

**PACKET**

**Aug 17**

**2020**



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, August 17, 2020**  
**5:00 p.m.**  
**Wayland Town Building**  
**Council on Aging 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.*

\*In compliance with the revised Open Meeting Law requirements, we will live stream the meeting via Zoom as well as WayCAM. The Zoom meeting can be entered using the following link:  
<https://zoom.us/j/95721725414?pwd=RVVkcG9qMXRvcXNlc1pMWVRXY1JLQT09>  
Password: 346818

The meeting may be viewed live on the WayCam Government Channel (Comcast 9, Verizon 38). Public Comment will be received either through Zoom\*\* or by phone at 508-358-6812 for this meeting. 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.

In addition to being live streamed, WayCam will record the meeting and this recording will be made available to the public as soon after the meeting as is practicable. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings.

\*\*To make a public comment via Zoom, perform a virtual "hand raise". The meeting moderator will contact you via a chat message to acknowledge your request and will inform the chair of your request to comment. Instructions for performing a virtual "hand raise" can be found at  
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar>

- 5:00 pm 1. Call to Order, Review Agenda for Public
- 5:02 pm 2. Announcements and Public Comment
- 5:10 pm 3. IT Department update with IT Director and Town Administrator
- 5:40 pm 4. Special Town Meeting:
  - a. Article 1: River's Edge Easement – update and FAQs
  - b. Next steps
- 5:50 pm 5. 2020 Annual Town Meeting:
  - a. Discuss Logistics
  - b. Article 11: CoA/CC Funding Reallocation – update and FAQs

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**41 Cochituate Road, Wayland, MA**

- c. Meeting to sign Warrant
  - d. Next Steps
- 6:10 pm 6. Fiscal Year 2021 Budget update from Finance Director and Town Administrator
- 6:35 pm 7. 2021 Annual Town Meeting:  
a. Discussion and potential vote to set date
- 6:40 pm 8. Board of Health request for COVID-19 testing evaluation committee:  
a. Discussion and potential vote on charge for advisory group to the Town Administrator
- 6:50 pm 9. Town Administrator update:  
a. COVID-19: Update  
b. Board of Health COVID-19 Update  
c. Route 27 Bridge  
d. Route 20 South Landfill  
e. FY2019 Audit Management Letter  
f. School Reopening – Facilities  
g. Racial Justice Advisory Committee  
h. MassWorks grant application  
i. Shared Streets grant applications  
j. Oxbow Field Project Update  
k. Permitting Update  
l. Staffing update
- 7:10 pm 10. 2020 Annual Report: review and discuss draft of Board of Selectmen’s submission
- 7:15 pm 11. Minutes: Review and vote to approve minutes of Aug 6, 2020 and August 10, 2020
- 7:20 pm 12. Consent: Review and vote to approve (see separate sheet)
- 7:25 pm 13. Correspondence Review
- 7:30 pm 14. Selectmen’s Reports and Concerns
- 7:35 pm 15. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any
- 7:40 pm 16. Enter into Executive Session  
I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with:
  - The New England Police Benevolent Association (NEPBA)/Wayland Police Officers Union (WPOU) Local 176; and
  - Wayland DPW Association, Teamsters Local 170;

**BOARD OF SELECTMEN**  
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**Wayland Town Building**  
**41 Cochrane Road, Wayland, MA**

- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of July 7, 2020 – Revised and July 20, 2020.

APPROVE AND HOLD: Executive Session minutes of July 7, 2020 –  
Revised and July 20, 2020.

- III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and release with redactions the executive session minutes of July 16, 2018, August 27, 2018, September 5, 2018, September 17, 2018, September 24, 2018, October 1, 2018, and October 9, 2020 related to FLSA.

APPROVE AND RELEASE with redactions: Executive session minutes of  
July 16, 2018, August 27, 2018, September 5, 2018, September 17, 2018,  
September 24, 2018, October 1, 2018, and October 9, 2020 related to  
FLSA.

8:10 pm    17. Adjourn



## ARTICLE LIST FOR 2020 SPECIAL TOWN MEETING

Article	STM 2020 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	River's Edge Easement	Board of Selectmen	Levine	Lappin	5-0-0	6-0-0
B	Repeal Ch. 53 of Acts of 2010: Taking Office	Petitioner	Anderson	Roman	-	4-1-0
C	Return Unused Funds – CoA/CC	Petitioner	Fay	Correia	0-5-0	2-4-0

- *Abbreviated presentation procedure (potential)*

*REVISED August 14, 2020*

## **ARTICLE 1: RIVER'S EDGE DEVELOPMENT: ACCESS AND DRAINAGE EASEMENT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to transfer from the boards having the care, custody, control and management of certain property, located to the east of 490 Boston Post Road (Route 20), and shown as a "50.00' Wide Permanent Access Easement" and a "30.00' Wide Permanent Drain Easement" on a plan entitled "ALTA at River's Edge 490 Boston Post Road Wayland, MA," dated June 20, 2019, prepared by Allen & Major Associates, Inc., a copy of which is on file in the office of the Town Clerk, to the Board of Selectmen for the purposes for which said property is currently held and for the purpose of conveyance of non-exclusive easement for the benefit of the owner of 490 Boston Post Road, and appurtenant to 490 Boston Post Road, for access, drainage and such other purposes as deemed necessary or convenient for the development of 490 Boston Post Road, and to take any and all related actions necessary or appropriate to accomplish the purposes of this Article and/or otherwise act thereon.

**FINANCE COMMITTEE COMMENTS:** This Article addresses authorization of an easement required for the previously approved River's Edge project to move forward (See Appendix B). The River's Edge project entails the sale of Town owned land to a developer, WP East Acquisitions, LLC (Wood Partners), who proposes to build 218 rental units, of which 55 units (25%) will be affordable to low or moderate income households earning no greater than 80% of area median family income. The units are affordable in perpetuity. Additionally, 25% of the units will be age restricted for occupants aged 55 or over. A summarized history of the River's Edge project is outlined further below.

Specifically, the passage of this article will authorize the Board of Selectmen, on behalf of the Town, to grant an access, construction and drainage easement, including execution of required documents, to the purchaser of the River's Edge parcel upon land sale closing. The easement cannot be executed until the land sale from the Town to Wood Partners is complete but authorization for the easement must be in place before Wood Partners will proceed with filing the building permit.

The need for an easement has been anticipated since the inception of the project given that access to the site is via the Transfer Station access road, over which the Town wanted to maintain ownership and control. The final locations of the easements were determined with the Zoning Board of Appeals (ZBA) site plan approval issued on December 30, 2019. The developer has already completed substantial work required prior to filing the building permit and has held a pre-permit review with relevant Town staff.

Following the completion of the ZBA decision appeal period, the Town and Wood Partners conducted a review of all outstanding items to be completed prior to submitting a building permit and moving to close on the sale of the land. At this time, the need for the easement was re-identified and prioritized; however, the time had already passed to call a Special Town Meeting within the originally scheduled April 2020 ATM. Wood Partners agreed to wait until a fall Special Town Meeting for discussion and vote on the required easement. This all occurred before the COVID-19 state of emergency was declared in early March 2020 delaying the 2020 ATM. Given the delay of the 2020 Annual Town Meeting to September and no pressing need for a separate fall Special Town Meeting, the Board of Selectmen called a Special Town Meeting within the Annual Town Meeting to address this matter most efficiently.

Access easement rights: The River's Edge project will use the same Route 20 curb cut as the Transfer Station access road, as required by the Massachusetts Department of Transportation. The site plan requires two entrance points from the access road to the River's Edge project. The second entrance point was an added requirement based on Fire Department review. The ZBA decision states "Access to the site

is off of Boston Post Road via an access road to the Town's transfer station, which will be improved pursuant to the plans approved by the Board and listed herein." The ZBA determined, among other items, that the project will not over-tax the Town's access road to the transfer station.

Drainage and construction easement rights: The project requires drainage easement rights under the access road to drain on the eastern side of the road as part of its overall site drainage plan. The ZBA decision found that the site plan detailed the extensive erosion and sedimentation control measures that will be implemented and maintained for the project. A Long-Term Operation and Maintenance Plan has been developed for the proposed stormwater management system (SMS). The ZBA found, among other items, that the project will not contribute to the Town's stormwater system. Easement rights must also be provided for the developer to comply with conditions at its own expense, including but not limited to, roadway improvements, as approved by the ZBA. Some have suggested drainage easement rights were not previously anticipated; however, the draft Form of Access Easement included in the RFP contemplated "the right to install utilities therein or thereon or the right to make physical changes" (utilities/construction) based upon proper approvals of the work by appropriate Town boards and committees.

The easement is non-exclusive, therefore DPW operations can still continue in the easement zone, and transfer station operations, after moving the gate from Route 20 back to just beyond the River's Edge site, will continue as usual from that point forward, as intended. Any concerns of construction can be addressed in the permit review process.

The land under consideration for the easement is owned by the Town with jurisdiction potentially running to three Town boards: Board of Selectmen, Board of Public Works and Conservation Commission. The Conservation Commission has reviewed the proposed drainage system and included it as a recommended order of conditions in its report to the Zoning Board of Appeals. On July 29, 2020, the Conservation Commission voted in favor (6-0-0) of authorizing the Town to grant access and drainage easements for the River's Edge project. At the time the Warrant went to print, the Board of Public Works had voted its intent to support the easement (3-0-1) after three items were resolved: a traffic study of the access road's Saturday volume, clarification by town counsel of the motion language for the Board's vote, and confirmation that appropriate staff would review the easement language.

