

PACKET

Jan 11

2021



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

BOARD OF SELECTMEN
LEA T. ANDERSON
MARY M. ANTES
THOMAS J. FAY
CHERRY C. KARLSON
DAVID V. WATKINS

BOARD OF SELECTMEN
Monday, January 11, 2021
5:00 p.m.
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA
Proposed Agenda

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

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

The meeting may be viewed live on the WayCam Government Channel (Comcast 9, Verizon 38). Public Comment will be received either through Zoom** or by phone at 508-358-6812 for this meeting. The phone number will be active during the public comment portion of the meeting. Thank you in advance for your patience; we intend to address all calls that come in during the Public Comment period.

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

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

- 5:00 pm 1. Call to Order, Review Agenda for Public
- 5:03 pm 2. Announcements and Public Comment
- 5:10 pm 3. Fiscal Year 2022 Budget Review: Town Administrator and Finance Director reviews and makes recommendation on all operating and capital budgets, including schools; potential vote to recommend operating and capital budgets to Finance Committee.
- 5:45 pm 4. 2021 Annual Town Meeting:
- a. 2021 ATM articles: review and potential vote to submit
 - Appropriation to Fund BAN
 - Transfer Station Enterprise Fund (3 separate articles)
 - Remote Participation at Annual Town Meeting

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Monday, January 11, 2021
5:00 p.m.
Wayland Town Building
41 Cochrane Road, Wayland, MA

- Purchase of Land for a Council on Aging/Community Center
- 6:15 pm 5. COVID-19: Update from Town Administrator
- 6:30 pm 6. Town Administrator update
- a. Surveillance Testing in Schools
 - b. Kindergarten
 - c. COVID 19 Vaccination Update
 - d. Reeves Hill Communication Tower
- 7:00 pm 7. Eversource Grant of Location Hearing: Rice Road – Westerly side approximately 1770± feet North of Turkey Hill Road; Install one (1) new stub pole #28/22S
CONTINUATION to February 8, 2021 at 7:00pm
- a) Petitioners requests permission to erect or construct a new pole to be owned and used in common by them upon, along, and across the stated location and lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.
 - 1. Re-open Hearing and Read Announcement
 - 2. Presentation and Recommendation
 - 3. Public Comment
 - 4. Board Discussion and Vote
- 7:05 pm 8. River’s Edge: Update to include permitting, easement and wastewater documents, 12th amendment to the land disposition agreement and timeline
- 7:50 pm 9. Minutes – January 2, 2021, January 4, 2021 and January 8, 2021; review and vote to approve
- 7:55 pm 10. Consent: review and vote to approve
- 8:00 pm 11. Correspondence
- 8:05 pm 12. Selectmen’s Reports and Concerns
- 8:10 pm 13. Topics not Reasonably Anticipated 48 hours in advance, if any
- 8:15 pm 14. Executive Session
- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination;

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- II. Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the 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;
- III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with Wayland DPW Association, Teamsters Local 170;
- IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of January 4, 2021 and January 8, 2021

Approve and Hold: Executive Session minutes of January 4, 2021 and January 8, 2021

8:45 pm 15. Adjourn



**TOWN OF WAYLAND
BOARD OF HEALTH**
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

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

Wayland COVID-19 Case Update – January 1, 2021

****Cases are from Thurs December 24-Thurs December 31****

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

	Total Cases to date	Cases as of previous report date	New Cases since last report	Cases Removed from Isolation	Total Current Active Cases
Confirmed (LAB) COVID-19 cases	334	270 as of 12/24/2020	64 as of 12/31/2020	28 since 12/24/2020	67 as of 12/31/2020

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

Sex

Female	159
Male	175

Total Cases as of 12/31/2020

Active Non-Hospitalized	65
Active Hospitalized	2
Recovered	246
Deceased	21
Total	334

Total Ages per Category Deceased

<19	55	0
20-29	35	0
30-39	14	0
40-49	47	0
50-59	45	0
60-69	27	4
70-79	27	1
80-89	41	8
90-99	40	8
100-109	3	0

Live/work within Wayland Long Term Care Facilities (LTC)	95
Live/work within the Wayland General Community	239

School Based Information Year to Date as of 1/1/2021

School	Confirmed Student	Confirmed Staff	In school Student Close Contact	In school Staff Close Contact	Out of school Student Close Contact
Loker	7	(r)1 +1	6	0	3
Happy Hollow	3	0	0	0	8
Claypit	7	1	40	0	7
Middle	6	0	4	2	2
High School	9	(t)1 +4	27	5	1

Remote(r) Not working in the school bldg

Travel (t) Positive related to travel



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Date: January 6, 2020
To: All Residents
Re: Mel's Commonwealth Cafe – Temporary Closure

On January 6, 2020 the Health Department was notified by Mel's Commonwealth Cafe manager that Mel's was closed due to staff testing positive for COVID-19. Mel's has completed a deep cleaning as per CDC guidelines and protocols. The Health Department is actively conducting a contact tracing investigation and the restaurant is providing full cooperation as well as working on the reopening plans. The restaurant will remain closed until at least January 9th for staff testing and quarantining.

