challenges of the COVID-19 epidemic disrupt the normal conduct of administering Town government.

The bill creates several options for Towns to address the immediate problem that COVID-19 and the risks of large, public gatherings present to Town Meetings that may be scheduled to occur in the coming weeks. The bill would permit the Moderator of Town meeting to declare a 30-day postponement due to a “public health emergency” after consulting with the Select Board, a provision that parallels existing authority on the grounds of a “public safety emergency.” In addition, to accommodate the possibility of longer delays, the bill would permit a Select Board to vote to extend the date of annual Town Meeting beyond the existing statutory cut-off of June 30.

Recognizing that delays and extensions may not provide an optimal solution for every Town and that the continuing health risks associated with COVID-19 work against the normal incentive to encourage full attendance at Town Meeting, the bill would also permit Towns to reduce quorum requirements for Town Meeting as a short-term measure in order to permit communities to conduct their most pressing business with a reduced number of members in attendance.



The bill also offers solutions for a number of complications in Town budgeting and finance that would arise as a consequence of postponing Town Meeting beyond the close of the current fiscal year. The bill would permit Towns that are unable to finalize a budget before the start of the new fiscal year to continue month-to-month spending on essential operations at the same levels as the current fiscal year, including from revolving funds, while also permitting Towns to spend out of existing cash balances until a budget is adopted for the new fiscal year. Consistent with these provisions, the bill also authorizes a three-year amortization period for deficit spending related to the COVID-19 emergency, an allowance that will relieve Towns from the obligation to figure the entirety of these costs into their fiscal year 2021 tax rates.

I urge your prompt enactment of this legislation.

Respectfully submitted

Charles D. Baker,  
*Governor*

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act to address challenges in town governance resulting from COVID-19.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to make certain changes in law in response to a public health emergency, each of which is immediately necessary to carry out to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 9 of chapter 39 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by striking out, in lines 13 to 14, the word “thirtieth” and  
3 inserting in place thereof the following words:- 30th except in the event of an emergency that  
4 poses an immediate threat to the health or safety of persons or property which prevents the  
5 completion of the business of the delayed town meeting on or before June 30, but then only upon  
6 a declaration of a state of emergency by the governor with respect to such emergency.

7           SECTION 2. Subsection (a) of section 10A of said chapter 39, as so appearing, is hereby  
8 amended by striking out the first sentence and inserting in place thereof the following sentence:-  
9 Whenever the moderator determines that voters, or in a town having a representative town  
10 meeting form of government, the town meeting members, may be unable to attend a town  
11 meeting, called pursuant to a warrant issued pursuant to section 10, because of a weather-related,

12 public safety or public health emergency, the moderator shall consult with local public safety or  
13 public health officials and members of the board of selectmen and then, upon the moderator's  
14 own declaration, the moderator shall recess and continue the town meeting to a time, date and  
15 place certain.

16 SECTION 3. Subsection (d) of said section 10A of said chapter 39, as so appearing, is  
17 hereby amended by inserting, in line 59, after the words "public safety" the following words:- or  
18 public health.

19 SECTION 4. The first paragraph of section 31 of chapter 44 of the General Laws, as so  
20 appearing, is hereby amended by inserting after the second sentence the following 2 sentences:-  
21 If the declared emergency prevents the adoption of an annual budget by a town by the June 30  
22 preceding the start of the fiscal year, the treasurer shall notify the director and the director shall  
23 have authority to approve expenditure of an amount sufficient for the essential operations of the  
24 town during the month of July not less than 1/12 of the total budget approved by the town in the  
25 most recent fiscal year and such authority shall continue for each successive month while the  
26 emergency continues to prevent the adoption of a budget. The director may promulgate and  
27 revise rules or regulations regarding the approval of emergency expenditures described in this  
28 section and accounting with regard to such expenditures.

29 SECTION 5. (a) Notwithstanding section 13 of chapter 39 of the General Laws or any  
30 other general or special law or town by-law or town charter to the contrary, a town may act by  
31 vote of its select board to prescribe the number of voters necessary to constitute a quorum at any  
32 town meeting held during the state of emergency declared by the Governor on March 10, 2020 at

33 a number that is lower than the number that would otherwise be required by law or town by-law  
34 or town charter.

