

PACKET

Jan 19

2021



LOUISE L. E. MILLER
TOWN ADMINISTRATOR
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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

BOARD OF SELECTMEN
Tuesday, January 19, 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. 2021 Annual Town Meeting:
 - a. 2021 ATM articles: review list of articles submitted; determine staff work required and financial costs outside budget; assignments
- 6:00 pm 4. Town Administrator Evaluation: Board members to submit completed individual evaluation forms of the Town Administrator to the Chair
- 6:05 pm 5. COVID-19: Update from Town Administrator

BOARD OF SELECTMEN
Tuesday, January 19, 2021
5:00 p.m.
Wayland Town Building
41 Cochituate Road, Wayland, MA

- 6:30 pm 6. Town Administrator update
- a. FY2020 Audit Letter response
 - b. Staffing/Ombudsman
 - c. TA Advisory Committee on Race
- 7:00 pm 7. River's Edge: Update to include permitting, easement and wastewater documents, 12th amendment to the land disposition agreement and timeline
- 7:50 pm 8. Minutes – January 2, 2021, January 4, 2021, January 11, 2021 and January 15, 2021; review and vote to approve
- 7:55 pm 9. Consent: review and vote to approve
- 8:00 pm 10. Correspondence
- 8:05 pm 11. Selectmen's Reports and Concerns
- 8:10 pm 12. Topics not Reasonably Anticipated 48 hours in advance, if any
- 8:15 pm 13. 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 pertaining to the Rivers Edge Project at 484-490 Boston Post Road;
 - II. 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; and
 - III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of January 8, 2021, January 15, 2021 and January 11, 2021
- Approve and Hold: Executive Session minutes of January 8, 2021, January 15, 2021 and January 11, 2021
- 8:45 pm 14. Adjourn



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

Article Title: Recognize Citizens and Employees for Particular Service to the Town **Estimated Cost:** \$0

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

To determine whether the Town will recognize the achievements and contributions to Town government of citizens and employees:

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2021, subject to a minimum of 20 years of service;
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2020 Annual Town Meeting.

The following citizens are recognized for their extensive service to the Town:

Town Clerk is working with the Town Administrator's office to provide complete information before submission.

The following town and school employees have retired since the 2020 Annual Town Meeting or will retire before June 30, 2021 and have or will have served the Town for over 20 years:

Town Clerk is working with the Town Administrator's office to provide complete information before submission.

The following elected or appointed volunteers or employees have passed away since the 2010 Annual Town Meeting:

Town Clerk is working with the Town Administrator's office to provide complete information before submission.

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 is a standard article that allows recognition and commendation of certain citizens and employees.

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit 5-0-0 **Date of Board Vote:** 12.14.2020

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



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

Article Title: Current Year Transfers Estimated Cost: \$

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

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

Current Year Transfer FY21

Table with 2 columns: Purpose, AMOUNT. Row 1: 1) TOTAL \$

Table with 2 columns: Funding Sources, AMOUNT. Row 1: 1) TOTAL \$

None known at this time. Some additions may be made later if a need is identified.

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 authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget.

These requests for current year transfers for the following expenses are as set forth below:

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

Contact Information for Publication in Warrant

Contact Person Name: Brian Keveny Contact Person Phone: 508.358.3611
Contact Person Town Email: bkeveny@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit 5-0-0 Date of Board Vote: 12.14.2020
Signature of Board Chairperson: Date:



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



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

Article Title: OPEB Funding **Estimated Cost:** \$

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

To determine whether the Town will vote to:

- a) appropriate an aggregate amount of \$xx,xxx to be deposited in the Town’s Other Post-Employment Benefits Trust Fund which amount shall be provided by transferring the following sums of money from the enterprise and revolving funds:*
- | | | |
|--------------------------|----|-------|
| 1) Food Service | \$ | |
| 2) BASE | \$ | |
| 3) Children’s Way | \$ | |
| 4) Full Day Kindergarten | \$ | |
| 5) Water | \$ | |
| 6) Transfer Station | \$ | |
| 7) Recreation | \$ | |
| 8) Pegasus | \$ | |
| 9) Building Use | \$ | |
| 10) Enrichment | \$ | ; and |
- b) appropriate \$ to be deposited in the Town’s Other Post-Employment Benefits Trust Fund; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose or otherwise.

**Amounts and categories in a) and b) to be finalized by Finance Director.*

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 funds an OPEB contribution from two sources: a) enterprise and revolving funds and b) taxation.

Like other towns in Massachusetts, Wayland provides health insurance for benefit eligible retirees. The Town has historically paid the cost of current retiree insurance premiums as part of its operating budget and has also contributed an additional amount to the OPEB Fund for future premium payments. Beginning in FY19, this amount has been appropriated from taxation rather than Free Cash.

The Government Accounting Standards Board (GASB) requires the Town to perform periodic actuarial valuations, based on prescribed accounting standards that measure the obligations accruing under these **Other** (than pensions) **Post-Employment Benefits** (OPEB) plans.

As of the July 1, 2019 measurement date, the Total OPEB Liability (“TOL”) for the Fiscal Year ending June 30, 2020, as determined under those accounting standards, was \$47,277,115million. Plan assets were \$18,203,791million. The Net OPEB Liability (“NOL”), which equals the TOL less assets, was \$29,273,324million. A useful metric for gauging funding progress is the ratio of assets to total liabilities, or the funded ratio, which is currently at 38.5%.



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
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While GASB requires that this liability be included on the balance sheet, GASB does not require funding this liability. The funding decision is up to the Town. However, unlike the Town's pension obligation, which is routinely funded in the operating budget, the Town has elected to make the OPEB funding decision via an annual article.

The total recommended contribution is based on the estimate of the Town's expenditures for retiree health care premiums with the amount in a) representing the fair share of that total amount coming from the revolving funds and the amount in b) representing the fair share of the total amount coming from taxpayers. The sum of these two items result in the estimated cost of \$546,534. *(to be updated)*

This year, the amount in b) is recommended at \$ and this same amount is planned as a sustainable annual contribution as part of the Town's long-term financial planning. This was first presented at the Financial Summit in September 2018. While it is less than the actuarial calculated contribution of \$XXX for FY21, the \$500,000 represents a sizeable and sustainable funding of the OPEB liability.

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

Contact Information for Publication in Warrant

Contact Person Name: Brian Keveny **Contact Person Phone:** 508.358.3611
Contact Person Town Email: bkeveny@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit 5-0-0 **Date of Board Vote:** 12.14.2020
Signature of Board Chairperson: _____ **Date:** _____



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

Article Title: Fiscal Year 2022 Revolving Fund Expenditure Limits **Estimated Cost:** \$0

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

To determine if the Town will vote to set the following enumerated dollar figures as the total amount to be expended from the respective authorized revolving funds for Fiscal Year 2022, or take any action relative thereto:*

1. Transfer Station: \$
2. Council on Aging: \$
3. School Department / Professional Development: \$
4. School Department / Curriculum: \$
5. Recreation: \$
6. Recreation Athletic Fields: \$
7. Conservation Community Gardens: \$

**Finance Director and Department Head still finalizing amounts.*

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):

Passage of this article will establish the Fiscal Year 2022 spending caps for the Town’s Revolving Funds. The 2017 Annual Town Meeting adopted Town Code Chapter 19, Section 10 establishing revolving funds under Mass General Laws, Chp. 44, section 53E ½. Adoption of this code requires the Board of Selectmen (BoS) to recommend to Town Meeting annually and for Town Meeting to set the limits of expenditure for each revolving fund. For FY 2021, the Board of Selectmen recommends the following spending caps:

<u>Revolving Fund</u>	<u>Recommended FY22 Spending Cap*</u>
Transfer Station	\$
Council on Aging	\$
School Department/Professional Development	\$
School Department/Curriculum	\$
Recreation	\$
Recreation/Athletic Fields	\$
Conservation Community Gardens	\$

**Finance Director and Department Head still finalizing amounts.*

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

Contact Information for Publication in Warrant



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Contact Person Name: Brian Keveny **Contact Person Phone:** 508.358.3611

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

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit 5-0-0 **Date of Board Vote:** 12.14.2020

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



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

Article Title: Compensation for Town Clerk **Estimated Cost:** \$ -

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

To determine whether the town will vote to fix the salary for the Town Clerk, pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2021.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2021</u>	<u>FY 2022</u>
Town Clerk	\$ 89,437	\$ -

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 requests that Town Meeting approve a salary increase for the Town Clerk. By law, annual wage adjustments for the Town Clerk are subject to Annual Town Meeting approval.

This article is placed before the Budget Article because the Town Clerk’s salary is embedded in the Town Clerk salary line item.

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:** 12.14.2020

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Personnel Bylaws and Wage & Classification Plan Estimated Cost: \$

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

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix B) previously adopted by the Town to amend recreational and seasonal positions and adjust selected positions affected by the Massachusetts minimum wage.

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 is requesting Town Meeting to approve changes to the Wage and Classification Plan. Only recreational seasonal positions and those positions affected by the Massachusetts minimum wage increase are being adjusted. Minimum wage adjustments are reflected in departmental budgets. Recreational seasonal positions will be funded from the Recreation revolving fund.

The Wage and Classification Tables are identified in Appendix B. All current collective bargaining agreements expire on XXXXX. With the exception of the positions referenced above, the effective dates for wages listed in the tables are July 1, 2019. The Wage and Classification Tables are included for informational purposes only. As collective bargaining agreements are settled, information regarding adjustments for both non-union and union wages will appear in future Warrants.

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: 12.14.2020 Signature of Board Chairperson: Date:



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

Article Title: Surface Water Quality Committee Budget **Estimated Cost:** \$51,000

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

To appropriate funds for the expenses of the Surface Water Quality Committee to be spent under the direction of the Board of Selectmen

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):

The work of the Surface Water Quality Committee (SWQC) is cyclical with the seasons and the largest expenditures occur over the summer months. From a budget perspective, this timing and financial variability of expenditures does not fit well with the Town's fiscal year ending on June 30. For instance, some years the SWQC needs to treat for milfoil which results in higher expenses and crosses the fiscal year end for the treatment timetable.