If you visited Mel's between December 31st and January 3rd, we advise that you quarantine (stay out of the public and in your own home environment) and make arrangements to get tested using a PCR test. If you test positive, please contact the Health Department at the Coronavirus hotline. If you test negative, you should continue to monitor yourself and evaluate your own health to determine if you are experiencing any CDC identified symptoms of COVID-19, which may appear 2 to 14 days after exposure to the virus:

- Fever or chills (temperature above 100°F)
- Unusual cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Anyone showing emergency warning signs for COVID-19 should seek immediate emergency medical care:

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the Coronavirus Hotline 508-358-6805 and your primary care physician for guidance.

Testing sites can be found on the state website: <https://www.mass.gov/info-details/stop-the-spread> or through your primary care physician.



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www.ijunghanns@wayland.ma.us

Date: January 5, 2021
To: All Residents
Re: COVID-19 Vaccination

We have received many inquiries about COVID-19 vaccination in Wayland. We will be providing updates on a regular basis to residents as we receive more information from the State and develop a schedule for Wayland's vaccine distribution plan.

The Commonwealth is currently in Phase 1 of the MA COVID-19 vaccine distribution timeline. COVID-19 vaccinations have begun and will continue for COVID-facing healthcare workers and staff of long term care facilities through the Federal Pharmacy Partnership Program. Vaccinations for first responders will begin January 11. Because Wayland did not meet the minimum number of first responders (minimum 200) to qualify to receive vaccines, we have partnered with the Town of Natick for first responder vaccinations. Wayland's first responders will be eligible to receive vaccines on January 12 and January 14 in Natick.

The Commonwealth's COVID Vaccine Distribution Plan can be viewed online: <https://www.mass.gov/info-details/when-can-i-get-the-covid-19-vaccine>. The Commonwealth has not confirmed when the next phase of vaccination will roll out or how it will be administered. In order to be ready, a logistical team of senior Town staff has been created to prepare for vaccine distribution, assuming that they will be received in Wayland for the next phases of the Commonwealth's Vaccine Distribution Plan based on estimated dates.

For many years, Wayland's Health Department has provided flu vaccination (as well as pneumonia and shingles) for all seniors and members of the community. This past fall, the Health Department adopted a drive-through model to distribute the flu vaccine, with contactless appointment registration, and followed the COVID-19 safety standards, which was very successful.

We understand that many of you are anxious to learn more about our vaccination plans, and we will keep you updated with information as we receive it and with our plan as we develop it.



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jjunghanns@wayland.ma.us

Date: January 7, 2021
To: All Residents and Businesses
Re: COVID-19 Red Community Designation

We received notification that today at 5:00pm the Commonwealth will announce that Wayland has received a COVID-19 red community designation. The designation is based on the total number of cases for the last two weeks and Wayland's positivity rate for testing, which is consistent with what we are seeing in the community. We were also told that 2/3 of the Commonwealth's cities and towns have received the red designation.

Today, the Governor's order regarding temporary capacity and gathering limits, which was extended today to January 24. Because this order is in place, the State is not requesting that we impose any further restrictions at this time.

As we have all read and the data demonstrates, Wayland is currently in the middle of a COVID-19 surge.

We recognize that this is a difficult and stressful time for everyone. We continue to strongly advise that you continue to follow CDC COVID-19 safety guidelines and comply with all of the Governor's orders, which we summarize for you below:

- Wear a mask or face covering anytime you are out in public.
- Stay home between the hours of 10pm-5am.
- Between 5am-10pm, only leave home to go to work or school or for essential needs such as seeking emergency medical care, going to the grocery store or pharmacy, picking up take-out food, or receiving deliveries. If you do leave home, practice social distancing by staying 6 feet away from others and wearing a face covering.
- Don't have gatherings in your home with anybody outside of your household.
- Practice social distancing and avoid touching surfaces frequently touched by others when you're outside your home.
- Use remote modes of communication like phone or video chat instead of visiting friends or family.
- Avoid travel. If you must travel, please follow the Governor's order regarding travel restrictions, quarantining, and testing.
- Limit all gatherings.
- Businesses must follow all mandatory safety standards for workplaces.

