PACKET

June 14

2021

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

THOMAS J FAY ADAM G GUTBEZAHL CHERRY C KARLSON CAROL B MARTIN DAVID V WATKINS

Revises Agenda posted June 10, 2021 at 3:52pm BOARD OF SELECTMEN Monday, June 14, 2021 7:00 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. We request public comment be limited to two minutes per person.

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

7:00 pm 1. Call to Order, Review Agenda for Public

7:03 pm 2. Announcements and Public Comment

7:15 pm 3. Town of Wayland's local State of Emergency: Discussion and potential vote to rescind

7:30 pm 4. Committee Appointments: discuss and potential vote to appoint:

Committee	Potential Appointee	Term End Date
Cable Advisory Committee	Doug Levine	No term expiration
Conservation Commission	Sean Fair Barbara Howell	June 30, 2024 June 30, 2024

BOARD OF SELECTMEN

Monday, June 14, 2021 7:00 p.m. Wayland Town Building 41 Cochituate Road, Wayland, MA

Municipal Affordable Housing Trust Fund Board

Cherry Karlson

June 30, 2023

	Committee Appointments: Interview and potential vote to appoint:		
	Committee	Potential Appointee	Term End Date
	Economic Development Committee 3 vacancies	Emily Kumler Kaplan Bradford Young	two terms ending June 30, 2024; one term ending June 30, 2022
	Finance Committee	Kelly Lappin (reappointment)	two terms ending June 30,
	3 vacancies	Abner Bruno Michael Hoyle Brian O'Herlihy	2024; one term ending June 30, 2022
8:05 pm	5. Governance Guidelines: review and u	pdate as needed; potential vo	te to reissue
8:15 pm	6. Board/Committee Meetings: Discuss procedure for holding board and committee meetings once the Massachusetts State of Emergency ends; potential vote		
9:00 pm	 7. Town Administrator update a. COVID-19 Update b. School Bus Parking Update c. River's Edge update d. Redistricting Reprecincting e. IT Projects Update f. Loker School Roof Update 	 g. Perambulation of To h. Per- and polyfluoroa (PFAS) update i. Departmental Repor Planning j. Outdoor Service Lic for Dudley Chateau; Board of Selectmen 	ts: Health, ense Application
9:30 pm	8. Old Stone Bridge Rd/Potter Road Bridge: discussion		
9:35 pm	2. Correspondence: discuss handling official correspondence, including emails, to the Board of Selectmen; distinguishing between correspondence and public comment		
9:50 pm	 Discussion of Route 20 Corridor, including potential town-wide survey, input from EDC representative, potential scope of work, zoning needs and possible funding sources 		
10:05pm	11. Minutes –May 24 and June 7, 2021; review and vote to approve		
10:10pm	12. Consent: review and vote to approve		

BOARD OF SELECTMEN Monday, June 14, 2021 7:00 p.m. Wayland Town Building 41 Cochituate Road, Wayland, MA

- 10:15pm 13. Correspondence
- 10:20pm 14. Selectmen's Reports and Concerns
- 10:25pm 15. Topics not Reasonably Anticipated 48 hours in advance, if any
- 10:30pm 16. Executive Session:
 - I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with:
 - The Wayland Library Staff Association MFT, AFT, AFL-CIO
 - Local 690 Wayland-1 American Federation of State, County and Municipal Employees (AFSCME 690 Wayland -1)
 - Local 690 Wayland 2 American Federation of State, County, and Municipal Employees (AFSCME 690 2); and
 - II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with all bargaining units pursuant to the Public Employee Committee (PEC) agreement
 - III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of June 7, 2021

Approve and Hold: Executive Session minutes of June 7, 2021

11:00pm 17. Adjourn

Town of Wayland Declaration of Emergency – COVID-19 March 20, 2020

Whereas, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to respond to COVID-19;

Whereas, on March 13, 2020, the President of the United States announced a national declaration of emergency;

Whereas, on March 16, 2020, the Board of Selectmen of the Town of Wayland declared a local state of emergency;

Whereas, the State and Federal governments have taken various actions to respond to the evolving COVID-19 public health emergency impacting the nation, the Commonwealth, and Wayland;

Whereas, the Board of Selectmen and the Board of Health, have determined that COVID-19 is a public health emergency that poses an immediate threat to the public health, safety, and general welfare of the people residing both within and outside of the Town of Wayland;

Whereas, it is critical to take all steps necessary to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of Wayland, which steps may be additional to steps that are taken by the State and Federal governments;

Whereas declaring a state of emergency will facilitate and expedite the use of resources to protect persons from the impacts of COVID-19, including but not limited to emergency expenditures pursuant to Massachusetts General Laws, Chapter 44, Section 31;

Now therefore, we, the Board of Selectmen and the Board of Health of the Town of Wayland, Massachusetts, hereby declare that a state of emergency exists in the Town of Wayland. This declaration of emergency shall remain in effect until further notice is given, pursuant to our judgement that the conditions leading to this declaration no longer exist.

To: All Residents

From: Town Administrator

Date: April 19, 2020 at 12:00 noon

Re: COVID-19: Leash Dogs in Public Spaces

Due to a significant increase in people and dogs on trails, the Sudbury Valley Trustees (SVT) contacted the Town on March 23 regarding aggressive dog behavior and incidents. On March 25, the Town through its Conservation Administrator and Town Administrator issued a joint policy with SVT requesting that dogs be leashed on trails and posted the policy at all jointly owned entrances to trails.

As COVID-19 progressed, the Town continued to experience heavy use of trails and other public spaces and received complaints of unintended close interactions due to unleashed dogs. On April 3, the Town Administrator and Recreation Director issued a temporary request that dogs be leashed in all public areas to avoid unintentional contact with others.

The Town has continued to experience heavy use of trails and other public spaces by people and dogs. By April 9, the Town Administrator had been informed of aggressive behavior by unleashed dogs on Town property and other public spaces. The Town Administrator consulted with the Dog Control Officer who also services surrounding communities. The Dog Control Officer confirmed an unusual number of aggressive dog behavior during COVID-19, resulting in a high number of dogs currently being quarantined. The Dog Control Officer indicated that Wayland's problem was worse than surrounding communities, many of which had put in place temporary leash orders and closed parking lots to the Rail Trail and other public spaces and trails.

On April 10, the Town Administrator discussed with the Board of Selectmen both issuing a temporary leash order for dogs and possibly closing parking lots. On April 10, the Board of Selectmen indicated its support for a temporary leash order.

We continue to receive complaints of unleashed dogs in public spaces: the Rail Trail, the Town Beach, fields and Conservation lands.

The following temporary order has, therefore, been issued:

<u>All dogs must be on a 6-foot leash when in public spaces in Wayland.</u> Dogs must be licensed, wear the license tag and be properly vaccinated. Public spaces include sidewalks, streets, trails, Conservation areas, fields and parking lots. Improved signage has been posted at Conservation areas and other common dog walking areas.

Social distancing is important to controlling the spread of the COVID-19 virus; unleashed dogs can lead to unintended interactions with others using the same public spaces. Keeping dogs on leashes will also reduce the amount of unintended aggressive dog behavior. Found dogs not wearing tags will be quarantined.

These are temporary restrictions while we are in a public health emergency due to the COVID-19 virus.

<u>Please pick up after your dog.</u> With increased usage of all Conservation trails and areas and the Rail Trial, we all need to be considerate and pick up after our dogs. Again, the Town continues to receive complaints of dog droppings, particularly along the Rail Trail.

To: All Residents

From: Town Administrator and Board of Selectmen

Date: March 16, 2020 at 3:00 pm

Re: Guidance for Field and Playground Usage

In further efforts to slow the spread of the COVID-19 virus throughout Wayland, all Town fields, playgrounds and recreation areas will be posted "Closed" this afternoon. All areas with controlled access will be locked. (The high school field complex is still an active construction site, and no access is allowed.)

This was a difficult decision as we would like residents to be outside enjoying physical activity, with proper social distancing. However, we cannot allow group gatherings or activities of any size on the Town fields or basketball courts and need to close access to the playgrounds because they cannot be kept disinfected. As a reminder, dogs are never allowed on athletic play areas or the sand at Wayland Town Beach.

Therefore, despite closing the fields to group gatherings and activities, we would like to keep them open for walking and exercising if everyone cooperates and maintains proper social distancing of approximately 6 feet apart.

We need everyone's cooperation in this community-based effort, or the Town will need to close the fields to everyone for the health of our greater community.

Residents who are comfortable going outdoors and who have not been instructed to quarantine, can stay active by walking, running, hiking or biking on local trails, while practicing social distancing recommendations from the CDC.

<u>We continue to urge all residents to evaluate their own health</u> 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 <u>508-358-6805</u> and your primary care physician for guidance.

As always, additional information can be found on the Town's website at www.wayland.ma.us. Other questions can be addressed to the Town Administrator's Office at 508-358-7701.

Town of Wayland Board/Committee Appointments Status as of June 8, 2021

Most volunteer positions have a term that ends on June 30. All positions with openings as of July 1, 2021 are listed below. Incumbents may reapply, and all interested volunteers will be considered.

Information on each board and committee (purpose, responsibilities, Chair) can be found on its web page. All board and committee pages are linked here: https://www.wayland.ma.us/boards.

The Board of Selectmen will interview, as needed, and appoint during June and July. Volunteers interested in serving on one of the committees or boards listed below, please send an email explaining your interest and qualifications and a resume/CV to the Board of Selectmen c/o Teri Hegarty at thegarty@wayland.ma.us. All positions are appointed by the Board of Selectmen unless otherwise noted.

Committee	Term Ending Date	
Audit Committee		
Board of Selectmen	June 30, 2024	
School Committee	June 30, 2022	
Cable Advisory Committee	open ended	
Conservation Commission (2 positions)	June 30, 2024	
Council on Aging Board	June 30, 2022	
Cultural Council (multiple vacancies)	3-year terms	
Design Review Advisory Board		
Planning Board (5 positions)	June 30, 2024	
Dog Control Appeals Board	June 30, 2024	
Economic Development Committee (3 positions)		
2 positions	June 30, 2024	
1 position	June 30, 2022	
Finance Committee (3 positions)		
2 positions	June 30, 2024	
1 position	June 30, 2022	
Historic District Commission (2 positions)	June 30, 2024	
Housing Partnership		
Selectmen	June 30, 2024	
Clergy	June 30, 2024	
Housing Authority	June 30, 2024	
Human Rights, Diversity, Equity, and Inclusion Committee		
Voting member	June 30, 2022	

Municipal Affordable Housing Trust Fund Board	
Selectmen (Real Estate Law Specialist) Selectmen Planning Board Housing Authority Housing Partnership	June 30, 2022 June 30, 2023 June 30, 2023 June 30, 2023 June 30, 2023
Personnel Board	June 30, 2026
Public Ceremonies Committee (Moderator appointment)	June 30, 2024
Registrars of Voters Appointment done in compliance with MGL Ch 51, section 15.	April 1, 2022
River Stewardship Council (2 positions)	June 30, 2024
Senior Tax Relief Committee Selectmen Assessors	June 30, 2024 June 30, 2024
Youth Advisory Committee Selectmen Board of Health School Committee (2 positions)	June 30, 2023 June 30, 2023 June 30, 2023
Zoning Board of Appeals (3 positions) 2 positions 1 position	June 30, 2024 June 30, 2022

Crandall, Seath

Subject:

FW: Candidacy for Economic Development Committee

From: Bradford Young [mailto:

Sent: Thursday, June 3, 2021 4:45 PM

To: Hegarty, Teri < thegarty@wayland.ma.us <a href="mailto:

Subject: Candidacy for Economic Development Committee

[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.]

Dear Ms. Hegarty and Ms. Miller,

I am writing to express my interest in being appointed to the town's Economic Development Committee. After discussing the EDC's remit and activities with Becky Stanizzi, I believe I would be an asset to the town within the Committee. I have been a Wayland resident since 2012, and have contemplated serving the town in a variety of positions - usually with the primary goal of helping to bring stable, desirable businesses to the town, which would both increase our tax base and help accelerate the flywheel that will attract even more businesses.

I have attached my professional resume, in case it proves useful. As in-house counsel for a fast-paced tech company, my day job is primary working within a team to come-up with innovative and flexible solutions to unorthodox problems. While those problems are not the same ones the EDC seeks to solve, I am confident that my creativity and collaborative approach to problem-solving can be an asset to the Committee.

Thanks in advance for your consideration.

Kind regards, Brad Young

Crandall, Seath

Sent: Friday, June 11, 2021 8:56 AM **Subject:** FW: EDC statement of Interest

Attachments: Emily Kumler Kaplan_resume 2021.docx

From: Emily Kumler Kaplan

Sent: Monday, June 7, 2021 12:13 PM

To: Hegarty, Teri <thegarty@wayland.ma.us>; Miller, Louise <lmiller@wayland.ma.us>; Becky Stanizzi

Subject: EDC statement of Interest

[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.]

Dear Louise, Teri and Fellow Members of the Select Board,

After meeting with Becky Stanizzi and hearing a bit about the needs of the Economic Development Committee, I would like to volunteer to join their efforts and help our wonderful town.

This August will mark the 10th year I've lived in Wayland, and each year I find new and exciting reasons to call this town home. I grew up in Lincoln, but have lived and worked in Cambridge, MA, New York, Washington, Chicago, Las Vegas, Miami, and Rome, Italy.

The EDC will find I can offer a range of skills from advising on communication strategy to business development. At The Kleio Group, where I am the principal, I manage a team of experts who influence markets and audiences to help accomplish our clients goals and use communication strategies to solve complex problems. We have helped a hedge fund launch, a high profile company sell for nine figures, a public figure manage a public crisis, an author launch and sell his book to great success (he appeared on CBS This Morning Saturday), I work with law enforcement--mostly on the west coast--and have experience working with special forces on investigations. All of this experience will allow me to weigh in however the town needs when problems or opportunities arise. I excel at designing strategies that propel clients' goals and focus on results, which I hope to do for our town while serving on the EDC.

A little background:

Before I launched Kleio, I worked as a journalist which included producing for network news at ABC News' 20/20 and Primetime shows, writing feature stories for national magazines and newspapers, as well as having a column in Boston Magazine and writing for The Boston Globe. I've been a business reporter who focused on growth and development, technology and innovation, and also health. You can find a sample of my reporting work on my personal site here. My work as a journalist taught me how to be a careful listener, how to gather data, and how to build trust among those who were often reluctant to trust. I am hopeful that these skills will be useful to the EDC as we consider various initiatives and projects, and build coalitions of support around them.

I have also started and sold a variety of different businesses, including <u>Prime Fitness and Nutrition</u>, with three MA locations, including one in Wayland on East Plain, which I recently sold to two great women. The experience of running a local business through the pandemic came with significant lessons in economic resilience and the hardships of government regulation, the need to prepare for the unpredictable and also the incredible value in community support. It gave me a front row seat to the new struggles facing small businesses. I am confident that experience will be of value to the EDC.

Other companies I've started and run have included a retail concept with locations around the country, a relationship management firm with partnerships in the Middle East and the United States, and also a geolocation social media app which is now run from Silicon Valley.

I've attached my resume for more details on my experience.

Thank you for considering me as a volunteer member of the EDC for the town of Wayland. I am eager to learn how I can put my experiences to use to best serve our town and help our community and local businesses become stronger and more vibrant. Thank you for your time and consideration. Best, Emily Kumler Kaplan

Emily Kumler Kaplan

Emily Kumler Kaplan Communication Expert. Entrepreneur. Crisis Manager

Summary

Working as a communications strategist, newspaper reporter, a television producer, a magazine features writer, an executive of an international relationship management firm, and co-founder of a geolocation app has offered me a variety of vantage points from which to study human behavior. With my interest in people and my love of data, I'm drawn to liminal moments. It is in periods of flux that great opportunities and innovation comes alive.

Business Experience

Principal, The Kleio Group, a strategic communications firm

June 2020- present

- Www.TheKleioGroup.com
- Using a team of experts to influence markets and audiences to advance our clients goals.
- As principal I manage all client strategies, design and develop appropriate teams and oversee implementation of our strategies

Executive Director, The Nutrition Science Initiative

March 2020-present

- Www.NuSi.org
- NuSI, is a not-for-profit organization that supports research that tests fundamental assumptions about the metabolic and hormonal causes of obesity and related disorders
- To-date more than \$40 million in funds have been distributed to Harvard, Stanford and other institutions
- As executive director, I am responsible for all operations of the initiative, including selecting, funding and oversight of research grant recipients, budget management, fund raising, etc.

Founder and Owner, Prime Life Fitness and Nutrition

2015-2020

- www.MyPrimeFitness.com
- Founded three brick-and-mortar facilities exclusively middle-aged women hoping to lose weight and increase health span
- Designed and implemented a health curriculum to accompany diet and exercise models specifically for the benefit of risks associated with women during pregnancy, post-partum, and perimenopause, menopause and post-menopause.
- Helped thousands of women in the greater Boston area accomplish their health and fitness goals.

Co-Founder, www.Distinc.tt, Cambridge, MA

2010-2012

- Launched a geolocation app for gay men. Distinc.tt allows men to find friends with common interests, offering an alternative to sites focused on sex.
- Developed strategic partnerships with GLADD and local media.
- Designed the marketing plan and launch.

Chief Executive Officer & President, Emoire, LLC

Cambridge, MA; Kuwait City, Kuwait

- Worked with American brands like Victoria's Secret and Yankee Candle to devise an expansion strategy in the Gulf Cooperative Council countries.
- Built a database of Arab conglomerates that owned the rights to EU and American retail and restaurant concepts in the Gulf Region in order to analyze specialties and interest in U.S. brands.
- Met with Arab conglomerates and helped to find American partners in expansion plans
- Acquired Prep Cosmetics, LLC, as a test concept for roll out in Kuwait.
- Rebranded Prep, launched and managed three brick and mortar locations.

• Designed and launched an innovative online store featuring interactive video components, which were novel in 2006 and hugely popular.

Built the company to more than \$1 million in annual revenue.

- Worked with American brands like Victoria's Secret and Yankee Candle to explain the expansion potential in the Gulf Cooperation Council countries and help establish partnerships.
- Built a database of Arab conglomerates that owned the rights to EU and American retail and restaurant concepts in the Gulf Region in order to analyze specialties and interest in U.S. brands.
- Acquired Prep Cosmetics, LLC, as a test concept for roll out in Kuwait.
 - o Rebranded Prep, launched and managed three brick and mortar locations.
 - O Designed and launched an innovative online store featuring interactive video components, which were novel in 2006 and hugely popular.

Built the company to more than \$1 million in annual revenue.