Appropriating funds through an article rather than the budget will allow funds to be carried over the June 30 year end and improve the budgeting and cash flow for the SWQC work and expenses. There is no change to the budgeted amount. The FY21 budget in Miscellaneous Committees was \$51,000 and the same amount is being requested for FY2021 in this article.

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:** 12.14.2020

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



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

Article Title: Accept Gifts of Land **Estimated Cost:** \$0

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

To determine whether the Town authorizes the Board of Selectmen, with approval by Town Counsel as to form, to acquire by gift, purchase, eminent domain or otherwise, for general municipal purposes, 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 and the buildings and other structures, on and off LOCATION, identified as Lot X-X, shown on a plan prepared by the Town Surveyor entitled "XXX" dated July XX, 20XX and recorded with the Middlesex South Registry of Deeds as Plan XX of 20XX, and Parcel XX, 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.

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):

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:** 12.14.2020

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



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

Article Title: FY2022 Omnibus Budget **Estimated Cost:** TBD

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

To Determine What Sum Of Money The Town Will Appropriate For The Operation And Expenses Of The Town Including Capital Expenses For Equipment, Improvements Or Other Purposes, And Determine Whether Such Appropriation Shall Be Provided By Taxation, By Transfer From Unappropriated Funds, By Transfer Of Funds Already Appropriated For Another Purpose, By Borrowing 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):

The Finance Committee will submit and publish its budget report and recommendations in the warrant.

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

Contact Information for Publication in Warrant

Contact Person Name: Brian Keveny **Contact Person Phone:** 508-358-3611

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

Proposing Board Information

Board Name: Town Clerk

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

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



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

Article Title: Choose Town Officers

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 choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot

Trustees of the Allen Fund	The Selectmen
Fence Viewers	The Selectmen
Field Drivers	The Constables
Measurers of Wood and Bark	Paul Doerr
	Gary Slep
	John R. Sullivan
Surveyors of Lumber	Judy Currier
	Richard Hoyt
	Susan W. Pope

Board of Selectmen: Need to confirm all nominees' ability and willingness to serve.

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 is a standard article that allows the Town to fill various positions. While many of these positions are obsolete in our current society, they are part of the charm and history of New England town meetings. To date, Wayland has continued the tradition of electing these positions at Town Meeting even though the Board of Selectmen (BOS) may appoint some of them. The purpose of the article as written is to decide whom to elect, not the method of appointment.

A brief description of each position and future alternate means of selection follows.

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for "beneficent objects." Although the Allen Fund was virtually depleted by 1990, it has recently grown so that it can now provide annual gifts. **As of June 30, 2019, the balance in the Allen Fund was \$ 8,508.77.** The trustees are responsible for overseeing the fund. The trust provides that the trustee shall be selected annually by vote of the annual town meeting; it also provides that in case no board of trustees is selected, the Selectmen shall be the Trustees of the Allen Fund. At a future Town meeting, citizens could vote to amend the trust document to provide that the Commissioners of Trust Funds serve as Trustees of the Allen Fund without annual vote.

Fence Viewers are arbitrators of fence disputes among neighbors and are established under MGL c. 49, §1. The BOS is authorized to appoint two or more fence viewers for one-year terms.

Field Drivers collect loose sheep, goats or other beasts and under M.G.L. c. 49, §22, the BOS is authorized to appoint one or more field drivers for the Town.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Measurers of Wood and Bark are responsible for inspection, survey, measurement and sale of wood, coal and bark for fuel. They are appointed according to M.G.L. c. 94, §296, which provides for town meeting election of one or more measurers of wood and bark for one-year terms. A future town meeting could delegate the appointment power to the Board of Selectmen, thereby eliminating the need for this article thereafter.

Surveyors of Lumber, sometimes called a Measurer of Lumber, are responsible for measuring, marking or numbering the contents of any kind of wood or lumber, and M.G.L. c. 96, §7 authorizes that towns may elect one or more measurers (surveyors) of lumber. A home rule petition is required to make the position appointive by the BOS.

If Town Meeting declines to elect the Fence Viewers, Field Drivers and Measurers of Wood and Bark, the Selectmen would make the appointment at the next regular meeting. However, a home rule petition is required to make the position of Surveyors of Lumber appointive by the BOS and given the obsolete nature of the position, it may be easier not to fill it if that is the desire of town meeting.

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:** 12.14.2020

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



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

Article Title: Hear Reports **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 receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

- Board of Assessors
- Community Preservation Committee
- Planning Board
- Public Ceremonies Committee

There may be other committees that decide to submit a report for Town Meeting.

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 is a standard article that allows reports commissioned by the Town or required by State law to be heard. Under Town Code Chapter 53, Section 3, whenever a report required by law is submitted to Town Meeting, it shall be included in the minutes of said meeting set forth in the Annual Town Report. This article provides a means of including such reports in the minutes of Town Meeting.

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:** 12.14.2020
Signature of Board Chairperson: _____ **Date:** _____



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

Article Title: Sell or Trade Vehicles and Equipment **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 authorize the Board of Selectmen to sell or otherwise dispose of surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
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No vehicles or equipment have been identified for sale or trade as of this times. This is a placeholder article in case any are identified.

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 is a standard article allowing the Town to sell used vehicles, equipment or other personal property.

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:** 12.14.2020

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

Article Title: Capital Stabilization Fund

Estimated Cost:

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

Establish **and fund** a Capital Budget Stabilization Fund

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):

Creating a Capital Stabilization Fund is part of developing a Capital Improvement Plan that maintains town assets with minimal fluctuation in taxes. **This article creates the stabilization fund but does not appropriate funds at this time.** A stabilization fund is created with a 2/3 majority vote, appropriations into the fund are by a simple majority vote, and appropriations from the fund require a 2/3 majority vote.

State law allows the creation of one or more stabilization funds, which are special reserves into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry over from one fiscal year to another, and interest remains with that fund.

A capital stabilization fund can be used to defray the cost of new equipment, building repairs/maintenance, and capital improvements to town land and buildings to the extent that these costs may be funded by the Fund's balance. Purchases exceeding the Fund's available balance may require other sources of funding.

A capital stabilization fund is a tool to level the tax impact of a fluctuating level of expenses to maintain the town's capital assets. The capital funding plan works to hold capital funding at a steady level (cash, cash capital and debt service). In years in which repairs are lighter, funds may be contributed to a stabilization fund. They will be held until voted to be used on a capital expenditure. In years in which the demand for capital is higher, residents can vote to use funds from the stabilization fund to offset the higher expense. Investment of these funds is in investment vehicles as prescribed by the state.

Specifically, in December 2018, the Finance Committee requested that the Board of Selectmen and Town Administrator pursue a capital stabilization fund as a means of providing financial stability. They also recommended the Board of Selectmen endorse a policy to fund non-exempt debt at a constant percentage of the total budget with any funds over the actual amounts required to service non-exempt debt be transferred to the Capital Stabilization Fund. (Memo attached for background.)

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

Contact Information for Publication in Warrant

Contact Person Name: Brian Keveny

Contact Person Phone: 508.358.3611

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

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit Article: 5-0-0

Date of Board Vote: 01.04.2021

Signature of Board Chairperson:

Date:



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

Board of Selectmen
Wayland Town Building
41 Cochituate Road
Wayland, MA 01778

Dear Board of Selectmen,

At its meeting on November 26th, the Finance Committee voted to recommend that at the next ATM, the Town establish a Capital Stabilization Fund (CSF) and that the Board of Selectmen immediately consider:

- What by-laws may need to be amended to set up a Capital Stabilization Fund
- What the appropriate/recommended funding strategy should be

The Finance Committee further recommends that the Board of Selectmen endorse level-funding the non-exempt debt at some constant percentage of the total budget with the excess of this level percentage over the actual amounts required to service the debt to be transferred to the General Stabilization Fund or the CAP-X fund once it is established.

Background

The Moody's credit opinion, issued on February 20, 2018, notes that over the last two years, the Town has worked to eliminate the use of reserves for operational expenses and has produced a structurally balanced budget. However, they also noted that the Town's reserves are currently below average for a Aaa rating category.

Moody's continually cites their concern over continued reduction in the fund balance. The Town's Financial Advisor, UniBank has observed that they explicitly drew the "line in the sand" with their requirement that General Fund balances not fall below 20 percent of operating revenues. Moody's also indicated that they were concerned about any material increases in the debt burden.

The Town needs to continue to be vigilant in its defense of the Aaa rating. In keeping with that defense, the Town needs to ascribe to a 3 to 5-year revenue and expense plan that shows the restoration of fund balance and that continues to support a structurally sound budget.

Unibank's recommendation, in support of that objective, was to level-fund debt service where excess of recommended appropriations over the amount required to actually service the debt be transferred to the General Stabilization Fund. Other advantages for level-funding the debt service are 1) it smooths out the tax rate and 2) it provides a convenient funding source for future capital projects.

More generally, in order to maintain a 20% fund balance any net increases in the Town's annual operating expenses should be accompanied by an adjustment that increases the fund balance by 20% of such a net increase. One of the techniques to accomplish this would be to appropriate \$20 for



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

designation to a Capital Stabilization fund for each \$100 of new debt service incurred. Another technique used by some other Towns is to make explicit appropriations into a Cap-X funds by way of Articles that are considered under the expedited approval process.

The Committee is available to answer any questions regarding this matter. Thank you in advance for your consideration.

Very truly yours,

Wayland Finance Committee

CC: Louise Miller, Town Administrator

Brian Keveny, Finance Director



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

Article Title: Select Board / Town Manager Special Act **Estimated Cost:** \$0

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

To **determinesee** if the Town will authorize the Board of Selectmen to petition the General Court for an act of special legislation entitled "An Act to Create a Select Board/Town Manager Form of Government in the Town of Wayland," the full text of which is printed as Appendix XX to this warrant, or take any other action relative thereto.