We continue to recommend that you continue to evaluate your own health to determine if you are experiencing any CDC identified symptoms of Covid-19, which include:

- Fever or chills (temperature above 100)
- Unusual cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Anyone showing emergency warning signs for COVID-19 should seek immediate emergency medical care:

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

If you are feeling any symptoms, we advise you to contact the Wayland Health Department at the **Coronavirus Hotline 508-358-6805** and your primary care physician for guidance. *Such reporting is critically important to assist with the Town's case tracking and to maintain awareness of all COVID-19 cases in Wayland, whether residents or business employees.* The Health Department strictly maintains patient confidentiality on this and all health matters.

For general questions about COVID-19, the Town's response to the pandemic, or if you need help with basic life necessities such as obtaining food or medications, please call 508-358-7701. The Town will answer your questions and provide assistance.



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary

Article Title: ACQUISITION OF LAND FOR A COACC

Estimated Cost: \$100.00

Article Description (final language to be provided by Town Council based on description provided):

To determine whether the Town authorizes the Board of Selectmen, with approval by Town Council as to form, to acquire by gift, purchase, or otherwise, for general municipal purposes, but focused on providing space for the eventual construction of a multi-use Community Center (Council of Aging/Community Center), on such terms and conditions as the Board of Selectmen deems appropriate, land, including the fee or any lesser interest in all or any part of the parcels of land, on and off Elissa Avenue, identified as Lot ?, shown on a plan identified as ? , dated ?, and recorded with the Middlesex South Registry of Deeds as Plan ? of ?, and Parcel ?, shown on a plan prepared by ? entitled ? dated ?, recorded with the Middlesex South Registry of Deeds as Plan ? of ? on file with the Town Clerk, and further to authorize the Board of Selectmen to execute any and all documents as may be necessary or convenient in relation thereto or take any action relative thereto, and further authorize the Board of Selectmen to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated fund, transfer from available funds already appropriated for another purpose, or otherwise.

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

A Council on Aging/Community Center has been a Town priority for many years. The Council of Aging/Community Center Advisory Committee worked on a proposed project at the Town Center as far back as May 2015. Town Meeting has twice appropriated funds for a Council on Aging/Community Center to be built at Town Center. The project at the Town Center initially involved using the existing approximately 10,250 square foot building on the so-called "Municipal Parcel" and use of three adjacent parcels. This area is at the westernmost portion of Town Center. As of this writing, the Town has not been able to negotiate acquisition of the Municipal Parcel or the adjacent parcels, which are needed to build an adequate facility. The Council on Aging sought consideration of other locations within the Town to build a Council on Aging/Community Center. It approached the Board of Selectmen with this idea.

In response to the Council on Aging, the Board of Selectmen agreed and issued a Request for Proposals. The only bid receive offered a parcel of land behind X Golf at Town Center ("New Parcel"), which is only about 600 feet from the Municipal Parcel, but with a different owner. The New Parcel is being offered to the Town for a nominal cost, less than \$100.00. The size of the Municipal Parcel (Lot 4.1) is 85K sq. ft. The size of the New Parcel, including the adjacent parking, is 111K sq. ft. The Council on Aging prefers the New Parcel, over the Municipal Parcel. Before anything is built, though, residents, at a future Town Meeting, would need to authorize construction monies.

Community Centers provide people of all ages the opportunity to work, play, and, most importantly, to gather and strengthen their connections to one another. This will be especially so in the years ahead as more people will be working in their homes, due to changing habits resulting from COVID-19. Once this virus moves on, our Town will need even more spaces for us to gather.

There are many Town needs unmet today due to a lack of space. The Council on Aging has no small room meeting space for the many different types of counseling in which they engage, such as offering professional tax-related advice. There is no veteran assistance space in town, and indoor recreation activities are scattered throughout the Town. Many activities are unable to be scheduled at all as a result of a lack of space. For example, the Wayland



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Arts Center was closed to make room for the fire department expansion at Fire Station 2, in Cochituate Village, that resulted in the cancellation of all arts-related activities there.

The need for space for Council on Aging Services is particularly acute. Our peer towns that have built out Council on Aging space have 1.2 to 1.6 square feet per capita – with some, including Concord and Sudbury, in the design phase to expand. Wayland has .2 square feet per capita, approximately 10 percent of our peer towns.

By way of background, the Council on Aging/Community Center Advisory Committee (CoA/CCAC) retained an engineer to conduct an alternative site analysis of the appropriate town-owned parcels that could be used for a community center, including the existing Town Building, Alpine Road, Orchard Lane, the high school, Claypit Hill School, the Paine Estate, and the former Department of Public Works site at the Middle School. The report found appreciable challenges with each of these alternative sites.