Journalism Experience

2002 - May 2020

- www.EmilyKumler.com
- Empowered Health Column, Boston Magazine: Nominated by the National City & Regional Magazine Awards for best online column
- Host and Executive Producer of the top performing, Empowered Health Podcast: A show focused on sex differences in medicine
- The New York Times, health reporting
- Producer, Story Editor: ABC News' Good Morning America, 20/20 & Primetime
- The Boston Globe: Writing for the Ideas Section on technology and innovation: Opinion piece on Big Data
- Boston Magazine, Feature writer of profiles, science coverage.
- The Daily Beast: Science and Technology
- The Boston Globe: Writing for the Ideas Section on technology and innovation: Why AI is Far too Human,
- Cosmopolitan Magazine, health reporting
- PC World, Congressional Correspondent
- Las Vegas Review Journal, technology, business reporter, columnist
- Huffington Post, opinion writer
- Commentator, New England Cable News, Science and Innovation, Culture

Education

MS, Journalism, Medill School of Journalism, Northwestern University, Evanston/Chicago, IL 2003-2004
BA, Smith College, Northampton, MA 1996-2000

Credentials

Harvard Law School Advanced Negotiation Training, Cambridge, MA

2009

Harvard Law School Mediation & Crisis Management, Cambridge, MA

2009-2010

Kelly B. Lappin



Kelly is the Executive Director of Benefits Finance at Raytheon Technologies with over 20 years of experience in the benefits field. In her role at Raytheon, she is responsible for financial management, analysis, accounting, government contract recovery, compliance and strategic planning for Raytheon's benefit programs including global defined benefit pension and defined contribution retirement plans as well as medical, dental, disability, life insurance and worker's compensation plans. Prior to joining Raytheon in 2014, she was an Assistant Vice President & Consulting Actuary with Transamerica Retirement Solutions and previously a Consulting Actuary with Mercer Human Resource Consulting.

Kelly is an Enrolled Actuary under the Employee Retirement Income Security Act (ERISA) and a member of the American Academy of Actuaries. She is currently Chairperson of the Financial Executives International Committee on Benefits Finance and Secretary of the Executive Board of Directors of the American Benefits Council. She received a Bachelor of Arts in mathematics and statistics from the University of Rochester.

Kelly's areas of expertise include:

- Design and evaluation of strategic pension financial management options including plan design, risk transfer, funding and investment policy
- Board of Directors and executive leadership communications on complex benefits related topics
- Financial forecasting of benefits costs and pension costs under multiple accounting and funding frameworks
- Securities and Exchange Commission (SEC) financial reporting (i.e. 10-K, 10-Q, Proxy and 11-K filings)
- ERISA compliance and government filing requirements
- Benefit plan financial statements and Form 5500 filing preparation including coordination with external auditors
- Actuarial assumption review and demographic experience analysis
- Sarbanes-Oxley 404 control environment evaluation and development
- Investor relations communications related to pension topics
- Government affairs consulting regarding benefits topics
- Mergers and acquisitions related benefit plan due diligence

Certain specialized areas of focus relate to pension issues specific to governmental entities and employers performing work for the U.S. Government, including:

- Governmental Accounting Standards, Cost Accounting Standards (CAS) and Federal Acquisition Regulation (FAR) expertise
- Government contractor forward pricing and incurred cost submissions
- Defense Contract Management Agency (DCMA) and Defense Contract Audit Agency (DCAA) Government Agency interface and relations

Crandall, Seath

Sent: Friday, June 11, 2021 8:51 AM
Subject: FW: Finance Committee Position
Attachments: Abner_Bruno_Resume.pdf

From: Abner Bruno [mailto

Sent: Thursday, May 27, 2021 9:02 AM

To: Hegarty, Teri < thegarty@wayland.ma.us>

Subject: Finance Committee Position

[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.]

Hello,

I am writing to express my interest in joining the Finance. I recently ran for a seat on the BoPW and came up short, however, I am happy to potentially have the chance to serve on a committee that fits more with what I do on a day to day basis. As you will see on my resume, I am on the Finance team at Tripadvisor and my current role is to implement process improvements throughout the department. This allows to me to have a holistic point of view of how a finance department works for a major corporation. I can apply this same view to our town budget and will apply my analytical skills while doing so. I look forward to hearing from you in the near the future to discuss this in more detail. Please let me know if you need anything else.

Thanks, Abner

Objectives

Business professional recognized for high level of commitment, strong leadership skills, and being a collaborative team player. Looking for a team with growth potential, where I may seamlessly integrate my operations management, technical expertise, and personal values. I pride myself on being adaptable to fast paced and changing environments. Bilingual in English / Spanish.

Skill Highlights

- Budget/Forecast Management
- Team Management
- Communication (written and verbal)
- Proactive Mindset
- Proficient in Microsoft Office (Excel, Word, PowerPoint)
- Oracle Management and Revenue Billing System
- Workday
- Salesforce
- Operative One Ad Management System
- UI Path

Experience

Trip Advisor, Needham, MA

Accounting Operations Analyst

2020-Present

- Gather and document business requirements in support of developing automated solutions.
- Collaborate with business stakeholders to develop, maintain, and process automation roadmap.
- Design, develop, configure, and maintain Robotic Process Automation (RPA) software systems to meet business process and application requirements.
- Create and document test procedures and scenarios for unit test and UAT phases.
- Ensure adherence to RPA development standards and the release management process.
- Train and support business users on the use of automated solutions, RPA practices, and identifying opportunities for automation within the business process.
- Lead code reviews, providing and receiving constructive feedback to improve overall code quality.
- Design and implement code libraries to improve automation performance and re-use (e.g. runtime configurations / settings).
- Ability to extract process steps and key outputs from business partners and translate that to a functional design.

, Wayland, MA, 01778

- Plan and lead town hall sessions to promote the use of the platform and educate participants in the RPA practices, opportunities, and applicable uses.
- Support implementing enhancements and change requests as part of a structured change control and release management process.
- Work collaboratively with operational and technical teams to deliver projects by assigned deadlines.
- Ensure the day-to-day operations of scheduled processes (robots) execute as required and suggest improvements derived from operational metrics.

Staff Accountant, Billing Support Specialist

2017-Present

- Maintain cross-functional relationships with Sales, Sales Support, Accounting, etc. to ensure accurate invoicing
- Handle invoicing and reconciliations for the second biggest revenue stream consisting of about 1,400 invoices and \$13 million in revenue per month
- Maintain all pertinent documentation needed to properly invoice the customer including soft estimates and reconciliations
- Generate monthly operational metrics and revenue reporting
- Work in Oracle Revenue and Management Billing (ORMB) system to send invoices in bulk by bill cycle deadlines
- Work in Operative1 ad server management system to cross reference invoicing in ORMB

Eliot Community Human Services, Framingham, MA

Group Care Worker

2011-2014

- Created Standard Operating Procedures used by seven supervisors, over three shifts, allowing them to communicate, transition more effectively, and ensure consistency between shifts
- Coordinated with administrative staff in the development and implementation of Individual Service Plans for up to 15 youths at a time
- Managed and oversaw a team of three staff and 15 youths to ensure daily activities were carried out smoothly
- Excelled in monitoring and reporting on program culture resulting in Program Recognition and two promotions in a one year period
- Ensured the well-being and success in the program for up to 2 youths weekly by serving as their advocate

Sodexo/EMC² Corporation, Hopkinton, MA

Chef/Account Manager

2007-2009

- Ordered all foods and non-food items for daily use staying within a tight budget of \$8,000 per month
- Created, prepared, and introduced new entrees items daily for café that hosted up to 300+ guests daily
- Managed 4 employees and coordinated their daily activities while keeping overhead costs at a minimum
- Oversaw accounts payable and adhered to tight budget constraints by closely managing inventory and payroll (ADP) as well as monitoring projected forecasts presented by management

Abner Bruno

, Wayland, MA, 01778 (

- Accounts receivable tasks which included cash register balancing and daily monies depositing
- Recognized for being the only Chef to hold an Account Manager position concurrently
- · Maintained high standards of food safety and awareness by leading monthly trainings for direct staff

Gillette Stadium, Foxboro, MA

Cold Food Chef/Clubhouse Chef 2004-2007

- Supervised and set up 8 clubhouse food concession stands with equipment and food items that would serve up to 20,000 guests on game day
- Ensured adherence by chefs to full safety regulations using HACCP procedures, portion control, and company requirements
- Managed production of suite level foods including the gardé manger department which served up to 3,000 guests on game day
- Set up and worked carving stations during private events which hosted up to 1000 guests

Education

Framingham State University, Framingham, MA

Bachelor of Science - Finance

Member of Tau Sigma National Honor Society and Dean's List

Middlesex Community College, Bedford, MA

Associate of Science – Business Administration

Member of Phi Theta Kappa National Honor Society and Dean's List

Crandall, Seath

Sent: Friday, June 11, 2021 9:00 AM

Subject: FW: Open Position - Finance Committee

Attachments: Resume town version 5.24.21.pdf

From:

Sent: Thursday, June 3, 2021 3:19 PM

To: Hegarty, Teri < thegarty@wayland.ma.us Subject: Open Position - Finance Committee

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Teri:

I'd like to be considered by the Board of Selectmen (BOS) for appointment to the Finance Committee (FC). In particular, I am interested in filling the one-year term ending 6/30/2022.

At this time, I am **not** interested in being considered for the open three-year term positions.

I believe my private and public sector experience (see attached resume) would allow me to quickly get up to speed which, in turn, should allow me to make a substantive contribution to the FC over the next fiscal year.

If I were appointed to the one-year term on the FC, the BOS would have the opportunity to assess my contribution in the near term in the event I were to apply for reappointment in July 2022. This may be viewed as beneficial by one or more members of the BOS.

While I am about to begin the second year of my current two-year term on the Town's Municipal Affordable Housing Trust Fund (MAHTF), I understand that were I appointed to the FC, the Town's by-laws would not permit me to continue in this role and, therefore, I am prepared to resign from the MAHTF board. In this event, I would commit to work with the current Trustees to ensure a smooth transition, particularly given that I have served as the MAHTF's Treasurer since 2014.

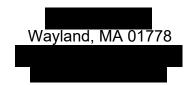
I appreciate the Board's consideration.

Regards,

Brian O'Herlihy

Wayland, MA

BRIAN T. O'HERLIHY



SUMMARY

Retired senior-level business executive with 40+ years of diversified financial, accounting, tax, legal, real estate, management, human resources, and marketing experience. Seasoned public sector volunteer with 20+ years of experience in local governmental operations, municipal finance, real estate, legal, labor relations, affordable housing and zoning related matters. Significant experience in building consensus for new approaches to solving complex business and municipal challenges.

Resident of the Town of Wayland since 1983.

PUBLIC SECTOR EXPERIENCE

TOWN OF WAYLAND, Wayland, MA

Municipal Affordable Housing Trust Fund (2014 to Present)

Town Administrator Screening Committee (2018)

Nike Site Reuse Advisory Committee (2004 to 2009)

Board of Selectmen (1999 to 2005)

Zoning Board of Appeals (1998 to 2000)

PRIVATE SECTOR EXPERIENCE

GID INVESTMENT ADVISERS LLC, Boston, MA (2008 to Present)

National and international, family-owned real estate investment, management and development company.

Advisory Committee member (2017 to present)

Chief Financial Officer & Chief Operating Officer (2008 to 2017)

COLLIERS MEREDITH & GREW, Boston, MA (1995 to 2008)

Full-service commercial real estate firm providing brokerage, development, mortgage finance, property & asset management, appraisal, advisory and project management services.

Chief Financial Officer

Brian T. O'Herlihy Page 2

WINTHROP FINANCIAL ASSOCIATES, Boston, MA (1983 to 1994)

Diversified national real estate investment, management and services firm.

Managing Director & Director of Taxes

PRICE WATERHOUSE, Hartford, CT/Hackensack, NJ (1976 to 1983)

International public accounting firm.

Tax Manager

EDUCATION

B.B.A. in Accounting, University of Notre Dame (1976)- Member of Beta Alpha Psi, National Accounting Fraternity

PROFESSIONAL/OUTSIDE ACTIVITIES AND CERTIFICATIONS

Certified Public Accountant, State of Connecticut (not currently licensed)

Member of the American Institute of Certified Public Accountants

Member of the Connecticut Society of Certified Public Accountants

Past Member of Tax Committee of the National Realty Committee, Washington, DC

Past Member of Board of Directors and Tax Committee of the National Multi Housing Council,

Washington, DC (Chairman of Tax Committee through 1992)

Past Member of Real Estate Task Force of the Financial Products Standards Board

June 5, 2021

Selectmen, Town of Wayland Finance Committee Opening

To the Board of Selectmen:

I am interested in applying for one of the openings on the Finance Committee of the Town of Wayland. I spoke with Steve Correia about the work of the Finance Committee, the budget calendar and the mission of the committee and the role that the committee plays in the finances of the town. I believe I have the experience and education to work with the Finance Committee members, Board of Selectmen, and town departments to assist the town in making the best resource allocations possible to meet the needs of the town.

I have lived in Wayland now for 11 years. My partner, an elementary school teacher, and I moved from Boston to Wayland to raise our son, soon to be a 9th grader. I have over 25 years of experience in state government, for-profit higher education, non-profit higher education, and for the last two years in private secondary education. Currently I am the Senior VP/CFO for Boston College High School. Prior to BC High, I served for 11 years as the CFO at Lasell University in Newton.

As an experienced educational CFO, I would bring to the Finance Committee the following:

- Managing budgets from \$36M to \$90M
- Managing endowments of \$100M
- Debt experience, both with banks and in the public markets via Wall Street. I have obtained credit ratings from S&P and Fitch Ratings. I have re-financed debt as well as coordinated the issuance of new debt.
- Managed different functional teams, including finance, HR, IT, Campus Police, Facilities, Dining services and conference services.
- Oversaw the renovation and construction of \$90M; three residence halls, a dining hall, two academic buildings, and a number of administrative renovations.
- Negotiated union contracts with Campus Police, Facilities and Teachers.

Attached is a copy of my resume. I am interest to the Finance Committee and the Town of War or email me at consideration.	·
Michael Hoyle Wayland, MA 01778	

Michael J. Hoyle, Ph.D. Wayland, MA 01778

Education

Ph.D. Higher Education Administration, New York University, New York, NY, May 2001. Dissertation: "The College Presidency and Civic Engagement: Player or Spectator?"

M.A. Masters in Public Administration, University of Massachusetts, Amherst, MA, September 1991

B.S. Bentley University, Waltham, MA, May 1987

Teaching Experience

Northeastern University - Adjunct Instructor

Boston, MA
1999-2004 - Introduction to Management I; Intro to Mgt II

Wentworth Institute of Technology – *Adjunct Instructor* 1999-2004 - Project Management and Planning

Boston, MA

Professional Experience

Senior Vice President Administration, Finance, & Strategic Planning 2019-Present Boston College High School

A private all boys school grades 7-12 of 1,400 boys, 106 teachers and 82 staff. Responsible for Human Relations, Information Technology, Facilities, Finance and Strategic Planning. Work with the school's board of trustees and the chair on strategic planning as well as the audit/finance/investment committee.

- Hired a professional director of finance and a manger of people and culture
- Coordinate the oversight for the \$100M endowment with outside investment manager
- Secured \$2.9M in PPP loan funds for the school
- Successfully transitioned \$7M frozen pension plan from Archdiocese to BC High
- Coordinating re-opening plans for September 2020 with Principal
- Revamped internal controls and processes to utilize technology
- Created cash flow monitoring where none existed
- Created a budget advisory committee of teachers and staff to infuse transparency and understanding of the financial business model of the school
- Created budget tracking reports where none existed
- Successfully worked with A&F managers to transition to remote functions during COVID-19
- Organized a technology security audit based on the 20 SANS controls to prioritize investments and staff time
- Coordinated a security audit of the school internally and externally

Vice President Administration and Finance/CFO; Lasell College 2008-2019

A four-year, co-educational college in Newton, MA of 2,000 undergraduate and graduate degree students where 80% of students live on campus. Responsible for a \$90M operating budget and a \$46M endowment. Lead Human Resources, Information Technology, Campus Police, Plant Operations, Student Accounts, Finance, Risk Management, and Auxiliary Services (Housekeeping, Dining Operations, Vending, Conference Services). Serve on the College's Leading for Change diversity and inclusion coordinating body and served on the search committee for the College's first ever Diversity Officer. Served on the ProTeam committee comprised mostly of faculty to review which programs to consolidate, which programs to expand and which programs to create. Work with the Board of Trustees closely as the staff representative on Audit, Investment and Finance Committees.

Accomplishments:

- Overachieved the budgeted operating surplus each year during my tenure.
- Worked with faculty group to examine all undergraduate programs and create a five-school structure while creating new programs in IT and Health Sciences.
- Oversaw the construction of three residence halls, two academic buildings, President's residence and hospitality center, renovation of admissions and welcome center and renovation of dining hall.
- Successfully negotiated and implemented a collaboration with Mount Ida College to
 deliver campus police department services to Mount Ida College, resulting in less cost
 and better service for Lasell College.
- Collaborated with Pine Manor College to create a combined IT department, resulting in less cost and better service for Lasell College.
- Collaborated with the Boston Consortium Risk Management Program to increase property and casualty insurance coverage and reduce cost by 25%.
- Managed the re-financing of \$33M in debt; managed a \$25M public bond offering.
- Secured a \$1.6M contribution from food service provider for dining hall renovation.
- Coordinated successful RFP process to select a new investment management firm.
- Manage a 10-year financial model and budget process that links to the strategic plan.
- Successfully transitioned endowment from one outside investment management firm to successor investment firm.

Vice President Administration and Finance/CFO; Lasell Village 2008-2019

Concurrent with my service as CFO for Lasell College, I am also responsible as CFO for Lasell Village, a separate 501(c)3 continuing care retirement community that is located on the College's campus and managed by the College. Responsible for a \$18M operating budget and a \$40M endowment. Work with the Board of Trustees closely as the staff representative on Audit, Investment and Finance Committees.

Accomplishments:

- Secured an A credit rating for the Village from Fitch Ratings.
- Managed the refinancing of \$18M in debt from Variable Rate Demand Notes to a direct purchase deal with a fixed rate.
- Provided financial analysis for expansion of the Village, adding 9 supported living units in the spring of 2012.

President; McIntosh College

August 2006 - July 2008

A private, for-profit two-year associate degree granting institution of higher education located in New Hampshire. A campus of approximately 650 students where 20% of the student body lived on campus, offering degrees in culinary arts, business, criminal justice, graphic design, professional photography, medical assisting and massage therapy. Began as CFO in February 2006 and then was asked to serve as President when previous President resigned.

Accomplishments:

- Achieved ABHES accreditation for the Medical Assisting program.
- Achieved ACF accreditation for the Culinary Arts program.
- Worked with the faculty and staff to re-design the governance structure to be more democratic and inclusive.
- Secured three independent purchase offers for the College and presented to CEC, corporate owner.
- Worked closely with NEASC to craft the College's teach out plan.

Presentations

USA Northeast Province of the Society of Jesus; Rightsizing Jesuit Schools Conference; NY; Nov 2019; Presented excerpts of the BC High rightsizing experience.