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):

The Board of Selectmen (BoS) is proposing that the Town adopt the Select Board/ Town Manager Special Act to professionalize the structure of Wayland's government; coordinate administrative, operational, and financial functions; provide a consistent approach for efficiency, effectiveness, and transparency across all departments and boards; use resources effectively; improve legal and regulatory compliance; and maintain volunteer opportunities.

This is the third effort over the past thirty years to strengthen the Town's executive and financial management structure. The Charter Commission (1989), the Maximus Group (2002), and the Collins Center for Public Management (2018) have all recommended strengthening the executive function so that all Town department heads (excluding Schools), report to a Town Manager. This article is proposing their recommendation regarding reporting structure, excepting Schools and Library. They also all recommended reducing the number of committees and boards. This article is proposing no changes to committees and boards.

The Charter was not approved at a town-wide election in 1990. Two recommendations from the Maximus report were approved by Town Meeting: the 2004 Town Administrator Special Act and the 2008 Act Authorizing the Town of Wayland to Establish a Department of Public Works. Even with these steps forward, Collins stated in the Executive Summary of Wayland's Financial Management Structure Report (2018),

At its core, the issue is that the financial management of the Town is severely fragmented in a way that reduces the Town's efficiency, effectiveness, and transparency.

This fragmented structure is causing deficiencies through increased risk of non-compliance with IRS regulations, Massachusetts Department of Revenue regulations, and procurement law.

Why change now? Wayland's organization was developed when times were simpler. Wayland was a small town with few professional staff and many volunteers who did much of the work. Wayland is now analogous to a \$90 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.

Over the decades there have been changes in the complexity of municipal government with increased regulations, financial requirements, and public scrutiny. The level of volunteer work cannot and should not be sustained. Wayland has a reputation for being difficult to manage, which translates into difficulty in hiring



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

people into management positions. Previous Town Administrators have reported that their position has all the responsibility, but not the necessary accountability for many departments.

Feedback from some residents points to Wayland's strengths, including the Town's Aaa bond rating, as a measure of success.

Again from Collins:

The Town has managed to achieve these things through the efforts of dedicated current and prior elected officials, appointed volunteers, and professional staff.

These accomplishments have come in spite of, not because of, the structure of Town Government, which appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.

It is not just the Town's finances that are fragmented. Currently the Town Administrator has 20 direct reports and 6 department heads appointed by boards and managed by both boards and the Town Administrator. More than 40 boards and committees source ideas and projects and set priorities for staff. There is little coordination of functions, efforts, or priorities among boards and committees. Town efforts are fragmented rather than organized to work towards a common goal.

Based on the Finance Committee's current and former peer community list, Collins looked at statutory management structures and found that Wayland had the weakest structure. The language of a charter, by-law, or special act is what determines the strength of the management structure, not simply the method by which the language was enacted. Also, the title (Town Manager or Town Administrator) does not inherently define the strength of the position. Collins looked at the following towns:

- Hopkinton, Lynnfield, Marshfield, Medfield, North Andover, North Reading, Scituate, Westford, Westwood, all of which operate under a charter
- Carlisle, Hingham, Lincoln, Manchester-by-the-Sea, all of which operate under a by-law
- Cohasset, Concord, Sudbury, Weston, all of which operate under a Town Manager Act with strong language
- Wayland, which operates under a Town Administrator Act with weak language

The reporting structure (organization charts) of Wayland, Cohasset, Concord, Sudbury, and Weston are available in appendix X. Wayland's organization is flat, while other towns have a variety of department groupings such as Finance, Planning and Land Management, Public Works (as Wayland enacted in 2008), Human Services, Culture and Leisure, Public Safety, Facilities, etc. No two towns have exactly the same structure. This proposed article allows flexibility for the Town Manager to group departments, with oversight by the Select Board, but does not propose a specific organization, due to union considerations for many employees including some department heads.

What does the Act accomplish? The Act defines the Town Manager's authority and responsibility for administration, finances, personnel, and facilities/property.

The Act *maintains* administrative authority and responsibility for coordinating implementation of Town policy; ensuring compliance with policies, procedures, and law; coordinating setting priorities (policies, projects, staff);



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

overseeing emergency situations; communicating activities and coordinating efforts; and responding to requests in a timely manner for public records, general information, Open Meeting Law and other complaints. The word *maintains* indicates that this responsibility already exists in the Town ~~Manager~~Administrator Special Act of 2004 under Chapter 60 of Town Code.

The Act *strengthens* financial authority and responsibility by establishing the Town Manager as the Chief Financial Officer; providing additional Town Manager oversight of Operating and Capital budget development; tasking the Town Manager with effective and compliant finances; affirming the role of Town Manager as Chief Procurement Officer ensuring compliance; and creating clear signing authority to execute and award grants and sign contracts. The word *strengthens* implies a change, but that change does not require any amendment to Chapter 19 defining the Finance Committee's role.

The Act *strengthens* personnel authority and responsibility by centralizing employee services; standardizing consistent and compliant hiring practices; assigning responsibility for performance review standards to the Town Manager; assigning leadership of negotiations to the Town Manager rather than the Personnel Board; and establishing compliance with bargaining unit contracts. Again the word *strengthens* indicates a change from the current practice. In this case, Town Code Chapter 43 will need to be amended to give responsibility for negotiating to the Town Administrator, not the Personnel Board.

The Act *maintains* facilities/property authority and responsibility of the Town Manager for construction, repair and maintenance of all Town buildings, real and personal property, and information technology and infrastructure. The Town Manager is still responsible for maintaining an inventory of all Town-owned real and personal property. The word *maintains* indicates that this responsibility already lies with the Town Administrator under current Town Code (Chapter 60).

What does the Act accomplish? The Act changes the name from Board of Selectmen to Select Board. It reaffirms the Select Board's role as an executive and policy-making body and restates current Chapter 58 (Board of Selectmen) roles.

The Act changes the name from Town Administrator to Town Manager with defined responsibilities only as stated in the special act. It incorporates all elements of current Chapter 60 (Town Administrator).

The Act changes the Town Clerk from an elected to an appointed position.

The Act does not change the following: departments continue to make operational decisions and conduct day-to-day operations; boards/committees retain rights under state law and continue to set policies and maintain all permitting and regulatory responsibilities; volunteer spirit continues through over 40 elected and appointed boards/committees. All currently elected boards/committees remain elected. The number of appointed boards/committees remains the same.

Town Code is unchanged for Council on Aging, Chapter 12; Finances, Chapter 19; Planning Board, Chapter 47; Treasurer and Collector, Chapter 72; Board of Health, Division 2; and Director of Public Works, Chapter 151. The Library continues to operate under Massachusetts General Laws Chapter 78.



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

Town Code will be updated for Personnel, Chapter 43, section B (3) responsibility for negotiations; Board of Selectmen, Chapter 58 (being replaced); Town Administrator, Chapter 60 (being replaced).

Communication: Information Gathering The Collins Center conducted a Review of Financial Policies and Procedures in 2016, a Review of Financial Management Structure in 2018, and created a first draft of the Special Act.

The BoS received staff input at a public meeting in April 2018 and at a department head meeting organized by the former Town Administrator. Town Counsel updated the draft in 2019 to make the language more Wayland friendly and fit with existing Town Code. The Board of Selectmen conducted committee presentations (17) and community forums (7) in 2019. The Select Board/Town Manager Special Act was scheduled for discussion on 15 agendas in 2018 and 19 agendas in 2019. The Board of Selectmen submitted the SB/TM Special Act article in January 2020 for the planned April 2020 Annual Town Meeting. Due to the Covid-19 pandemic, the BoS voted to pass over this article at the rescheduled and shortened 2020 ATM in September.

Feedback and response: The BoS heard concerns about checks and balances, definitions, hiring and evaluations, and consistency with existing code. The BoS revised the text of the Act to continue the Select Board as Chief Executive Officer (CEO) with Town Manager as Chief Financial Officer (CFO) and Chief Operating Officer (COO); to consistently use the words *responsible* and *responsibility* to illustrate that the “buck stops” at the Town Manager’s desk, rather than the Town Manager doing the daily work; to include consultation with committees on hiring and evaluating department heads and allow department heads to hire other staff (within union contract specifications); and to recognize that preference is given to State law and existing Town Code.

The BoS also heard requests to propose a specific organization chart, but agrees that it is too early to determine the future structure. It is likely that the first structural change will be grouping of finance related positions, as that was the focus of the Collins study. The Act provides flexibility to work within Wayland’s needs.

There are no changes proposed to staff positions or union structure, but the Act allows for flexibility in organization. There are no changes proposed to the volunteer structure. There are no changes to Chapter 19 regarding the role and appointment of the Finance Committee. The Act clarifies practices regarding flexibility in the organization of financial services, as well as responsibility for budget preparation.

Questions about expense savings are difficult to answer. Time and effort efficiencies on future work are not easily quantified. It is expected that repetitive work will be reduced and that project outcomes will improve.

Questions about the process for conflict resolution between committees and departments were posed. The Act maintains the Select Board as an elected board with the Town Manager reporting to the Select Board/CEO. Procedural questions such as “who do I call to fix something?” or “what if I have an IT issue?” will not be answered in Town Code, but instead through policy.

Feedback suggesting discomfort with the Act includes the following: some committee members may feel that they are losing power or control over their departments or areas of interest; some citizens trust volunteers more than employees; some citizens are concerned that we don’t know for sure if the article will cost money; and some people may feel that one person cannot do all that is expected of a Town Manager.



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

Summary: The challenges of 30 years ago remain today. The Wayland Charter Commission (1990) wrote:

Town government is growing increasingly complex and it is essential that we have a well qualified person to handle the day to day administration. Having specified powers and responsibilities...will enable the town administrator to be more effective; and we will attract and retain competent people.