The CoA/CCAC also coordinated with the Recreation Department, the Council on Aging, Veterans Services and other departments in order to propose an affordable, flexible, and efficient facility. In 2015, their final report concluded that the Town Center location was the optimal site for this project. The Council on Aging prefers the New Parcel location due to its easy parking, and its proximity to other businesses.

The Town Center location is ideal because it is central to Wayland, and is located in a walkable retail area, along the popular bike path, which makes it user-friendly for seniors, families and residents alike. Locating the Community Center at the New Parcel will encourage the everyday connections with neighbors and friends that make a small town like Wayland a great place to live.

The Town does not own the New Parcel, and before any monies would be spent on construction, Town Meeting attendees would need to vote for the Town to acquire the land within this Town Meeting, and it would need to vote construction monies later on, likely at the Town's Annual Town Meeting in 2022.

The Town has spent ? to date to secure a site and develop a Community Center at the Town Center. Of that sum, ? has been spent on design.

Proposer's Comments (if needed, 150-word limit per Town Code): In 2018

Town meeting has twice appropriated funds for a Council on Aging/Community Center to be built at Town Center. At the 2020 Annual Town Meeting residents voted to permit monies previously allocated for feasibility, design, construction and bid documents for a multi-use Council on Aging/Community Center to be used for a facility located at an appropriate location within the Town of Wayland. The Board of Selectmen will negotiate, or has successfully negotiated, an agreement with ? whereby ? has agreed to permit the sale of land behind the X-Golf business at Wayland Town Center, for a nominal amount of money. This article seeks Town Meeting approval to secure this land for the Town in order that a Council on Aging/Community Center can be built once a future town meeting votes construction monies.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Contact Information for Publication in Warrant

Contact Person Name: Thomas J. Fay **Contact Person Phone:** 6173127573

Contact Person Town Email: tfay@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit Article: _____ **Date of Board Vote:** _____

Signature of Board Chairperson: _____ **Date:** _____

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TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Rescind Transfer Station Revolving Fund **Estimated Cost:** \$0

Article Description (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to rescind its authorization of the Revolving Fund for the Board of Public Works for its operation of the Transfer Station established pursuant to G.L. Chapter 44 Section 53E1/2.

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

Previously established Annual Town Meeting 2017 article 5.

Proposer's Comments (if needed, 150-word limit per Town Code):

Contact Information for Publication in Warrant

Contact Person Name: Louise Miller **Contact Person Phone:** 508.358.3620
Contact Person Town Email: lmiller@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit 0-0-0 **Date of Board Vote:** 1.11.2021
Signature of Board Chairperson: _____ **Date:** _____



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
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Article Title: FY22 Transfer Station Enterprise Fund Budget **Estimated Cost:** \$TBD

Article Description (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to raise and/or transfer and appropriate the following sums of money set forth in the FY22 budget of the Transfer Station Enterprise, to be included in the tax levy and offset by the funds of the enterprise under the provisions of M.G.L. Chapter 44, Section 53F ½:

<Insert budget Grid once available>

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

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Contact Person Town Email: lmiller@wayland.ma.us

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Board Vote (Quantum) to Submit 0-0-0 **Date of Board Vote:** 1.11.2021

Signature of Board Chairperson: _____ **Date:** _____



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Board Vote (Quantum) to Submit Article: _____ **Date of Board Vote:** _____
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DRAFT



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Remote Participation at Town Meeting

Estimated Cost: \$0

Article Description (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to:

Instruct the Board of Selectmen to file with the legislature a request for a special act entitled, An Act authorizing remote participation in Annual Town Meeting for residents in Wayland, as follows:

- 1) Create an Act authorizing remote participation at Annual Town Meetings, including but not limited to:
- 2) Establish roles and responsibilities for remote participation
- 3) Establish filing and notification responsibilities
- 4) Establish the minimum electronic platform features required to accurately and securely records the votes
- 5) Identify historical record retention and distribution responsibilities
- 6) Establish that all Town Meeting business be conducted in accordance with all other applicable laws, charter provisions, and bylaws.
- 7) Establish that proxy voting is illegal and shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than five years, or both.
- 8) Authorize the Town to conduct a pilot

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

This Article allows Wayland to request that the State Legislature pass a bill that allows the Town of Wayland to support remote participation of any open Town Meeting. Currently remote participation at any Town Meeting is not allowed by law.