Consideration was given to alternative approaches to an easement. The Board of Selectman could grant a license to avoid the need for a Town Meeting vote on an easement; however, a license is held by a named licensee and does not transfer with the land. The purchaser has conveyed concern that its investors and lender(s) will not accept a license arrangement. Another alternative to avoid an easement might be to designate the Transfer station access road as a public way, therefore only needing a curb cut approval. However, accepting a road as a public way also requires Town Meeting approval, which would push back any vote to Spring 2021 at the earliest. Both an easement and a public way would require a Town Meeting vote as well as recognition by the Town of utilities/construction improvements within the roadway; this article accomplishes both in a single transparent combined vote, using the originally intended form of an easement.

History of the River's Edge project: In 2012, Town Meeting funded study monies to evaluate the site for highest and best uses. This favorable vote was followed by a Town Meeting discussion and unsuccessful vote in 2013.

In 2014, Annual Town Meeting approved, by more than two-thirds margin, to allow for construction of rental housing with 25% affordable units meet several Town goals and needs, economic and otherwise:

- Rental housing provides new affordable and market housing options in Wayland, currently in short supply, especially for seniors.

- Diversity in housing options may help to diversify Wayland's current demographics.
- With 25% of the units designated affordable and 100% rental, *all* 218 units will count toward Wayland's affordable housing inventory, which will vault the Town from 5% affordability to over 9%, nearly reaching our 10% state mandate.
- The project cleans up a prominent but neglected and contaminated site at Wayland's western gateway where the private developer will cover an estimated \$3+ million in environmental and demolition costs, which would otherwise be at the Town's expense.
- Substantial new annual tax revenues will be generated from the new \$40-50+ million project, all on previously non-revenue generating land. Tax revenues are estimated to approach \$1 million per year, with limited additional Town services required on the privately maintained property.
- The \$2.2 million land purchase price, as defined in the Land Disposition Agreement as amended, will be deposited by the Town at land sale closing and reserved for appropriation by a future Town Meeting.
- The project complements Town Center and the new bike path, and respects the natural beauty of the Sudbury River by staying within a previously disturbed site.

The Request for Proposals was issued in September 2015, reissued in January 2016, and a Land Development Agreement was signed with Wood Partners in July 2017. In the spring of 2019, due diligence was completed, after almost a year's delay due to mitigating measures for asbestos on the property. Subsequently, Wood Partners began the permitting process and appeared before the Planning Board, Design Review Board, Board of Health, Conservation Commission and, finally, the Zoning Board of Appeals (ZBA). The ZBA site plan review included information from applicable Town staff and boards, including a unanimous recommendation from the Planning Board. The ZBA issued its findings and site plan approval on December 30, 2019, with the appeal period closed in late January 2020.

The Board of Selectmen recommends approval. Vote: 5-0-0

**ARGUMENTS IN FAVOR:** After years of work on the River's Edge project, this procedural vote is one of the final steps to bring the long-awaited beneficial project to fruition. Timely passage of the easement at this Town Meeting is essential for the project to move forward now, for the Town to collect the project's sizable building permit fee (estimated at \$795,000), and by extension, for the Town to maintain its Safe Harbor status under Chapter 40B, which expires if a building permit is not filed by December 2020.

Given access to the River's Edge parcels is via the Transfer Station access road (which the Town opted to retain ownership of), an easement was always anticipated, is a natural extension of the 2014 Town Meeting authorization of the Board of Selectman to "execute all necessary and appropriate documents" to convey the property, and is timely now that site plan approval has been granted. However, Massachusetts General Laws require a Town Meeting vote to grant an easement, hence the purpose of this article.

If construction, defined as issuance of a foundation or structure permit, has not commenced by December 2020 (one year after site plan approval), the site plan approval also expires. Delaying action on the easement could potentially stop the project and require the site plan approval process to start again – if the developer is still willing. Given market uncertainties due to COVID-19 and the years of effort which has brought the project to this point of completing the approved land transaction and finally starting construction, the Town should move expediently.

**ARGUMENTS OPPOSED:** At the time the warrant went to print, the Board of Public Works had outstanding concerns with items that may impact its business including a traffic study of the access road's

Saturday volume, clarification by town counsel of the motion language for the Board's vote to maintain the same custody and care of the access road, and confirmation that appropriate staff would review the easement language.

Opponents have expressed concern that traffic studies reviewed by the ZBA were Route 20 traffic studies based on weekday travel rather than access road traffic studies based on Saturday peak transfer station traffic.

Opponents have argued that the site plan used by town counsel to draft the easement is not sufficient for the easement, and a real plot plan should be prepared for the easement. However, Town Counsel has said the plan in Appendix B is sufficient.

Opponents may be concerned that addressing this article now will extend the length of September's Town Meeting in light of COVID-19 pandemic-related health concerns.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 6-0-0

**QUANTUM OF VOTE:** 2/3 vote – see Massachusetts General Laws Chapter 44, Section 64

*For more information about this article, contact Town Administrator, Louise Miller at 508-358-3620 or email [lmiller@wayland.ma.us](mailto:lmiller@wayland.ma.us).*



## CLIENT AUTHORIZATION

New Contract

Project No.: 737.17

Amendment No.:

Date: August 11, 2020

**Project Name:** 490 Boston Post Road Saturday Analysis - Wayland, MA

**Client:** Louise Miller  
 Town Administrator  
 Town of Wayland  
 41 Cochituate Road  
 Wayland, MA 01778

**Fee Proposal**

Task 1 (Lump Sum)	\$2,200.00
Task 2 (T&E)	\$750.00
<b>TOTAL</b>	<b>\$2,950.00</b>

Requested by: Client

Lump Sum       Time & Expenses  
 Cost + Fixed Fee       Other

Estimated Date of Completion: Task 1 Draft by 8/21/2020, Task 2 per Client's request

**Scope of Services:**

The Town of Wayland (Client) has retained TEC, Inc. (TEC) to provide traffic engineering services for additional analysis associated with the development of 220 rental units along Boston Post Road and with vehicular access via the Wayland Transfer Station driveway. This effort will complement and supplement TEC's recent permitting services for Wood Partners / WP East Acquisitions, LLC for the subject project. Services to be performed are as outlined in the tasks below:

**Task 1 – Saturday Analysis (Lump Sum)**

**\$2,200.00**

- Collect turning movement counts (TMCs) during the Saturday operating hours of the Transfer Station (7:00 AM to 4:00PM) at the intersection of the Transfer Station Driveway with Boston Post Road.
- Utilize ITE's *Trip Generation, 10<sup>th</sup> Edition* to project estimated site generated traffic.
- Perform traffic projections for 7-year horizon under No-Build (without the project), Build (with the project), and Build with Improvements (with the project and any proposed mitigation) conditions. Conduct capacity and queue analysis to assess the potential traffic impacts associated with the development.
- Prepare a technical memorandum detailing the results of the Saturday analyses and any recommended improvements to mitigate any impacts associated with the development.

**Task 2 – Meetings (Time and Expenses)**

**\$750.00 Estimated**

- Attendance at meetings in support of the project will be at the Client's request. Meeting attendance includes preparation, travel, and graphics. TEC has assumed attendance at one meeting at approximately 4 hours of total labor per meeting.

Additional services not listed above may be performed at the request of the Client and will be considered an amendment to this agreement. Services will begin upon signed authorization of this agreement. TEC will invoice the Client monthly on a percent complete and/or time & expense basis for the services performed.

**Project PM: EMO**

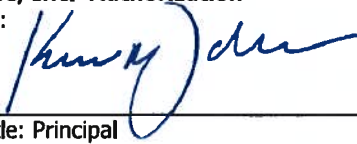
Please execute this Client Authorization for TEC, Inc. to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to TEC.

Subject to attached terms & conditions

Subject to terms & conditions in our original agreement  
(Town on-call MSA contract 18-2003)

**TEC, Inc. Authorization**

By:



Title: Principal

Date: 8/11/20

**Client Authorization** *(Please sign original & return)*

By



Title Town Administrator

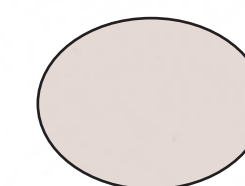
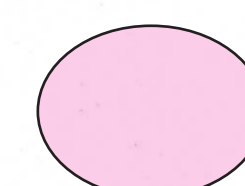
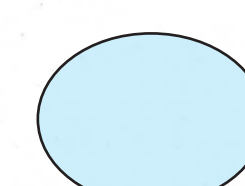
Date 8/11/20





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**OVERLAY LEGEND**

-  Conservation
-  Board of Selectmen
-  Board of Public Works / Access Road



PROFESSIONAL ENGINEER FOR ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
E.	11/12/2019	REVISED PER TOWN COMMENTS
D.	10/18/2019	REVISED PER TOWN COMMENTS
C.	10/10/2019	REVISED PER TOWN COMMENTS
B.	09/27/2019	REVISED PER TOWN COMMENTS
A.	07/03/2019	ISSUED FOR NOTICE OF INTENT