The suggestions of 187 years ago are still pending today. The Maximus Report (2002) stated:

Move towards a Town Manager form of government. As an interim (or evolutionary) step, consider making the transition to a Town Administrator form. This will entail delegation of additional authority to the Town Administrator/Manager. This will also include moving staff from reporting to various boards and commissions to the Town Manager."

Other functions of the Town currently are responsible to a range of accountability points (i.e., boards, commissions, Executive Secretary) which leads to some confusion about responsibility and authority (as well as diluting accountability).

All staff in the Town should report to the Town Manager on matters of personnel finance, service levels, etc. Board and commissions should retain no direct supervisory authority.

Today's challenge is summarized by the Collins Center (2018):

Wayland appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.

Much of what is included in the Special Act is either in the current Chapter 60 (Town Administrator) or follows current practice. This is an opportunity to think about what is best for the whole Town, not just about retaining the power of a committee, but also about how individual departments should fit within the Town structure to best position the Town for future functionality.

We have come full circle to 1990. The Charter Commission wrote:

The commission feels that the proposed charter provides a viable, progressive and flexible structure for Wayland government for many years to come.

Very few voters will favor every provision of this charter. We urge that you vote for adoption if you conclude that, on balance, the town will be better managed under the charter than without it.



TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
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Proposer's Comments (if needed, 150-word limit per Town Code):

Contact Information for Publication in Warrant

Contact Person Name: Lea Anderson **Contact Person Phone:** 5083582667

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

Proposing Board Information

Board Name: Board of Selectmen

Board Vote (Quantum) to Submit Article: 4-1-0 **Date of Board Vote:** 01.04.2021

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

Select Board/Town Manager Special Act Frequently Asked Questions (FAQS)

General questions on why change and what changes

- **Why are we doing this at all?** The Board of Selectmen wants to bring Wayland's organization into the 21st century. The purpose of the Special Act is to professionalize the structure of Wayland's government; coordinate administrative, operational, and financial functions; provide a consistent approach for efficiency, effectiveness, and transparency across all departments and boards; use resources effectively; improve legal and regulatory compliance; and maintain volunteer opportunities.
- **Why now?** We might ask, why not 30 years ago? Wayland has looked at its structure three times over the last 30 years. The Town's Charter Commission (1989), The Maximus Group (2002), and The Collins Center for Public Management (2018) have all told us the same thing: Wayland's financial management is severely fragmented and the executive function needs to be strengthened.

With the opportunity to hire two Town Administrators in the past 65 years, the Board has received direct feedback that Wayland's organizational structure is unwieldy and unusually flat. We've heard this from the prior Town Administrator and our hiring consultant. Our organizational structure is viewed as a challenge.

Wayland's organization was developed when times were simpler. Wayland was a small town with few professional staff and many volunteers who did much of the work. Wayland is now analogous to a \$950 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.

Over the decades there have been changes in the complexity of municipal government with increased regulations, financial requirements, and public scrutiny. The level of volunteer work cannot and should not be sustained. Wayland has a reputation for being difficult to manage, which translates into difficulty in hiring people into management positions. Previous Town Administrators have reported that their position has all the responsibility, but not the necessary authority and accountability for many departments.

- **Why can't we accomplish these goals with the current Town Administrator position?** In 2004 the Town made some improvements by changing from an Executive Secretary to a Town Administrator (TA) form of government. However many department heads continue to report to elected boards and committees, not up through a single executive. This makes it difficult to manage workload, set priorities that cross departmental lines, and ensure that laws and regulations are met. The current TA has 20 direct reports – an unsustainable number. There is no flexibility to organize a deeper structure of departments when some departments are not under the TA's direct management.

- **What changes are being proposed to current code?** With passage of the Special Act, the Town Code will be updated for two chapters: Board of Selectmen, Chapter 58 (being replaced); Town Administrator, Chapter 60 (being replaced). One section of Town Code will be updated at a future Town Meeting: Personnel, Chapter 43, section B (3) responsibility for negotiations, which will go to the Town Manager. In summary, the function will move to the Town Manager and the Personnel Code will be revised later.
- **Why not make this change through a Charter?** The Town tried a charter in 1989. It did not pass. A charter is a total rewrite of Town Code that follows a specific two-year process. The Board of Selectmen thinks it is more manageable to address the needed changes in parts, addressing the professional organization first. In the future the Town can choose to address financial and committee structure.
- **Why not make recommendations on consolidating or removing committees?** The volunteer spirit is very strong in Wayland and will continue through over 40 elected and appointed boards/committees. All currently elected boards/committees remain elected. The number of appointed boards/committees remains the same. Looking at committees is for a future reform.

Organizational Structure

- **What will the organization look like?** The goal is to take a very flat organization with over 20 direct reports and create functional groupings with existing staff in organizational roles. In the public discussions, the Board shared sample organizational charts from similar towns to show groupings of human services, land services, administrative support work, and public safety services.
- **Why can't we see exactly what the staff organization chart will be?** No determination has been made on an exact organization for Wayland. We can offer a couple of examples of what it might look like. However, discussions with union staff may require contract negotiation for potential changes in responsibility or reporting structure. Also, to manage staff and resident expectations and avoid unnecessary apprehension, no decision on structure will be made until passage of the Special Act.
- **Will all department groupings have a staff manager?** Functional groupings may have a leader named to facilitate communication and workload. It is not anticipated that additional staff will be hired to head these functional groups. A shift in work responsibilities should be able to accommodate the change.
- **How are Boards/Committees/Commissions changing under this act?** There are no changes to the number of boards/committees/commissions. There are no suggested changes to the selection process (elected vs. appointed), the purpose and mission statements, or the number of volunteers.

- **Do volunteers' roles change? Why is it difficult to appoint volunteers?** Committee/board volunteers will continue to have regulatory and policy responsibility. However, it is anticipated that the daily work will move to staff. Examples of this include but are not limited to regulatory mailings, implementing contracts for services. It can be difficult to attract volunteers given the amount of work required on some committees.
- **Will all boards/committees have a staff contact?** Each board/committee will have a staff contact. Now, there are some committees that report directly to the Town Administrator, for example Historical Commission, Surface Water Quality Commission and Historic District Commission. The staff contact can assist with posting agendas, maintaining information on the website, regulatory mailings and similar responsibilities.
- **Why is the Library not also under the Town Manager? Is there an explicit law?** The Library is governed by a state statute giving the Library Trustees regulatory authority over collections, programming and its building, among other responsibilities. These areas are not changed by passage of the Special Act. However, parts of the Library function require coordination with other Town staff and as such do fall under the proposed Town Manager. For instance, Facilities budgeting and work, IT for technology, Human Resources support for hiring and benefits, Finance support for payroll and expenses, and outside maintenance done by the DPW all require coordination. The Library union contract also assigns rights to the Town Administrator now and those would continue with the Town Manager.
- **Why are department heads in a union? Can we change that?** Most department heads are in the AFSCME I union; most other Town Building staff are either in the AFSCME I or AFSCME II union. Department Heads in AFSCME may not hire, discipline or review a staff member in the same union. This affects the Conservation, [Council on Aging](#), Planning, Health, Treasury, Assessing, and Building Departments. Department heads unionized decades ago most likely for salary reasons. If the Town wishes to change the union status of any position, it must be negotiated.

Financial Cost

- **What is the financial cost of this act? What are the savings?** The Board of Selectman does not anticipate any particular costs specific to implementation of the Act. Concerning savings, we anticipate that passage of the Special Act will allow the Town to use its resources more effectively. Whether it be personnel, use of time, or financial, it is anticipated that the act will streamline certain processes, which will result in some savings. Savings are anticipated also through coordination of administrative, operational and financial functions.
- **Does this act require new staff, more staff, or less staff?** It is anticipated that the Act will not change total staffing needs town-wide. However, it is anticipated that responsibilities for administrative, financial, or operational functions may change, subject to negotiations

with the Town's unions. As the Act is implemented, personnel resources will be used more effectively to deliver town services.

- **If the Town's linear reporting structure changes with the passage of this act, will there be a need for a new level of staff and bureaucracy?** It is not anticipated there will be a need for a new level of staff and added bureaucracy, if this act passes. In fact, we anticipate the effect will be just the opposite. We anticipate that there will be greater efficiency, and effectiveness with the passage of this act. There will be more effective use of personnel, time and money. Based on our observations of the many other peer communities who have established a Town Manager position, staffing needs have not increased as a result of the change.

Checks and Balances

- **What are the checks and balances around the TM being CFO? CAO?** The underlying check on the authority of the Town Manager in his/her role as Chief Financial Officer and Chief Administrative Officer (as well as other roles he/she plays) is the Select Board, which directly oversees the Town Manager. Policy decisions are made and/or ratified by the Select Board, and, as such, the Town Manager is required to take direction from the Select Board. Further, as an elected body of officials the Select Board is accountable to the residents of the Town who may vote to replace individual members at the conclusion of their terms.
- **Is it typical for the Town Manager to be Chief Financial Officer?** Yes. Most towns operate under a charter or special act that authorizes the Town Manager to appoint the CFO or Finance Director, or expect the Town Manager to perform the functions of a CFO. This person is ultimately responsible for budgets and capital outlay recommendations and making sure, once those recommendations are approved by the legislative body, that they are carried out.
- **Is it legal for the Select Board, a group of citizens, to be Chief Executive Officer in a town?** Yes. Massachusetts General Laws Chapter 4, Section 7 includes various definitions to be used in statutory construction. When a statute refers to "chief executive officer" used in the context of municipal government, the term refers to a Board of Selectmen in a town. In Wayland's case, the Special Act serves as a local charter and names the Board of Selectmen as CEO. If the Special Act didn't exist, the default would be the Board of Selectmen.
- **Should the Finance Committee be appointed by the moderator or a hybrid group (moderator, Select Board member, Finance Committee member, others) as proposed by Collins?** The determination to amend the current process as to who appoints the members of the Finance Committee is one that entails considerable ramifications, and should thus be studied in some depth in order to present residents with the pros and cons of each option. There are a number of sections within [Chapter 19](#) of the Town Code that could potentially use clarification and improvement, and could benefit from a rewrite, which would incorporate this question about appointment of members of the Finance Committee.