The rationale behind remote participation is to remove the obstacles that may make participation more difficult for some residents than for others. Remote Participation offers Wayland's form of government numerous benefits among others: support for voters with family constraints, support for residents that do not have access to transportation, who are travelling, who may find voting difficult for health reasons, and those who cannot leave the place in which they are residing at the time of the Annual Town Meeting. Understanding how different voting methods could aid or discourage greater participation in Town related issues could help contribute to a wider strategy for enabling civic engagement.

In June of 2020 the Massachusetts legislature enacted legislation that allows communities to change certain town meeting, election and budget processes in response to the ongoing public health emergency. Representative town meetings have the option to meet remotely, if approved by the Board of Selectmen and town moderator, as well as by the town meeting when it meets. That remote participation provision includes substantial procedural and technology rules for the use of this option. For example, the Town of Lexington has used remote participation in its Representative Town Meeting.



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
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The proposed Article also is a reflection of what has been learned during the COVID19 pandemic and that is that citizens are interested in participating in their democracy if given more convenient tools, like early voting and remote participation.

Proposer's Comments (if needed, 150-word limit per Town Code):

None

Contact Information for Publication in Warrant

Contact Person Name: David Watkins **Contact Person Phone:** _____

Contact Person Town Email: dwatkins@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit Article: _____ **Date of Board Vote:** _____

Signature of Board Chairperson: _____ **Date:** _____

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TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary

Candidate Text of Article to be reviewed by Town Counsel:

An Act authorizing remote participation at Annual Town Meetings

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect both public health and the viability of town meetings. Therefore, it is hereby declared to be a law, necessary for the immediate preservation of the public health and convenience.

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

SECTION 1. If the moderator in a town having an open town meeting form of government determines to assemble town meeting members and interested members of the public in common and independent locations while complying with any applicable state or local orders, directives, or guidance concerning public assemblies, the moderator may, notwithstanding any general or special laws, charter provisions or bylaws to the contrary, request the select board of said town to call for any such open town meeting to be held in a common location or through remote participation by means of a remote participation platform.

Any such request by the moderator to the select board shall be in writing and shall include the following certifications and information: (a) the moderator's determination and request to hold any town meeting through remote or physical participation in accordance with this section; (b) the remote participation platform the moderator has determined to use to hold the remote town meeting; (c) a certification that the moderator has consulted with the local disability commission or coordinator for Americans with Disabilities Act compliance and has received recommendations for ensuring the highest level of feasible access to the public; and (d) a certification that the moderator has tested the remote participation platform to his or her satisfaction to confirm that it will enable the remote town meeting to be conducted in substantially the same manner as if the meeting occurred in person at a physical location, including (i) the ability for the moderator, all town meeting members, other town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the common and or remotely-held town meeting, (ii) the ability to determine whether a quorum is present, (iii) the ability for the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent, (iv) the ability for the moderator to recognize a town meeting member or town official to speak and to enable that person to speak; (v) the ability to conduct a vote, (vi) the ability for any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting, (vii) the ability for the town meeting to be recorded, (viii) the ability to prevent proxy voting, and (ix) the ability for the moderator to conduct a limited pilot with preregistered meeting participants.

SECTION 2. Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, not later than 10 business days following receipt of a written request of the moderator pursuant to and in accordance with the requirements of section 1, the select board shall vote to determine whether any future town meeting for which a warrant has been or will be issued shall be also held remotely by means of the remote participation platform requested by the moderator.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

SECTION 3. In the event that the select board votes to approve the request of the moderator and if the select board has already issued a warrant calling a town meeting to be held on a date specific, then, at the same meeting of the board, the select board shall approve and shall issue jointly with the moderator a notice, to be filed and posted in accordance with the requirements of section 10A subsection (b) of chapter 39 of the general laws and distributed to each town meeting member, that expressly states that the town meeting shall be also held remotely by means of the remote participation platform requested by the moderator, states the date and time of the meeting, and provides the necessary information for the moderator, town meeting members, other town officials and interested members of the public to also access and attend the town meeting remotely.

SECTION 4. In the event that the select board votes to approve the request of the moderator and if the select board has not yet issued a warrant for a town meeting, the select board shall approve and issue a warrant for the town meeting pursuant to and in accordance with section 10 of chapter 39 of the general laws, all other applicable laws, and any relevant provisions of the town charter and bylaws which states the date and time of the town meeting and the articles to be acted upon, and which expressly states that the town meeting shall be held remotely by means of the telephone conferencing platform requested by the moderator and provides the necessary information for the moderator, town meeting members, other town officials and interested members of the public to access and attend the town meeting remotely.