APPLICANT/OWNER:  
**WP EAST ACQUISITIONS, LLC.**  
 91 HARTWELL AVENUE  
 LEXINGTON, MA 02421

PROJECT:  
**ALTA AT RIVER'S EDGE**  
 490 BOSTON POST ROAD  
 WAYLAND, MA

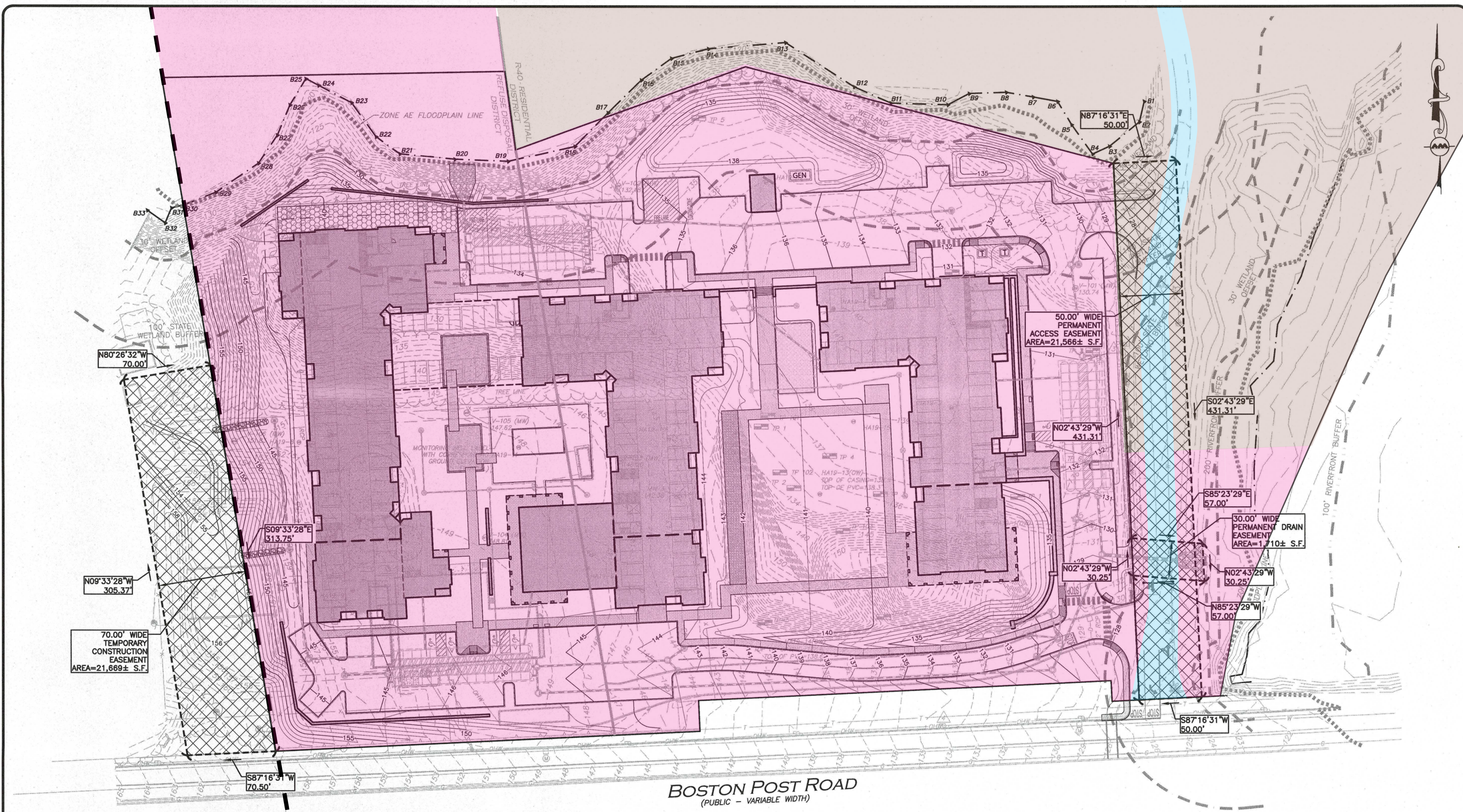
PROJECT NO.	1670-09A	DATE:	06-20-2019
SCALE:	1" = 40'	DWG. NAME:	1670-09A
DESIGNED BY:	SJL	CHECKED BY:	CMQ

**ALLEN & MAJOR ASSOCIATES, INC.**  
 civil & structural engineering • land surveying  
 environmental consulting • landscape architecture  
 w w w . a l l e n & m a j o r . c o m  
 100 COMMERCE WAY, SUITE 5  
 WOBURN MA 01801  
 TEL: (781) 935-6889  
 FAX: (781) 935-2896

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DRAWING TITLE:	SHEET No.
<b>PROPOSED EASEMENTS PLAN</b>	<b>C-107</b>

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**TOWN OF SUDBURY**  
**TOWN OF WAYLAND**

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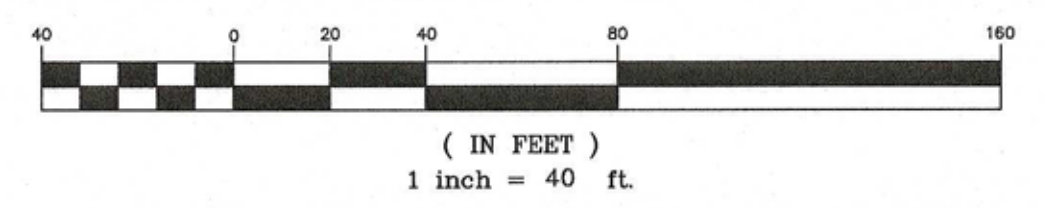


BEFORE YOU DIG  
 CALL 811 OR  
 1-888-DIG-SAFE  
 1-888-344-7233

**NOTES:**

- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR IT'S REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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- THE CONTRACTOR SHALL CONTACT "DIGSAFE" AND THE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION WORK TO REQUEST THE LOCATION OF THE EXISTING UTILITIES. DIGSAFE: 1-888-344-7233
- PROPOSED EASEMENTS ILLUSTRATED ARE FOR COORDINATION PROPOSES ONLY. THE LAND OWNER WILL NEED TO COORDINATE AN AGREEMENT TO LEGALLY OBTAIN ILLUSTRATED EASEMENTS PRIOR TO CONSTRUCTION OR ADJUST DESIGN ACCORDINGLY.

**GRAPHIC SCALE**





## **ARTICLE 2: Repeal Chapter 53 of the Acts of 2010**

*Proposed by: Petitioners*

Instruct the Board of Selectmen to expeditiously petition the General Court of the Commonwealth of Massachusetts to repeal Chapter 53 of the Acts of 2010.

**PETITIONERS' COMMENTS:** Wayland's bylaws require that the annual town election take place "within seven days, but no fewer than two days, before annual town meeting". While in other communities in Massachusetts, newly elected officials assume office on the day after their election, Wayland town officials cannot take office until the conclusion of the annual town meeting. That is because of a Special Act adopted in 2010 just for Wayland.

During the COVID-19 pandemic, the existence of the 2010 Special Act has prevented Wayland's newly elected officials from taking office for months and has deprived the residents of the benefit of their service in office. Such situations appear likely to occur in the future and most specifically in 2021 also due to COVID-19.

We need to simplify our processes and just follow the same legal requirements as every other community in Massachusetts and have our officials take office on the day following their election.

**FINANCE COMMITTEE COMMENTS:** The intent of this article is to allow newly elected officials in Wayland to take office on the day following their election and serve their full term. In Wayland, a Special Act was voted at 2009 Annual Town Meeting to provide that elected officials take office following the completion of Annual Town Meeting. When the 2009 town meeting was asked, the then Board of Selectmen noted that it would allow existing board members to finish their work for Town Meeting with an unhurried and orderly transition for incoming members.

In many communities, Town Meeting happens before the election. In other towns, like Wayland, town meeting happens after the election. This year due to COVID-19 health concerns, the election was delayed until June and the town meeting to September. For those elected officials who wanted to assume their posts prior to the conclusion of town meeting, there is a procedure under M.G.L Chp. 41 Sec. 11 that allows appointment to most elected boards if there is a vacancy. In July and August 2020, three newly elected officials have been appointed to their boards (School Committee, Board of Public Works, and Board of Assessors) as allowed under this law by the time the Warrant went to print. The Board of Selectmen is held to a different standard under this law. The filling of a vacancy on the Board of Selectmen requires a special election.

By voting the Special Act, known as Chapter 53 of the Acts of 2010, one unintended consequence of that decision is evident during the 2020 COVID-19 pandemic, which resulted in a delay of the election and town meeting. Newly elected officials have been delayed from taking their positions - from the usual April/May conclusion of town meeting to September..

The annual town election, required by our Bylaws to occur "within seven days, but no fewer than two days, before annual town meeting" (see Town Code Chapter 36-1), took place on June 9, 2020 (it was postponed from the originally scheduled date of March 31, 2020). At the time of the election, a definitive date for commencement of annual town meeting still had not been established due to concern about gathering during the COVID-19 pandemic.

In order to make the change presented in this article effective, if approved, the Board of Selectmen must petition the General Court of the Commonwealth of Massachusetts to Repeal Chapter 53 of the Acts of 2010.

The Board of Selectmen has not taken a position on this article.

**ARGUMENTS IN FAVOR:** Proponents may argue that this article would correct for shortcomings related to the 2010 Special Act that have prevented newly-elected officials from taking office in Wayland's government in recent months (due to the COVID-19 related delay in town meeting) and might do so again in the foreseeable future. This is not the intent of the voters. Additionally, Wayland's 2010 Special Act says nothing about extending the term of an outgoing official to account for the delay in the newly elected official's assumption of office.

Having elected officials take office the day following their election is a simple and straight-forward rule that aligns with the Massachusetts General Laws. Voters should feel assured that once they have chosen whom they want to serve in office, those individuals are not prevented from taking office or unreasonably delayed in doing so.