NACUBO 2019 Annual Meeting; Austin TX; Experience with using a financial viability metric to better understand an institution's health, developed by Parthenon/EY

EACUBO 2019 Annual Meeting; Baltimore, MD; Experience with using a financial viability metric to better understand an institution's health, developed by Parthenon/EY

Publications

- "If That Moment Arrives: Blueprint to Close a College" Chapter 16 in *The Consolidation of American Higher Education*" John Hopkins Press. 2016.
- "How Does a President Shut Down a College" The Chronicle of Higher Education, (January 16, 2009). Volume LV, Number 19, page A20.
- "President or CEO?" Community College Week, (May 9, 2005). Volume 17, Number 20, pg. 4.
- "It Takes Two" *Community College Week*, (January 17, 2005). Volume 17, Number 12, pg. 4.
- "Have College Presidents Lost Their Voice?" *Trusteeship*, (September/October 2002; Volume 10, Number 5). Association of Governing Boards of Colleges and Universities, Washington, D.C.
- "The College Presidency and Civic Engagement: Player or Spectator?" *Community College Journal*, (August/September 2002). Washington, D.C.

"The College Presidency and Civic Engagement" at the International Conference on the University as Citizen. University of South Florida; Tampa, Florida. February 23, 2001.

"Economic Development and Higher Education: A Sleeping Tool" *The Boston Business Journal*. (July 16-22, 1999). Boston, MA.

"The Founding of the Community College: The Men Who Were Responsible" *Violet Visions* (1997). The Graduate Student Organization, New York University.

Accreditation Experience

New England Association of Schools and Colleges:

Anna Maria College 2018;

Mitchell College 2018;

University of Saint Joseph 2016;

Green Mountain College 2015;

New England College 2013;

VT College of Fine Arts 2011;

Eastern Nazarene College 2010.

Commonwealth of Massachusetts:

Chaired Committee for State for application of Thomas Aquinas College, CA to open a Massachusetts Campus

Board Experience

Project Step Boston, MA

Board Member; Treasurer, Non-profit that provides comprehensive music and classical string instruction to school age children in Boston and surrounding communities to increase the underrepresented populations in classical music. 2018-Present

EdHealth Boston, MA

Founding board member and secretary for thirteen-member private college consortium that is delivering health insurance to member colleges at substantially reduced rates. 2014-2019

Shimer College Chicago, IL

Member – Board of Trustees, Executive Committee, Treasurer 2015-2017 Successfully merged Shimer College into North Central College (IL)

Roxbury Community College

Boston, MA

Member, Board of Trustees; Chair of the Academic Affairs Committee; Appointed by Governor Cellucci; Re-appointed by Governor Romney; 2001-2008.

Governor William Weld's Commission on Gay and Lesbian Youth Boston, MA

Board was responsible for oversight of newly created and funded at-risk youth programs in the Department of Education and the Department of Health and Human Services.

Please click link below to view the Board of Selectmen's Policy and Procedures

https://www.wayland.ma.us/sites/g/file s/vyhlif4016/f/uploads/bos policies and procedures.pdf

TOWN OF WAYLAND GOVERNANCE GUIDELINES FOR

ELECTED BOARDS

THE BOARD OF SELECTMEN AND APPOINTED BOARDS, COMMITTEES, COMMISSIONS REVISED: JUNE 11, 2018

1.0 Volunteer Appreciation

The Board of Selectmen thanks the members of all Boards, Committees and Commissions for giving their valuable time and effort to the improvement of the Wayland community.

2.0 Authority and Purpose of These Guidelines

The Wayland Board of Selectmen adopts these Guidelines for the governance of <u>Elected Boards</u>, the Board of Selectmen and its appointed Boards, Committees and Commissions, referred to in this document as "public bodies". <u>It is understood that elected public bodies including the Board of Assessors</u>, <u>Board of Health</u>, <u>Library Board of Trustees</u>, <u>Board of Public Works</u>, <u>Planning Board</u>, <u>Recreation Commission and School Committee possess independent authority to adopt these or separate Governance Guidelines consistent with law.</u>

The purpose of these Guidelines is to promote among the Town's public bodies decision-making that is open, thoughtful, fact-based, respectful and fair, in compliance with Town bylaws and with all state and federal laws.

It is understood that elected public bodies including the Board of Assessors, Board of Health, Library Board of Trustees, Board of Public Works, Planning Board, Recreation Commission and School Committee possess independent authority in certain areas to adopt separate Governance Guidelines consistent with law. Elected public bodies should consult with the Town Administrator if they have any questions about the application of the Governance Guidelines to their Board, Committee, or Commission.

The Board of Selectmen will review, revise and distribute the Guidelines annually.

3.0 Organization

- **3.1 Annual Organization Meeting**: The Board of Selectmen will elect a chair at the first meeting following the conclusion of Annual Town Meeting. Other appointed public bodies must organize annually after Annual Town Meeting, no later than July 15th or as otherwise required. Public bodies will elect a Chair and any other necessary officers such as a Vice-Chair or Co-Chair, Clerk and Assistant Clerk (Elected boards should must follow statutory requirements for reorganization reorganize once a year.).
- **3.2: Assignment to Department:** Each public body will be assigned to a department of the Town which will provide a secure location to maintain minutes and records.

- **3.3: Responsibilities under Charge and Local and State Law:** Each appointed public body will conduct its business under a Town by-law, state statute or under a charge adopted by the Board of Selectmen.
- **3.4 Annual Reports:** Under Chapter 53 of the Town Code, all boards, commissions, committees, officers and agents of the Town shall submit a report to the Selectmen, not later than September 30 after the end of each fiscal year for publication each December in the Annual Town Report. The Selectmen shall notify all officers and agents of the Town and the Chairs of all boards, commissions and committees of the final date for submitting such reports for publication. This notice shall be given by letter mailed or emailed in May of each year. If an appointed board, commission or committee of the Town, other than those created under the General Laws of the Commonwealth, does not submit its written report on or before such final date for publication in the Annual Town Report, it shall be dissolved, except in such instances where the creating vote specifically provides that it is to report at longer given intervals, or unless the Town at the next annual Town meeting, by vote naming the board, commission or committee, continues it in existence.
- **3.5 Rules of Procedure and Voting:** Public bodies must establish a quorum before any meeting is called to order, and must maintain a quorum during the meeting. Each public body may establish rules of procedure and voting consistent with local, state and federal law. The rules of procedure should include when public comment may be allowed by the Chair.
- **3.6 Advisory Committees:** The Board of Selectmen may appoint advisory committees for a specific purpose under a temporary charge.
- 4.0 Role of Members: A member of any public body will:
 - 1. Respect the role of the Chair in setting agendas and facilitating meetings.
 - 2. Respect decisions of the public body and recognize that members take action as part of a public body and may not conduct Town business independently of the public body except as authorized by a vote of the public body.
 - 3. Recognize that action at an official legal meeting is binding and that an individual member cannot bind the public body outside of such meeting.
 - 4. Not make statements or promises about how he / she will vote on matters that come before the public body until he / she has had an opportunity to hear the pros and cons of the issue during the body's public meeting.
 - 5. Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.

- Assume a high level of integrity, striving toward fact based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
- 7. As a general rule, work with Town staff at the direction of the public body <u>only</u> so that Town staff are not subject to conflicting direction <u>from individual public body members</u>.
- 8. If appointed by a majority of the public body, serve as a liaison to other public bodies.
- 9. Public bodies must take any training require by law. <u>TFulfill any training the</u> Board of Selectmen may require <u>additional training</u> so members can effectively fulfill their duties. Training may be provided at Town Building, over the internet, or may require out of Town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a public body, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.
- 10. Be sworn in by the Town Clerk or Assistant Town Clerk after appointment or election and submit a letter of resignation to the Office of the Town Clerk when no longer willing or able to serve.
- 10.11. New members of public bodies cannot vote until sworn in by the Town Clerk or Assistant Town Clerk.
- 11.12. If a member wishes to resign before the end of a term he or she must submit to the Office of the Town Clerk a signed letter of resignation. The resignation is effective upon receipt by the Office of the Town Clerk unless a different date is specified. Upon expiration of a term, appointed members will continue to hold office until a successor is appointed. Filling of midterm vacancies for elected officials will be done according to state law.
- **5.0 Role of Chair and Vice Chair**: The Chair will set meeting agendas, convene all meetings, and execute documents as authorized by the public body. The Chair will act only under authority provided by a quorum of the public body. The Chair will serve as the public body's primary contact with the Town Administrator and other Town staff. As a general rule, the Chair will solicit the opinions of all members prior to stating his or her personal opinion on any agenda item before the public body. The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. The Vice Chair will fulfill the duties of the Chair in his or her absence.
- **6.0 Role of Clerk**: Although Town staff may record minutes for some public bodies, the public body is encouraged to elect a Clerk or individual member who takes responsibility for ensuring minutes are recorded, created and submitted for approval and filed along with supporting documents as a permanent record in the office of the assigned Town department. If voted minutes are substantially different from draft minutes, draft minutes must be retained as well. Boards and committees should consult with the Town Administrator if they have questions about minutes.

These guidelines are superseded when in conflict with any federal or state law or Town By-Law. Please contact the Town Administrator whenever there is any uncertainty about appropriate procedure.

Commented [LM1]: Proposed alternative language – to be discussed

- 1.The Chair, will act on behalf of the board on routine matters between meetings (such as setting appointments and scheduling). Members of public bodies will request information from https://docs.python.org/tics-public bodies will request information from https://docs.python.org/tics-public-bodies will request of setting appointment of setting appointment of the public body.
- 2.The Chair will serve as the public body's primary contact with the Town Administrator and other Town staff, with the exception of Town staff assigned as a liaison to the public body. All members of the public body may contact the liaison for requests for information on matters within the jurisdiction of the public body. All requests for information from staff shall be made during posted office hours.

6.0 Open Meeting Law

6.1 Requirement to comply with the Open Meeting Law: Public bodies must comply with all parts of the Open Meeting Law. Public bodies subject to the Open Meeting Law include any subcommittee of two or more members assigned by a public body to conduct business. Please refer to the MA Attorney General's Open Meeting Law Guide which is available on the Town website and through the Wayland Town Clerk and includes the following information important for members to know:

- 1. Definition of a public body
- 2. Definition of a meeting / 5 exceptions to the definition
- 3. Definition of a meeting quorum
- 4. Requirements for posting meetings
- 5. Ten legal purposes for executive sessions
- 6. Requirements to allow remote participation
- 7. Required public participation.
- 8. Required records for open and executive sessions
- Open Meeting Law complaint process
 Determinations by the Attorney General that the public body was found in violation of the Open Meeting Law over the past five years.

The Town Administrator is available to provide or obtain assistance on Open Meeting Law questions. You may also contact the Division of Open Government at (617) 963- 2540 or e-mail openmeeting@state.ma.us.

- > Please see the attached Public Bodies' Checklist for requirements for posting meetings.
- ▶ Please see the attached allowable reasons for conducting an Executive Session. You are encouraged to call the Town Administrator before posting an Executive Session to review the requirements who will refer questions to Town Counsel if required.

6.2 Meeting Notices: All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at Townclerk@wayland.ma.us Agendas must be received by the Town Clerk at least 30 minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing. The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an executive session. Depending upon specific circumstances and the legal purpose of the Executive Session, the Executive Session notice must include specificity with regard, for example, the name of a matter of litigation, the name of a collective bargaining unit, or identification of parcels of land. Whenever in doubt, the Chairs of public bodies are encouraged to consult with Town Counsel

through a request to the Town Administrator, who will refer questions to Town Counsel if necessary, for appropriate language for meeting notices for Executive Sessions.

- **6.3 Revised Agendas**: If an agenda item is received by the Chair within 48 hours of a posted meeting, and the agenda item <u>could not be reasonably anticipated</u> by the Chair more than 48 hours before the meeting, the Chair may revise the posted agenda to include the new agenda item. It is preferred that agendas are revised only when the agenda item arises because of an emergency, which is defined as a sudden and generally unexpected occurrence or set of circumstances, demanding immediate action. All other matters should be heard at a later meeting of the public body. If you are filing a revised agenda it should-must be marked " REVISED" with the date and time of the original agenda noted and any changes or additions should be highlighted. <u>Chairs of public bodies are encouraged to consult with the Town Administrator or the Town Clerk to ensure that revised agendas comply with Open Meeting Law.</u>
- **6.4 Requirement for Meeting Minutes**: The Open Meeting Law requires public bodies to create and approve minutes in a timely manner (defined as three meetings or 30 days, whichever is longer). The Public Records Law requires that existing minutes be made available to the public within 10 days upon request, whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request. Minutes of all staffed public bodies will be posted to the website by departmental staff. Minutes of all other public bodies will be emailed to townclerk@wayland.ma.us to be posted on the Town website and kept on file in the Town Clerk's office.
- **6.5 Contents of Minutes**: Minutes must include the name of the public body, the date, time, and place of the meeting, the names of members present and absent, the names of staff present, and the substance of all discussion including all subjects acted upon or heard. Minutes must include a full and complete record of all motions proposed for vote and will include the exact vote, the names of the mover and the seconder for each motion, and the names of those voting against each motion. Although a verbatim record of meetings is not required, the Open Meeting Law requires that the minutes include a summary of the discussion of each subject containing enough detail and accuracy that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred. A list of all documents used by the public body must be included in the minutes.
 - Please see Public Body Checklist on Minutes for more detailed requirements for meeting minutes.
- **6.6 Draft Minutes**: Once created, draft regular meeting minutes are a public record available to the public, even if the minutes have not been presented at a meeting.
- **6. 7 Executive Session Minutes:** Minutes must be created for all Executive Sessions. Executive Session Minutes must not be released to the public until the reason for calling an Executive Session has ended, after which Executive Session Minutes must be reviewed and voted for approval and release by the public body. The Chair is responsible for regularly reviewing minutes for potential release.
- **6.8 Recording of Meetings**: Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must

inform attendees of any such recording at the beginning of the meeting including that that the meeting will be broadcast on the Way-Cam government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

6.9 Public Participation: Under the Open Meeting Law, the public is permitted to attend open meetings of public bodies. The public is excluded from an executive session that is called for a valid legal purpose cited in the agenda. The amount of time a member of the public will be allowed to speak to a public body will be determined at the discretion of the Chair. While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public will be silent. If after clear warning, a person is disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a police officer to remove the person.

6.10 Remote Participation at Meetings: The Town of Wayland permits remote participation. Members of Town boards and committees may participate and vote by teleconference, audio-conference or other means that allows all persons present, including the audience and the member participating remotely, to hear the proceedings. Under state regulation, remote participation is allowed if physical attendance by a member of a public body is unreasonably difficult. All votes taken at such meetings where a member participates remotely must be taken by roll call vote and a quorum of members must otherwise be present, not including the remote participant. No remote participant may chair a meeting.

6.11 Open Meeting Law Complaint Process: Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Administrator's Office. Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO. The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

7 .0 Use of E-Mail to Conduct Business

7.1 E-Mail and Public Records Law: E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a

public record and is subject to a public records request under the Public Records Law even if the e-mail is received by or created on a private computer or sent to only one individual. The Town will assign e-mail addresses to all members of appointed and elected boards and committees which must be used for all town business to avoid violations of the Public Records Law.

- **7.2 E-Mail and Open Meeting Law**: Whenever one member of a public body uses email or digital communication broadly defined to include all documentary materials or data created or received, regardless of physical form or characteristics, to discuss the public body's business (except for administrative matters such as scheduling and the transmission of documents) with a quorum of the members, it constitutes "deliberation" and is in direct violation of the Open Meeting Law. E-mail communication between less than a quorum of a public body is also in violation of the Open Meeting Law if the e-mail between less than a quorum of members is later forwarded to or discussed with additional members outside of a public meeting, thus unintentionally creating a quorum.
- **7.3 Board of Selectmen Guideline on E-Mail**: To avoid violations of the Open Meeting Law and the Public Records Law, it is preferred-recommended that e-mail between members of the Town's public bodies be restricted to scheduling meetings and distribution of agendas, documents and reports. This is not a prohibition against email communication. However, e-mails between members of public bodies should never contain any statement that is an opinion of any member.

8.0 Code of Ethics and Code of Conduct

- 8.1 Code of Ethics: All members of public bodies are sworn in by the Town Clerk to uphold all state and local laws applicable to the public body's jurisdiction. Members must comply with the state ethics law (MGL Chapter 268A) regarding the conduct of public officials. Members must complete required ethics training and on-line tests. A member is required under the law to not vote on any matter in which the member or an immediate family member has a financial interest. Members are encouraged-recommended to recuse themselves if there is an "appearance" of a conflict of interest. <a href="Members of public bodies should consult with the Town Administrator if they have any question about conflict of interest. The Town Administrator, who may direct them to Town Counsel or other appropriate State authority,
- **8.2 Standard of Conduct**: All members will treat the public, applicants before the public body, Town employees and other members with respect and courtesy. The members and Chair of a public body should take time to listen to individuals speaking to the body. The Chair should make sure members of the public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted.
- **8.3: Absences:** The absence without appropriate explanation of any member of an appointed body from a majority of meetings held over a one year period or from three consecutive meetings may serve to vacate the office. The decision to recommend that the office be vacated will be made by a majority vote of other members of the public body and then transmitted to the Board of Selectmen.

These guidelines are superseded when in conflict with any federal or state law or Town By-Law. Please contact the Town Administrator whenever there is any uncertainty about appropriate procedure.

Commented [LM2]: The BoS may want to take action on their own. Some appointed boards require a certain number of members to take action and absences can result in inability to act on applications.

- **8.4 Members are Bound by Applicable Personnel Policies and Law**: Members of public bodies, when acting in their official capacity, are subject to any applicable state law and Town policies including those prohibiting sexual harassment, discrimination and workplace violence. Any allegation of misconduct made by the public, Town staff or a fellow member will be reported immediately to the Town Administrator.
- **8.5** Litigation against Town by a Member of an Appointed Public Body: An appointed member of any appointed public body may be temporarily suspended by the Board of Selectmen during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the state of MA.
- **8.6 Removal under this Section**: The Board of Selectmen, under such procedures it may adopt, may remove a member from an appointed public body for violations of this section.
- **9.0 Town Meeting and Public Bodies**: Upon a majority vote, public bodies may sponsor and submit to the Board of Selectmen articles for the Board's consideration for inclusion in Annual and Special Town Meeting warrants. Articles submitted by committees that are advisory to the Selectmen shall be submitted and sponsored by the Board of Selectmen.

10.0 Policy on Legal Services

All requests for legal opinions will be made through the Town Administrator under the Board's policy on legal affairs of the Town.

SUPPLEMENTAL DOCUMENTS REFERENCED ABOVE:

- 1) Checklists for Public Bodies
- 2) MGL 30 A, Section 21 (a): 10 Allowable purposes for entering executive session. Other policies relevant to the work of public bodies are posted on the Board of Selectman's website.

DATE OF ADOPTION/ AMENDMENT: June 11, 2018

AMENDED: -----, 2021



TOWN OF WAYLAND

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

MEMORANDUM DRAFT

From: Town Administrator's Office

To: Department Managers and Board/Committee Chairs

Cc: WayCAM
Date: June 7, 2021

Re: Procedure for in Person Board/Committee Meetings Effective June 15, 2021

On March 12, 2020, The Governor Baker signed an Executive Order, along with his Declared State of Emergency (SOE), which suspended certain provision of the Open Meeting Law. This has allowed public bodies to meet remotely and provide the public with "adequate alternative access" to meetings.