SECTION 5. Any notice issued pursuant to section 3 and any warrant issued pursuant to section 4 providing for a town meeting to also be held remotely shall also include the written request of the moderator submitted to the select board pursuant to section 1. Any such notice or warrant may also include a date, time and place for the town meeting to be resumed in the event that the town meeting does not approve conducting the town meeting remotely as required under section 7. Within 5 business days after any vote of the select board to approve the request of the moderator to also hold any town meeting remotely pursuant to this section, the town clerk shall submit a certified copy of the vote of the select board and of the written request of the moderator to the attorney general.

SECTION 6. Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, each vote taken at an Annual Town Meeting held also through telephone conferencing pursuant to this act shall be taken by such means as the moderator shall determine accurately and securely records the votes of those entitled to vote at the meeting, which means may include without limitation electronic voting, votes securely conveyed via the cellular telephone network and/or Internet, voting by ballot, voting by phone or any combination of the foregoing. Notwithstanding any general or special laws, charter provisions or bylaws to the contrary, the moderator is vested with sole discretion to determine the manner and timing for submission and presentation of written and audio-visual materials and the regulation of speakers at a town meeting held pursuant to this act.

SECTION 7. Any open town meeting also held remotely pursuant to this act shall be recorded and the recording shall be preserved and made available for public view on the town's web page for at least 30 days following the conclusion of the town meeting.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

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SECTION 8. This act shall take effect upon its passage and shall remain in effect. Any town that has called a town meeting to be also held by telephone conferencing in accordance with this act pursuant to a warrant issued by the select board may proceed to hold such town meeting also by telephone conferencing in accordance with the provisions of this act.

SECTION 9. All acts, proceedings and votes taken by open town meeting pursuant to and in accordance with this act and all actions taken pursuant thereto are hereby ratified, validated and confirmed to the same extent as if the town meeting had been conducted in accordance with all other applicable laws, charter provisions, and bylaws.

SECTION 10. The Moderator will notify remote participants that they proxy voting is illegal and in accordance with M.G.L. Part I, Title VIII Chapter 56: shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than five years, or both.

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TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Spencer Circle Street Acceptance

Estimated Cost: \$0

Article Description (final language to be provided by Town Counsel based on description provided):

To determine whether the Town will vote to accept Spencer Circle as a public way, and any easements appurtenant thereto, as laid out by the Board of Public Works as shown on a plan thereof titled As-Built Spencer Circle dated October 25, 2004 by Ducharme & Wheeler, Inc.; and to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and the acceptance of Spencer Circle, or other easements related to; and further, to authorize the Board of Selectman and/or the Board of Public Works, and/or any other applicable Town of Wayland Board and their personnel and/or representatives or designees, to take any and all related actions necessary or appropriate to accomplish the purposes of this Article and/or otherwise act thereon.

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

Spencer Circle was constructed to be a public way in or around 2002. At the time that the subdivision was approved and, in the decision of the Planning Board, Spencer Circle was intended to be accepted as a public way. Since the Town had not moved forward with acceptance as a public way, the residents of Spencer Circle inserted a petitioners' article for acceptance of Spencer Circle as a public way at the 2019 Annual Town Meeting. Following discussions with Town officials, the petitioners withdrew the article in order to allow the Town to proceed with the street acceptance process pursuant to Massachusetts General Laws.

The Board of Public Works recommends that the Town accept Spencer Circle as a public way, and any easements appurtenant thereto, as laid out by the Board of Public Works and shown on a plan thereof entitled As-Built Spencer Circle dated October 25, 2004 by Ducharme & Wheeler, Inc.. The Board of Public Works will advance this street acceptance process as procedurally identified by Town Counsel.

The condition of the road, after 17 years, requires approximately \$32,000 of repairs. The Department of Public Works (DPW) understands this and is prepared to place Spencer Circle on its Roadway Improvement Plan on a schedule appropriate with the Department's condition and plan criteria. In addition to these repairs, there remain several infrastructure deficiencies that need to be addressed prior to Town acceptance. These repairs have been itemized in a DPW memo to the Board of Public Works dated 4/22/2019. The Spencer Circle developer is aware of these repairs and understands that any acceptance of the road and release of the developer for liability will be conditional upon these repairs being made by him.

Should Spencer Circle be accepted as a public road, the Town would own two drainage structures, located in part on Nos. 4 and 6 Spencer Circle. The Town has performed a limited conditions assessment of the drainage systems and has determined the systems to be in good working condition. Easements are necessary at Nos. 4 and 6 Spencer Circle pertaining to the Town's access, operation and maintenance of these drainage systems. Any street acceptance will be conditional upon the execution of these easements. Under Massachusetts General Laws, the easements must be completed within 120 days of the dissolution of Town Meeting after a vote to accept a road as a public way.