Most outgoing elected officials would likely be willing to fulfil their duties at town meeting even if newly elected replacements have taken their positions. However, they would no longer speak in an official capacity and cannot represent their board. For many years prior to the passage of the 2010 Special Act, Wayland's elected officials seemed quite capable of preparing for and carrying out their responsibilities at annual town meeting. There is nothing that prevents former officials whose terms have just ended from speaking on matters that they worked on while in office.

**ARGUMENTS OPPOSED:** Opponents of this article may argue that the 2010 Special Act was enacted for a reason and that it should remain on the books as voted to allow outgoing elected officials to complete their terms through Town Meeting.

Opponents might argue that there may be other ways to respond to 'emergency' situations when town meeting does not occur within 2-7 days of town elections and that other mechanisms for installation of newly elected officials could be put into effect in those scenarios.

**RECOMMENDATION:** The Finance Committee recommends approval. Vote: 4-1-0

**QUANTUM OF VOTE:**

*For more information about this article, contact lead petitioner Gretchen Schuler, email [ggschuler126@gmail.com](mailto:ggschuler126@gmail.com).*

## ARTICLE 3: RETURN UNUSED FUNDS

*Proposed by: Petitioners*

Instruct the Selectmen to immediately return to the General Fund – Unreserved Fund Balance the \$75,583 remaining from the amount appropriated under Article 26 at the 2015 Annual Town Meeting and the \$470,000 remaining from the amount appropriated under Article 20 at the 2018 Annual Town Meeting.

**PETITIONERS' COMMENTS:** The appropriated funds were to be used to come up with a design as well as construction and bid documents for a multi-use community center to be constructed on a specifically identified parcel of land (i.e., “the municipal parcel”) that was to be donated to the Town for \$1.00. The Selectmen have spent \$74,417 of the appropriated funds for work tied to that specific land but still have not been successful in acquiring control of the land. They have given up trying to acquire it.

Because Town Meeting appropriated the funds years ago, Wayland property owners have already been taxed for those amounts that have been sitting, unused. The remaining \$545,583 of those appropriations are unavailable for another use and should be returned to the General Fund to increase our available reserves and to accommodate unbudgeted expenses associated with COVID-19.

Future requests, must clearly define a project and its location.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will return to the General Fund \$545,583 of monies voted, but unspent, for the design, construction and bid documents for a Council on Aging/Community Center (CoA/CC). Funds returned to the General Fund under this article will not be available until the FY2022 budget, because the Department of Revenue must certify the General Fund balance before the funds can be appropriated for any use. These funds could not be used for operating expenses associated with COVID-19 during Fiscal Year 2021. Passage of this article would also foreclose Town Meeting discussion and vote on Annual Town Meeting Article 11, Reallocate Previously Appropriated Funds for a Community Center, because Article 11 looks to reallocate the same funds for feasibility and design of a COA/CC on a different site. Simply, if this article returns the unspent funds to the General Fund, then those same funds are not available for reallocation under Article 11 which comes up later.

The \$545,583 of unspent monies that are the subject of this Article were appropriated by Annual Town Meeting in 2015 (FY16 budget year) and 2018 (FY19 budget year). These articles appropriated money for funding Due Diligence, Feasibility Design, Construction and Bid documents for a proposed Council on Aging/Community Center (CoA/CC). The multi-use Community Center was envisioned to be constructed on four parcels of land, which is known as the “Municipal Parcel”, located on and off Boston Post Road and Andrew Avenue at the Wayland Town Center and shown as Lot 4-1, Parcel R20-1, Parcel R-21 and Lot 8-1. Specific parcels were listed to give the Town the most flexibility in negotiating the lease or purchase of these four parcels and in the placement of a CoA/CC building.

**History:** The Town of Wayland entered into a Development Agreement with the developer (Twenty Wayland LLC) of the Wayland Town Center project, which provides for the right of the Town to own or lease a parcel of land for \$1.00. This “Municipal Parcel” opportunity was to create a gathering place for residents of Wayland, as set forth in the Mixed Use Overlay District document that was signed by the Planning Board in January 2008.

The Board of Selectmen finalized negotiations with Twenty Wayland LLC in 2018 resulting in a proposed settlement to bring closure to the terms of the 2006 development agreement. One aspect of the

agreement gifts the Town parcels of land for municipal and conservation purposes, totaling over 24 acres with approximately half for conservation. The settlement term expired without negotiations being completed.

The Council on Aging seeks to consider other locations within the Town to build a new community center as it remains unclear when the Town may acquire control of the four parcels needed at the Town Center. The Board of Selectmen recognized the importance to the community of a CoA/CC and on December 18, 2019 issued an RFP 20-10-Real Property Acquisition CoA/CC R. RFP responses were received in February 2020. An evaluation committee was on schedule to complete its work prior to and present at the April 2020 Annual Town Meeting. However, the evaluation committee was not able to complete its work due to the COVID-19 health pandemic. Recently, discussions have resumed, and Article 11 is ready for discussion during Annual Town Meeting.

This year's Annual Town Meeting Warrant Article 11, Reallocate Previously Appropriated Funds for a Community Center, reallocates the same \$545,583 that this article proposes to give back to the General Fund. Warrant Article 11 proposes that these funds be used to complete feasibility and design at a new proposed site for a CoA/CC. The Board of Selectmen and the Council on Aging are considering other site options to address concerns with the length of negotiations on the municipal parcel. Article 11 states that design funds are needed to insure all the identified requirements can be met within a new site.

The Town has spent \$74,417 of the originally appropriated \$620,000 for work tied to the specific parcel at the Town Center. It has been suggested that the remaining \$545,583 is encumbered and should be returned to the General Fund. This article suggests making the funds available to increase the Town's reserves and to accommodate unbudgeted expenses associated with COVID-19. Any monies returned to the General Fund would go into the Free Cash Reserve and would need to be certified before they could be appropriated for any operating use. Free Cash Certification would not take place until the FY 2022 budget and could not be used for COVID-19 this year.

Monthly financial reviews by the Town Administrator and Finance Director have managed the Town's revenue and expenditures during this pandemic, and the Town has seen minimal financial impact to date. State and Federal COVID-19 relief funds can be expected by the Town to offset certain non-budgeted capital and operating expenses.

The Board of Selectmen does not recommend approval. Vote: 0-5-0

#### **ARGUMENTS IN FAVOR:**

These Funds should be made available for other uses since negotiations with the Town Center Developer have not progressed.

Prior year Warrants as well as Town Meeting deliberations and votes show support for expenditures of funds for a Council on Aging/Community Center only to be located on Town Center parcels including the one known as the "municipal parcel".

Proponents believe that funds should not be spent until the Town has a complete understanding of design features that will be required in a post COVID-19 era. All major projects should be reconsidered at this time.

Some believe that Town Meeting should not consider using funds for projects on land that is not under the control of the Town beforehand.

Funds should be made available to increase the Town's reserves and to accommodate unbudgeted expenses associated with COVID-19 if there should be any.

**ARGUMENTS OPPOSED:** Town Meeting should have a discussion of the merits of reallocating the CoA/CC funds for another location under Annual Town Meeting Article 11. That article was submitted in January 2020 for Town Meeting discussion. Passage of this Article will eliminate the ability to have that discussion as the funds will no longer be available.

Opponents argue that these funds are needed to keep the Council on Aging/Community Center project moving forward.

The need for more space for the COA is acute and growing. Giving back these funds would put 15 years of work by many committees planning for new COA space back to Phase One.

Some believe that these funds, that are also for a multi-generational Community Center, specifically addresses the limited or lack of space for recreational programs needed today.

Prior Town Meeting articles detailed many uses of these funds including site reviews, feasibility design and due diligence.

**RECOMMENDATION:** The Finance Committee does not recommend approval. Vote: 2-4-0

**QUANTUM OF VOTE:**

*For more information about this article, contact lead petitioner Nancy Funkhouser at [nancyfunkhouser@verizon.net](mailto:nancyfunkhouser@verizon.net).*

## ARTICLE LIST FOR SUNDAY, APRIL 5, 2020 ANNUAL TOWN MEETING

Article	April 2020 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
1	Recognize Citizens and Employees for Particular Service to the Town	Board of Selectmen	Karlson	Correia	5-0-0	7-0-0
2*	Pay Previous Fiscal Year Unpaid Bills	Board of Selectmen	Karlson	Correia	5-0-0	7-0-0
3*	Current Year Transfers	Board of Selectmen	Karlson	Watkins	5-0-0	6-0-0
4*	OPEB Funding	Board of Selectmen,	Karlson	Lappin	5-0-0	7-0-0
5*	Fiscal Year 2021 Revolving Fund Expenditure Limits	Board of Selectmen	Karlson	Gutbezahl	5-0-0	6-0-1
6*	Compensation for Town Clerk	Board of Selectmen	Karlson	Roman	5-0-0	7-0-0
7*	Personnel Bylaws and Wage & Classification Plan	Board of Selectmen	Karlson	Watkins	5-0-0	7-0-0
8*	Surface Water Quality Committee Budget	Board of Selectmen	Anderson	Uveges	4-0-0	7-0-0
9	FY 2021 Omnibus Budget	Finance Committee	Karlson	Martin		5-2-0
10	Capital Stabilization Fund	Board of Selectmen	Karlson	Watkins	5-0-0	5-1-0
11	Reallocate Previously Appropriated Funds for Community Center	Board of Selectmen	Fay	Correia	5-0-0	4-3-0 defer to ATM
12*	CPA- Set Asides and Transfers	Community Preservation Committee	Antes	Roman	4-0-0	6-0-0
13	CPA - Accessibility Improvements for two Town Playgrounds	Community Preservation Committee	Antes	Roman	4-0-0	6-0-0
14	CPA- Funding for Housing Consultants and Housing Production Plan	Community Preservation Committee	Antes	Roman	4-0-0	7-0-0
15	CPA - ADA Improvements at Free Public Library	Community Preservation Committee	Antes	Roman	4-0-0	7-0-0
16	CPA-Funds to Preserve Open Spaces' Native Plants and Pollinator Plant Material	Community Preservation Committee	Antes	Roman	4-0-0	7-0-0
17*	Allow Certain Contracts up to 5 Years	Board of Selectmen	Levine	Lappin	4-0-0	6-0-0
18	Change Election Date	Petitioner	Fay	Gutbezahl	0-5-0	0-5-1