On May 17, 2021 the Governor Baker announced that starting June 15 the State of Emergency (SOE), which allowed for the suspension of these certain OML provisions, will end.

On May 25, 2021 the-Gg overnor Baker filed legislation that would propose an extension of the suspension of certain OML provisions to September 1, 2021. The Massachusetts Senate Ways and Means Committee approved a bill that would extend certain OML provisions until April 1, 2022. It is uncertain whether this legislation, or other legislation, will be passed before the end of the SOE on June 15, 2021.

Even if legislation is passed, the Town will return to in person meetings for all boards and committees to conduct their business at the Town Building starting June 15, 2021.

<u>Please note that t</u>The Town of Wayland's Governance Guidelines permits remote participation of its members via teleconference, audio-conference or other means as long as members participating can hear the proceedings. Remote participation is allowed only if physical attendance by a member of the public body is unreasonably difficult due to health or other reasons. Remote participation does not mean Zoom meetings.

<u>Regardless of whether legislation is passed, bB</u>elow are the new-procedures for boards/committees to follow in order to reserve a space and time to conduct their meetings.

Meeting Planning

- By June 15, 2021, the Department Head and ChairAll Chairs and assigned Department Heads are
 encouraged_asked to submit a proposed six month meeting schedule to Seath Crandall, with a copy
 to Public Zoom Meeting Manager (public.mtg.manager@wayland.ma.us) This proposal must have
 alternative times.
- 1-2. In order to allow full public participationaccess, meetings will be scheduled in rooms that can allow for broadcasting over WayCAM and allow-for health safety guidelines as updated from time to time by the Massachusetts Department of Public Health (DPH). for the safe practice of the updated Department of Public Health face-covering advisory. Currently the DPH has issued a face covering This advisory that calls for all unvaccinated residents to continue to wear masks indoors if they cannot socially distance. All members of the public body and public should adhere to the new face-covering advisory. The Town will endeavor to provide sufficient meeting space so that all members of public bodies are able to socially distancing while meeting in person. Again, even if legislation is passed, the Town will proceed to pre-pandemic procedures for all Board/Committee Meetings.

Commented [LM1]: Comments were received that propose to continue remote participation for all boards or for certain boards. Items for discussion:

- 1. Distinguish between remote access to the public meeting for members of the public from remote participation. Can the public comment period alone be remote participation with the remainder of the meeting be remote access only?
- 2. Wayland already provides for remote participation if a member is unable to attend a meeting and articulates the reason for remote participation. What are the advantages and disadvantages of remote participation by board members?
- 3.Are there certain types of meetings that should not be remote participation? i.e. hearings? Land use board meetings?
- 4. Can there be 2 tiers of committees or boards to allow for remote participation for some but not others?

- 2.1. By June 15, 2021, the Department Head and Chair are encouraged to submit a proposed six month meeting schedule to Seath Crandall, with a copy to Public Zoom Meeting Manager (public.mtg.manager@wayland.ma.us) This proposal must have alternative times.
- In order to accommodate WayCAM broadcasting and provide enough space for full participation in meetings, it is likely that only the <u>Board of Selectmen Meeting room, COA, School Committee</u> <u>Room, and Large Hearingcertain conference</u> rooms will be available for reservation.
 - a. Due to Town Building space constraints a maximum of three meetings at a time will be possible
 - b.a. Evening Meetings will be scheduled within the three (3) windows below:
 - i. 4:00pm-5:30pm
 - ii. 5:30pm-7:00pm
 - iii. 7:00pm-10:00pm

This is to allow a maximum number of meetings to be held on a given night.

Boards and Committees may request multiple slots if needed.

- e.b. Evening meetings may be scheduled on Mondays, Tuesdays, and Wednesdays and Thursday. Thursday meetings may be scheduled on a case-by-case basis.
- d.c. Emergency Meetings will be scheduled as needed.
- e.d. <u>Daytime meetings may be scheduled.</u> Please note, <u>however</u>, that due to building space constraints, availability of in person daytime meetings may be limited.
- 4. Requests will be reviewed and either approved or denied. If the first choice time is not approved, please work with Seath Crandall to determine an alternative time as needed.
- Please consult with Seath Crandall regarding the Remove all language at the top of each agenda of the referencing revisions to the OML requirements.
- 6. If your meeting has public comment, it must be at the top of the agenda. If your meeting has a public hearing on the agenda please inform the Town, so that it can plan accordingly.
- 7. The public will be allowed to attend and to make public comment as allowed by the Chair. Please reference Governance Guidelines.
- 8. After receiving confirmation from the Town Administrator's Office of your meeting time, then proceed to post your meeting agenda with the Town Clerk. Please kindly copy the TA's office when posting your agenda with the Town Clerk in order to arrange staffing and confirm room assignment.
- Your meetings may need to have a hard stop at the designated time if another meeting is planned
 after yours. This is to ensure all meetings boards and committees are able to conduct their
 business.

In Person Meeting Attendance

On the day of meeting, please have your members arrive 10-15 minutes prior to the start of the meeting to ensure the meeting starts promptly at the posted time. . Please note that during this 10-15 minute period, members should refrain from discussing matters relevant to the board or committee, especially when a quorum is present, as any such discussions could constitute violations of the Open Meeting Law. When board/committee members arrive at Town Building, they must use the front entrance of the building.

Conducting the Meeting

- 1. All in person meetings will be recorded and live streamed on WayCAM.
- 2. Your meetings may need to have a hard stop at the designated time if another meeting is planned after yours.

Commented [LM2]: And zoom?

Any questions or concerns regarding these new procedures can be directed to the Town Administrator's Office, specifically Seath Crandall at scrandall@wayland.ma.us.



Implications of the Pending Termination of the State of Emergency June 7, 2021

As you have all heard by now, the COVID-19 State of Emergency will be formally rescinded at 12:01 a.m. on June 15, 2021. Almost all of the COVID-19 related executive orders, Department of Public Health mandates, sector-specific workplace safety protocols, and gatherings and capacity limits will have expired as of May 29, 2021. Any such orders that were not rescinded as of May 29th will expire on June 15th, although certain school-related requirements remain in place. We have received several questions in the days since Governor Baker announced the pending termination of the State of Emergency, most commonly involving: the ability of public bodies to hold remote meetings after the State of Emergency ends; whether locally-declared states of emergency and associated orders should be rescinded; and, whether communities are required to re-open town offices and programs in light of the lifting of the State of Emergency. While there are certainly other questions, we wanted to address these most time sensitive issues.

Ability of Public Bodies to Meet "Virtually" as of June 15, 2021

Absent further action by the Legislature, the temporary authorization for public bodies to hold entirely "virtual" meetings will **expire** as of 12:01 a.m. on June 15^{th.} It is critical to keep this issue in mind when posting public meetings, and posting and advertising public hearings, that will occur after, or be continued to a date after, the State of Emergency expires. The Governor has proposed a legislative extension to temporarily allow remote meetings to continue to occur after the State of Emergency expires, which would afford more time to transition from virtual to in-person meetings. However, given that June 15th is rapidly approaching, it is not clear that such legislative action will occur before the State of Emergency expires. Public bodies, therefore, should be prepared to resume fully in-person meetings as of June 15th. Note that there are no longer any state-imposed limitations on the number of people that may gather in a single indoor location, either with or without social distancing.

If you have already posted and/or advertised a "virtual only" public meeting or hearing that will occur June 15th or later, we recommend that:

- In the case of public <u>meetings</u>, where only 48 hours advanced notice is required (not counting Saturdays, Sundays, or legal holidays), you amend your meeting notices to reflect that the meeting will be held inperson, and specify the meeting's physical location;
- In the case of public <u>hearings</u>, where statutory, regulatory, or local requirements mandate publication or other notice more than 48 hours in advance, you should consult with your counsel to determine what steps are necessary and permissible to update those notices to reflect a new meeting location;



- If the meeting/hearing will be held both virtually and in person (see "Hybrid Meetings", below), you should double check meeting/hearing notices to ensure that it is clear that the public's in-person attendance is permitted and not prohibited.

Rules for Remote Participation

Assuming no further action by the Legislature before June 15th, the rules regarding remote participation that existed prior to the pandemic will again apply. Pursuant to 940 CMR 29.10, remote participation by less than a quorum of the public body is permitted, if adopted by the municipality's Chief Executive Officer (usually the Mayor or Select Board, unless otherwise established by Charter or special act). Should the Select Board vote or the Mayor authorize the use of remote participation, that authorization will apply to all governmental public bodies in the municipality. Notably, local Commissions on Disabilities have independent authority to adopt remote participation rules for their meetings, either on a meeting-by-meeting basis or for all future meetings. The Chief Executive Officer and/or local Commission on Disabilities may adopt more stringent rules on remote participation than those set forth in 940 CMR 29.10, so long as those rules are consistent with and do not violate state or federal law.

As a refresher to the pre-pandemic remote participation rules, at the end of this eUpdate, you will find a bullet-point summary of the minimum requirements for remote participation under 940 CMR 29.10.

"Hybrid" Meetings

There is nothing in the Open Meeting Law that precludes the simultaneous broadcasting of an in-person public meeting or public hearing via technological means (such as live broadcast via local cable access, "Facebook Live", Zoom, or other platform). Similarly, there is nothing in the Open Meeting Law that precludes a public body from accepting public comment or allowing public participation via virtual means. As a reminder, public bodies are not statutorily required to allow any public comment or participation in their meetings, unless there is a Charter provision, special act, or local ordinance or by-law mandating public comment or participation. Public hearings are a different matter, however, since the public's right to participate is inherent in the hearing process.

While the lifting of the State of Emergency means that members of the <u>public body</u> will be limited in their ability to remotely participate in public meetings or hearings, the same is not true of members of the <u>public</u>. Now that there are no longer any state-imposed gathering limitations and the State of Emergency will shortly be lifted, the public <u>must</u> be allowed to attend open meetings in person, but they may also be afforded the opportunity to attend remotely. Whether or not to afford this additional opportunity for remote attendance and participation is a policy decision for each community.

If you do choose to offer both in-person and virtual attendance options, you should consider the impacts if a technology disruption occurs during the meeting. Must the meeting be recessed while the technological issues are attempted to be resolved, or must the meeting be terminated in the event that those technological issues cannot be resolved? The answer to this question likely depends upon how the meeting/hearing was noticed. If you offer both in-person and virtual attendance options, to avoid having to suspend or cancel a meeting due to technical difficulties you may wish to include on your meeting notices language such as:



"This meeting/hearing of [insert name of public body] will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly."

Rescinding Locally-Declared States of Emergency and COVID-19 related mandates

Many municipalities declared a local state of emergency, in parallel with the Governor's declaration of a State of Emergency based on particular local public health concerns. Now, however, the question arises as to whether those locally-declared states of emergency should be rescinded. If your locally-declared state of emergency is worded such that it is tied to the state-wide State of Emergency, it may expire on its own as of June 15th, without further action by the Select Board/Mayor. If not, you may wish to consider rescinding a locally-declared state of emergency to align with the June 15th expiration of the state-wide State of Emergency to avoid confusion resulting from an inconsistency with state procedures."

A separate but related question is whether or not locally-adopted Mayor/Select Board/Board of Health orders, such as mask mandates, survive the rescission of state-level mandates. The continued application and enforcement of such orders may be difficult to defend once the State of Emergency is lifted, absent specific articulated public health conditions that may exist in any particular municipality. Like locally-declared states of emergency, you will want to examine your local COVID-19 related orders to see if they are worded so as to naturally expire when the state-wide State of Emergency expires, or whether formal action to rescind such orders is necessary. Moreover, should your municipality experience conditions that warrant the re-adoption of COVID-19 related orders after the State of Emergency expires, such local orders must have a basis in existing statutory authorities. Further, the Mayor/Select Board and/or Board of Health should make specific public health and safety-related findings supporting the re-adoption of local COVID-19 orders, such as a new COVID-19 outbreak in the municipality or designation of the municipality as being in the "red zone." Furthermore, these local orders should be narrowly tailored to limit the scope of restrictions imposed to only those reasonable and necessary to address particular local conditions and protect public health and safety. For reference, please see our Guidance for Boards of Health Re: COVID-19, available here, which provides a comprehensive review of local authorities to address the spread of infectious diseases.

Re-Opening of Municipal Buildings and Facilities

The lifting of the State of Emergency does not immediately require every municipality to re-open every municipal building and facility to the public, although there may be significant public and political pressure to do so. It is certainly reasonable that additional time may be required to "ramp up" operations, in light of the unanticipated lifting of the State of Emergency much earlier than originally planned. Common questions that arise with the reopening of municipal buildings and facilities to the public include:



- Can we still require the public to wear masks when in City/Town Hall?
- Can we still require social distancing and observance of safety protocols, for both staff and officials, and members of the public?
- Can we require "proof of vaccination" for people entering City/Town Hall?

Whether you <u>can</u> do any of these things, and whether you <u>should</u> do any of these things, are two separate considerations. As far as wearing masks, social distancing, and observance of other safety protocols, these are now recommended practices by the State (as opposed to mandates), and you may wish to treat them similarly at the local level.

In terms of requesting proof of vaccinations, that is likely to be a "hot button" issue for the public and staff alike. Given that you may have to accommodate those who have religious or medical reasons for not being vaccinated, requiring proof of vaccination does not ultimately ensure that only vaccinated persons are permitted in municipal buildings or facilities. With this in mind, municipalities should weigh asking for proof of vaccination against the difficulties in applying a vaccination requirement across-the-board, as well as the potential for confrontations with those who are unvaccinated or who believe it is an intrusion on personal privacy to be asked for proof of vaccination. These, of course, are questions that each municipality should consider individually, and we again suggest that you consult with counsel to ensure that you have fully considered the legal ramifications to such a requirement.

We will continue to keep you updated on additional developments in light of the impeding expiration of the State of Emergency, as well as the Legislature's consideration of possible amendments to the Open Meeting Law. A reminder that we have established a **Coronavirus "hotline,"** at coronavirusinfo@k-plaw.com. A dedicated team of our attorneys is available through this hotline e-mail address to answer the most frequently-asked legal questions arising from COVID-19. One of these designated attorneys will respond promptly to your inquiries.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.



Summary of minimum requirements for remote participation under 940 CMR 29.10

- 1. Chief Executive Officer adopts remote participation for local public bodies.
- A quorum of the public body, including the Chair or whichever member will be chairing the particular
 meeting, must be physically present at the meeting location. The remaining members of the public
 body may participate via remote means. In the case of Commissions on Disabilities, only the Chair or
 person chairing the meeting must be physically present at the meeting locations; all other members
 may participate remotely.
- 3. "As soon as reasonably possible" prior to the meeting, any member of the public body who wishes to participate remotely must notify the Chair (or whomever will be chairing that particular meeting), of the reasons why that member's physical attendance would be "unreasonably difficult."
- 4. Where feasible, the Chair or person who will be chairing the meeting should provide members who will be participating remotely with meeting packets or other documents to be used at the meeting, in advance of the meeting.
- 5. At the start of the meeting, the Chair is required to identify by name those member(s) participating remotely, and the meeting minutes should reflect this information as well. The reasons for the remote participation do not need to be announced publicly, and no vote of the public body itself is required to permit an individual member's remote participation.
- 6. All members participating remotely must be clearly audible to the members of the public body attending the meeting in person. If a video platform (such as Zoom, Microsoft Teams, GoToMeeting) is used, all members must be clearly visible to each other as well (which means that when video conferencing technology is used, members participating remotely must leave their video feed "on" during the meeting).
- 7. If there are technological difficulties during the meeting, the meeting generally should be suspended until those difficulties can be resolved. If those technological difficulties result in the disconnection of a remotely participating member, the time of disconnection must be noted in the meeting minutes.
- 8. All votes taken during open or executive session meetings in which one or more members participate remotely, must be taken by roll call vote and recorded as such in the meeting minutes.
- 9. If members of the public body are participating remotely in an executive session, each such member must also state, at the start of the executive session, that no other person is present and/or able to hear the discussion at the remote location, unless the public body votes to approve that third party's presence.

The full remote participation requirements can be found at 940 CMR 29.10. Any locally-adopted remote participation policies or rules should also be consulted.

Please note that handouts will be distributed during Monday's Meeting for the following agenda items:

- 7.b. School Bus Parking
- 7.e. IT Projects Update
- 7.g. Perambulation of Town Borders
- 7.h. PFAS update
- 7.j. Outdoor Service License
 Application for Dudley Chateau



TEL. (508) 358-3617

TOWN OF WAYLAND BOARD OF HEALTH

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

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

Wayland COVID-19 Vaccination Update - June 3, 2021

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.

Age Group	Population	Proportion of town population	Individuals with at least one dose	Individuals with at least one dose per capita	Fully vaccinated individuals	Fully vaccinated individuals per capita
12-15		6%		72%	*	*
Years	805		581			
16-19		5%		>95%		76%
Years	704		692		536	
20-29		7%		>95%		92%
Years	891		988		818	
30-49		23%		91%		80%
Years	3,044		2,774		2,448	
50-64		24%		89%		82%
Years	3,158		2,795		2,574	
65-74		12%		>95%		93%
Years	1,525		1,521		1,416	
75+		9%		>95%		86%
Years	1,220		1,160		1,049	
Total		100%		80%		67%
	13,218		10,511		8,841	



TOWN OF WAYLAND BOARD OF HEALTH

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

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

Wayland COVID-19 Case Update – June 4, 2021 **Cases are from Fri May 28, 2021-Thurs June 3, 2021**

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.

		Cases as of previous report date	New Cases since last report		Total Current Active Cases
Confirmed (LAB) COVID-19 cases	630	629	1	0	0

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

Sex	To Date	New
Female	341	1
Male	288	

Total Ages per Ca	New	Deceased	
<19	153		0
20-29	81		0
30-39	46		0
40-49	79		0
50-59	84		0
60-69	49	1	5
70-79	42		1
80-89	49	-	9
90-99	43	-	9
100-109	3	-	0

Total Cases as of 6/4/2021

Active Non-Hospitalized	0
Active Hospitalized	0
Recovered	606
Deceased	24
Total	630

New Confirmed and Probable Cases

	Confirmed	Probable
Live/work within Wayland Long	0	0
Term Care Facilities (LTC)		
Live/work within the Wayland	0	0
General Community		

School Based Information Year to Date as of 6/4/2021

School	Confirmed	Confirmed	In school Student	In school Staff	Out of school Student
	Student	Staff	Close Contact	Close Contact	Close Contact
Loker	18	2	18	5	4
Happy Hollow	7	1	4	3	8
Claypit	15	2	72	2	10
Middle	22	3	10	3	3
High School	27	9	99	8	6



DATE: June 10, 2021

TO: Benson R. Gould, LSP, LEP

CMG Environmental, Inc.

67 Hall Road

Sturbridge, MA 01566

FROM: Kristen Sarson, Project Manager

William J. Gibbons, PG, LSP, Senior Project Manager

SUBJECT: Notice of Response to Public Comment

Release Abatement Measure Plan

Release Abatement Measure Interim Status Report

484 – 490 Boston Post Road Wayland, Massachusetts 01778

MassDEP Release Tracking Number (RTN) 3-36013

Dear Mr. Gould:

Please find enclosed a summary and response to the comments received on the two above-referenced RAM reports prepared by The Vertex Companies, Inc. (VERTEX) on behalf of Alta River's Edge, LLC. The two RAM reports and comments were prepared for the release listed by the Massachusetts Department of Environmental Protection (MassDEP) under Release Tracking Number (RTN) 3-36013.