TOWN OF WAYLAND

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The Board of Selectmen are currently negotiating with the owners of No. 4 and No. 6 Spencer Circle to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for the laying out and the acceptance of Spencer Circle, or other related easements.

The Planning voted to accept Spencer Circle as a public way on -----.

Proposer's Comments (if needed, 150-word limit per Town Code):

Contact Information for Publication in Warrant

Contact Person Name: Louise Miller **Contact Person Phone:** 508.358.3620

Contact Person Town Email: lmiller@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit 5-0-0 **Date of Board Vote:** 01.04.2021

Signature of Board Chairperson: _____ **Date:** _____



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
THOMAS J. FAY
CHERRY C. KARLSON
DAVID V. WATKINS

Town of Wayland BOARD OF SELECTMEN

Public Hearing

The Wayland Board of Selectmen will hold a Public Hearing that can be viewed on WayCam on Monday November 9, 2020 beginning at 7:00 PM via Zoom from the COA/Senior Center at the Wayland Town Building, 41 Cochituate Road, Wayland, MA, regarding the following:

7:00 PM. Eversource Grant of Location, Rice Road – Westerly side approximately 1770± feet North of Turkey Hill Road; Install one (1) new stub pole #28/22S

a) Petitioners requests permission to erect or construct a new pole to be owned and used in common by them upon, along, and across the stated location and lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A, §18 meetings in the Town of Wayland will be conducted via remote participation. Interested parties may view the meeting either directly through an online teleconference via Zoom or by watching the meeting live streamed on WayCam. Members of the public may participate by raising their hand on zoom or calling a designated phone number if they wish to make a comment during the proceedings. All persons who wish to make a comment will be provided an opportunity to be heard. The connection information for Zoom as well as the public comment phone number will be listed on the meeting agenda which will be posted on the Town website and available in the Town Building lobby 48 hours in advance of the meeting. 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.

Copies of the plans are available for public review on line at

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

Reasonable accommodations and audio-visual aids and services will be available upon request.

The public is invited to view and call in questions and comments.

Cherry Karlson

Chair, Wayland Board of Selectmen

Town Crier: Publish under Legal Notices on October 29, 2020,

Post Wayland Town Building by October 29, 2020



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

BOARD OF SELECTMEN

LEA T. ANDERSON
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DAVID V. WATKINS

December 15, 2020

Richard M. Schifone
Rights and Permits Supervisor
NSTAR Electric Company DbA Eversource Energy
157 Cordaville Rd
Southborough, MA 01772

Re: Grant of Location Petition for Rice Road W.O. #2380891

Dear Richard M. Schifone:

The Board of Selectmen has reviewed your request to obtain a Grant of Location to install one (1) stub poll along Rice Road in Wayland. Our Department of Public Works Director conducted a site visit along with our Chief of Police and a representative of Eversource. Following this visit and phone calls between our DPW Director and Chris Cosby it is understood that:

- Due to service reliability concerns, Eversource is planning on replacing their existing service infrastructure with "Spacer Cable" which will require new replacement poles along the Rice Road corridor. This work will include 45 new poles and is planned for Spring/Summer 2021.
- The heavier "Spacer Cable" will require either four additional stub-anchor poles be installed along Rice Road or Arm Extensions be installed at poles near curves in Rice Road.
- Arm Extensions, which are less obtrusive than the installation of Stub Poles with Anchors, would require permission from property owners to have Pole Arms extend over private property (at a height where electrical lines are located).
- The pole located at 209 Rice Road (area of current Grant-of-location request) is not in dire need of Stub Pole support and would/could benefit from an Arm Extension. The owner of 209 Rice Road arrived at the Eversource site visit and appeared supportive of an Arm Extension over her property.

After consultation with the Town Administrator and our DPW Director we request that this petition be rescinded and that a more comprehensive plan be submitted by you identifying the larger Infrastructure Replacement Project.

I am happy to discuss this further and answer any questions.

Sincerely,

Louise L. E. Miller
Town Administrator

cc: Cherry Karlson, Chair, Board of Selectmen
Tom Holder, Director, Department of Public Works



LOUISE L. E. MILLER
TOWN ADMINISTRATOR
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BOARD OF SELECTMEN
LEA T. ANDERSON
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Meeting Minutes
BOARD OF SELECTMEN
Friday, January 8, 2021
8:30 a.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road, Wayland, MA

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 time designated for Public Comment.