## ARTICLE LIST FOR SUNDAY, APRIL 5, 2020 ANNUAL TOWN MEETING

Article	April 2020 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
19	Roof Replacement – Loker Elementary School	School Committee	Anderson	Correia	5-0-0	6-0-0
20	Select Board/Town Manager Act	Board of Selectmen	Anderson	Watkins	5-0-0	5-1-1
21	Finance Committee Appointed by Moderator	Petitioner	Anderson	Watkins	0-5-0	2-3-1
22	Finance Committee Participation in Collective Bargaining	Petitioner	Karlson	Lappin	0-5-0	6-1-0 defer to ATM
23	Loker Turf Field	Recreation Commission	Fay	Gutbezahl	4-0-1	6-0-1 defer to ATM
24	Community Choice Aggregation	Board of Selectmen	Anderson	Gutbezahl	5-0-0	6-0-0
25	Limit Carrying of Weapons in Town Building and to Town Events	Petitioner	Levine	Correia	0-4-1	7-0-0 defer to ATM
26*	Accept Massachusetts General Laws Chapter 200A, Section 9A	Board of Selectmen	Karlson	Uveges	4-0-0	7-0-0
27	High School Athletic Field Complex Renovation – Part 3	School Committee	Antes	Uveges	5-0-0	4-3-0
28	Repeal Chapter 193 of the Code of the Town of Wayland	Petitioner	Fay	Uveges	5-0-0 defer to ATM	7-0-0 defer to ATM
29	Spencer Circle Street Acceptance	Board of Public Works	Levine	Uveges	5-0-0 defer to ATM	5-1-0 defer to ATM
30*	Choose Town Officers	Board of Selectmen	Karlson	Lappin	5-0-0	6-0-0
31*	Hear Reports	Board of Selectmen	Karlson	Lappin	5-0-0	6-0-0
32*	Sell or Trade Vehicles and Equipment	Board of Selectmen	Karlson	Uveges	5-0-0	7-0-0



# Board of Selectmen

## DISCUSSION DOCUMENT

13-Aug-20

### ATM 2020 Articles

\* Asterisk indicates articles proposed for abbreviated presentation procedure; scheduled at 5 minutes each.

indicates Full Discussion

P indicates Article will be Passed Over.

#	Letter	Name	Sponsor	Est Time	Comment
1		Recognize Citizens	BoS	15	Full Discussion
2	*	Pay Previous Year Bills	BoS	5	Abbreviated
3	P	Current Year Transfer	BoS	1	Pass Over; voted by BoS
4	*	OPEB Funding	BoS	5	Abbreviated
5	*	FY19 Revolving Fund Limits	BoS	5	Abbreviated
6	*	Compensation for Town Clerk	BoS	5	Abbreviated
7	*	Personnel Bylaws	BoS	5	Abbreviated
8	*	SWQC	BoS	5	Abbreviated
9		FY21 Budget	FinCom	120	Full Discussion
10	P	Capital Stabilization Fund	BoS	1	Pass Over; voted by BoS
11		CoA/CC Reallocation	BoS	15	Full Discussion
12	*	CPA: set asides/transfers	CPC	5	Abbreviated
13		CPA: Playgrounds	CPC	25	Full Discussion
14		CPA: Housing	CPC	10	Full Discussion
15	P	CPA: Library ADA	CPC	1	Pass Over; CPC vote pending
16	P	CPA: Conservation	CPC	1	Pass Over; CPC vote pending
17	P	Contracts Up to 5 Years	BoS	1	Pass Over: voted by BoS
18		Change Election Date	Petitioner	25	Full Discussion (potential)
19		Loker School Roof	SC	20	Full Discussion
20	P	SB/TM Act	BoS	1	Pass Over; voted by BoS
21	P	FinCom appt by Moderator	Petitioner	1	Pass Over
22	P	FinCom in Negotiations	Petitioner	1	Pass Over
23	P	Loker Turf Field	Rec	1	Pass Over; voted by Red
24	P	Community Choice Aggregation	BoS	1	Pass Over; voted by BoS
25	*	Accept MGL 200A	BoS	5	Abbreviated
26	P	HS Athletics - Phase 3	SC	1	Pass Over; voted by SC
27		Repeal Chp 193	Petitioner	25	Full Discussion (potential)
28	P	Spencer Circle	BoPW	1	Pass Over; voted by BoPW
29	*	Choose Officers	BoS	5	Abbreviated
30	*	Hear Reports	BoS	5	Abbreviated
31	*	Sell/Trade Vehicles	BoS	5	Abbreviated

**Estimated length of ATM 5.37 hours**

### STM

1		River's Edge Easements		25	Full Discussion
2		Repeal Special Act	Petitioner	25	Full Discussion
3		CoA/CC Funds Returned	Petitioner	25	Full Discussion

**Estimated length of STM 1.25 hours**

**Estimated length of ATM and STM 6.62**

Assumptions: Moderator reduces discussion time to 25 minutes/article, except Budget.

Action	Total	Articles	Time
Pass Over:	12	3, 10, 15, 16, 17, 20, 21, 22, 23, 24, 26, 28	0.20 hours
Abbreviated:	11	2, 4, 5, 6, 7, 8, 12, 25, 29, 30, 31	0.92 hours
Full:	8	1, 9, 11, 13, 14, 18, 19, 27	4.25 hours
Pending:			hours
	31		5.37 hours
Votes required to			Article
Pass Over	CPC		15, 16
(pending):	Petitioners		18, 27

## DRAFT 7-12-20

### Standard Operating Procedure for Board of Selectmen to determine Annual Town Election and Annual Town Meeting Dates

**Goal:** Determine options for the Town Election and Annual Town Meeting

- 1) Comply with Wayland Code requirements
- 2) Take into consideration feedback from Town Moderator, Wayland Interfaith Leaders Association, relevant boards, and staff
- 3) Board of Selectmen determine date, time, and place

#### Wayland Code Requirements (sections 36-1 and 36-3)

- 1) Last day to close ATM Warrant is January 15
- 2) Town Meeting must start between April 1 – May 15
- 3) Annual Town Election must be held 2-7 days before the start of ATM

#### Feedback from Relevant Parties

- 1) Moderator prefers starting Sunday PM (4-5 hours) with continuation on Mon, Tues, Wed, Thu
- 2) Contacted Finance Committee and ELVIS
- 3) Town Clerk: Elections should be held on a Tuesday
- 4) If ATM held at the High School, additional logistics required if during AP exams or if sports or performing arts events are taking place – awaiting feedback on potential 2021 dates from School Department staff
- 5) Athletics prefers early April, team practice and hosted games are issue
- 6) Facilities begins set up of the fieldhouse on the Friday before a Monday or Sunday start. If starting on a Saturday, facilities would need to start setting up on a Thursday which impacts the High School programs
- 7) WILA - Passover begins in the evening on Saturday, March 27th (so the 28th and 29th are holidays) and the last two days begin on Friday evening, April 2nd (which is when the Jewish Sabbath begins every week) and ends on Sunday night, April 4th. Shavu'ot is a two-day holiday, again observed like Shabbat, and begins in 2021 in the evening on Sunday, May 16th and continues through Tuesday, May 18<sup>th</sup>
- 8) Fine Arts: Choice 1: 4/6/21 HS Spring Chorus Concert, Choice 2: HS Spring Orchestra Concert, Choice 3: AP Testing, Choice 4: No conflicts

#### Potential 2021 Annual Town Meeting Choices/Schedule

- Choice 1: March 30, 2021 Election; Potential Meeting Dates: April 5, 6, 7, 8
- Choice 2: April 6, 2021 Election; Potential Meeting Dates: April 11, 12, 13, 14 and 15
- Choice 3: April 27, 2021 Election; Potential Meeting Dates: May 3, 4, 5 and 6
- Choice 4: May 4, 2021 Election; Potential Meeting Dates: May 10, 11, 12, and 13

## DRAFT 7-12-20

DARK GREEN: Election Date LIGHT GREEN: ATM Dates

◀ Mar 2021		April 2021					May 2021 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
28 Passover	29 Passover	30 ANNUAL ELECTION	31	1 Holy Thursday	2 Good Friday	3 Passover	
4 Easter Passover	5 Electronic Voting Support Buffer	6 Electronic Voting Support Buffer HS Spring Chorus Concert ANNUAL ELECTION	7	8	9	10	
11	12	13 Ramadan HS Spring Orchestra Concert	14	15	16 Spring Recess	17 Spring Recess	
18 Spring Recess	19 Spring Recess	20 Spring Recess	21 Spring Recess	22 Spring Recess	23 Spring Recess	24 Spring Recess	
25 Spring Recess	26	27 ANNUAL ELECTION	28	29	30		