A copy of the summary is also available for review at the following links:

https://vertexeng.com/rivers-edge-public-involvement-plan-public-repository/https://eeaonline.eea.state.ma.us/portal#!/wastesite/3-0036013

or at the Town of Wayland Town Clerk's Office in the Wayland Town Hall, located at 41 Cochituate Road in Wayland, Massachusetts.

Please do not hesitate to contact us if you have any questions or concerns.

Thank you,

The Vertex Companies, Inc.

Kristen Sarson Project Manager 781-917-5360 (mobile) William J. Gibbons, PG, LSP Senior Project Manager 617-830-1540 (mobile)

Copied

- The Town of Wayland Board of Selectmen (c/o Town Administrator Louise L.E. Miller, J.D.)
- The MassDEP Northeast Region, Bureau of Waste Site Cleanup (c/o Leticia Ruiz-Boyle)



Public Comments
Release Abatement Measure (RAM) Plan &
RAM Interim Status Report No. 1
River's Edge
484 – 490 Boston Post Road, Wayland, MA

RTN 3-36013

Overview Comments

1.) Comment: "The RAM Plan page header accurately numbers text pages 1-20 (pages 6-25 of the 1,537-

page Adobe .pdf file) but then restarts page numbering so that text pages 21-43 are numbered 1-23 (pages

26-48 of the .pdf file); in other words there are two sets of pages 1-20. This makes it a bit more difficult

to identify the location of information in the second half of this document's text."

Response: The page numbering will be correct in future reports.

2.) Comment: "VERTEX uses the jargon term "Urban Fill" on page 5 (and again on page 11) of the RAM

Plan. Section 310 CMR 40.0006(12) of the MCP currently defines the term "Historic Fill" (along with the

related term "Anthropogenic Background") to describe what CMG believes that Vertex means by 'Urban

Fill' (which is common usage among environmental consultants). We recommend that for clarity Vertex

use the MCP-defined terminology where appropriate."

• Response: Urban fill was used in lieu of the MCP defined Historic Fill to describe the stockpiled

material at the property because it is assumed that some or all of the soils were emplaced after

1983.

3.) Comment: "The last bullet item (in the lists of laboratory analyses conducted) in each of these

subsections (page 8 of the RAM Plan) is "Asbestos content by California Air Resources Board (CARB) 435

Method," implying that Con-Test Analytical Laboratory (Con-Test) of East Longmeadow, Massachusetts

conducted these analyses. However, Vertex submitted samples for asbestos testing to CEI Labs, Inc. of

Cary, North Carolina (Con-Test did perform the other listed analyses).

• **Response:** Correct. This will be clarified on reports going forward.

4.) Comment: "The second paragraph on the second text page 9 (i.e., page 29) of the RAM Plan discusses whether or not the Site is in a drinking water source area. This is properly a matter of interest for *human* receptors (not environmental receptors).

Vertex also states that they reviewed registered wells listed by the DEP online well database (at https://mass.gov/service-details/well-database according to the footnote on this page). CMG believes that is an outdated URL; the current URL is https://eeaonline.eea.state.ma.us/portal#!/search/welldrilling More importantly, this listing of registered wells is not a complete listing of all private supply wells in the state. CMG researched private well information from the Wayland Board of Health and learned there are no known private wells (registered or otherwise) located within 500' of the Site (see Section 1.2.8 of our December 2020 Phase I – Initial Site Investigation report for release tracking number [RTN] 3-36013)."

- **Response:** VERTEX agrees that the information about the drinking water resource area and wells would have been more suitably presented in a discussion about human receptors. This has been noted and in the future will be addressed in discussions about potential human receptors.
- **5.) Comment:** "Vertex discusses soil stabilization to reduce total lead leachability on the second text page 14 (i.e., page 34) of the RAM Plan. However, it is not clear whether Vertex intends stabilized (but still leadimpacted) soil to be removed from the Site for proper disposal or recycling, or if they intend for that soil to be reused on-Site. Wayland requests that any soil excavated from the Site which exhibits an exceedance of the RCS-1 standard of 200 mg/kg total lead be transported off-Site for proper disposal or recycling (or off-Site reused), regardless of whether that soil is stabilized or not."
 - **Response:** The soil historically stockpiled at the Site by the Town of Wayland will be removed from the Site and all stabilized soil will be removed from the Site. The firing range remediation will achieve soil exposure point concentrations that do not exceed the Massachusetts Contingency Plan (MCP) Method 1 S-1 risk standard of 200 milligrams per kilogram of total lead and will therefore pose a condition of No Significant Risk without any future use restrictions.
- **6.) Comment:** "Vertex states on page 4 of the Status Report that "The CARB 435 sample preparation method involves an initial grinding process" to homogenize soil samples. CMG did not find that information during our review of the published methodology (California Environmental Protection Agency Air Resources Board Method 435, "Determination of Asbestos Content of Serpentine Aggregate" Adopted:

RTN 3-36013 Page 2 of 4

June 6, 1991). We are concerned that this initial grinding process has the potential to break asbestos fibers into pieces too small for polarized-light microscopy (PLM) to recognize asbestos fibers. (PLM may not recognize fibers $<5~\mu g$ in length as potentially asbestos. Furthermore, the CARB 435 method specifies that asbestos fibers have at least a 3:1 aspect ratio; grinding could change the fibers' aspect ratio by shortening them but not affecting their width.) The Town of Wayland relied on the asbestos in soil testing that Vertex conducted for closure of RTN 3-34474 at the Site. Therefore, the Town requests that Vertex clarify what controls the laboratory used during the grinding process to ensure that any asbestos fibers present prior to grinding would still be recognized as such during PLM."

Response: The CARB 435 method prepares the sample so that the majority of the particles are less than 75 microns in diameter because particles greater than 75 microns are difficult to analyze by PLM and analysis of particles having diameters greater than 75 microns can result in false negatives (i.e. can result in an under count of asbestos fibers). Furthermore, pursuant to Section 7.0 of the CARB 435 (more specifically 7.1 and 7.3) method, each sample is observed under a stereomicroscope both before and during the sample preparation/grinding phase. Particularly with chrysotile, amosite, and crocidolite asbestos (by far the most common types), fibers are often identifiable before analysis by PLM. The analyst observes aliquots of the sample under the stereomicroscope before, during, and after the sample is ground to homogenize it. If a suspect fiber is spotted under the stereomicroscope, the analyst would prepare a slide for the PLM scope to confirm it is asbestos. If this happens, the result of the sample would immediately become "asbestos-containing" and the analyst would then go on to homogenize the sample and quantify it through the 400 point count method. Additionally, CEI Labs, Inc. (now a Eurofin Laboratory) performs the grinding using a mortar and pestle; machinery and/or automatic grinding is not utilized. Based on the use of a mortar and pestle, it is extremely unlikely that asbestos fibers would be broken apart to a size that is too small to identify via PLM. Chrysotile asbestos (again, by far the most common of asbestos types) is serpentine and wavy which makes it very resistant to mechanical force and tearing, and even the more brittle types of asbestos are unlikely to be broken into pieces smaller than 5 microns this way. The grinding is only meant to homogenize the sample, not break it down into dust, i.e., the analyst or preparation technician avoids using excessive force when grinding the sample up. The homogenized volume of each sample prepared by the CARB 435 method is 1 pint (473 cubic centimeters (cc)), greater than the 50 cc sample volume that would be analyzed by USEPA 600 /R-93/116 PLM method if that method were to be



used alone. The greater sample volume increases the likelihood that asbestos will be detected if present.

Section 8.2 of the CARB 435 method summarizes that there are many additional steps that go into identifying/confirming an asbestos fiber besides morphology and aspect ratio. This includes color and pleochroism, birefringence, sign of elongation and refractive index, etc. Even if a particular fiber were broken down to less than 5 microns and less than a 3:1 aspect ratio, there are additional distinguishing characteristics that would result in it being flagged as "asbestos-like" that would prompt the analyst to analyze additional portions of the homogenized sample to confirm asbestos is present. If such fibers are identified, the sample would be reported as asbestos-containing at the least, even if the asbestos cannot be quantified. Lastly, the laboratory has a quality assurance / quality control (QA/QC) protocol that requires the sample analyst to either reanalyze their own samples or give 10-20% of their samples to another analyst to QC, or both. Regardless of whether asbestos is identified under the stereomicroscope or preliminary PLM analysis, the analyst is required to quantify via the 400-point count a minimum of eight individual slide preparations from among their stereomicroscope aliquots and count 50 point in each slide. If they spot a suspect fiber in their fields during this process, they would immediately try to confirm if it is asbestos even if it didn't fall on a counting "point." The CARB 435 method is approved by the United States Environmental Protection Agency (USEPA) for the analysis of soil for asbestos. The MassDEP has not approved a specific method for the analysis of asbestos in soil.

- **7.) Comment:** "On pages 7 and 13 of the Status Report, Vertex states that the next RAM Status Report is scheduled for submittal on May 8, 2021. CMG notes that May 8, 2021 will fall on a Saturday. While it is certainly possible to submit documents via eDEP on non-business days, we believe it would be more appropriate to state either "by May 8, 2021" or "on or before May 8, 2021" when referring to the submittal date of the next Status Report [which should be an Initial RAM Status Report per 310 40.04445(1)]."
 - Response: In accordance with 310 CMR 40.0008, if the due date is on a weekend, legal holiday, or any other day on which the offices of the MassDEP are closed, the time period shall run to the end of the next business day. Vertex recognizes the statement and will be sure to include clarification that if the due date of a submittal is on a weekend it will be submitted on the first business day that follows the due day.

Crandall, Seath

Subject:

FW: Louise, Please Ask Your Legislators to Oppose H. 820, An Act Relative to Reprecincting

From: Massachusetts Municipal Association alerts@mma.org

Sent: Tuesday, June 8, 2021 5:01 PM
To: Miller, Louise miller@wayland.ma.us

Subject: Louise, Please Ask Your Legislators to Oppose H. 820, An Act Relative to Reprecincting

[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.]



Pending Legislation Would Weaken Local Control of the Municipal Reprecincting Process

Please Call Your Reps & Senators Today and Ask Them to Oppose H. 820, An Act Relative to Reprecincting

H. 820 Would Reverse the Redistricting Process and Require Cities and Towns to Shape Precincts to Match New State Legislative District Boundaries

June 8, 2021

Dear Louise Miller,

On Monday, the Joint Committee on Election Laws accepted testimony on H. 820, An Act Relative to Reprecincting. This bill would require the creation of new federal and state legislative districts (congressional, senatorial, and representative districts) before municipalities are able to redraw their local precincts using 2020 U.S. Census numbers. The Committee on Election Laws polled its members this afternoon and the bill could move quickly.

Reprecincting occurs every ten years, as communities use the official census numbers (which usually come in April, but will be delayed 4-5 months this year) to rebalance precinct lines. Under current state law, cities and towns update their precinct lines first, and then state lawmakers use municipally drawn precincts as the building blocks for the state's redistricting process. Forcing communities to shape their precincts around new state-set boundaries would lead to significant problems for communities with multiple precincts, if the state creates district lines that conflict with local government structures.

Today, the MMA Board of Directors voted unanimously to oppose this bill.

This Bill Would Strip Away Local Control

Cities and towns are in the best position to take into account neighborhoods and racial and ethnic communities of interest when they draw their precincts lines. They are acutely aware of new or proposed developments as well as the geographic limits that can form boundaries between neighborhoods. In addition, they must hold at least one public meeting as part of the local approval process, ensuring adequate local public input. If the Legislature draws districts first, they could unknowingly split neighborhoods and communities of interest who wish to be connected. This may have an especially adverse effect in those towns with Representative Town Meeting or those municipalities that elect officials by districts or wards, creating major conflicts with home rule charters and throwing municipal bodies out of balance.

This Bill Would Result in Additional Costs, Confusion, and Litigation

If the Legislature uses census blocks to create districts and the municipality is required to use those districts to form precincts, it could result in a municipality having different polling places and different district names for different elections. Poll workers would have to be sure to provide the voters with appropriate ballots for their subprecinct, resulting in new training requirements, a new process for checking in, and new voting lists. Additionally, candidates may be unclear where to get signatures in their districts, as districts would be different for state election purposes and local election purposes.

Any of the above could leave cities and towns vulnerable to challenges by their voters as well as challenges under the Voting Rights Act.

This Bill is Not Required to Account for Census Delays

The Secretary of State's Elections Division is already working to provide technical support to cities and towns in advance of the official census numbers, which are due by September 30. The Legislature's Committee on Redistricting can start drawing their districts using "legacy files," which should be available in mid-August. If the Committee believes that they will need to split a city or town, the Elections Division can work with that municipality to get their local precincts established before that data is sent to the Local Elections District Review Commission. The Elections Division believes that the Local Elections District Review Commission will be able to approve all precincts and submit the data to the Committee prior to the Committee releasing their draft maps for public comment.

Please Call Your Representatives and Senators TODAY! H.820 is not needed and would have many unintended, negative consequences if passed – the bill would weaken local control and would result in additional costs, confusion, and litigation.

If you or your legislators have any questions, please contact MMA Senior Legislative Analyst Brittney Franklin at bfranklin@mma.org.

PLEASE CALL YOUR LEGISLATORS TODAY

THANK YOU!





DATE: June 9, 2021

TO: Louise Miller, Town Administrator FROM: Sarkis Sarkisian, Town Planner RE: Town Planning Report "TPR"

Meetings held

June 1, 2021 and June 8, 2021

Scheduled Meetings

June 15, 2021

Board Administration

- 89 Oxbow Field Project Site Plan Approval and Settlement Agreement.
- Discussion of possible amendments to the Planning Board's Conservation Cluster Development Regulations, which would include reviewing recent Conservation Cluster decisions and projects, and studying potential Zoning Bylaw amendments to better effectuate intent of Bylaw.
- Update on Town's sewer capacity and limiting factors for development.
- Master Plan/Vision plan/design for Route 20.
- Outdoor dining by right/license.
- Discussion of Planning Board appointees to Design Review Board and Municipal Affordable Housing Trust Fund, both expiring on June 30.

Project/Development updates

Whittemore Rd Road and subdivision conditions have been completed. Next steps:

Prepare for street acceptance. Bond in place.

Michael Rd Road and subdivision conditions have been completed including

the inclusionary affordable housing unit. Next steps: Monitor Rain

garden before street acceptance. DHCD approval to add to

Subsidized Housing Inventory list. Bond in place.

Greenway Town Planner has received concerns from a Residence of

Greenways development regarding the condition of the detention basin. The road was never accepted by the Town of Wayland. Town Engineer prepared punch list items several years ago. Town Planner working with new management company to address said items including the detention basin. Town Administrator review may

be needed.

105 Plain Road 5 Unit Con

5 Unit Conservation Cluster Development has been approved waiting for appeal period to expire before signing final plans.

336 Boston Post Road Dining Area and Connection with Mass Central Rail Trail/East Coast Greenway: Shared Streets Grant Project has been completed.

This is a grant funded project in the amount of \$29,000 through MassDOT under Shared Streets.

Project Goal: repurpose one off-street parking spaces in front of Wayland Pizza House and Wayland Mini Market to use for outdoor dining and construct a new multi-use path connection from this area to the Mass Central Rail Trail/East Coast Greenway. The Mass Central Rail Trail/East Coast Greenway provides a contiguous connection from Wayland through Weston and to Waltham to the east. It also provides a connection to the proposed Shared Street and Spaces project at Elissa Avenue via the existing Mass Central Rail Trail/East Coast Greenway.

The project includes the following Project Elements:

- A new multi-use path that will connect the dining/shopping area with the Mass Central Rail Trail/East Coast Greenway improving local mobility and connectivity to a regional shared bikeway.
- New shared-use path connection.
- Contiguous walking/biking corridor between retail area and regional Mass Central Rail Trail/East Coast Greenway, which serves Wayland, Weston, and Waltham.
- Contiguous walking/biking corridor between 336 Boston Post Road and proposed Elissa Avenue Shared Street and Spaces project via the existing Mass Central Rail Trail/East Coast Greenway.
- Safe and functional environments for curbside dining.

Next steps may consider adding outdoor picnic tables behind the building which will require ZBA approval.

Town Center Elissa Avenue Shared Streets Grant.

This is a grant funded project in the amount of \$102,000 through MassDOT under the Shared Streets.

Project Goal: a segment of Elissa Avenue (private road) to use two travel lanes and on-street parking on both sides to increase area for pedestrians and bicyclists and outdoor dining area. Provides connection to the completed Shared Streets and Spaces project at 336 Boston Road via the existing Mass Central Rail Trail/East Coast Greenway. The project includes the following elements:

- Outdoor dining area for restaurants and outdoor space for other tenants.
- Converted street for exclusive use by people dining and walking.
- Safety, traffic calming, and speed reduction measures.
- Accessibility upgrades two new temporary curb-ramps.
- Contiguous walking/biking corridor between Elissa Avenue and the proposed 336 Boston Post Road Shared Street and Spaces project via the existing Mass Central Rail Trail/East Coast Greenway.

Next steps: Town Planner is working with Town Administrator regarding finalizing contractual documents with the owner of the Town Center for project implementation.

Housing Production Plan:

The Town has selected Judi Barrett Planning Group, LLC to assist with the Housing Production Plan Update. Given the scope of work outlined in the Town's Request for Proposals regarding housing goals and implementation strategies, Judi Barrett will be attending the Planning Board meeting on June 15, 2021 to introduce the planning process, and identify for later evaluations of existing and potential zoning areas for affordable housing or mixed use housing to meet criteria for the Housing Production Plan.

On the horizon:

Registered Medical Marijuana Dispensary for 526 Boston Post Road, Currently at the Board of Selectmen for negotiation of a host community agreement.



TOWN OF WAYLAND

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

TOWN BUILDING 41 COCHITUATE ROAD TEL. (508) 358-7701 www.wayland.ma.us

TO: Board of Selectmen

FROM: Teri Hegarty, Management Analyst

DATE: April 23, 2021

RE: Dudley Chateau's Request for an Extension of Outdoor Temporary Seating

Dear Selectmen,

Attached, please find the Dudley Chateau's recent request for an extension in their temporary outdoor seating. Because their original request from June of 2020 (approval letter attached) was for 36 seats and their newest request is for 40 seats, it requires your review and approval.

A copy of their newest request has also been distributed to the Building Department, Health Department, Planning Department, as well as the Police and Fire Departments, for their review and input.

Thank you for your time.

Respectfully.

Teri Hegarty

APPLICATION FOR TEMPORARY OUTDOOR SEATING

This application is to allow for temporary outdoor seating for establishments currently licensed to serve food only or food and alcohol. The application for temporary outdoor seating will be in effect until 60 days after the Governor rescuids authorization for temporary outdoor seating. This application is for use by establishments who do not have a current permit for outdoor seating or who wish to extend their currently permitted outdoor seating area. There is no fee to apply. Please complete the form below and attach all relevant documents.