35 (b) A select board shall publish notice of its intention to consider an adjustment of town  
36 meeting quorum requirements under this section at least 7 days prior to the vote of the select  
37 board. No vote of the select board to make such a quorum adjustment shall be valid if taken  
38 without such notice and without provision for adequate means of public access that will allow  
39 interested members of the public to clearly follow the deliberations of the select board as those  
40 deliberations are occurring.

41 (c) Within 10 days after an affirmative vote of the select board under this section, the  
42 town clerk shall notify the attorney general of the adjusted quorum requirement.

43 (d) This section will expire upon termination of the state of emergency declared by the  
44 Governor on March 10, 2020, but such expiration shall have no effect on the validity of any vote  
45 or action taken by a select board or town meeting in reliance on and pursuant to this section  
46 while effective.

47 SECTION 6. Notwithstanding any general or special law to the contrary, if the adoption  
48 of an annual budget in a town or district is delayed beyond June 30, 2020 as a result of the  
49 outbreak of the 2019 novel Coronavirus or “COVID-19” and the declaration of a state of  
50 emergency issued by the governor on March 10, 2020, the director of accounts may authorize the  
51 appropriation from the available balance of the town’s or district’s undesignated fund balance or  
52 “free cash” certified by the director under section 23 of chapter 59 of the General Laws as of July  
53 1, 2019, as a funding source for the town’s or district’s fiscal year 2021 expenditures. The

54 director of accounts is authorized to promulgate and revise rules or regulations regarding the  
55 implementation of this section.

56 SECTION 7. Notwithstanding section 31 of chapter 44 of the General Laws, section 23  
57 of chapter 59 of the General Laws, or any other general or special law to the contrary, a city,  
58 town or district may amortize over fiscal years 2021 to 2023, inclusive, in equal installments or  
59 more rapidly, the amount of its fiscal year 2020 deficit pertaining to expenditures made to  
60 address the outbreak of the 2019 novel Coronavirus or “COVID-19” as described in the  
61 governor’s declaration of a state of emergency issued on March 10, 2020. The local  
62 appropriating authority as defined in section 21C of chapter 59 and, in the case of a district, the  
63 prudential committee or commissioners, shall adopt a deficit amortization schedule in  
64 accordance with the preceding sentence before setting the city’s, town’s or district’s fiscal year  
65 2021 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting  
66 the amortization of deficits authorized by this section.

67 SECTION 8. Notwithstanding any general or special law to the contrary, as a result of the  
68 outbreak of the 2019 novel Coronavirus or “COVID-19” and the declaration of a state of  
69 emergency issued by the governor on March 10, 2020, for fiscal year 2021, a city or town may  
70 expend from each revolving fund established under section 53E1/2 of chapter 44 of the General  
71 Laws an amount not to exceed the amount authorized to be expended in fiscal year 2020 until the  
72 city or town adopts an annual budget for fiscal year 2021 at which time, the legislative body of  
73 the city or town shall also vote on the total amount that may be expended from each revolving  
74 fund in fiscal year 2021.

75 SECTION 9. Sections 2 and 3 shall take effect on March 10, 2020.

SECTION 10. Except as otherwise specified, this act shall take effect upon its passage.

## Miller, Louise

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**From:** Jason Palitsch <...>  
**Sent:** Monday, March 16, 2020 2:22 PM  
**To:** Jason Palitsch  
**Subject:** H. 4572, "An Act to Address Challenges in Town Governance Resulting from COVID-19"  
**Attachments:** H 4572 An Act to Address Challenges in Town Governance Resulting from COVID-19.pdf

**[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Good afternoon,

This message is being sent to municipal government leaders – our Mayors, Town Managers, Town Administrators, and other officials – across the 35 cities and towns served by the 495/MetroWest Partnership.

The Governor has filed legislation, H. 4572, "*An Act to Address Challenges in Town Governance Resulting from COVID-19*," aimed at helping municipal governments to cope with the current COVID-19/coronavirus crisis, providing tools designed to allow for flexibility as some existing constraints, laws, and deadlines become untenable. The House and Senate are each expected to take up their own versions of this legislation, designed to address a myriad of municipal needs.