Instead of addressing issues within the chapter in a piecemeal fashion, it makes more sense to consider a rewrite for the entire chapter.

- **What is the role of the Finance Committee?** The Finance Committee's role is unchanged. It will still be responsible for bringing a budget to Town Meeting. The Finance Committee's stated mission is "to recommend a fiscally responsible operating budget and capital spending plan that balances the demand and need for services and infrastructure with the impact on taxpayers across a broad financial spectrum. To fulfill this mission, the Finance Committee outlines a financial strategy and provides factual and relevant information to residents so they can make informed decisions at town meeting." The Finance Committee also prepares a formal report on the budget and finances of the Town at Town Meeting as well as an annual report.
- **Will the boards/committees be involved in hiring, firing, evaluating of staff?** The Town's boards and committees will still have the opportunity to provide substantive input regarding the hiring, removal, and evaluation of town staff, but will not be directly responsible for any of those personnel-related actions.
- **Who does a board go to if there is disagreement between Town Manager and department head on budget or other things?** In the event of a disagreement involving a policy-related issue that cannot be resolved at the staff level, members of a board or committee may involve the Select Board who can subsequently determine if its involvement is necessary to seek a resolution.

Role of the Town Manager

- **How can the Town Manager possibly know and manage the intricacies of every department?** The Town Manager cannot know the intricacies of every department, yet s/he can still manage the Town well. The manager of an orchestra is unlikely to be able to play every instrument but s/he knows what to do to motivate and support the performers to produce beautiful music. In the same way a manager's job is to hire well-qualified staff, oversee employees, departments, even volunteers to ensure that they carry out their duties and meet the town's goals. The Town Manager also serves as a support system for the staff and ensures the best use of town resources, both people and financial. Manager and staff work together as a mutually interdependent team for the benefit of the Town.
- **What is the definition of "be responsible for" as it relates to the Town Manager?** To say the Town Manager (TM) is "responsible for" something (see: 3.1.b: managing, supervising, and executing; 3.1.e: the management of all financial, administrative, and operational affairs; 3.4.a: the construction, reconstruction, restoration, rehabilitation, repair and maintenance) means being **accountable** for ensuring the work is completed successfully and in a timely manner. This can be accomplished by working with staff to set goals, establishing policies, ensuring necessary resources, providing training and support, problem solving, brainstorming solutions, respecting staff knowledge and skills, and even staying out of the way. It is the TM's job to make sure the job gets done.

- **What is the Town Manager’s motivation to serve the public?** One becomes a town manager because s/he is dedicated to serving the public. The pay isn’t bad, but the hours are terrible—all those night meetings! And public scrutiny is just a TV screen or email away.

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The Special Act ensures that the Town Manager is accountable to and overseen by the Select Board, which in turn is responsible to the voters. The position is the chief administrative and operating officer of the Town, a very public position, particularly in a community like Wayland with many very active volunteers. The TM’s three major responsibilities, fiscal, personnel, and facilities, have boards, committees, and constituencies concerned with the outcome of the work: Why hasn’t that bill been paid? When will I get my building permit? Why isn’t that project that was approved at last Town Meeting completed? The TM is accountable to the staff, the volunteers, the public, state and federal laws—hundreds if not thousands of people poised to critique, criticize, complain, and—we hope—commend the TM on doing the job well. If not, there will be a phone call or email or article before s/he goes home after the fifth meeting of the day.

- **If the department head decides to rule against issuing a permit for good reason, will there be political pressure from the new Town Manager to intervene?** Permit decisions are made by the regulatory committee. If the department head is ruling on a permit, it is only because the committee has designated that authority and the committee/board has the ultimate responsibility on regulatory permits. While there could be exceptions, generally the TM’s role is not political and is to enact the will of the regulatory boards. In a smooth running organization, a department head would discuss controversial issues with the TM in advance of having to make a difficult decision. However, if there are legal or procurement improprieties, if there is new information, if the permit conflicts with a decision of another board, or puts the Town in jeopardy, we would want the TM to intercede.
- **How “down in the weeds” would the Town Manager get in the plans laid out by a board?** Typically the TM would not get into the weeds of board/committee work. The town hires well-qualified and knowledgeable staff who understand their jobs and how to complete the work of their department; the department heads remain the primary staff contact for their respective boards/committees. However municipal governments have gotten more complex; rules change; new laws are passed; technology advances and procedures that once worked may no longer be correct or effective. Generally, the TM sets the direction and encourages the staff to make the necessary changes, but occasionally the TM may need to delve into the “weeds”.
- **How will the Act improve a board’s ability to accomplish its work and how will the board/Town Manager/department head really work?** The Special Act gives the TM the authority commensurate with the responsibilities of the job. This is a major improvement. The Act clarifies the TM’s role and responsibilities as well as that person’s relationship with department heads. Using the orchestra metaphor again, we would not expect high quality music if only half the musicians followed the conductor and the other half marched to a different beat. The TM cannot manage efficiently and well when there is no reporting

relationship with half the staff and when some committees operate independently of Town goals. The Special Act establishes clear lines of authority. With approval of the Select Board, it gives the TM the capacity to streamline and reorganize departments to improve operations and reporting structures; coordinate and communicate; supervise, facilitate, and support all department heads—but not set town policy or exercise policy-making authority as provided by state law. Boards and committees continue their policy-making and permitting functions.

Measures of Success

- **Is there a way to analyze success after the new structure is implemented?** The structure change will not happen immediately; it will evolve over time. Consideration of staff strengths, upcoming retirements, union negotiations in some cases, will all come into play. It will be important to set goals and measure progress every year.
- **Will we initially see more bottlenecks? How is this more efficient?** Bottlenecks happen for different reasons now. When there is a new regulation or procedure, there is a learning curve. Bottlenecks also happen now because 20 direct reports result in a difficult management structure with varying priorities. As the organization becomes deeper (less flat), grouped departments, such as a Finance Department, will improve delegation of decision-making and will improve efficiency, which should result in a better product from the same staff.
- **How does a department/board get help from IT or Facilities? Whom do they call?** Department heads will still call the IT hotline for system issues and use Facilities scheduling software for standard repairs. More detailed questions will not be answered by this act, but rather through policy and procedure.
- **Will this act improve coordination of all participating departments/boards/committees to figure out a strategy and bring forward better projects?** That is the goal. The Town Manager working with department heads will channel projects to the right regulatory board in the right order. This should result in fewer continuances due to missing information or approvals taken out of order. This will be a significant saving of staff and volunteer time.
- **Does this act improve the setting of priorities as a Town?** Setting of major town-wide priorities resides with the voters and with their direction, the Board of Selectmen. Implementing these priorities requires the input of staff on resources, feasibility, and schedule. A Town Manager will have the responsibility and authority to facilitate the implementation of priorities, as set by the Board of Selectmen.
- **Do we still have to go to Town Meeting to vote on budgets?** Yes. Nothing about Town Meeting is changed with the passage of the act.

Select Board / Town Manager Special Act Executive Summary

What is the goal? The goal of the Select Board / Town Manager [Special Act](#) is to professionalize the structure of Wayland's government; coordinate administrative, operational, and financial functions; provide a consistent approach for efficiency, effectiveness, and transparency across all departments and boards; use resources effectively; improve legal and regulatory compliance; and maintain volunteer opportunities on boards and committees.

Why adopt this change? Wayland's government is a \$950 million diversified organization in a highly regulated and public service environment requiring a stronger centralized management structure. The Town Administrator has 20 direct reports resulting in an extremely flat organization. Some department heads report to elected boards, not to the Town Administrator. Under our current structures, there is no flexibility to group departments as there is in virtually all of our peer communities.

Has this been studied? This is the third effort over the past thirty years to strengthen and streamline the Town's executive and financial management structure. The Town has received consistent recommendations on how to improve its management structure. Today's challenge is summarized by the Collins Center for Public Management after an in-depth study completed in 2018: *Wayland appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.*

Many of the suggestions from 18 years ago are still relevant today. The Maximus Report from 2002 stated: *All staff in the Town should report to the Town Manager on matters of personnel finance, service levels, etc. Board and commissions should retain no direct supervisory authority.* The report also recommended that Wayland move toward a Town Manager form of government after utilizing a Town Administrator as an intervening step in that transition. Wayland implemented a Town Administrator form of government in 2004. It is time for the next step.

We have come full circle to 1990. The Charter Commission wrote: *Town government is growing increasingly complex and it is essential that we have a well-qualified person to handle the day to day administration. Having specified powers and responsibilities...will enable the town administrator to be more effective; and we will attract and retain competent people. Very few voters will favor every provision of this charter. We urge that you vote for adoption if you conclude that, on balance, the town will be better managed under the charter than without it.*

What does the Act accomplish? Under the Act, the Town Manager is given clearer authority and responsibility for managing the Town in four areas: administration, finances, personnel, and facilities/property.

- Administration: the Act clarifies the Town Manager's authority and responsibility to ensure compliance with policies, procedures, and federal, state, and local law; as well as set priorities for projects and staff.
- Finance: the Act strengthens the Town Manager's financial authority and responsibility and establishes the Town Manager as the Chief Financial Officer with additional oversight of operating and capital budget development as well as a five-year capital plan.
- Personnel: the Act strengthens the Town Manager's authority and responsibility, as negotiations would be coordinated by the Town Manager rather than the Personnel Board; and it standardizes consistent and compliant hiring practices.
- Facilities/Property: the Act clarifies the Town Manager's responsibility for construction, repair, and maintenance of all Town buildings, property, and information technology.

Does the Act make any other changes?