# DRAFT 7-12-20

◀ Apr 2021		<b>May 2021</b>					Jun 2021 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
						<b>1</b> Twelfth Day of Ridván	
<b>2</b> Orthodox and Coptic Easter	<b>3</b> AP Exams	<b>4</b> AP Exams  ANNUAL ELECTION	<b>5</b> AP Exams	<b>6</b> AP Exams	<b>7</b> AP Exams	<b>8</b>	
<b>9</b> Mother's Day	<b>10</b> Electronic Voting Support Buffer AP Exams	<b>11</b> Electronic Voting Support Buffer AP Exams	<b>12</b> AP Exams	<b>13</b> AP Exams	<b>14</b> AP Exams	<b>15</b>	
<b>16</b> Shavu'ot	<b>17</b> Shavu'ot	<b>18</b> Shavu'ot	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	
<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
<b>30</b>	<b>31</b> Memorial Day						

# DRAFT 7-12-20

## Contact List

No	Name	Contact	Role/Organization
1	Dennis Berry	dberry@wayland.ma.us	CONTACTED: Moderator
2	Louise Miller	lmiller@wayland.ma.us	CONTACTED: Town Administrator
3	Anna M. Ludwig	aludwing@wayland.ma.us	CONTACTED: Town Clerk
4	Dave Bernstein	dbernstein@wayland.ma.us	CONTACTED: ELVIS Committee Chair
5	Carol Martin	cmartin@wayland.ma.us	CONTACTED: Finance Committee Chair
7	Ben Keefe	bkeefe@wayland.ma.us	CONTACTED: Facilities
8	Brian Keveny	bkeveny@wayland.ma.us	CONTACTED: Finance Director
9	Arthur Unobskey	arthur_unobskey@wayland.k12.ma.us	CONTACTED: School Department (HS, Fine Arts, Athletics)
10	Rabbi Louis Polisson	rabbi@congregationoratid.org	CONTACTED: Wayland Interfaith Leaders Association (WILA)
11	Susan Memoli	susan_memoli@wayland.k12.ma.us	CONTACTED: Fine Arts Director (HS)
12	Heath Rollins	heath_rollins@wayland.k12.ma.us	CONTACTED: Athletics (HS)

## Discussion Points for FY22

- Determine COVID-19 risk profile associated with Scheduling 2021 Election and ATM
  - Possible Request to Suspend Town Meeting Rules for 2021
    - Divide Town Meeting into two meetings:
      - Meeting one: Budget, Finance and taxes.
      - Meeting two: Zoning (Planning), by-laws, other non-financial articles
    - Support the potential of an outdoor meeting
  - Potentially recalibrate the calendar by changing bylaws and seeking special legislation
    - 19-3 December 15
    - 19-3 January 15
    - 36-1 April 1 to May 15 (State law – Ends by June 30)
  - Town Clerk: Potential for processing 2000+ early voting ballots if similar to 2020 Annual Town Election

## Constraints

- 1) Need daily setup and take down of chairs when the Field House is setup for ATM capacity of 1800 to support AP Testing
- 2) High School Auditorium unavailable if performances or rehearsals are being held
- 3) Potential parking and Field House use conflict if indoor or outdoor sports events taking place
- 4) Try to avoid starting Town Meeting within 2 days after a holiday weekend including religious holidays – ELVIS handbook
- 1) Potential of minimize electronic voting fees by using devices over contiguous days.
- 2) Saturday AM/PM, which is not Wayland's current traditions (successful in Lincoln)

## **DRAFT 7-12-20**

### **Religious – Request feedback from WILA**

- 1) 1st and 2nd Nights of Passover
- 2) Easter
- 3) Beginning of Yom Tovs
- 4) 7<sup>th</sup> and 8<sup>th</sup> Nights of Passover
- 5) Greek Orthodox and Coptic Easters
- 6) 12<sup>th</sup> day of Ridvan
- 7) Mother's Day
- 8) Friday or Saturday due to the Jewish sabbath

### **Fine Arts – Request feedback from HS Fine Arts Representative**

- 1) Fine Arts: Choice 1: 4/6/21 HS Spring Chorus Concert, Choice 2: HS Spring Orchestra Concert, Choice 3: AP Testing, Choice 4: No conflicts. Both for choice 1 and 2, these could be moved, especially with this much notice.

### **Athletics – Request feedback from HS Athletic Director**

- 1) Boys volleyball team will be practicing and playing starting 3/22. The team will not be able to practice or host games while the Field House is set up for Town Meeting. Prefers early April.

# DRAFT 7-12-20

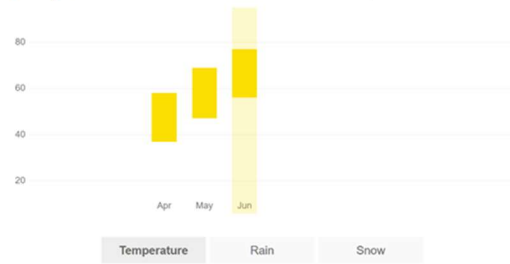
## Weather for Outdoor Consideration

Weather history for Wayland, Massachusetts

Average temperature

June  
77 / 56 °F | C

Record temps 94° / 40° F  
Avg rainfall 4.13 in  
Snow 0 days



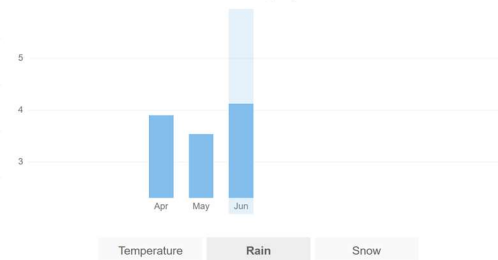
Current forecast - Radar map - Data from Weather Trends

Weather history for Wayland, Massachusetts

Average rainfall

June  
4.13 in | cm

Rain 22 days  
Snow 0 days  
Avg temps 77° / 56° F



Current forecast - Radar map - Data from Weather Trends

## Bylaws

### Section 36-1

The annual Town meeting shall commence on a day between April 1 and May 15 inclusive ordered by the Selectmen. The election of Town officers and the determination of all matters placed on the official ballot at such election shall take place within seven days, but no fewer than two days, before the annual Town meeting. In addition to the warrant required by MGL c. 39, § 9A, the Selectmen shall cause notice of the time and place(s) of each annual and special Town meeting and each annual and special election (1) to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to § 36-3 below and (2) to be posted on the Town sign boards. Such notice shall be posted on the Town sign boards commencing at least two weeks prior to the election and Town meeting and shall remain posted until the election is held and Town meeting is concluded.

### Section 36-2

All articles for insertion in the warrant for the annual Town meeting must be presented in writing to the Board of Selectmen in accordance with law on or before January 15 or such earlier time as may be fixed by the Board of Selectmen, and all such articles for special Town meetings must be so presented on or before the date fixed by the Selectmen for closing of the warrant for such meeting. In the event that January 15 is a Saturday, Sunday or legal holiday, all articles for insertion in the annual Town meeting warrant must be so presented by 4:30 p.m. on the next weekday following January 15 that the Wayland Town Building is open.



# TOWN OF WAYLAND BOARD OF HEALTH

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

Julia Junghanns, R.S., C.H.O.  
DIRECTOR OF PUBLIC HEALTH  
TEL. (508) 358-3617

Ruth Mori, MSN, R.N.  
PUBLIC HEALTH NURSE  
TEL. (508) 358-3617

## Wayland COVID-19 Case Update – August 13, 2020

The Wayland Health Department is actively monitoring the status of the COVID-19 pandemic in Wayland. The reporting structure below is designed to balance the privacy of affected individuals as much as possible while keeping the public informed about COVID-19 activity in Wayland.

	Total Cases to date	Cases as of previous report date	New Cases since last report	Cases Removed from Quarantine/Isolation	Total Current Active Cases
Confirmed (LAB) COVID-19 cases	114	114 as of 8/3/2020	0 as of 8/13/2020	1 since 8/3/2020	0 as of 8/13/2020
*Probable Covid-19	70	57 as of 8/3/2020	13 as of 8/13/2020	15 since 8/3/2020	0 as of 8/13/2020

\* Probable cases are individuals who were antibody tested and/or had COVID virus but were not tested by the standard test. Probable cases may also include individuals whose death certificate listed COVID-19 as a cause of death but who were not tested.