Included with this email are:

- A brief summary of the Governor's bill (below)
- The full text of the Governor's bill (attached)

If you or a member of your staff would like to provide feedback on these proposals, [please consider doing so to me via email](#) or phone. This can take the form of suggestions, concerns, or questions of any kind. I will be compiling feedback received from the Partnership's 35 municipal governments, and presenting them to our region's legislative delegation. While we do not know definitively when the proposed legislation will be taken up by each chamber, speed is of the essence on some of these issues; I thus expect the Legislature to move quickly.

I encourage you also to continue to provide feedback directly to your community's own legislative delegation, as you otherwise would; this effort is meant to encapsulate regional perspectives and priorities.

Thank you for your hard work on behalf of your residents – I know these past few days have not been easy. Do not hesitate to reach out if the Partnership can be of any assistance.

Best,

**Jason Palitsch**  
Executive Director  
The 495/MetroWest Partnership

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*Governor Baker announced a package of legislation to help address challenges to municipal governance resulting from the ongoing COVID-19 outbreak, including potential delays in holding Town Meetings and adopting Fiscal Year 2021 (FY21) municipal budgets. Provisions in the proposed legislation include:*

- Amend existing statute authorizing Moderators to postpone Town Meetings by thirty days. State statute currently permits postponement for “public safety emergency,” and the legislation would add “public health emergency” as a second reason for postponement.*
- Permit local Select Boards to postpone Town Meetings beyond the statutory June 30 deadline when the Governor has declared a state of emergency and conditions prevent the completion of a Town Meeting.*
- Permit local Select Boards to temporarily adopt lower quorum rules. This would be an opt-in provision to allow a town-by-town determination, and it would enable Select Boards to designate the quorum level. Numerous towns have existing low quorum provisions in their by-laws.*
- Permit continued month-to-month spending into FY21 by towns based on the prior fiscal year budget with approval of the Division of Local Services during states of emergency. The month-to-month authorization would continue so long as a state of emergency prevents the adoption of a budget. Cities have similar authority under existing state law.*
- Permit towns to access their free cash balance for FY21 spending with approval of the Division of Local Services. This would be based on the July 2019 certified balance and could continue until an FY21 budget is adopted.*
- Permit municipal spending from revolving funds at the level set by their Fiscal Year 2020 appropriation until an FY21 budget is adopted.*
- Authorize a three-year amortization period for deficit spending incurred as a result of COVID-19 crisis. The default rule would require an FY21 tax rate to provide for one-year amortization and this change would follow the 2015 precedent for snow removal costs.*



**Miller, Louise**

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**From:** Blackman, Wade  
**Sent:** Monday, March 16, 2020 1:11 PM  
**To:** Miller, Louise  
**Subject:** Checking In

[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Louise-

As the situation changes rapidly, I wanted to send some updates and make certain that you knew you should feel free to contact me on my cell at any point with any needs, questions, or concerns.

Also you may be aware late Friday, House Democrats passed the Families First Coronavirus Response Act, new legislation to ensure that American families and workers have the support they need to protect themselves as the COVID-19 outbreak continues to spread and its impact on our communities deepens. This comprehensive aid package includes:

- **An Emergency Paid Leave Program** so that those who take leave to avoid spreading the virus or due to illness or caregiving responsibilities can pay their bills
- **Free and widespread COVID-19 testing** for everyone who needs a test, including the uninsured
- **Enhanced unemployment insurance** for Americans who may lose their jobs from the economic impacts of the outbreak
- **Strengthened food security and assistance measures** to make sure that the most vulnerable in our communities don't lose access to food during this public health emergency
- **Additional federal dollars for Medicaid** to support local, state, tribal and territorial governments and health care systems as they treat the sick and combat the spread of this virus

This new set of protections proposed by House Democrats expands on our [\\$8.3 billion emergency COVID-19 response package](#), which was signed into law last week in order to fund vaccine development efforts and alleviate the costs put on state and local health agencies that are on the front-lines of the outbreak.