- Board of Selectmen name changes to Select Board
- Town Administrator position changes to Town Manager
- Town Clerk changes from elected to appointed position
- There is no change to the make up or authority of existing boards/committees/commissions

SELECT BOARD/TOWN MANAGER ACT

Special Act of Legislation Creating Select Board/Town Manager Form of Government in the Town of Wayland

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 5-3-2004 by Art.11. Amendments noted where applicable.]

GENERAL REFERENCES

Boards, commissions and committees — See Ch. 6.
Finances — See Ch. 19.
Personnel — See Ch. 43.
Board of Selectmen — See Ch. 58.
Town Administrator – See Ch. 60.
Treasurer and Collector — See Ch. 72.
Director of Public Works – See Ch. 151.

§ 1. The Select Board.

1.1 The Board of Selectmen in the Town of Wayland shall hereafter be known as the Select Board, who shall be vested with all of the powers and duties conferred upon a board of selectmen by any general or special law. All references to the Board of Selectmen contained in the Town Code shall be construed as referring to the Select Board, and all powers and duties conferred upon the Board of Selectmen by the Town Code shall be vested in the Select Board. (*new*)

1.2 The Select Board shall be the chief executive officers of the Town and shall serve as the chief policymaking body of the Town. (*new*)

1.3 The Select Board shall consist of five (5) residents of the Town, elected by ballot, to serve a term of three (3) years. The terms of the members of the Select Board shall be staggered such that one (1) or two (2) members shall be elected each year. Upon the effective date of this Act, the incumbent members of the Board of Selectmen shall continue in office for the duration of their elected terms but shall be referred to as members of the Select Board. (*new*)

1.4 The Select Board shall develop and promulgate policy directives and regulations that shall be followed by all agencies serving under it and, in conjunction with other elected Town officers and multiple-member bodies, shall develop and promulgate policies and regulations designed to bring the operation of all town agencies into harmony; provided, however, nothing in this section shall authorize any member of the Select Board or a majority of such members to become involved in the day-to-day administration of a town agency nor shall this provision be construed as conferring upon the Select Board any policy-making directives or regulations specifically reserved to other Town boards or commissions by statute or Town Code. (*new*)

1.5 The Select Board shall cause the Town Code, rules and regulations of the Town to be enforced. *(new)*

1.6 The Select Board shall appoint a Town Manager, Town Counsel, independent auditor and any other boards, committees, and commissions according to Town Code, statute or any special act. The Select Board shall also appoint any other multi-member boards for whom no other method of appointment is provided by Town Code, statute or special act. *(new)*

1.7 The Select Board shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by vote of the Town. Said authority shall not extend to employing counsel to the School Committee. *(in current Code, Section 58-1)*

1.8 The Select Board shall cause an adequate supply of the full Town report to be available in the Town offices and in the public library from which to furnish a copy to any interested person, and it shall cause the warrant and Finance Committee's report with recommendations to be served as provided in Section 36-2 of the Town Code. *(in current Code, Section 58-2)*

1.9 The Select Board shall have the authority to declare a state of emergency in the Town of Wayland upon the occurrence of any disaster, catastrophe, fire, flood, earthquake, storm, [public health emergency](#), other natural calamity, act of terrorism, or cyber attack. Any state of emergency proclaimed by the Select Board shall, unless sooner terminated by proclamation of the Select Board, terminate five days from the day it takes effect. *(in current Code, Section 58-3)*

1.10 The Select Board shall have full authority to establish rules and regulations, binding upon all boards, commissions, committees, councils, authorities, officials and employees of the Town of Wayland, governing the use, marking, record-keeping, maintenance and reporting requirements pertaining to Town-owned vehicles and reimbursement for the use of privately owned vehicles by employees and officials while on Town business. *(modified from current Code, Section 58-4)*

§ 2. Appointment and qualifications of Town Manager.

2.1 The Select Board, by an affirmative vote of at least four (4) members, may appoint a Town Manager for a term not to exceed three years, as the Select Board deems to be in the best interests of the Town. The Town Manager shall receive such aggregate compensation and benefits, not exceeding the amount appropriated, as the Select Board may determine. The Select Board may, but is not required to, establish a written employment contract with the Town Manager pursuant to Massachusetts General Laws Chapter 41, Section 108N, to provide for the salary, fringe benefits, and other conditions of employment. The Town Manager position shall be a non-union position. *(modified from current Code)*

2.2 The Town Manager shall be appointed on the basis of educational, management and administrative qualifications and experience, including at least a bachelor's degree from an accredited four-year college or university. The Town Manager shall have considerable professional experience, consisting of compensated service in government administration or an equivalent combination of education and business management experience. *(modified from current Code)*

2.3 The Town Manager shall devote full-time to the responsibilities of the office. The Town Manager shall hold no elective Wayland Town office. The Town Manager may be appointed by the Select Board to any other compatible Town office or position, but he/she shall engage in no other business or occupation without advance written authorization by the Select Board. *(in current Code)*

§ 3. Authority and responsibilities of Town Manager.

3.1 Administrative Authority and Responsibilities

- a. The Town Manager shall be the chief administrative and operating officer of the Town. *(new)*
- b. The Town Manager shall be responsible for managing, supervising and executing all of the activities noted in this Act, the Town Manager's job description, and any other duties assigned to the Town Manager by the Select Board or in compliance with federal and state law and the Town Code and Town policies. *(in current Code)*
- c. The Town Manager will not set Town policy, but will ensure there is appropriate coordination in the implementation of Town policy working across all Town departments in conjunction with all elected and appointed boards and committees. *(in current Code)*
- d. The Town Manager shall ensure that all Town employees, boards, commissions and committees comply with the Town's financial, personnel and legal policies and procedures, as well as all Town Meeting votes, Town Code, federal and state law, and all regulations *(modified from current Code)*
- e. The Town Manager shall be responsible for the management of all financial, administrative and operational affairs of the Town and Town departments and all boards, commissions and committees but excluding the School Department, provided, however, that all boards, commissions and committees shall continue to exercise permitting and/or policy-making authority as provided in state law. *(modified from current Code)*
- f. The Town Manager shall be responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees, broadly or in detail, regarding Town financial, personnel and legal activities. *(in current Code)*
- g. The Town Manager shall understand and have a working knowledge of the statutory and regulatory authority and responsibility held by department heads and elected and appointed boards, commissions and committees so s/he can effectively support these officers in the execution of their duties. Unless expressly stated herein, nothing in this Act is intended to reassign policy-making or permit granting statutory authority of any department head or any elected or appointed board, commission or committee to the Town Manager. *(modified from current Code)*

- h. With respect to Town policies and programs that impact multiple areas of Town government, the Town Manager shall work with all elected and appointed boards, commissions and committees and Town department heads, be responsible for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of such policies and programs. *(modified from current Code)*
- i. With respect to the development, implementation and execution of policies and programs affecting various Town departments, the Town Manager shall:
 - i) Coordinate the setting of priorities with the rest of the Town government;
 - ii) Communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives; and
 - iii) Coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered. *(in current Code)*
- j. With the exception of the School Department and Library, and except as otherwise provided in the Town Code or Chapter 347 of the Acts of 2008, to streamline services, the Town Manager may create a new department, may reorganize, eliminate or consolidate Town departments or functions, in whole or in part, and may assign functions of one department to another department, subject to the approval of the Select Board. *(new)*
- k. The Town Manager is designated as the Town's Records Access Officer under the Public Records statute. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, be responsible for the preparation, filing and maintenance of all records and reports on behalf of the Town. *(modified from current Code)*
- l. The Town Manager oversees crisis intervention in emergency situations, working with other key Town department heads, and addresses any systemic problems impacting multiple areas of the Town as they arise. The Town Manager shall ensure priority items are properly attended to and bring concerns about problem resolution to related boards, commissions and committees, and ultimately, to the Select Board for assistance in resolution, if necessary. *(in current Code)*

3.2 Financial Authority and Responsibilities

- a. The Town Manager shall be the chief financial officer of the Town. *(new)*
- b. The Town Manager shall initiate, draft and have general oversight of the process of preparing the Town's annual operating and capital budgets for submission to the Finance Committee. To assist the Town Manager in preparing the proposed annual operating and capital budgets, all department heads, boards, commissions and committees of the Town, including the School Department, shall furnish all relevant information and submit to the Town Manager, in writing and in such form as the

Town Manager shall prescribe, a detailed estimate of the appropriations required and available funds. *(new)*

- c. The Town Manager shall draft and update a five-year capital improvement plan for all Town departments for submission to the Finance Committee. *(new)*
- d. The Town Manager shall work with the Finance Director and Finance Committee to:
 - i) Develop long-term financial strategies addressing operational and capital financial needs of the Town;
 - ii) Establish set budgetary guidelines to be used in the development of annual budgets;
 - iii) Review all operating and capital budgets of all Town departments and make recommendations to the affected boards, commissions and committees and to the Finance Committee about priorities important to budget development; and
 - iv) Evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards, commissions and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible. *(in current Code)*
- e. The Town Manager shall serve as the Town's chief procurement officer pursuant to state and federal law and shall ensure that all Town departments comply with applicable procurement laws. The Town Manager may, in his or her discretion, delegate any procurement responsibilities. *(modified from current Code)*
- f. Unless any statute or special act provides to the contrary, the Town Manager is authorized to execute all grant applications and shall award and execute all contracts binding the Town up to a set amount to be established by policy set by the Select Board. *(new)*

3.3 Personnel Authority and Responsibilities

- a. Department Heads: Except as expressly provided herein, the Town Manager shall appoint on the basis of merit and fitness alone, all department heads or similar positions, in consultation with the respective boards, commissions and committees that the Department Heads or similar positions support and in compliance with any applicable provision of a collective bargaining agreement, with the exception of the School Department and Library. *(modified from current Code)*
- b. Department Employees (subordinate to Department Head or similar position): The Town Manager shall ultimately be responsible for appointing subordinates to Department Heads or similar positions. Unless otherwise provided by the terms of an applicable collective bargaining agreement, the Department Head or similar position may, with the consent of the Town Manager or his or her designee, appoint on the

basis of merit and fitness alone, all subordinate employees of each Town department, with the exception of the School Department. (*modified from current Code*)