### The information below is regarding Lab Confirmed Covid-19 cases only

#### Sex

Female	61
Male	53

#### Total Ages per Category Deceased

Age Category	Total	Deceased
<19	3	0
20-29	10	0
30-39	2	0
40-49	7	0
50-59	14	0
60-69	12	4
70-79	13	1
80-89	23	6
90-99	27	8
100-109	3	0

#### Total Cases as of 8/13/2020

Active Non-Hospitalized	0
Active Hospitalized	0
Recovered	95
Deceased	19
Total	114

Live/work within Wayland Long Term Care Facilities (LTC)	67
Live/work within the Wayland General Community	47

#### Regional Data

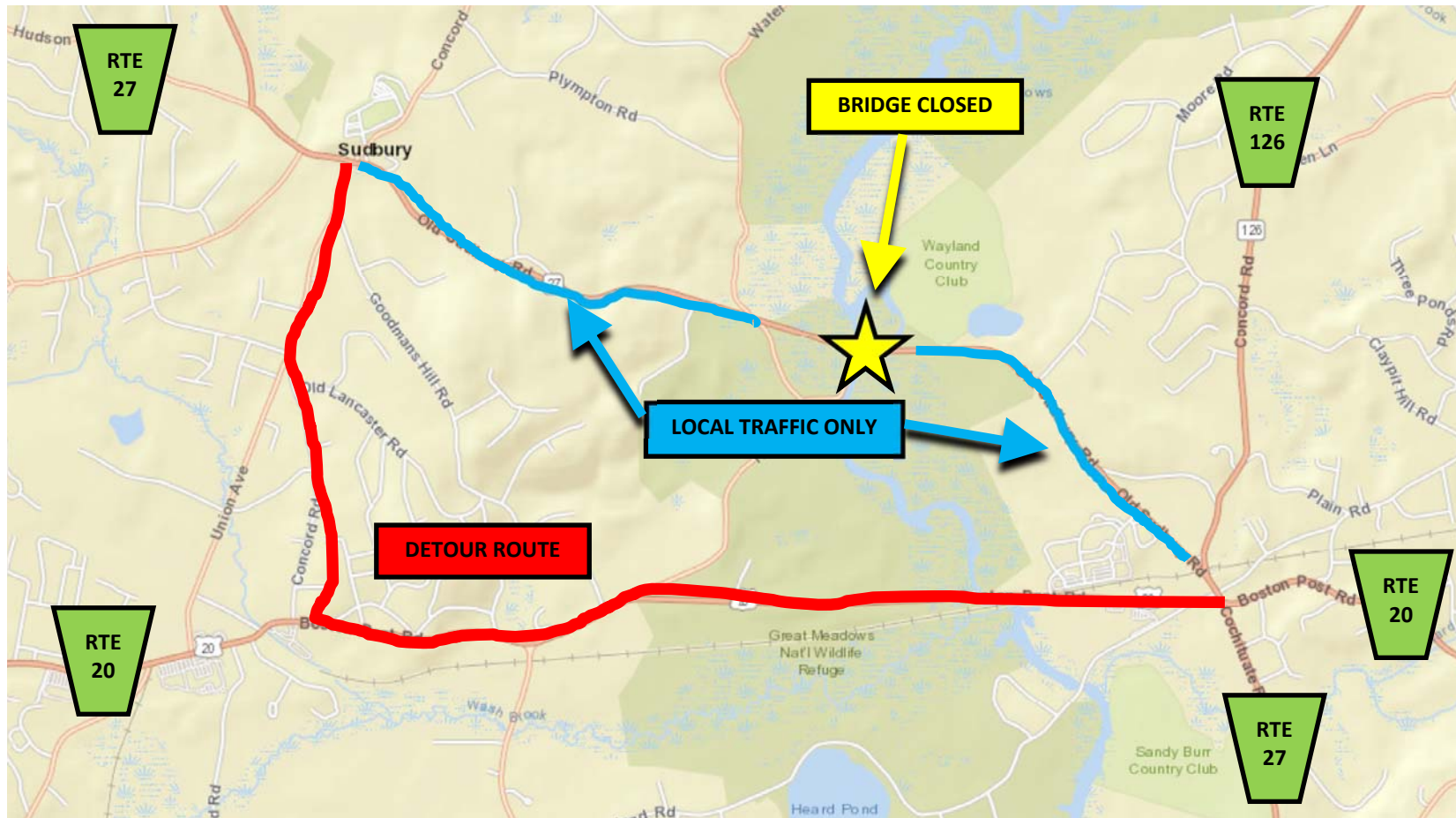
	Massachusetts	Middlesex County	Wayland Reported	Wayland Actual
Confirmed Cases	113,517 As of 8/13 4pm	26,565 As of 8/13 4pm	113 As of 8/13 4pm	114 As of 8/13 4pm



# OLD SUDBURY ROAD (ROUTE 27) BRIDGE CLOSURE

AUGUST 19, 2020—SEPTEMBER 16, 2020

The Town of Wayland has scheduled bridge rehabilitation work for the Old Sudbury Road (Route 27) Bridge for August 19, 2020 through September 16, 2020. The work involves the replacement of the concrete deck surface and repairs to the wooden piers and underside of the bridge. The work will be completed in two phases the first of which will require a complete road closure. All traffic will be detoured to Boston Post Road (Route 20) in both directions for the duration of the deck replacement. Signage will be placed along the route to inform drivers of the appropriate detour route. Phase 2 work to occur in the Fall will involve less traffic interferences. Future notices will be provided on the Phase 2 work.



# OLD SUDBURY ROAD (ROUTE 27) BRIDGE CLOSURE

August 12, 2020

Subject: Construction Notice - Old Sudbury Road Bridge Rehabilitation Project

Dear Resident/Business Owner:

The DPW is providing this notice relative to the bridge rehabilitation project located on Old Sudbury Road (Route 27) as the road crosses the Sudbury River. The bridge, which is nearing 75 years old, was recently identified as having serious deficiencies and needing considerable rehabilitation to ensure that existing traffic can safely cross the bridge. The Town is undertaking a project to quickly restore the bridge to good condition and extend its life.

The project will be undertaken in two phases. The first phase will rehabilitate the upper deck wearing surface of the deck with a new continuous concrete surface. The second phase will provide restoration/rehabilitation of the under deck concrete and wood structures, as well as provide a durable wearing epoxy layer to the upper deck. All of this work will impact existing traffic using the bridge.

**The first phase of the work anticipated to take place between August 19<sup>th</sup> and September 16<sup>th</sup>, 2020 will require a complete closure of the bridge.** Detours will be implemented to have existing traffic primarily use Boston Post Road (Route 20) as an alternate route. The second phase, which has not been scheduled, is anticipated to take place in late October and November of 2020 will require temporary lane closures using police details to control traffic and may require a short closure to apply the epoxy surface to the deck.

The road closures have been coordinated with the Wayland Public Safety Departments and the Town of Sudbury. The closures will improve the quality of the bridge rehabilitation project and reduce the overall cost of the project. Additional information and updates on the construction schedule will be posted on the Town's website ([www.wayland.ma.us](http://www.wayland.ma.us)) and the DPW's Facebook page.

Please contact the Wayland Department of Public Works at 508-358-3672 if you have any questions.

Your patience and cooperation are greatly appreciated.

# BOARD OF SELECTMEN

Fiscal Year 2020 was unique in several ways. The Town held no Annual or Special Town Meeting for the first time in memory. The Annual Election was postponed for two months. Fully one third of the year was dedicated to developing and implementing a COVID-19 response plan. This report addresses business as usual and the COVID-19 response.

The Board wishes to acknowledge and thank the many citizens of Wayland who volunteer countless hours of community service as members of appointed boards and commissions. The Board also thanks the excellent employees who keep our town running so well. And, of course, we thank the taxpayers of Wayland who provide the funds to pay for the services that make our town a wonderful place to live.

## **Business as Usual**

Louise Miller entered her second year as Wayland's Town Administrator and welcomed both familiar and new faces to the Town's management and administrative team. Assistant Fire Chief Neil McPherson was sworn in as new Fire Chief early in July 2019 replacing retiring Chief David Houghton. The Town welcomed two management analysts, Seath Crandall and Jason Adams. The Board of Selectmen was notified that Assistant Town Administrator Elizabeth Doucette and Director of Assessing Bruce Morgan would retire in July 2020. The Board thanks both Beth and Bruce for their service to Wayland.

Throughout the year, the Selectmen worked with and appointed citizens to numerous permanent and temporary committees. In keeping with Wayland's rich history of citizen involvement in Town government, appointees to boards and committees bring a wide-variety of professional experience to issues that affect the Town.

The Board worked on its goals developed in January 2019 and updated in January 2020:

### **Long Range Operating and Capital Financing Plan**

- Town Administrator Louise Miller led several projects to improve financial management and reporting.
- The Board signed a contract with Wayland's new financial consultant, Hilltop Securities, in July 2019.
- The Town Administrator and Finance Director prepared a Financial Summit in September 2019 to provide an overview of potential revenues and expenses in the next fiscal year as well as a longer view over five years.
- The management team and financial consultant participated in the rating call with Moody's in January 2020. Moody's assigned Wayland a Aaa bond rating with a stable outlook for the second year in a row.

### **Town Manager Special Act**

- The Board developed an article for 2020 Annual Town Meeting (originally scheduled in April) to move to a Town Manager form of government, as recommended over 30 years by 3 different studies. The proposed Act updates Wayland's very flat organizational structure, centralizes responsibility while keeping day to day operations with departments, and maintains boards and committees in policy and regulatory roles.

### **River's Edge**

- The Board continued its work on bringing much-needed market-rate and affordable rental housing and revenue to the Town, as it negotiated extensions to the Land Disposition Agreement with developer Wood Partners. Work on cleaning up asbestos contamination on the site was completed and due diligence was completed in the spring of 2019. The Zoning Board of Appeals granted Site Plan Approval in December 2019. The Town was granted a two-year Safe Harbor based on the

218 units planned at River's Edge as long as a building permit is granted within a year from December 2019.

#### Affordable Housing

- The Board worked to increase Affordable Housing opportunities by coordinating with the Town's three housing groups (Housing Partnership, Housing Authority and Municipal Affordable Housing Trust) and working through the Town's housing consultant. The Board thanks the Community Preservation Committee for providing funding for the housing consultant.