Thanks.

-Wade

Wade Blackman  
District Director for Policy  
Office of Congresswoman Clark

I move that,

whereas the rapidly-evolving public health issues associated with coronavirus COVID-19, including the swift spread of the disease, present lack of containment, and the risk to the most vulnerable populations inherent in public gatherings;

whereas various public and private entities, including professional sports leagues, universities, school districts, cultural institutions and events, and more, have been cancelled, closed, or temporarily suspended; whereas the President of the United States has issued a Proclamation of Declaration of National Emergency Concerning the Novel Coronavirus (COVID-19) Outbreak and has advised to avoid gatherings of greater than 10 individuals;

whereas the World Health Organization has identified the current crisis as a pandemic; and

whereas the Governor has declared a State of Emergency in the Commonwealth and has limited gatherings to 25 individuals,

the Town is taking action consistent with recommendations and mandates from federal and state agencies and officials to limit the spread of this disease amongst the residents and voters of the Town, its officials and employees, and visitors, including, closing or limiting the use of schools and public buildings, suspending to the greatest extent in-person meetings and other gatherings in Town office buildings, and encouraging residents to communicate with Town staff by other means to the extent possible.

For all of these reasons, the Board of Selectmen votes to immediately request the Governor to file emergency legislation on behalf of the Town, a so-called "Governor's bill", seeking authorization to delay and reschedule the Annual Town Election to a date to be determined by the Selectmen in consultation with the Town Clerk, Board of Health, and other public safety personnel, and authorizing early voting by mail in connection with such postponed election, provided, further, that all nominations, ballot preparation, absentee voting and the like be ratified, validated and confirmed as though it was undertaken consistent with the date of the postponed election; and, further, if such legislation is not passed prior to the date of scheduled Annual Town Election, to ratify, validate and confirm the Board's vote to postpone the 2020 Annual Town Election; finally, the Board calls upon its legislative delegation to support the filing of this special legislation, and also wishes to provide direction to such delegation that it supports the filing of generally applicable legislation allowing for the postponement of municipal elections this fiscal year.

Further, Unless the Governor, Secretary of State, General Court or other state representative takes swift action that would have the effect of postponing the Town of Wayland election, currently scheduled for March 31, 2020, I move that Town Counsel be authorized to file an emergency motion with Middlesex Superior Court to postpone the Town Election to a future date when this present national emergency shall have subsided, but in any event no later than (insert date if you wish).

**WAYLAND TOWN MODERATOR**  
**NOTICE OF INTENT TO DECLARE RECESS AND CONTINUANCE**  
**OF**  
**APRIL 5, 2020 ANNUAL TOWN MEETING**

This Notice of Intent to Declare Recess and Continue the WAYLAND Annual Town Meeting is being issued pursuant to the authority vested in the Town Moderator by the provisions of G.L. c. 39, §10A. I hereby provide notice to the Town of WAYLAND that I have determined that it is in the public's interest, due to the public health and safety risks posed by the novel coronavirus COVID-19, to consider the recess and continuance of the April 5, 2020 Annual Town Meeting.

I issue this Notice of Intent after careful and considerable deliberation about the implications of the rapid spread of the disease, present lack of containment, and risk to the most vulnerable populations inherent in public gatherings, and in the interest of providing necessary advance notice to all individuals participating in the Town Meeting process of this possible recess and continuance. On March 13, 2020, the President of the United States issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus (COVID-19) Outbreak. Various professional sports leagues, universities, school districts, cultural institutions and events, and more, have been cancelled, closed, or temporarily suspended normal operations. Similarly, operations of various public and private entities have been significantly restricted in response to the continued spread of the virus. Based upon the recommendations from the Governor, among others, that gatherings over 25 people be avoided, and the declaration of a State of Emergency in the Commonwealth, I consulted with town officials, including administration, health and public safety, members of the Board of Health, and the Select Board and reviewed guidance from the Massachusetts Department of Public Health and the U.S. Centers for Disease Control and Prevention. A significant consideration in this decision includes the important role of Town Meeting as the legislative body of the Town, my obligation to ensure that all who wish to participate are able, particularly, vulnerable members of our community, and the needs of all participants to be aware of these evolving circumstances.