Completed Applications for Temporary Outdoor Seating Must Be Returned to Teri Hegarty by email: hegarty@mayland.ma.us
Questions can be addressed to Sarkis Sarkisian at an exclusion from the many (508)358-3778 or Louise Miller at multiple mayland.ma.us

The Board of Selectmen are the licensing authority and will consider the type of neighborhood, surrounding businesses, and the potential for noise in the environs.

Approvals by the Health Director, Building Commissioner, Fire Chief, and Police Chief will be required prior to the submitting the application for approval by the Board of Selectmen. An inspection will also be required prior to opening of the outdoor seating area. All applications must demonstrate compliance with the Commonwealth's Covid-19 safety standards for restaurants.

Outdoor Seating Plan	Description Approvals
1 Please describe the outdoor seating area in detail, including dimensions, seating capacity, and maximum occupancy 2 a. Premises must be enclosed by a fetice, rope, or other means to prevent access from a public walkway. Please describe how the space will be enclosed. b. premises must protected from vehicular traffic for occupant safety. Please describe how the space will be protected. 3 Please attach a plan or drawing that depicts the outdoor dining area described in 1 and 2 above. 4. The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area. Please describe how you will comply with this requirement. 5. Please indicate hours of operation for the outdoor seating area. 6. Please provide documents that support your right to occupy the proposed area. This can be a letter from the landlord. 7. Please provide a certificate of insurance that includes the outdoor seating area.	- 1. Outdoor seating area is 23×40
Business Name Dudley Chated	all Business Address 20 CreSt Rol
Agent/Manager Mandy L. Phi	111PS Phone Number and Email 508-655-0010
Owner Name Mandy Phillips	Phone Number 508-934-6477
Use of Premises: Restauvant	No. of Seats:
Signature of Applicant/Authorized Agent Manay blue	Title 4/8/21 Date Owner/Manager

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Dudley Chateau 20 Crest Road Cochituate, MA 01778 508-655-0010

Outdoor Business Plan -

Continue with reservation only seating

If the reservations are full there will be a limited amount of takeout/ similar to Friday and Saturdays we deter people but saying "2 hour wait" the grill is only 3'x 2' and can only produce so many hamburgers. Indoor is open with staggered reservation times so that it does not overwhelm the kitchen and have too many people on the property at once.

Manager in charge at all times on the patio.

Outdoor reservations will be as follows:

12:00 seat 6 tables

12:15 seat 5 tables

1:45 "

2:00 '

3:30 '

3:45 "

5:15 "

5:30 "

7:00

7:15 '

Patio to close by 9:30 PM

Tables are all space with 7"+ between each table.





Bk: 1413 Pg: 45 Certil: 250766 Doc: DEED 03/20/2012 01:56 PM

MASSACHUSETTS QUITCLAIM DEED SHORT FORM

I, Dennis Sullivan, Trustee of SulCon Realty Trust and recorded with the Land Registration Office of the Middlesex South District Registry of Deeds, Document ##387147,

Wayland, Middlesex County, Massachusetts,,

for consideration paid and in full consideration of Two Hundred and Fifty Thousand (\$250,000.00) Dollars.

grant to Mandy L. Phillips Trustee of Cochituate Realty Nominee Trust to be recorded herewith DOC # 1595036

of Cochituate, Mass

with quitclaim covenants

That certain parcel of land situated in Wayland, County of Middlesex, and said Commonwealth, bounded and described as follows:

Easterly

by Crest Road, one hundred and fifteen and 20/100 feet:

Southwesterly

by a Passageway twenty feet wide as shown on plan hereinafter mentioned, seventy feet;

Westerly

by Dudley Pond; and.

Northwesterly

by lot 280 on said plan, seventy-eight and 13/100 feet.

Said parcel is shown as lots 281, 282, and 283 on said plan, (Plan No: 4027C). Also, another certain parcel of land situated in said Wayland, bounded and described as follows:

Northeasterly and Easterly

by Dudley Road and Crest Road, as shown on said plan hereinafter mentioned by several lines measuring together two hundred thirty-eight and 20/100 feet;

Southeasterly

by for 281 on said plan, seventy-eight and 13/100 feet;

Southwesterly

by Dudley Pond; and,

Northwesterly

by lot 271 on said plan, seventy-three feet.

Said parcel is shown as lots 272, 273, 274, 275, 276, 277, 278, 279, and 280 on said plan (Plan No. 4027C)

All of said boundaries, except the line of Dudley Pond, are determined by the Court to be located a shown an a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 29, Page 253, with Certificate 4186.

All of the above described land is subject to the reservations set forth in a deed given by the City of Boston to Charles Fairbanks dated April 30, 1963, and recorded with Middlesex South District Deeds, Book 907, Page 563, so far as in force and applicable.

Said lots 272, 273, 274, 275, 276, 277, 278, 279, and 280 are subject to a right-of-way in favor of land of Corabel G. Francis, running from Wayland Road to said Francis land, said way to be not less than twelve feet in width, and approximately located as shown on plan filed in Registration Book 28, Page 49, with Certificate 4107. with the privilege for the owners and occupants for the time being of said Francis land of putting electric light and telephone poles at regular distances along said way called Dudley Road

For Title see Certificate #23941 in Registration Book 1387, Page 136. This conveyance is made in the usual course of business of the Grantor and is not the sole or only asset of the Grantor

Witness my hand and seal this

day of

Page 1 of 2

MASSACHUBETTS EXCISE TAX Southern Michigan Quarter ROD # 001

Date: 03/20/2012 01:58 PM One 185305 08383 Dool 0 01598035 80: 81,140.00 Cons: \$250.000.00

TAMKIN & HOCHBERG, LLP

COMMONWEALTH OF MASSACHUSETTS

On this / S day of	Middlesex ss	Date	March 15, 5015	
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/08/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

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TOWN OF WAYLAND

41 COCHITUATE ROAD WAYLAND, MASSACHUSETTS 01778

www.wayland.ma.us

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

LOUISE L. E. MILLER TOWN ADMINISTRATOR TEL. (508) 358-3620 EMAIL: Imiller@wayland.ma.us

Mandy Phillips
The Dudley Chateau
20 Crest Road
Wayland, MA

Re: COVID-19 Phase II Reopening - Outdoor Table Service Application - The Dudley Chateau

Dear Mandy,

The Wayland Board of Selectmen met on June 16, 2020 to review and vote on the temporary outdoor service application for your restaurant. After review, the Selectmen voted to approve your application for temporary outdoor service for a total of 36 seats pursuant to the guidelines outlined within in your application and the following recommendation(s) and condition(s) noted below:

- Maintain the level of noise and hours of operation stated;
- Review from the Conservation Administrator on the changes to the area between the Restaurant and Dudley Pond; and,
- Review be conducted at the Board of Selectmen Meeting during the first week of July which will provide an opportunity to demonstrate the outdoor seating.

Your permit for temporary outdoor seating will be active through November 1, 2020, or until the Governor rescinds authorization for temporary outdoor seating, whichever occurs first.

COVID-19 workplace safety standards have been issued for restaurants. A reminder that all Restaurants must comply with the safety standards when offering outdoor or indoor service.

Please do not hesitate to reach out with any questions you may have. We wish you the best of luck in your re-opening.

Sincerely,

Louise Miller Town Administrator

Roma bleller

Enclosure: Temporary license for The Dudley Chateau



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

DRAFT Meeting Minutes
BOARD OF SELECTMEN
Monday, May 10, 2021
6:00 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 DAVID V. WATKINS

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 live streamed 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 designated time.

Attendance: Lea T. Anderson, Mary M. Antes, Thomas J. Fay, Cherry C. Karlson, David V. Watkins. The Board participated remotely by video-teleconferencing via Zoom and WayCAM. C. Karlson participated by video-teleconference and was also present at Town Building.

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, and Management Analyst Seath Crandall

A1. Call to Order by Chair, Review the Agenda for the Public At 6:02 p.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was present and reviewed the agenda. C. Karlson announced that the meeting would be broadcast and recorded by WayCAM in compliance with revised Open Meeting Law requirements and announced by full name each Board member who was present. C. Karlson announced that no in person attendance by members of the public would be permitted, provided a phone number for the public to call to offer comments, and reviewed the procedure to participate via Zoom.

A2. Announcements and Public Comment M. Antes reminded residents about the Town Election on Tuesday, May 11. C. Karlson and T. Fay thanked L. Anderson and M. Antes for their service on the Board.

Gretchen Dresens, Main Street, joined by teleconference to offer comment related to a previous letter she had submitted regarding the school bus parking issue. G. Dresens voiced concern that the previous letter was not addressed at the last meeting and/or was only listed in Correspondence. G. Dresens read the letter expressing opposition to parking school buses at the 195 Main Street property.

Richard Turner, Nob Hill Road, joined by teleconference to ask the Board why Wayland was considering opting out of the mosquito control. C. Karlson noted it was on the agenda for discussion.

A3. 2021 Annual Town Meeting Article 10 FY 2022 Omnibus Budget 1) Discussion and vote position on article L. Miller reported there would be two motions for the omnibus budget for Annual Town Meeting. There are no changes to the operating budget motion, a handout has been added with detail of the funding sources. L. Miller reported that a revised capital budget was drafted to include an additional \$1.6 million capital expenditure for PFAS remediation.

L. Anderson moved, seconded by T. Fay to support Article 10 FY 2022 Omnibus Budget as presented with amended numbers. In discussion, D. Watkins expressed opposition due to the fact that new initiatives were included in the budget. C. Karlson noted there are no new initiatives in the Town budget. T. Fay asked if there were initiatives that D. Watkins would move to delete or reduce. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: none. Adopted 4-1

A4. 2021 Annual Town Meeting: discussion of articles, preparation for meeting, update on logistics, as needed. There was discussion about the final motions and abbreviated presentation procedures. L. Miller noted that the Town would provide revised motions and responses to the comments and questions from the Warrant

Hearing. T. Fay informed the Board that he was working on more specific land parcel information for the COA/CC article. L. Miller noted that weather updates would be shared through the web and the four Town of Wayland Facebook pages.

A5. Town Administrator update a. COVID-19 Update b. School Bus Parking Update c. River's Edge update d. Election e. PMBC Status Report f. Per- and Polyfluoroalkyl substances (PFAS) g. Police Reform & Town Policy Changes with Interim Chief of Police h. Outdoor Service License Application for Dudley Chateau; potential vote of Board of Selectmen i. Departmental Reports: COA, Youth & Family and Recreation j. River's Edge Sewer Connection Project Bid Result update k. Update on Regional Housing Services Office (RHSO) 1. Potter / Stone Bridge Road Bridge Report

A5.a. COVID-19 Update L. Miller reported that the Health Director was preparing an updated memorandum as the state begins lifting restrictions, and noted that there is more demand for Council on Aging and Recreation services in Town Building. L. Miller reported that the Town had expended between \$2.1 to \$2.2 million dollars in COVID-19 response expenditures from the General Fund through March 31, 2021, which includes \$835,000 in School Department expenses. L. Miller reported that the Facilities Department and Health Department continue to incur COVID-19 related expenses with no funding sources. The Town has applied for reimbursement for eligible expenditures through the Coronavirus Aid, Relief, and Economic Security Act (CARES) and Federal Emergency Management Agency (FEMA) and other available grants. L. Miller reviewed the potential for the American Rescue Plan Act (ARPA) Direct Aid. There was a discussion about third quarter financial status and projections for fourth quarter.

A5.g. Police Reform & Town Policy Changes with Interim Chief of Police L. Miller reported there was a new police reform law enacted last year that changes some aspects of police operations. The state established the Massachusetts Peace Officer Standards and Training (POST) Commission that oversees police officer certification and investigations into police misconduct. Wayland officers are currently certified but will be up for recertification under new standards. L. Miller noted that some policies will need to be updated and are being reviewed by Interim Police Chief Sean Gibbons, who joined the meeting by video-teleconference to discuss the changes in certification process with the Board. The Board requested the policies be placed on a future agenda for vote.

A5.b. School Bus Parking Update L. Miller reported that no decision on a location has been made, and that all proposed options are under review. The Town will issue an RFP to learn if there are any private locations in Wayland to park the buses. L. Miller noted that she had received several email and phone calls, but does not understand the preference for buses to be parked on a private lot over a public lot. L. Miller has received numerous comments that the buses should not be parked within the Town of Wayland. C. Karlson noted that the Town should be mindful of parking Wayland buses in other communities. L. Miller suggested a small working group, composed of herself, the Chair of the Economic Development Committee and a School Committee member who volunteered to help solve the issue. The group would work to find a location to park 23 school buses, 25 cars, and a trailer that requires basic utilities. L. Miller reported that the Town had been working on this issue and that there had been a previous RFP response that was cost prohibitive, as well as other proposed lots that were investigated, but deemed unsuitable. L. Miller welcomed new ideas for locations where the buses could be parked. T. Fay noted there were two unused parcels under control of the School Committee at Alpine Road and off of Holiday Road. C. Karlson noted that the Energy & Climate Committee follows closely the advancements of the option of electric school buses, but so far have found that the battery life does not tolerate cold temperatures well.

A5.c. River's Edge update L. Miller reported that the Waste Water Management District Commission would review the draft Operation and Maintenance Agreement on May 13. An amendment had been drafted but was not yet ready for review and signature.

A5.j. River's Edge Sewer Connection Project Bid Result update L. Miller reported that the bids for the sewer connection were opened on May 10; the lowest qualified bid was for \$1.4 million dollars with a contractor who has worked in Town previously. The notice to award would be ready for the May 24 meeting.

A5.d. Election L. Miller reported that the Town Election will be held on Tuesday, May 11, and the polling locations are ready.

A5.e. PMBC Status Report L. Miller reviewed the status reports included in the packet from the Permanent Municipal Building Committee; reports were issued for projects that were to be heard at Annual Town Meeting.

- **A5.f. Per- and Polyfluoroalkyl substances (PFAS)** L. Miller reported that a press release would be issued on May 11 to update all residents on the status of the PFAS6 remediation. The Board of Public Works was also planning to discontinue the distribution of bottled water on May 19 and switch to a rebate program for the subgroups identified as sensitive to PFAS.
- **A5.h.** Outdoor Service License Application for Dudley Chateau; potential vote of Board of Selectmen L. Miller reported that the Conservation Commission discussed the matter last week and that the Conservation Agent and the owner of the Dudley Chateau were working together.
- **A5.i. Departmental Reports: COA, Youth & Family and Recreation** L. Miller reviewed the departmental updates included in the packet to summarize services currently provided to residents.
- A5.k. Update on Regional Housing Services Office (RHSO) No update was provided.
- A5.1. Potter / Stone Bridge Road Bridge Report L. Miller reported that the Town received a report regarding the location of the new Potter/Stone Bridge Road Bridge with respect to the town boundary between Wayland and Framingham, and noted there were two firms that looked at this issue. L. Miller reported that the Town hired a surveyor to review the boundaries; the surveyor prepared an opinion letter that indicated the methodology for determining boundary lines when a river moves. The surveyor did not define a town boundary. Town Counsel advised that the only instance where the Town would not be permitted to expend funds on infrastructure, is if the bridge were entirely in Framingham and the Town could not ascertain a benefit from the infrastructure. L. Miller referred to the inter-municipal agreement between the Town of Wayland and the City of Framingham. C. Karlson recommended to allow the public more time to comment and to discuss the topic with the new Board at a meeting in June.
- A6. State Reclamation and Mosquito Control Board (SRMCB): discuss and potential vote to submit application to opt-out of SRMCB Spraying L. Miller reported on a new state law enacted in July 2020 that allows municipalities to opt-out of SRMCB mosquito spraying programs; there are requirements to opt-out including a provision of an alternative mosquito control program. The Town participates in the East Middlesex Mosquito Control Project as reviewed by the Board of Health annually and is funded by \$15,000 in the Health Department budget. Natick, Hudson, Sudbury and Framingham are not opting out of the program. The Health Director and Town Administrator recommended against opting out given the recent EEE public health risks. M. Antes asked for the Conservation Administrator to opine on the effects on the environment. T. Fay recommended continuing with the program; the Board members concurred.
- **A7. Board of Selectmen Sign Policy: review and discussion of next steps. Potential vote** C. Karlson reviewed the sign policy as included in the packet. There was a discussion about the process to determine the sign policy, how to define a public way, and who would enforce violations of the sign policy. The topic was tabled to a future meeting.
- **A8. Committee Appointments: potential vote to appoint**: There was a discussion regarding the determination of the chair of the Human Rights, Diversity, Equity & Inclusion Committee (HRDEIC).
- T. Fay moved, seconded by M. Antes to appoint the roster of appointees as listed on the agenda with the respective term end dates, but for K. Blumenfeld to a term ending June 30, 2023 and the vacant position to a term ending June 30, 2022. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Committee	Potential Appointee	Term End Date
Human Rights, Diversity, Equity & Inclusion	Karen Blumenfeld	June 30, 2023
Committee	Richard Lee	June 30, 2022
*Comprising of:	Jessica Schendel	June 30, 2022
9 Voting members	Ingrid Palacios	June 30, 2023
7 non-voting members	Yamini Ranjan	June 30, 2023
(2 of which shall be student members)	Vacant	June 30, 2022
(2 of which shall be student members)	Dovie King	June 30, 2024
	Yauwu Tang	June 30, 2024
(S) indicates student	Heather Pineault	June 30, 2024

Non-Voting Members

Kylie Byrne (S)	June 30, 2022
Adrienne Correia (S)	June 30, 2022
Isabella Donovan (S)	June 30, 2023
Isabel Xue (S)	June 30, 2023
Jenny Levine	June 30, 2024
Janot Mendler De Suarez	June 30, 2024
Jane Sciacca	June 30, 2024

A9. Minutes April 15, April 26, April 29, May 3 and May 5, 2021; review and vote to approve

Executive Session minutes – vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with Wayland DPW Association; Teamsters Local 170:

July 20, 2020	Nov 23, 2020	April 5, 2021
Aug 17, 2020	Dec 14, 2020	April 15, 2021
Sep 21, 2020	Jan 11, 2021	_
Oct 26, 2020	Mar 8, 2021	

Executive Session minutes – vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with Local 690 Wayland-1 American Federation of State, County and Municipal Employees (AFSCME 690 Wayland -1) and Local 690 Wayland - 2 American Federation of State, County, and Municipal Employees (AFSCME 690 – 2);

July 20, 2020	Mar 8, 2021
Feb 1, 2021	April 5, 2021

L. Anderson moved, seconded by M. Antes to approve the minutes of April 26, 2021 as amended, April 29, 2021 as written. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Anderson to vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with Wayland DPW Association; Teamsters Local 170 for the dates listed on the agenda. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

M. Antes moved, seconded by L. Anderson to vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with Local 690 Wayland-1 American Federation of State, County and Municipal Employees (AFSCME 690 Wayland -1) and Local 690 Wayland - 2 American Federation of State, County, and Municipal Employees (AFSCME 690 – 2) for the dates as listed on the agenda. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A10. Consent: review and vote to approve.