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

The Board participated remotely by tele-videoconferencing via Zoom and WayCAM. C. Karlson participated by tele-videoconferencing and was also present at Town Building.

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

A1. Call to Order by Chair, Review the Agenda for the Public At 8:31 a.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was available by teleconference. C. Karlson announced by full name each Board member who was participating remotely and noted that in compliance with revised Open Meeting Law requirements the meeting would be broadcast and recorded for later broadcast by WayCAM and Zoom. C. Karlson announced that no in person attendance of members of the public was permitted, gave a phone number for the public to call to offer comments, and reviewed how to participate via a virtual 'hand-raise' in Zoom. C. Karlson reviewed the agenda for the public.

A2. Announcements and Public Comment There were no announcements from the Board. There was no public comment.

A3. Topics Not Reasonably Anticipated by the Chair 48 Hours in advance of the Meeting, if any There were no topics not reasonably anticipated by the Chair.

A4. Executive Session I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the final purchase price, payment details related to the wastewater connection, and the twelfth amendment to the Land Disposition Agreement for the Rivers Edge Project at 484-490 Boston Post Road

At 8:36 a.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) (6) 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 for the Rivers Edge Project at 484-490 Boston Post Road

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 executive session and no other public business would be discussed in open session.

A.5. Adjourn. At 10:13 a.m. the Board adjourned from Executive Session and did not reconvene in open session.

Items Distributed for Information and Use by Board of Selectmen at the Meeting of January 8, 2021

1. There were none.

Items included in the Agenda Packet for discussion during the Board of Selectmen Meeting of January 8, 2021

1. There were none.

BOARD OF SELECTMEN
Monday, January 11, 2021
5:00 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 approving and signing Disclosure by Municipal Employee of Part-time, Call or Volunteer Services to a Police, Fire, Rescue or Ambulance Department Form for Neil McPherson.
4. Vote the question of approving and signing Disclosure by Municipal Employee of Part-time, Call or Volunteer Services to a Police, Fire, Rescue or Ambulance Department Form for Ryan Cheney.
5. Vote the question of approving expenditure of \$509.98 from the Wayland COVID-19 Relief Fund.
6. Vote the question of accepting with thanks two (2) donations in the amount of \$400.00 to the Wayland COVID-19 Relief Fund.
7. Vote the question of accepting with thanks 110 donations in the amount of \$36,690.00 to the Testing for COVID-19 in the Wayland Schools Fund.

**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM
JANUARY 3, 2020 THROUGH AND INCLUDING JANUARY 10, 2021 OTHERWISE
NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR
JANUARY 11, 2021**

Items distributed to the Board of Selectmen –January 3, 2021 – January 10, 2021

(none)

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of
January 4, 2021**

1. Memorandum from Town Administrator to Board of Selectmen dated January 4, 2021 re:
Town Administrator Goal Achievement Report

**Items included as part of the Agenda Packet for discussion during the January 11, 2021
Board of Selectmen Meeting**

1. Wayland COVID-19 Case Update as of December 31, 2020
2. Memorandum from Board of Health Director and Town Administrator dated January 5, 2021
re: Temporary Closure of Mel's Commonwealth Café
3. Memorandum from Board of Health Director and Town Administrator dated January 5, 2021
re: COVID-19 Vaccination
4. Memorandum from Board of Health Director and Town Administrator dated January 7, 2021
re: Wayland Designation of a Red Community
5. Annual Town Meeting 2021 Article Submission forms for:
 - Purchase of Land for a Council on Aging/Community Center
 - Transfer Station Enterprise Fund (3 separate articles)
 - Spencer Circle Acceptance
 - Remote Participation at TM
6. Eversource Grant of Location Public Hearing Notice for Rice Road originally published
October 29, 2020
7. Correspondence from Town Administrator to Eversource dated December 15, 2021 re: Grant
of Location Petition for Rice Road
8. Board of Selectmen Meeting Minutes Draft for December 8, 2020

BOARD OF SELECTMEN
Monday January 11, 2021
5:00 pm
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

CORRESPONDENCE

1. Correspondence from Wayland Public Schools Superintended to families of students dated January 2, 2021 re: School Plan
2. Correspondence from Jessica Villatoro, Middle School Educator to Board of Selected dated January 2, 2021 re: Concerns regarding the school plan.
3. Correspondence from Annette Lewis, resident to Board of Selectmen dated January 4, 2021 re: Public comments regarding the proposed River's Edge draft Grant of Easements
4. Correspondence from Annette Lewis, resident to Board of Selectmen dated January 7, 2021 re: Public comments regarding the proposed draft River's Edge Wastewater Grant of Easements