Being respectful of the health, safety and wellbeing of all of the voters of the Town, and acknowledging the authority vested in the Town Moderator pursuant to G.L. c.39, §10A, I will continue to monitor the situation involving COVID-19 to determine whether it will impact the ability of voters to attend the April 5, 2020 Annual Town Meeting and whether they will be deprived of the opportunity to participate in such Meeting. If circumstances do so require, a recess and continuation would avoid forcing voters to choose between participating in the Town Meeting and managing their health in a manner most appropriate for them.

This Notice is intended to provide as much advance warning as possible, and allow the Town the greatest period of time to evaluate the situation. It is my intent and expectation that should the situation require, I will issue a formal Declaration of Recess and Continuance on or about April 2, 2020. Such formal Declaration, if issued, will be deemed to be issued and take effect on April 5, 2020, the scheduled date of the Annual Town Meeting, and shall provide formal notice of the date, time, and place at which the recessed and continued Annual Town Meeting shall occur.

Please contact the Town Administrator's office with any further questions at (508) 358-7701.

\_\_\_\_\_, 2020 at \_\_\_\_\_ a.m./p.m.  
Town Moderator

**TOWN OF WAYLAND**  
**DECLARATION OF RECESS AND CONTINUANCE**  
**OF**  
**April 5, 2020 ANNUAL TOWN MEETING**

This Declaration is being issued pursuant to the authority vested in the Town Moderator by the provisions of G.L. c. 39, §10A. I hereby provide notice to the Town of Wayland that I have determined that it is in the public's interest, due to the public health and safety risks posed by the novel coronavirus COVID-19, to recess and continue the April 5, 2020 Annual Town Meeting until (insert time, date and place).

**Commented [CMM1]:** Note the latest date currently allowed is 30 days per statute or May 5, 2020.

I have issued this Declaration after careful and considerable deliberation about the implications of the rapid spread of the disease, present lack of containment, and risk to most vulnerable populations inherent in public gatherings at this time. On March 13, 2020, the President of the United States issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus (COVID-19) Outbreak. Various professional sports leagues, universities, school districts, cultural institutions and events, and more, have been cancelled, closed, or temporarily suspended normal operations. Similarly, various public and private entities have significantly restricted operations in response to the continued spread of the virus. Based upon the recommendations from the Governor, among others, that gatherings over 25 people be avoided, and the declaration of a State of Emergency in the Commonwealth, I consulted with town officials, including administration, health and public safety, members of the Board of Health, and the Select Board and reviewed guidance from the Massachusetts Department of Public Health and the U.S. Centers for Disease Control and Prevention. A significant consideration in this decision includes the important role of Town Meeting as the legislative body of the Town, and my obligation to ensure that all who wish to participate are able, particularly, vulnerable members of our community.

Being respectful of the health, safety and wellbeing of all of the voters of the Town, therefore, I have determined in accord with G.L. c.39, §10A that the rapidly evolving situation involving COVID-19 will mean that some voters will be unable to attend the April 5, 2020 Town Meeting and that they will therefore be deprived of the opportunity to participate in such meeting. A delay at this time will avoid forcing voters to choose between participating in the Town Meeting and managing their health in a manner most appropriate for them.

To provide as much advance notice as possible, and in order to allow the Town the greatest period of time to evaluate the situation, this formal Declaration, will be deemed to be issued and take effect on April 5, 2020, the scheduled date of the Annual Town Meeting.

Please contact the Town Administrator's office with any further questions at (508) 358-7701.