- 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 accepting, with thanks, a gift in the amount of \$16,790.00 from the Wayland Public Schools Foundation for the purpose of contributing to the purchase of playground equipment at Claypit Hill School
- 4. Vote the question of accepting, with thanks, a gift in the amount of \$9,041.00 from the Wayland Public Schools Parent Teacher Organization, Inc. for the purpose of contributing to the purchase of playground equipment at Claypit Hill School.
- Vote the question of approving and signing Task Order no. 2 for Contract #19-1062 with BETA Group for bidding and construction process services for the Happy Hollow and Claypit Hill Schools Playground Project., 2024

- M. Antes moved, seconded by L. Anderson, to approve the Consent Calendar. In discussion, C. Karlson acknowledged the donations from the WPSF and the PTO. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.
- **A11. Correspondence** The Board reviewed the Correspondence in the packet. C. Karlson acknowledged the previous public comment that questioned why correspondence is not posted publicly in the packet online and merely listed. She noted that all correspondence is considered public documents and can be requested and reviewed by the public. C. Karlson noted that correspondence is shared with the Board as soon as possible, and historically the timing was such that the Town Administrator often did not have an opportunity to review and address the concerns prior to the meeting. C. Karlson noted that the content of the Consent Calendar is no longer shared online due to security concerns resulting from recent attempts at cyber fraud.
- A12. Selectmen's Reports and Concerns There were none.
- A13. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any There were none.
- A14. Enter into 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 New England Police Benevolent Association (NEPBA)/ Wayland Police Officers Union (WPOU) Local 176; The Wayland Library Staff Association MFT, AFT, AFL-CIO
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road;
- III. Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (3) to conduct strategy with respect to pending litigation following a Department of Labor Relations Complaint filed be the Wayland Library Staff Association MFT, AFT, AFL-CIO
- IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of May 3; Approve and Hold: Executive Session minutes of May 3, 2021, and
- V. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and consider for potentially release the following executive session minutes related to discussing strategy with respect to collective bargaining with New England Police Benevolent Association (NEPBA)/ Wayland Police Officers Union (WPOU) Local 176;

July 31, 2019	Dec 16, 2019	July 7, 2020
Aug 26, 2019	Feb 3, 2020	Aug 17, 2020
Oct 2, 2019	Feb 10, 2020	Aug 28, 2020
Oct 15, 2019	Feb 24, 2020	May 3, 2021
Nov 25, 2019	Mar 9, 2020	•

And to review and consider for potentially release the following executive session minutes related to consider the purchase, exchange, taking, lease or value of real estate in regard to the final purchase price, payment details related to the wastewater connection, and the twelfth amendment to the Land Disposition Agreement pertaining to the Rivers Edge Project at 484-490 Boston Post Road;

Jan 30, 2017	June 3, 2019	Nov 8, 2019	Oct 26, 2020
Feb 13, 2017	June 10, 2019	Nov 25, 2019	Nov 9, 2020
June 19, 2017	July 15, 2019	Dec 16, 2019	Nov 23, 2020
July 24, 2017	July 31, 2019	Jan 6, 2020	Dec 3, 2020
Sept 5, 2017	Aug 26, 2019	Jan 13, 2020	Dec 7, 2020
Sept 18, 2017	Sept 9, 2019	Feb 3, 2020	Dec 14, 2020
Sept 27, 2017	Sept 23, 2019	June 25, 2020	Jan 4, 2021
Oct 2, 2017	Oct 2, 2019	July 13, 2020	Jan 8, 2021
Aug 20, 2018	Oct 15, 2019	Aug 28, 2020	Jan 11, 2021
Aug 27, 2018	Oct 28, 2019	Sept 21, 2020	Jan 19, 2021

At 8:42 p.m., Chair C. Karlson moved, seconded by L. Anderson, that the Board of Selectmen enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with New England Police Benevolent Association (NEPBA)/ Wayland Police Officers Union (WPOU) Local 176; the Wayland Library Staff Association MFT, AFT, AFL-CIO; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road; pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (3) to conduct strategy with respect to pending litigation following a Department of Labor Relations Complaint filed be the Wayland Library Staff Association MFT, AFT, AFL-CIO; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of May 3 with the intent to hold said minutes; and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and consider for potentially release the following executive session minutes related to discussing strategy with respect to collective bargaining with New England Police Benevolent Association (NEPBA)/ Wayland Police Officers Union (WPOU) Local 176; fourteen sets of minutes listed on the agenda. And to review and consider for potentially release the following executive session minutes related to consider the purchase, exchange, taking, lease or value of real estate in regard to the final purchase price, payment details related to the wastewater connection, and the twelfth amendment to the Land Disposition Agreement pertaining to the Rivers Edge Project at 484-490 Boston Post Road; minutes as listed on the agenda.

- C. Karlson declared that a public discussion of these matters may have a detrimental effect on the litigating, negotiating, or bargaining position of the Town. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.
- C. Karlson invited attendance by Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, and Management Analyst Seath Crandall. C. Karlson announced that the Board would adjourn from the executive session and not return in open session.

A15. Adjourn. At 10:16 p.m., the Board adjourned from Executive Session and did not reconvene in open session.

Items Distributed for Information and Use by Board of Selectmen during the Meeting of May 10, 2021 otherwise not in Packet

- 1. Memorandum Draft Proposed Capital Budget Fiscal 2022 breakdown and PFAS Capital Budget Item Blurb
- 2. Memorandum from Town Administrator to Board of Selectmen dated May 10, 2021 re: Recommendation re Opt-Out of State Reclamation and Mosquito Control Board ("SRMCB") Conducted Mosquito Spraying
- 3. Framingham-Wayland Town Line Report Sudbury River Potter Road-Framingham Stonebridge Road Wayland as prepared by Guerriere & Halnon, Inc.

Items included in the Agenda Packet during the Board of Selectmen Meeting of May 10, 2021

- 1. Article 10. Fiscal Year 2022 Omnibus Budget
- 2. Draft Motion for Article 10 Motion 2 for Capital Budget dated May 6, 2021
- 3. Link to 2021 Annual Town Meeting Warrant
- 4. Memorandum from Wayland Interim Police Chief to Town Administrator dated May 3, 2021 re: Parking for Town Meeting
- 5. Memorandum from Town Administrator's Office to Town Officials dated May 7, 2021 re: Town Meeting Handout Procedure
- 6. Board of Health COVID-19 Case Update as of April 30, 2021
- 7. Permanent Municipal Building Committee Status report dated April 28, 2021 re: Loker Turf Field Construction
- 8. Memorandum from Town Administrator and Interim Police Chief dated May 10, 2021 re: Police Reform Law Update
- 9. Legal Bulletin from Massachusetts Association of Chiefs of Police re: Police Reform Municipal Agency Action Items.
- 10. Draft Police Policy and Procedures as prepared by Wayland Interim Police Chief

- 11. Outdoor Temporary Service License Application for the Dudley Chateau Restaurant
- 12. Departmental Report from the Council on Aging dated May 2021
- 13. Departmental Report from Youth and Family Services dated May 2021
- 14. Departmental Report from Recreation Department dated May 2021
- 15. State Reclamation and Mosquito Control Board Municipality Opt-Out overview process and Opt-out Application
- 16. Draft Board of Selectmen Policy on Signs and Sign Boards within Town Department of Public Works Sign up form for Town Bulletin Boards AKA Sign Boards
- 17. Links to Human Rights, Diversity, Equity and Inclusion (HRDEI) Committee's Charge and
- 18. Letters of Interest and Resumes of all Applicants
- 19. Draft Board of Selectmen Minutes of April 26, 2021
- 20. Draft Board of Selectmen Minutes of April 29, 2021

CORRESPONDENCE

- 1. Correspondence from Town Selectmen's Office to Board and Committee Chairs dated May 4, 2021 re: Upcoming deadline for 2021 Annual Reports
- 2. Correspondence from Town Selectmen's Office to Elements Massage Wayland dated May 4, 2021 re: Request for Aid Response
- 3. Correspondence from Paul Dale to Board of Selectmen dated May 3, 2021 re: Concern regarding the Synthetic Turf at Loker.
- 4. Correspondence from Gretchen Dresens dated May 3, 2021 re: Concern regarding Bus Parking at 195 Main Street.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

DRAFT Meeting Minutes
BOARD OF SELECTMEN
Monday, May 24, 2021
7:00 p.m.
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

BOARD OF SELECTMEN
THOMAS J. FAY
ADAM G. GUTBEZAHL
CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

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 live streamed 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 designated time.

Attendance: Thomas J. Fay, Adam G. Gutbezahl, Cherry C. Karlson, Carol B. Martin, David V. Watkins. The Board participated remotely by video-teleconferencing via Zoom and WayCAM. C. Karlson participated by video-teleconference and was also present at Town Building.

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, and Management Analyst Seath Crandall

- **A1. Call to Order by Chair, Review the Agenda for the Public:** At 7:00 p.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was present and reviewed the agenda. C. Karlson announced that the meeting would be broadcast and recorded by WayCAM in compliance with revised Open Meeting Law requirements and announced by full name each Board member who was present. C. Karlson announced that no in person attendance by members of the public would be permitted, a phone number for the public to call to offer comments and reviewed the procedure to participate via Zoom.
- **A2. Announcements and Public Comment:** C. Karlson welcomed newly elected Board members A. Gutbezahl and C. Martin to the Board. There was no public comment.
- A3. Organization of the Board 1) Discussion and vote to elect Chair and Vice Chair/Clerk 2) Board Liaison Roles: review and discuss liaison role and assignments for 2021-2022 3) Assign and vote responsibility for reviewing/tracking minutes and executive session minutes 4) Governance Guidelines: review and update as needed, vote to reissue 5) Meeting schedule
- **A3.1)** Discussion and vote to elect Chair and Vice Chair/Clerk: C. Karlson moved, seconded by C. Martin to nominate T. Fay to serve in the role as the Chair. T. Fay expressed consent with the nomination. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. T. Fay assumed the role of Chair upon the adoption of the motion.
- A. Gutbezahl expressed disinclination to serve as Vice Chair and nominated C. Karlson for the role of Vice Chair. D. Watkins expressed interest to serve as Vice Chair and welcomed a nomination. C. Karlson expressed consent to serve as Vice Chair in response to A. Gutbezahls' nomination. T. Fay expressed support for the nomination of C. Karlson.
- C. Martin stated Ms. Karlson had served as either the Vice-Chair or Chair since joining the BoS and in the interest of building depth on the Board moved to nominate D. Watkins to serve as the Vice Chair. Seconded by D. Watkins. Roll Call Vote: YEA: C. Martin, D. Watkins. NAY: T. Fay, A. Gutbezahl, C. Karlson. ABSENT: none. ABSTAIN: none. Motion did not pass 2-3.
- A. Gutbezahl moved, seconded by C. Karlson to nominate C. Karlson to serve as Vice Chair. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson. NAY: C. Martin, D. Watkins. ABSENT: none. ABSTAIN: none. Adopted 3-2. C. Karlson assumed the role of Vice Chair upon the adoption of the motion.

- **A3.2)** Board Liaison Roles: review and discuss liaison role and assignments for 2021-2022: A discussion ensued regarding the Board Liaison roles. The Board made some revisions to the draft assignments of Board Liaison Roles and inserted missing boards, committees and commissions. The revised assignments would be reviewed and voted at the next meeting.
- A3.3) Assign and vote responsibility for reviewing/tracking minutes and executive session minutes: There was a discussion about the length of time the designated Board member would serve as the meeting minutes reviewer. C. Martin suggested minutes be assigned on monthly basis. D. Watkins recommend the Board hire a staff person to review the drafted meeting minutes and reassess the level of detail that is included in the minutes to lessen the workload. A. Gutbezahl opined that the level of detail in the minutes should be in the spirit of the Open Meeting Law. C. Karlson agreed to draft and edit Executive Sesson minutes. There was general agreement that minutes would be assigned on a 2–3-month basis. T. Fay will develop and present minutes schedule at the next meeting. C. Martin volunteered to be minute reviewer for May 24th meeting.
- **A3.4)** Governance Guidelines: review and update as needed, vote to reissue: The Board made suggested revisions to the governance guidelines as presented in the packet. D. Watkins recommended that the Board consider a revision to allow all members of the Board the authority to contact Town employees. L. Miller indicated that some guidelines are state law. T. Fay requested L. Miller to make the revisions as discussed and present them at the next meeting.
- **A3.5) Meeting schedule:** T. Fay reviewed the draft calendar. He recommended the Board meet twice monthly on Monday evenings and requested members to share any planned personal vacations. A Gutbezahl requested meetings begin at 7:00 p.m. L. Miller reported that a quorum of the Board would be required to meet in person beginning on June 15, 2021.
- A4. Code of Conduct: Volunteer Conduct; HR Manager, Personnel Board and Board of Selectmen roles: C. Karlson reported that she and Human Resource Manager Kathleen Buckley attended a Code of Conduct training presented by Massachusetts Municipal Association on May 12. C. Karlson reported that there had been some complaints in regard to conduct between volunteers and staff. D. Watkins cautioned about personnel issues and censorship, and suggested the policy follow labor law. C. Karlson reported that the staff are held to legal personnel standards and volunteers are not necessarily held to the same standard.

A5. Annual Town Meeting: follow up on Town Meeting, review next steps for Articles, discuss time tables 1) Staff work 2) Relation to Board Goals; Prioritization 3) Annual Town Meeting 2022

The discussion regarding results of the Town Meeting action was as follows:

- Article 4. OPEB Funding: L. Miller reported the Treasurer would make the transfer to the fund.
- Article 5. Rescind Transfer Station Revolving Fund: L. Miller reported that the Finance Director and Treasurer would certify the votes and relay the information to the Department of Revenue.
- Article 11. Capital Stabilization Fund: L. Miller reported staff would transfer the funds and the Board would need to develop a policy. T. Fay recommended that the topic be discussed at a future meeting.
- Article 12. CPA Set Asides and Transfers: L. Miller reported that there was a need to conduct a reconciliation of the CPA Account.
- Article 13. Senior Citizen Tax Work Off Exemption: L. Miller reported that the Board would need to work with Human Resources, the Assessing Department and the Council on Aging to establish a program for senior tax work off exemption
- Article 14. Accept Spencer Circle: L. Miller reported there were 120 days from May 16 to complete finalize Easement and Order of Taking documents with Town Counsel.
- Article 16. Remote Participation at Town Meeting: D. Watkins volunteered to work on this item.
- Article 17. Community Choice Aggregation for Electricity: Town Administrator and Facilities Director
 to work with Energy & Climate Committee prepare aggregation plan to submit to Department of Energy
 Resources (DOER) for input.

- Article 18. Loker Elementary School Solar Agreement: L. Miller suggested the Board enter into a Power Purchase Agreement (PPA) and Payment in Lieu of Taxes (PILOT) agreement for only the rooftop units to be installed when the roof is installed, independent of the parking lot units.
- Article 19. Resolution to Declare a Climate Emergency: A. Gutbezahl recommended to take action with the Energy and Climate Committee within 90 days. L. Miller reported that the Governor also recently signed a similar climate resolution. L. Miller recommended that the Board also discuss prioritization due to the three Energy & Climate initiatives that were approved at ATM.
- Article 20. Select Board /Town Manager Act: L. Miller confirmed the Town Clerk would submit a Special Act to the state legislature.
- Article 24. Purchase of Land Located at Town Center: T. Fay reported that Town would continue negotiations with BOS Retail 1 LLC to obtain the parcel.
- Article 28. CPA Historic Preservation: Rehab 70-74 Main St: L. Miller reported that Town Counsel will draft a grant agreement and historic restriction and the Town will review to ensure it meets the Town Requirements.
- L. Miller suggested that the Town establish standard motion language for standard articles. T. Fay recommended that the Board review the by-law that requires motions be identical to the draft warrant article language to streamline the process between the mover and the Town Moderator. L. Miller recommended that the Board review the procedure and timeline for petitioner articles. C. Karlson suggested that the Board set the date for the next Town Meeting early.
- A6. Fiscal Year 2021 Budget: third quarter budget report; year-end projections, potential year end budget position and related transfers: L. Miller reviewed the FY2022 Q3 budget report, year-end projections and impact of Covid-19 on the FY22 budget. L. Miller reported the FY22 budget and tax collections are on track. She explained that while Local receipts is under budget, the shortfall is expected to be covered by permit and other fees. L. Miller provided an overview of anticipated year end transfers of which Health Insurance, General Insurance and Facilities will be the most significant. L. Miller stated the current yer end estimated turnback is \$500,000.
- L. Miller reported that the Town has applied for the maximum allowable reimbursement for eligible expenditures through The Coronavirus Aid, Relief, and Economic Security Act (CARES). The Town is working on reimbursement from Federal Emergency Management Agency (FEMA) and other available grants. L. Miller reported that Facilities Department and Health Department continue to incur COVID-19 related expenses with no funding sources, approximately \$300,000, with another \$150,000 in unemployment expenses not covered by any COVID-19 grant. L. Miller reviewed the potential for American Rescue Plan Act (ARPA) Direct Aid. L. Miller described the end-of-year transfers expected and estimated a \$500,000 turnback.
- A7. Town Administrator update a. COVID-19 Update b. School Bus Parking Update c. River's Edge update d. Per- and Polyfluoroalkyl substances (PFAS) update e. Restaurants permission for outside dining after the State of Emergency expires; installation at Town Center (Complete Streets grant) f. Outdoor Service License Application for Dudley Chateau; potential vote of Board of Selectmen g. Memorial Day Service by Public Ceremonies Committee h. RHSO Housing update i. Police Chief Search j. Oxbow Field Update
- A7.a. COVID-19 Update: L. Miller reported that some state restrictions for face coverings, occupancy limits and gathering size limits have been lifted, the state of emergency would be lifted on June 15 at the state level. L. Miller recommended that permits for Outdoor Seating for Wayland restaurants be reviewed. L. Miller reported that the state has approved a regional collaboration for vaccination distribution, which may result in an inter-municipal agreement. L. Miller reported that this may become necessary for future COVID-19 booster shots or additional vaccination that may become required to protect against variants. A. Gutbezahl suggested the Town publish data on vaccination of residents.
- **A7.b. School Bus Parking Update:** L. Miller reported that the Chair of the Economic Development Committee (EDC), Becky Stanizzi and School Committee designee Kathie Steinberg, are reviewing the options for school bus locations. L. Miller reported she would request that the ZBA extend the current Site Plan approval for parking at Town Building. L. Miller described how the workgroup leverages the progress of the issue. L. Miller reported the