- c. Unless otherwise provided under this Act, the Town Manager shall be responsible for appointing all other appointed employees for whom no other method of appointment is provided by the Town Code or other special act. (*new*)
- d. Discipline and Removal for Cause: The Town Manager may, for cause, discipline or remove any department head or similar position, with the exception of the School Department and Library Director, and shall, in consultation with the applicable Department Head or similar position, discipline or remove all subordinate employees of each Town department, with the exception of the School Department. (*new*)
- e. The Town Manager shall appoint, on the basis of merit and fitness alone, with ratification by a vote of at least three members of the Select Board, and evaluate, discipline and, for cause, remove, without the ratification of the Select Board:
 - i) A Police Chief;
 - ii) A Fire Chief;
 - iii) A Finance Director; and (*modified from current Code*)
 - iv) A Town Clerk. (*new*)
- f. In the event of a vacancy, disability or absence anticipated to be greater than thirty (30) days of any department head or any position appointed by the Town Manager, the Town Manager may appoint someone to serve in an acting or interim capacity for the period of such vacancy, disability or absence. (*new*)
- g. Working with the Town's Human Resource Department, the Town Manager shall be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the enforcement of personnel policies, rules and regulations and managing personnel costs to ensure maximum efficiency and fairness across Town departments. (*in current Code*)
- h. Evaluations: The Town Manager may develop a performance evaluation process and establish performance standards not inconsistent with any terms of any collective bargaining agreement. (*new*) The Town Manager shall be responsible for the annual evaluation of job performance of all Town department heads, including the Town Clerk and other positions appointed by the Town Manager but excluding the School Department and Library Director, and shall incorporate any input or recommendations received from any elected or appointed board, commission or committee served by such department heads. Evaluation of the Library Director shall include input of the Town Manager. The Town Manager shall be responsible for ensuring the completion of annual evaluations of the job performance of all subordinate Town employees, excluding those of the School Department. (*modified from current Code*)
- i. The Town Manager shall serve as the agent of the Select Board and negotiate collective bargaining agreements on behalf of the Select Board in accordance with

General Laws Chapter 150E, provided, however, that such agreements shall be subject to ratification by the Select Board and subject to funding by Town Meeting. The Town Manager may designate appropriate employees to assist with collective bargaining. *(new)*

3.4 Facilities/Property Authority and Responsibilities

- a. Except as otherwise provided in Chapter 347 of the Acts of 2008, the Town Manager shall be responsible for the construction, reconstruction, restoration, rehabilitation, repair and maintenance of all Town buildings and all Town real and personal property, and information technology and infrastructure. Nothing in this provision shall be construed as conferring any authority upon the Town Manager to have access to information that is otherwise unauthorized under state law. *(new)*
- b. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, maintain an inventory of all Town-owned real and personal property. *(in current Code)*

3.5 Transitional Authority and Responsibilities *(all new)*

- a. With the enactment of this Act by the General Court, Chapter 320 of the Acts of 2004, An Act Relative to the Position of Town Administrator in the Town of Wayland, shall be repealed and be of no effect, and the position of Town Administrator shall be abolished and the incumbent thereof shall serve as the Acting Town Manager, or if there is no incumbent, the Select Board shall appoint an Acting Town Manager. The Acting Town Manager shall serve until the Select Board appoints a permanent Town Manager.
- b. Following the enactment of this Act, the Select Board shall appoint a Town Manager, and if the Select Board so chooses, the incumbent Town Administrator may be appointed Town Manager on a permanent basis.
- c. Following the enactment of this Act by the General Court, any reference to the Town Administrator existing in any provision of the Town Code or any other special act shall be construed as referring to the Town Manager. All powers and duties conferred upon the Town Administrator by the Town Code or other special act shall be vested in the Town Manager, unless otherwise provided in this Act.
- d. Following the enactment of this Act by the General Court, Sections 58 and 60 of the Town Code shall be repealed and be of no effect.
- e. Following the enactment of this Act, all Town officers, boards, commissions and employees shall continue to perform their duties in the same manner and to the same extent as they have performed the same prior to the enactment of this Act, except that, upon the appointment of a Town Manager, the powers and duties outlined herein shall be vested in the Town Manager.

§ 4. Removal of the Town Manager.

The Town Manager may be removed by an affirmative vote of at least four (4) members of the Select Board in accordance with the provisions of the Town Manager’s contract, if applicable. *(modified from current Code)*

§ 5. Acting Town Manager.

If the Town Manager shall be absent from his/her office for up to fourteen (14) days, the Town Manager may designate a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during this period of absence. In the event the Town Manager shall be absent for more than fourteen (14) days or the office of Town Manager shall be vacant for more than fourteen (14) days, the Select Board may appoint a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during the period of any vacancy caused by the Town Manager’s absence, illness, suspensions, removal or resignation. The appointment by the Select Board shall be for a period not to exceed six months, but such appointment may be extended by majority vote of the Select Board. *(modified from current Code)*

§ 6. Town Clerk To Become Appointed Position. (new)

6.1 Upon the effective date of this Act, the position of Town Clerk shall cease to be elected and shall become a position appointed by the Town Manager pursuant to Sections 3.3.e and 6 of this Act.

6.2 The incumbent in the office of Town Clerk shall continue to serve until the expiration of the term for which elected as Town Clerk, and at the expiration of that term, a Town Clerk shall be appointed by the Town Manager as provided in Section 3 of this Act. If the incumbent in the office of Town Clerk vacates said office prior to the expiration of the term for which the Town Clerk was elected, the office of Town Clerk shall cease to be an elected position and shall be appointed by the Town Manager as provided in Section 3 of this Act.

§ 7. Conflict with Other Acts or Town Code.

In the event that there is a conflict between any provision of this Act and any provision of the Town Code, rules, regulations, orders, special acts, acceptances of laws, or other special act pertaining to the Town of Wayland, this Act shall prevail. All other provisions of Town Code, resolutions, rules, regulations and votes of the Town Meeting that are in force at the time this Act is enacted, not inconsistent with or superseded by the provisions of this Act, shall continue in full force and effect until amended or repealed.

§ 8. Time for Taking Effect. (new)

This Act shall take effect upon its passage by the General Court.



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

Article Title: Senior Citizen Tax Work Off Exemption **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:

adjust the exemption for senior citizen tax work off exemption under Chapter 59 Section 5K by :

- a) allowing an approved representative for persons physically unable to provide volunteer services to the town; and
- b) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

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):

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:** _____



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

Article Title: Spencer Circle Street Acceptance

Estimated Cost: \$32,000

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

The following provision should be included in this section “Provided that the Town has executed the necessary easement agreements with residents on Spencer Circle.....”

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.

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.



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

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: Tom Holder, Public Works Director **Contact Person Phone:** 508-358-3678
Contact Person Town Email: tholder@wayland.ma.us

Proposing Board Information

Board Name: Board of Selectmen
Board Vote (Quantum) to Submit Article: 5-0-0 **Date of Board Vote:** 1.04.2021
Signature of Board Chairperson: _____ **Date** _____

TOWN OF WAYLAND SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Community Choice Aggregation

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

To authorize the Board of Selectmen to initiate the process of aggregating electrical load through a Community Choice Aggregation Program(CCA), and to contract for electric supply for Wayland residents as authorized by M.G.L. 164, Section 134, and through the CCA, to decrease greenhouse gas emissions from the generation of electricity used by Town residents by pursuing a higher percentage of Class I designated renewable energy than that required by the Massachusetts Renewable Portfolio Standard (RPS).

The article further authorizes the Town Administrator to establish and/or appoint representatives for a committee or task force to oversee the process.

Sample text from other communities is included as an attachment.

Background Information (to be used by the 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):

Municipal aggregation often referred to as Community Choice Aggregation (CCA) is a state regulated process that allows towns and cities, including Wayland, to purchase electricity supply in bulk for all households and small businesses currently enrolled in Eversource's Basic Service (EBS). These Wayland residents and small businesses would be offered the choice to buy electricity generated with a higher percentage of locally produced renewable sources (e.g., solar and wind) compared to the 18% currently mandated by the state for 2021, further reducing greenhouse gas emissions that are contributing to the climate emergency. Residents and small businesses would be enrolled in the program by default, as required by legislation, but can opt out at any time and return to Eversource Basis Service or another supplier at no cost. During the process of exploring CCA, the Town incurs no cost beyond staff time and will only enter into a CCA contract if the negotiated rates are favorable for its residents and small businesses compared with Eversource Basic Service rates. Experience in other communities has shown that such rates are competitive, if not lower, than average Eversource Basis Services rates. Once a CCA Program is implemented, State law requires residents and small businesses on Eversource Basic Service to enroll in the program by default; however, they may opt out at any time with no fees.

Reasons in favor:

Adopting a CCA program has several benefits

1. **Consumer Choice and Vetted Options:** The program would provide Wayland residents and small businesses with a choice of one or more negotiated CCA supply rate(s), which will have a higher

percentage of renewable energy supply. The Town will, with support from a consultant, identify vetted supply options to increase our renewable energy supply and maximize, to extent feasible, procurement of locally produced green energy. Residents may opt out of the CCA program at any time and return to EBS or another supplier. Consumers are increasingly approached by various electricity suppliers attempting to sell them energy contracts. CCAs offer municipalities a way to vet suppliers for residents through government procurement procedures. CCA is well regulated and overseen by the Massachusetts Department of Energy Resources (DOER) and the Department of Public Utilities (DPU).