\_\_\_\_\_, 2020 at \_\_\_\_\_ a.m./p.m.  
Town Moderator

To: All Boards, Committees and Commissions  
From: Town Administrator and Board of Selectmen  
Date: March 14, 2020  
Re: Open Meeting Law Under COVID-19 State of Emergency and Governor's Executive Order

On March 12, 2020, Governor Baker issued an Executive Order modifying certain requirements of the Open Meeting Law to enable public bodies to carry out their responsibilities while adhering to public health recommendations regarding social distancing. Social distancing means minimizing social activities and staying approximately 6 feet away from others when engaging in social activities. The following guidelines apply to all Boards, Committees and Commissions and should be followed until Governor Baker lifts the State of Emergency or issues a superseding Executive Order. This guideline is based on technology and staffing currently available to the Town to allow for the continuity of governmental activity while maintaining the integrity of public meetings. As with all other guidelines being issued in dealing with the COVID-19 situation, this guideline will evolve. We will maintain continuing communication with all Boards, Committees, and Commissions as things change.

1. All requirements regarding posting notice of meetings, creating and maintaining accurate meeting minutes, as well as the limited, enumerated purposes for holding an executive session, remain in effect.
2. All public meetings must be streamed live. Currently members of the public choose to attend or not attend public meetings. To provide members of the public with the same option, the Governor's Executive Order provides for alternative means to provide access to meetings to the public. The Town will be streaming meetings live.
3. All public meetings must be streamed live through WayCam. Through WayCam, the Town currently is able to allow the public to clearly follow the proceedings of a public body in real time, as required by the Executive Order. WayCam has indicated that it is able and will continue to provide this service for the Town.
4. Where allowance for active, real time participation by members of the public is a specific requirement of law, whether a general or specific statute or regulation, or a local by-law, the Town must provide for active public participation. Staff will be trained on the method for providing this participation by the public and will provide the support needed to all Boards, Committees, and Commissions.
5. All meetings streamed live will take place at the Town Building due to staffing and technology needs.
6. WayCam has the ability to stream live up to 3 simultaneous meetings at the Town Building. The Town currently only has the capability and staff to run one meeting at a time and comply with the modified Open Meeting Law requirements. We are working on obtaining the equipment and training staff to stream live more than one meeting.
7. The priority of meetings will be determined based on the need for statutory or regulatory determinations.
8. Governor Baker's Executive Order also provides for an alternative means of making the deliberations of the public body accessible. However, the reasons for using alternative means are limited and do not apply currently in Wayland.
9. All members of a public body may participate in a meeting remotely; the Open Meeting Law's requirement that a quorum of the body and the chair be physically present at the meeting location is suspended. The Board of Selectmen will clarify on March 16 that any additional local requirements are waived so long as the Executive Order is in effect.

As always, please call me at 508-358-3620 or email me at [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us) with any questions.



LOUISE L. E. MILLER  
TOWN ADMINISTRATOR  
TEL. (508) 358-3620  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

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

**BOARD OF SELECTMEN**  
**Monday, March 16, 2020**  
**6:00 p.m.**  
**Wayland Town Building**  
**Council on Aging Room**  
**41 Cochituate Road, Wayland, MA**

### **Instructions on calling in via phone**

In compliance with the revised Open Meeting Law requirements, we will live stream the meeting on WayCAM. The phone number will be active during the public comment portion of the meeting. Thank you in advance for your patience; we intend to address all calls that come in during the Public Comment period. A copy of the agenda can be found here

<https://www.wayland.ma.us/board-selectmen/agenda/board-selectmen-agenda-revised-9>

Residents seeking to participate in the Public Comment period of the meeting agenda should follow the following instructions:

1. Follow the meeting while it is being livestreamed on WayCAM either on your television or via the link here <https://www.waycam.tv/live> and wait until the Chair opens the meeting for public comment. **Please do not call any other time during the meeting.**
2. Once the chair has opened the meeting for Public Comment please call by phone at **508-358-6812**. The chair will take calls in the order in which they are received.
3. Once your call is received you will need to provide your name and address prior to the chair recognizing you.
4. Once the chair recognizes you, you will then pose your question or comment and yield the floor back to the chair.
5. If you are having issues having your call received please email Louise Miller, Town Administrator, at [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us), with your name, address and phone number, and she will instruct you. The board will hold from moving on until they hear from all that wish to make Public Comment.

## Crandall, Seath

---

**From:** George Harris <geoharris2@gmail.com>  
**Sent:** Sunday, March 15, 2020 10:43 AM  
**To:** Karlson, Cherry  
**Subject:** Re: Open Meeting Law Complaint

**[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Cherry,

I have no objection to an extension of time to respond to the below complaint and wish you well.