- purpose of the workgroup was to involve members of the public to assist with the issue, which would normally be handled at the staff level. L. Miller reported that workgroups help get feedback from the community to propose a solution to the issue.
- **A7.c. River's Edge Update:** L. Miller reported that the Wastewater Management District Commission continued to review the draft Operation and Maintenance Agreement on May 24, which would be finalized by May 28. L. Miller reported that the DOT permit was approved and the contractor is on board.
- **A7.d. Per- and Polyfluoroalkyl substances (PFAS) Update:** L. Miller reported that several news outlets had reported on Wayland's PFAS issue, recently printed in the Boston Globe and broadcast on Boston 25 News. C. Martin expressed concern that the most recent Globe article implied Wayland was not addressing the PFA's issue.
- A7.e. Restaurants permission for outside dining after the State of Emergency expires; installation at Town Center (Complete Streets grant): L. Miller reported that the Shared Streets grant is being delayed by insurance certificates, but does plan to move forward soon.
- **A5.f.** Outdoor Service License Application for Dudley Chateau; potential vote of Board of Selectmen: L. Miller reported that the Conservation Agent and the owner of the Dudley Chateau continue to work together. C. Karlson reported that the Board received public comment regarding parking on the nearby residential streets. L. Miller would refer to the Police Department.
- **A7.g.** Memorial Day Service by Public Ceremonies Committee: L. Miller reported that there were Memorial Day Services planned on Monday, May 31 at 11:00 am at Lakeview Cemetery. The Public Ceremonies Chair invited members of the Board to the service. T. Fay, A. Gutbezahl and D. Watkins indicated their plans to attend. T. Fay will offer opening remarks.
- **A7.h. Regional Housing Services Office (RHSO) Update:** L. Miller reported that the RHSO consultant would assist the Town with meeting all the requirements for the Alta River's Edge project. L. Miller reported that the 218 units had been approved. L. Miller reported that the RHSO would meet again on June 9.
- **A7.i. Police Chief Search:** L. Miller reported the Town Administrator's Advisory Group has a subgroup that was working on policing. L. Miller reported that the group prepared a town-wide survey for Wayland residents, and there will be community outreach and Police Chief Profile and Town profile would be drafted.
- A7.j. Oxbow Field Update: L. Miller reported there are three outstanding issues with the neighbors: the planting plan, the paved access driveway and the accessibility of the trails. L. Miller reported the Conservation Agent visited the site and was comfortable with closing the permit. L. Miller reported Assistant Town Administrator, J. Bugbee is working on the issue of the access driveway that was paved in error and will be heard by the Planning Board. L. Miller reported the third issue is the accessibility of the installed pathways, adding the contractor could not likely be held responsible for the path as it was built to specifications. L. Miller recommended the Town release the contractor and procure a second contractor to ensure the new path is accessible.
- A8. Route 20 Corridor: Beginning discussion of scope of work, potential zoning changes and possible funding sources: T. Fay described the recent progress along the Route 20 corridor. L. Miller reported that the repaving and sidewalks planned by MassDOT would not be completed this summer, and the Town would be responsible for any ornamental additions. C. Karlson recommended that the Board consult with the Economic Development Committee (EDC) and the private business along Route 20. D. Watkins recommended that the Board conduct a simple data gathering survey to garner public input. A. Gutbezahl suggested a public comment forum. T. Fay would relay the ideas to the EDC.
- **A9. Town Administrator Contract:** announcement of terms effective September 1, 2020: C. Karlson summarized the previous review of the Town Administrator and contract negotiations that had been negotiated and approved in Executive Session. C. Karlson reported that the salary would be adjusted 2% effective September 1, 2020, increase for vehicle allowance and deferred compensation, totaling \$225,000. C. Karlson described the how the adjustments compared to Town Administrators and Town Managers contracts of eleven peer communities and took into consideration the favorable evaluation for 2020.
- A10. Minutes May 3, May 10, May 15 and May 16, 2021; review and vote to approve

Executive Session minutes – vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with New England Police Benevolent Association (NEPBA)/ Wayland Police Officers Union (WPOU) Local 176;

July 31, 2019	Dec 16, 2019	Mar 9, 2020	Aug 28, 2020
Aug 26, 2019	Feb 3, 2020	July 7, 2020	May 3, 2021
Oct 2, 2019	Feb 10, 2020	Aug 17, 2020	·
Nov 25, 2019	Feb 24, 2020	~	

Executive Session minutes – vote to release with redactions the executive session minutes related to consider the purchase, exchange, taking, lease or value of real estate in regard to the final purchase price, payment details related to the wastewater connection, and the twelfth amendment to the Land Disposition Agreement pertaining to the Rivers Edge Project at 484-490 Boston Post Road;

Jan 30, 2017	June 10, 2019	Dec 16, 2019	Dec 3, 2020
Feb 13, 2017	July 15, 2019	Jan 6, 2020	Dec 7, 2020
June 19, 2017	July 31, 2019	Jan 13, 2020	Dec 14, 2020
July 24, 2017	Aug 26, 2019	Feb 3, 2020	Jan 4, 2021
Sept 5, 2017	Sept 9, 2019	June 25, 2020	Jan 8, 2021
Sept 18, 2017	Sept 23, 2019	July 13, 2020	Jan 11, 2021
Sept 27, 2017	Oct 2, 2019	Aug 28, 2020	Jan 19, 2021
Oct 2, 2017	Oct 15, 2019	Sept 21, 2020	Jan 21, 2021
Aug 20, 2018	Oct 28, 2019	Oct 26, 2020	Jan 26, 2021
Aug 27, 2018	Nov 8, 2019	Nov 9, 2020	Jan 27, 2021
June 3, 2019	Nov 25, 2019	Nov 23, 2020	

- C. Martin moved, seconded by C. Karlson to approve the minutes of May 15, 2021 and May 16, 2021. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: ABSENT: none. ABSTAIN: A. Gutbezahl. Adopted 4-0-1.
- C. Karlson moved, seconded by D. Watkins to approve the minutes of May 3, 2021. Roll Call Vote: YEA: T. Fay, C. Karlson, D. Watkins. NAY: ABSENT: none. ABSTAIN: A. Gutbezahl, C. Martin. Adopted 3-0-2.

No action was taken on the minutes of May 10, 2021

- C. Karlson moved, seconded by D. Watkins to vote to release with redactions the executive session minutes related to discussing strategy with respect to collective bargaining with Wayland DPW Association; Teamsters Local 170 for the dates listed on the agenda. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, D. Watkins. NAY: ABSENT: none. ABSTAIN: C. Martin. Adopted 4-0-1.
- C. Karlson moved, seconded by D. Watkins vote to release with redactions the executive session minutes related to consider the purchase, exchange, taking, lease or value of real estate in regard to the final purchase price, payment details related to the wastewater connection, and the twelfth amendment to the Land Disposition Agreement pertaining to the Rivers Edge Project at 484-490 Boston Post Road for the forty three (43) dates as listed on the agenda. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, D. Watkins. NAY: ABSENT: none. ABSTAIN: C. Martin. Adopted 4-0-1.

A11. Consent: Review and Vote to Approve:

- 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 ratifying the expenditure of \$4,044.99 for Capital project: COVID-19 Ventilation Improvements as approved by 2020 Annual Town Meeting
- 4. Vote the question of accepting with thanks one (1) donation in the amount of \$25.00 to the Testing for COVID-19 in the Wayland Schools Fund.
- 5. Vote the question of accepting with thanks a gift of a 2014 Ford Cutvan E4SUP from the Metrowest Regional Transit Authority to the Town of Wayland for use by the Council on Aging
- 6. Vote to dissolve, with thanks, the River's Edge Advisory Committee effective immediately

- C. Karlson moved, seconded by D. Watkins, to approve the Consent Calendar. In discussion, C. Karlson and T. Fay noted a revision in item #3 as listed on the revised agenda, and that item #6 would dissolve a River's Edge Advisory Committee and thanked them for their work. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: ABSENT: none. ABSTAIN: none. Adopted 5-0.
- **A12. Correspondence:** The Board reviewed the Correspondence in the packet.
- **A13. Selectmen's Reports and Concerns:** D. Watkins recommended that the Board review the charge of the Local Emergency Planning Committee (LEPC). D. Watkins reported that the Cable Advisory Committee was challenged by a lack of response from a particular vendor and requested the item be put on a future agenda. D. Watkins reported that he had a discussion with one of the chairs of the Recreation Commission and recommended that the Board discuss recreation initiatives.
- C. Martin recommended that the Board discuss the Board's goals at a future meeting. A. Gutbezahl thanked the community for its recent support for his family when his child was born.
- C. Karlson reported that the COVID-19 Assistance Program has completed its work and will close the fund and provide a report. C. Karlson reported that letters had been sent out from Town Administrator's Office to all the recent appointees. C. Karlson reported that the Human Rights, Diversity, Equity, and Inclusion Committee (HRDEIC) will have an introductory meeting to have an OML briefing. C. Karlson noted that the Town of Wellesley recently passed an anti-idling traffic regulation which may be of interest related to the Board's climate goals. C. Karlson reported that the Annual Report was due by September 30.
- T. Fay recommended that the Board review the sign policy at a future meeting. T. Fay acknowledged the correspondence regarding a candidate for local office had initiated a robo-call that masked the call to make it appear that it came from the Town of Wayland. L. Miller reported that this has been addressed, and it had happened before, adding that sometimes the Town seal is used on private websites. L. Miller reported that the Town Clerk consulted with the Ethics Commission, the Office of Campaign and Political Finance (OCPF) and the Secretary of State and learned that the call was not a violation of any ethical policy or law, but the issue would fall under the jurisdiction of the Federal Communications Commission (FCC).

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance, If Any: None.

A15. Adjourn. At 10:07 p.m., C. Martin moved, seconded by C. Karlson, to adjourn the meeting. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items included in the packet during the Board of Selectmen Meeting of May 24, 2021:

- 1. Pages 1 through 5 of Board of Selectmen's Policies and Procedures Packet
- 2. Board of Selectmen Liaison list for 2020
- 3. Proposed Board of Selectmen Liaison list for 2021 DRAFT
- 4. Town of Wayland Governance Guidelines revised June 11, 2018
- 5. 2021 Calendar with Board of Selectmen Meeting Dates
- 6. Code of Conduct Section from Governance Guidelines
- 7. Town of Wayland Policy on Mutual Respect in the Workplace
- 8. Town of Wayland Policy on Standards of Conduct
- 9. Town of Wayland Policy on Protection from Retaliation
- 10. Town of Wayland Policy on Sexual Harassment
- 11. Town of Wayland Policy on Workplace Violence
- 12. 2021 Annual Town Meeting Warrant Table of Contents
- 13. Link to 2021 Annual Town Meeting Warrant
- 14. 2021 Annual Town Meeting Article Worksheet dated May 21, 2021
- 15. Board of Selectmen Goals for FY2021-2022
- 16. Memorandum from Finance Director to Town Administrator dated May 5, 2021 re: Budget Status Report for FY 2021, 3rd Quarter
- 17. Estimated FY 2021 Year end Budget Report

- 18. Governor's Press release dated May 17, 2021 re: lifting of COVID Restrictions May 29, State to Meet Vaccination Goal by Beginning of June, and State of Emergency to end June 15.
- 19. Administrative Consent Order and Notice of Noncompliance from MassDEP to Town of Wayland
- 20. Press Release dated May 20, 2021 re: Wayland PFAS Response Update
- 21. Memorandum from Town Administrator to Board of Selectmen dated May 21, 2021 re: PFAS Update
- 22. List of Wayland Restaurants and status of Temporary Extension of Outdoor Seating
- 23. Correspondence from Alcoholic Beverages Control Commission (ABCC) to Board of Selectmen re: ABCC Advisory Regarding the end of COVID-Related Restrictions
- 24. The Dudley Chateau's Application for Extension of Temporary Outdoor Seating
- 25. Letter to Selectmen from Public Ceremonies Chair dated May 17, 2021 inviting members of the Board to the Memorial Day Service to be held Monday May 31, 2021 11:00 a.m. at Lakeview Cemetery.
- 26. Draft Board of Selectmen Minutes of May 15, 2021
- 27. Draft Board of Selectmen Minutes of May 16, 2021

Correspondence:

- 1. Correspondence from Comcast Xfinity to Board of Selectmen dated May 4, 2021 re: discontinuance of the channel Newsy for Comcast customers.
- Correspondence from National Multiple Sclerosis Society, Greater New England to Town Administrator dated May 5, 2021 re: Permission for Bike MS: Minuteman Ride to be held September 18, 2021.
- 3. Correspondence from Michael Lowery to Board of Selectmen dated May 10, 2021 re: Board of Selectmen Sign Policy Comments.
- 4. Correspondence from Anette Lewis to Board of Selectmen dated May 10, 2021 re: Request to input Town Election and Town Meeting dates on Town's Online Calendar.
- 5. Correspondence from Susan Reed to Town Clerk forwarded to Town Administrator's office dated May 11, 2021 re: Robo-call from Board of Public Works Candidate using Town of Wayland's general phone number and having Town of Wayland Caller ID.
- 6. Correspondence from Gretchen Dresens to Board of Selectmen dated May 12, 2021 re: Concerns regarding School Bus Parking and petition signed by 800 individuals requesting parking not be on any school property with comments.
- 7. Correspondence from Michael Lowery to Board of Selectmen dated May 17, 2021 re: Compliments and appreciation for hard work put into Town Meeting.
- 8. Correspondence from Dave Bernstein to Board of Selectmen dated May 17, 2021 re: Compliments for Town Meeting and data regarding Town Meeting and Budget Article Duration for past Town Meetings.
- 9. Correspondence from Gretchen Dresens to Board of Selectmen dated May 18, 2021 re: Conservation Concern for School Bus Parking at Wayland Middle School.
- 10. Correspondence from Adam Gutbezahl to Board of Selectmen dated May 20, 2021 re: Resignation from the Finance Committee.

Items Distributed for Information and Use by Board during the Meeting of May 24, 2021 Otherwise Not Included in the Packet:

1. Draft Board of Selectmen Minutes of May 3, 2021

BOARD OF SELECTMEN Monday, June 14, 2021 7:00 p.m. Wayland Town Building 41 Cochituate 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 designating Louise Miller, Town Administrator, as the sole signatory to sign off on all approved 2021 Chapter 138 15F Summer Farmer's Market winery permits
- 4. Vote the question of approving the application to allow wine sampling and the sale of wine (to be consumed off-site) at the Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Aaronap Cellars, Noel Powell, Manager, on July 14, August 11, September 8 and October 13, 2021.
- 5. Vote the question of approving the application to allow wine sampling and the sale of wine (to be consumed off-site) at the Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for House Bear Brewing, Carl Hirschfeld, Manager, on July 7, July 28, September 1 and September 22, 2021.
- 6. Vote to approve the applications of the following wine vendors to sell wine at Russell's Summer 2021 Farmer's Market conditional upon receipt of the appropriate fees (where applicable).
 - Vote the question of approving the application to allow wine sampling and the sale of wine (to be consumed off-site) at the Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Mill River Winery, Rick Rousseau, Manager, on June 30, August 4, and September 15.
 - Vote the question of approving the application to allow the sale of wine (to be consumed off-site) at the Summer Farmers' Market at Russell's Garden Center, 397 Boston Post, for Stoneybrook Cider, Michael Lamontage, Manager, on July 21, August 18, September 1 and September 29.
- 7. Vote the question of approving and signing Task Order No. 3 to Contract Agreement number 19-1062 with BETA Group, Inc. for Professional Engineering Services related to Town Hall Parking Lot Reconfiguration and Circulation Improvements.
- 8. Vote the question of approving and signing Tower Lease Agreement with Horizon Towers, LLC for the purpose of installing and operating communications facility and equipment to be located on Reeves Hill, 139 Old Connecticut Path.
- 9. Vote the question of approving and ratifying Town Administrator's signature on signing Task Order No. 19 on Contract Agreement No. 18-2003 with TEC, Inc. The Engineering Corp for a Traffic Monitoring Study at Oxbow Meadows Athletic Fields

BOARD OF SELECTMEN Monday, June 14, 2021 7:00 p.m. Wayland Town Building 41 Cochituate Road, Wayland, MA

- 10. Vote the question of approving and signing agreement with Kleinfelder Northeast Inc. for the purpose of evaluating a possible connection to obtain water from the Massachusetts Water Resources Authority (MWRA)
- 11. Vote the question of approving Wayland Fiscal Year 2022 Property Tax Work Off Program for Seniors
- 12. Vote the question of approving and signing Easement and Conveyance Agreement with 6 Spencer Circle
- 13. Vote the question of approving and signing Easement and Conveyance Agreement with 4 Spencer Circle
- 14. Vote the question to authorize the placement of "Turtle Crossing" signs to be placed at the following locations:
 - Route 27 North at or near Trinity Place
 - Route 27 South at or near Forty Acres Dr.
 - Route 20 at or near Glen Rd
 - Pelham Island Road at or near Heard Rd

PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM JUNE 7, 2021 THROUGH AND INCLUDING JUNE 13, 2021 OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR June 14, 2021

Items distributed to the Board of Selectmen for discussion during June 7, 2021 Meeting otherwise not in Packet

1. <none>

Items included as part of the Agenda Packet for discussion during the June 14, 2021 Board of Selectmen Meeting(s)

- 1. Town of Wayland Declaration of Emergency COVID 19 dated March 20, 2020
- 2. Town of Wayland Memorandum from Town Administrator dated April 19, 2020 re: Leash Dog Order in all Public Spaces
- 3. Town of Wayland Memorandum from Town Administrator dated March 16, 2020 re: Guidance for Field and Playground Usage
- 4. Board and Committee Vacancies as of June 8, 2021
- 5. Economic Development Application from Bradford Young
- 6. Economic Development Application from Emily Kumler Kaplan
- 7. Finance Committee Application from Kelly Lappin
- 8. Finance Committee Application from Abner Bruno
- 9. Finance Committee Application from Brian O'Herlihy
- 10. Finance Committee Application from Michael Hoyle
- 11. Link to the Board of Selectmen's Policies and Procedures Packet
- 12. DRAFT Town of Wayland Governance Guidelines June 7, 2021
- 13. Redline DRAFT Memorandum dated June 7, 2021 from Town Administrator's Office re: Procedure for in Person Board/Committee Meetings Effective June 15, 2021
- 14. eUpdate from KP Law dated June 7, 2021 re: Implications of the Pending Termination of the State of Emergency
- 15. Wayland Department of Health COVID Case update for June 4, 2021
- 16. Wayland Department of Health COVID Vaccination update for June 3, 2021
- 17. Correspondence from The Vertex Companies to Ben Gould dated June 10, 2021 re: Notice of Response to Public Comment for the Release Abatement Measure Plan and Interim Status Report of River's Edge Project
- 18. Correspondence from MMA to Town Administrators dated June 8, 2021 re: Pending Legislation Would Weaken Local Control of the Municipal Reprecincting Process
- 19. Wayland Planning Departmental Report dated June 2021
- 20. Application for Extension of Temporary Outdoor Seating for the Dudley Chateau Restaurant
- 21. Draft Board of Selectmen Minutes of May 10, 2021
- 22. Draft Board of Selectmen Minutes of May 24, 2021
- 23. Picture of Statue to be Donated to Wayland Free Public Library

BOARD OF SELECTMEN
Monday, June 14, 2021
7:00 pm
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

CORRESPONDENCE

- 1. Correspondence from Minuteman High School Director of Finance to Wayland School Director of Finance dated May 27, 2021 re: Fiscal Year 2022 Capital Fee to Nonresident Attending Students.
- 2. Correspondence between Margie Lee and Board of Selectmen Chair dated June 5, 2021 re: Declaration of Climate Emergency and actions taken thus far by Board of Selectmen in goals related to Climate Change.