#### Town Center

- The privately owned Town Center development continued to be a key source of revenue contributing over \$xxxxx in taxes in FY2020.
- The Board continued to negotiate with original developer Twenty Wayland, but had not reached agreement by the end of FY2020 on the parcels of land referred to as the Municipality Parcel, Town Green and others still under Twenty Wayland's control.
- The Board continued its work on moving the Council on Aging/Community Center project forward and issued an RFP in December 2019 to purchase or lease land or space for development. Responses were received in February 2020 and a selection committee started the review process. This work was put on hold with the start of the COVID-19 emergency.

#### Wastewater

- The Board worked on developing a Wastewater Action Plan that focuses on the Town Center wastewater plant and commits to fund repairs at the High School wastewater plant.
- The Town Administrator, Town Engineer, Wastewater Manager, and Wastewater Management District Commission worked on an administrative model to compliment the operational model.

#### Communications

- The Town completed the First Annual Citizens Academy with the second group of sessions in the Fall of 2019.
- The Board is committed to improving communications with staff, boards/volunteers, and residents and is committed to continuing to improve its new website.

#### Diversity

- The Board committed to working to increase diversity in staff and volunteers.
- The Board voted to recognize the second Sunday in June as Race Amity Day in perpetuity.
- In June 2020, the Board began working on a statement on racism in response to the death of George Floyd.

In the 44 meetings held in FY2020 the Board also worked on projects showing the breadth and depth of its responsibilities: the Annual Town Meeting Warrant (delivered to residents in March 2020); Permitting Software (contract signed); Negotiations (all unions contracts are up for renegotiation); Rail Trail opening, maintenance, parking, extending trail; Right of First Refusal on Rod & Gun Club property; Licensing restaurants, liquor sales, and auto dealers; updating BoS goals; Public Records requests and Open Meeting Law complaints; School Bus Parking, Public Safety (new software, Fire Station 2 renovation, Re-certification of Wayland Police Department), High School Field Project (Phases 1 and 2) and Oxbow Field negotiations.

Doug Levine completed a three-year term on the Board and chose not to seek reelection. The postponed Town Election was held on June 9, 2020. Cherry Karlson was reelected, and Dave Watkins was newly elected. Due to the COVID-19 pandemic, the 2020 Annual Meeting was rescheduled to September 12<sup>th</sup> to be held outdoors, after which Dave Watkins will be sworn in and Doug Levine will retire. The Board welcomes Dave and thanks Doug for his excellent contributions to the Town.

The Board continues its efforts to make its meetings and actions transparent to the public. All meetings are taped by WayCam for rebroadcast, meetings have been livestreamed on Zoom during the pandemic, the

Board information packet is available online in advance of each meeting, and regular and executive session minutes are produced, reviewed, and posted online.

### **COVID-19 Response Plan**

Early in March 2020 the Board turned its attention to the COVID-19 emergency. Town Administrator Louise Miller and Town Staff developed and managed an all-encompassing plan to identify essential services and equip employees to carry out these services, while minimizing risk for the Wayland community (residents, businesses, and staff).

Specific actions of the Board and Town Administrator included:

- Declaring a local state of emergency
- Postponing the Town Election to June 9, 2020; supporting the Town Clerk in carrying out this election
- Working with the Moderator on postponing Annual Town Meeting
- Coordinating volunteer efforts to distribute masks and to provide essential food staples to citizens unable to secure supplies
- Providing pharmaceutical deliveries through the Police Department
- Establishing the Wayland COVID-19 Relief Fund
- Designating Louise Miller as Public Safety Official for the Town on the COVID-19 response
- Writing a resolution recognizing essential workers
- Working with the Board of Health on construction project safety, restaurant take-out service, outdoor dining
- Developing meeting protocols with IT staff for Town boards, committees and commissions; managing Zoom meetings
- Working with the Facilities Department on new protocols for cleaning and building adjustments in anticipation of Town Building and Schools reopening for staff
- Coordinating with the Council on Aging and Youth and Family Services staff to ensure continued services for the clients of those departments
- Establishing outdoor spaces for conducting Town business
- Working with the Recreation Department and Conservation Department on safety measures for using Town trails, parks and reopening the Town Beach
- Developing 1/12 budgets for July, August, and September
- Updating the Town website with extensive information on COVID-19
- Answering the thousands of calls from citizens over these many months
- Others?

The Board recognizes and thanks Town Staff at all levels for carrying out the COVID-19 Response Plan. This has been a situation of all hands on deck since the beginning of March and everyone's first priority has been the health, wellness and safety of our staff, residents and community. The Board recognizes and thanks its residents and businesses for their cooperation in adjusting to life in a pandemic. Wayland's COVID-19 numbers are among the best in the Commonwealth thanks to all of you.



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

**DRAFT Meeting Minutes**  
**BOARD OF SELECTMEN**  
**Thursday, August 6, 2020**  
**6:10 p.m.**

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

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

**Note: In compliance with the March 12, 2020 Massachusetts Office of the Governor's Order Suspending Certain Provisions of the Open Meeting Law M.G.L. Chapter 30A, Section 20, this meeting of the Board of Selectmen was livestreamed on local broadcast on the WayCAM Government Channel and open to the public to view and participate via Zoom. No in-person attendance of members of the public was permitted. Public Comment was available by both telephone and Zoom during the time designated for Public Comment.**

**Attendance:** Mary M. Antes, Thomas J. Fay, Cherry C. Karlson  
M. Antes, and T. Fay participated remotely by tele-videoconferencing via Zoom and WayCAM; C. Karlson participated by tele-videoconferencing and was also present at Town Building.

**Absent:** Lea T. Anderson, Douglas A. Levine

**Also Present:** Town Administrator Louise Miller, Management Analyst Jason Adams

**A1. Call to Order by Chair, Review the Agenda for the Public** C. Karlson called the meeting of the Board of Selectmen to order at 6:11 p.m. when a quorum was available by teleconference, reviewed the agenda for the public and noted that no other business would be conducted. C. Karlson said River's Edge Advisory Committee Chair Rebecca Stanizzi would also join.

**A2. Attend Finance Committee Special Town Meeting Article Workshop** The Board joined the Finance Committee meeting already in progress. At 6:15 Finance Committee Chair Carol Martin began the Special Town Meeting Article Workshop. C. Karlson presented STM Article 1 (River's Edge Easement) on behalf of the Board of Selectmen. C. Karlson and R. Stanizzi answered questions from the Finance Committee and the public (see Finance Committee minutes). C. Martin announced that Kelly Lappin is the Finance Committee liaison on this article.

Nancy Funkhauser, lead petitioner, presented STM Article 2 (Return Unused Funds) and answered questions from Finance Committee members. Steve Correia is the Fincom liaison on this article.

Gretchen Schuler, lead petitioner, presented STM Article 3 (Repeal Chap. 53 of the Acts of 2010) and answered questions from Finance Committee members. Pam Roman is the Fincom liaison on this article.

After discussion with the Board, C. Karlson assigned Board of Selectmen liaisons as follows: Article 1 Doug Levine, Article 2 Tom Fay, Article 3 Lea Anderson.

**A3. Adjourn** At 7:35 p.m., M. Antes moved, seconded by T. Fay, that the Board adjourn the meeting. Roll Call Vote: YEA: M. Antes, T. Fay, C. Karlson. NAY: none. ABSENT: L. Anderson, D. Levine. ABSTAIN: none. Adopted 3-0.

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 6, 2020**

There were none.

**Items included as part of the Agenda Packet for discussion during the Board of Selectmen Meeting of August 6, 2020**

There were none.



**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM August 9, 2020 THROUGH AND INCLUDING August 17, 2020 OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR August 17, 2020**

**Items distributed to the Board of Selectmen –August 9, 2020 – August 17, 2020**  
(none)

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of July 27, 2020**

1. River's Edge Easement article language draft
2. Petitioner's Article language draft: Return Unused Funds
3. Petitioner's Article language draft: Repeal Chapter 53 of the Acts of 2010

**Items included as part of the Agenda Packet for discussion during the August 10, 2020 Board of Selectmen Meeting**

1. 2020 STM Article List
2. 2020 STM Article 1: River's Edge Easement
3. River's Edge Development Easement Plan
4. River's Edge Development Traffic Analysis – 490 Boston Post Rd Saturday
5. 2020 STM Article 2: Repeal Chapter 53 of the Acts of 2010
6. 2020 STM Article 3: Return Unused Funds
7. 2020 ATM Article List
8. 2020 Fall ATM Article Worksheet
9. Draft dates for the 2021 ATM
10. COVID-19 Board of Health Weekly Update August 13, 2020
11. Route 27 Bridge Construction Notice – 8.12.2020
12. Route 27 Bridge Detour Figure
13. Fiscal Year 2020 Board of Selection's Annual Report draft
14. Draft of August 6, 2020 Board of Selectmen Minutes

**BOARD OF SELECTMEN**  
**Monday, August 17, 2020**  
**5:00 p.m.**  
**Wayland Town Building**  
**41 Cochrane Road, Wayland, MA**

**CONSENT CALENDAR**

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of approving and signing Contract Agreement no. 21-1031 with David A. Velluti for Real Estate Data Collection Services at a cost not to exceed \$7,000.00.



**BOARD OF SELECTMEN**  
**Monday, August 17, 2020**  
**5:00 pm**  
**Wayland Town Building**  
**Council on Aging Room**  
**41 Cochituate Road, Wayland, MA**

**CORRESPONDENCE**

1. Correspondence from Glenn A Cunha, Massachusetts Inspector General, to Board of Selectmen dated July 17, 2020 re: Settlement Payment to the Town of Wayland