Best regards,  
George

On Mar 15, 2020, at 6:35 AM, Karlson, Cherry <[ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us)> wrote:

George,

I will request an extension of time to respond to your Open Meeting Law Complaint filed on March 3, 2020 (attached). Requesting an extension is allowed within 14 business days of receipt of the complaint, should be made in writing to the Division of Open Government, include a copy of the complaint and state the reason for the requested extension.

Our efforts (Town staff and Board of Selectmen) have been focused on the public health situation related to the COVID-19 virus. I had planned to have a draft response ready for the Board's review for its meeting on Monday, March 16<sup>th</sup> and, therefore, listed the complaint as an agenda item. However, I have not had time to complete the draft response because I have prioritized work on the Town's efforts around COVID-19.

I will make the request in writing to the Division of Open Government tomorrow and would like to note your agreement. Alternatively, I can make the request, and you can respond separately. I do not have a preference. In either case, I will copy you on the request.

I will continue to have the complaint on my list of work and hope to get a response drafted soon. Thank you for your consideration.

Be well,  
Cherry

Cherry Karlson  
Board of Selectmen  
Town of Wayland

---

**From:** George Harris <[geoharris2@gmail.com](mailto:geoharris2@gmail.com)>  
**Date:** Tuesday, March 3, 2020 at 1:40 PM  
**To:** "Karlson, Cherry" <[ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us)>  
**Cc:** "Ludwig, Anna" <[aludwig@wayland.ma.us](mailto:aludwig@wayland.ma.us)>, "Miller, Louise" <[lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us)>  
**Subject:** Open Meeting Law Complaint

**[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Cherry,

I am attaching a new Open Meeting Law Complaint against the Wayland Board of Selectmen. Please let me know if you have any questions.

George  
<20-03-03 OML Complaint.PDF>



## Crandall, Seath

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**From:** George Harris <geoharris2@gmail.com>  
**Sent:** Sunday, March 15, 2020 10:45 AM  
**To:** Karlson, Cherry  
**Subject:** Re: Second OML Complaint

**[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Cherry,

I have no objection to an extension of time to respond to the below complaint and wish you well.

Best regards,  
George

On Mar 15, 2020, at 6:35 AM, Karlson, Cherry <[ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us)> wrote:

George,

I will request an extension of time to respond to your Open Meeting Law Complaint filed on March 4, 2020 (attached). Requesting an extension is allowed within 14 business days of receipt of the complaint, should be made in writing to the Division of Open Government, include a copy of the complaint and state the reason for the requested extension.

Our efforts (Town staff and Board of Selectmen) have been focused on the public health situation related to the COVID-19 virus. I had planned to have a draft response ready for the Board's review for its meeting on Monday, March 16<sup>th</sup> and, therefore, listed the complaint as an agenda item. However, I have not had time to complete the draft response because I have prioritized work on the Town's efforts around COVID-19.

I will make the request in writing to the Division of Open Government tomorrow and would like to note your agreement. Alternatively, I can make the request, and you can respond separately. I do not have a preference. In either case, I will copy you on the request.

I will continue to have the complaint on my list of work and hope to get a response drafted soon. Thank you for your consideration.

Be well,  
Cherry

Cherry Karlson  
Board of Selectmen  
Town of Wayland

---

**From:** George Harris <[geoharris2@gmail.com](mailto:geoharris2@gmail.com)>  
**Date:** Wednesday, March 4, 2020 at 11:49 AM  
**To:** "Karlson, Cherry" <[ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us)>  
**Cc:** "Ludwig, Anna" <[aludwig@wayland.ma.us](mailto:aludwig@wayland.ma.us)>, "Miller, Louise" <[lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us)>  
**Subject:** Second OML Complaint

**[NOTICE: This message originated outside of the Town of Wayland Email System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Cherry,

I am attaching a second OML Complaint against the Wayland Board of Selectmen. Please let me know if you have any questions.

George  
<20-03-04 OML Complaint.PDF>