2. **Addressing the Climate Emergency by Increased Use of Renewable Energy:** We face a climate emergency that warrants action. CCA will give Wayland residents the opportunity to purchase supplied electricity with a greater percentage of renewable energy, reducing our collective greenhouse gas emissions. The CCA program will add more renewable energy to the supply above the state mandated Renewable Portfolio Standard (RPS), which requires 18% renewables in 2021.
3. **Stability and Competitive Rates:** Through CCA, Wayland will have the opportunity to negotiate longer term (2-3 year) supply contracts, in contrast to Eversource Basic Service rates which change every 6 months. Rates are competitive and, in some towns, have been lower than EBS.
4. **Minimal Municipal Staff Support is Required and No Added Costs:** The town will engage a consultant to manage the process, which includes identifying supply options and managing the implementation and operation of the program (e.g., tracking rates to ensure the negotiated rate remains competitive or better than EBS, managing the resident opt in/opt out through a web portal and phone line, providing outreach materials to help explain the program). The consultant is paid by fees on the supply rate at no cost to Wayland.
5. **Good Track Record:** Over 40 municipalities have used or are in the process of using CCA including neighboring towns of Newton, Brookline, Sudbury, Natick, and Lincoln. Weston passed a CCA Town Meeting article in December 2019. Framingham is also moving forward with CCA.

Potential issues that could be raised.

Residents may be concerned about the ease of the opt out or opt in process. Experience in other towns has demonstrated that this can work smoothly. An important criterion to be used in hiring the consultant will be the level of support they plan to provide and their track record in doing so.

Estimated Cost: There are no anticipated costs to the town beyond staff time to oversee the effort. The Energy and Climate Committee will also assist in overseeing the effort.

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

We face a climate emergency requiring action. Community Choice Aggregation (CCA) is a state regulated process that allows Wayland to purchase electricity supply in bulk for households and small businesses currently enrolled in Eversource's Basic Service (EBS). Residents and small businesses would be offered the choice to buy electricity generated with a higher percentage of locally produced renewable sources (i.e. solar and wind) from a well vetted supplier above the 18% currently mandated by the state. Higher percentages will further reduce our collective greenhouse gas emissions. Residents/small businesses can opt out at any time and return to Eversource Basic Service or another supplier at no cost. The Town incurs no cost during the process of exploring CCA and will only enter into a CCA contract if the negotiated rates are favorable.

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 Article: 5-0-0 **Date of Board Vote:** 01.04.2021
Signature of Board Chairperson: _____ **Date:** _____

Attachment: Sample Town Meeting Article Text From Other Communities

Weston Town Meeting Article

To vote to authorize the Board of Selectmen to initiate the process of seeking to aggregate energy, whether independently or in joint action with other municipalities, and contract for electric supply for Weston residents as authorized by M.G.L. 164, Section 134, and through what is known as Community Choice Aggregation (CCA), decrease greenhouse gas emissions from the generation of electricity for Weston residents by pursuing an amount of Class I designated renewable energy higher than is required by the Massachusetts Renewable Portfolio Standard (RPS), and further to authorize the Town Manager to establish, and/or appoint representatives for a taskforce to oversee such independent or joint action, or take any other action relative thereto.

Proposed from the Board of Selectmen to the voting residents of the Town of Scituate

To see if the Town will vote to authorize the Board of Selectmen to enter into a Community Choice Aggregation Program and contract for electric supply for Scituate residents and businesses as per Massachusetts General Law 164, Section 134 of the Acts of 1997, or otherwise act thereon. This includes authorizing the Town Administrator to establish and/or appoint representatives for a committee to oversee such independent action, or take any other action relative thereto, and to execute all documents necessary to accomplish the same.

Proposed from the Board of Selectmen at Sharon’s Town Meeting

To see if the Town will authorize the Board of Selectmen to commence a Community Choice Aggregation Program (CCA) and contract for electric supply as authorized by M.G.L. 164, Section 134, and through CCA decrease greenhouse gas emissions from the generation of electricity for Sharon residents and businesses by pursuing an increased amount of Class I

designated renewable energy than is required by the Massachusetts Renewable Portfolio Standard (RPS), or take any other action relative thereto.



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

Article Title: Loker Elementary School Solar Agreement **Estimated Cost:** _____

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

To determine Whether the Town will vote to:

- a.) authorize the School Committee, to transfer the care, custody, management and control of the parking lot and building of the Loker Elementary School at 47 Loker Street to the Board of Selectmen for the purpose of leasing, as lessor, or licensing said areas of land and buildings for a term of not more than twenty (20) years for the installation and operation of solar photovoltaic power generation systems to be installed and operated on canopies located in parking lot and on the roof of Loker Elementary School; and
- b.) authorize the Board of Selectmen to enter into and execute an agreement for the purchase of solar energy or net metering credits generated by said systems above to be installed and operated on canopies located in parking lot of Loker Elementary School for a term of twenty (20) years; and
- c.) authorize the Board of Selectmen, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H, with the approval of Town Counsel as to form, to enter into and execute a structured tax or payment in lieu of tax (PILOT) agreement in connection with the solar photovoltaic power generation systems to be installed and operated on canopies located in parking lot at The Loker Elementary School for a term of twenty (20) years upon such terms and conditions, as the Board of Selectmen shall deem to be in the best interest of the Town.

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):

What is the purpose of this article? The article empowers the Town to sign a power purchase agreement (PPA) with a solar project developer selected by the Town (the Developer) to lease portions of the roof and parking lot of the Loker Elementary School, for the construction and operation of a solar photovoltaic system at such site and for the Town to purchase all of the electricity generated by such system, for a term of 20 years. The article also empowers the Town to enter into a structured tax agreement with the Developer to set the amount of annual property taxes associated with the solar system to be paid to the Town for the same term.

With passage of this article, the Town will: 1) take action on its [2018 Town Meeting](#) resolution to minimize carbon-based energy use in undertaking all new municipal building construction and substantial renovation projects and reduce town related greenhouse gas emissions to address our climate emergency 2) support its 2009 state designation as a Green Community, 3) save money through reduced electricity costs, and 4) generate additional property tax revenues for the Town.

What is the financial benefit to the Town? The Town expects financial benefits from the solar project in two ways: 1) the Town will realize savings on its electricity bills, and 2) the Developer will pay annual property taxes on the solar project. The amount of the electricity cost savings and property tax payments will depend on the ultimate size of the solar array on the roof and whether a solar canopy is installed in the Loker parking lot. The combined savings and property tax payments could exceed \$20,000 in the first year. The combined potential benefits over 20 years could exceed \$400,000 or more, depending on future utility electricity rates increases.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

What has been the Town's past experience contracting for solar systems? Wayland has had a positive experience with a similar agreement for the four existing solar arrays at the Wayland High School, Wayland Middle School, Town Building, and the Department of Public Works facility (the Existing Arrays). The 2015 Town Meeting approved the Town entering into a power purchase agreement (PPA) with Ameresco to design, construct and operate the Existing Arrays and to sell the power to the Town. The arrays commenced operations in early 2017. They have generated over \$100,000 each year in savings and property taxes. The Existing Arrays were constructed at no cost to Wayland, beyond staff time.

Why is a solar array being considered now for the Loker Elementary School roof? The pending installation of a new roof on Loker Elementary School in 2021 offers an ideal opportunity to add a solar array to that Town facility; the age of the roof prevented the Town from installing a solar array earlier.

How will the Town select the solar developer? The Town is evaluating proposals from two solar developers: Ameresco and Solect Energy. Both solar developers were selected under separate competitive procurements that can be accessed by the Town. If the Town chooses Ameresco, the Town can amend the existing PPA with Ameresco to add the Loker solar project. Ameresco was selected as the solar developer for our existing solar projects based on their successful response to an RFQ for energy management services issued by the Metropolitan Area Planning Council (MAPC). Alternatively, as a member of PowerOptions, the Town can contract with Solect Energy, the solar vendor competitively selected by PowerOptions.

What is the solar project structured? Under the PPA, the Developer will design, permit, finance, install and operate the solar electric power system at the Loker Elementary School at no cost to the Town. The Developer will sell the solar electricity to the Town at a negotiated price. Some of the solar electricity will be used by the school; the excess over the school's needs will be sent to the utility, Eversource Energy, in exchange for credits on our electric bills, as allowed by the state's net metering credit incentive program. There are no anticipated indirect operating costs to the Town. The Developer is responsible for all costs including the construction, operation, maintenance, and removal of the solar systems.

As the owner of the solar system, the solar project owner will be required to pay personal property taxes to the Town. Under state law, Wayland can enter into a structured tax agreement with the Developer to set the amount of the annual tax payment. A level tax payment enables Wayland to: 1) count on a known property tax income stream over 20 years, and 2) simplify the Town's tax administration. The warrant article is needed to authorize the Board of Selectmen, in consultation with the Board of Assessors, to enter into the structured tax agreement.

Status of Town Staff and Committee Reviews (To be updated):

- The Energy & Climate Committee on November 11th voted unanimously to endorse the solar initiative.
- Town Staff and Energy & Climate Committee are reviewing proposals from Ameresco and Solect for the Loker solar project and will make a recommendation to the Board of Selectmen.
- Prior to Town Meeting, the Board of Selectmen will vote on signing a non-binding letter of intent with one of the Developers.
- Prior to Town Meeting, the proposal from the selected Developer will be reviewed by the Permanent Municipal Building Committee, the School Committee, and the Board of Selectmen.
- Consideration by the Board of Assessors of a structured tax agreement will be subject to approval of this article.

If Town Meeting approves this article, the Board of Selectmen will negotiate the power purchase agreement with the assistance of the Town Administrator, Town Counsel, the Energy & Climate Committee, and, if needed,



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

outside solar technical and legal services experts hired by the Town for this purpose. Approval also will enable the Town to negotiate the structured tax agreement. Installation of the solar array will follow installation of the roof on the Loker Elementary School. The Developer will work with the Town to manage the installation schedule to minimize the impact on school activities.

ARGUMENTS IN FAVOR:

- The solar project will be a visible and significant reaffirmation of the Town's resolution to reduce its carbon-based energy use and continue to fulfill its obligations as a Green Community.
- The solar electricity will exceed Loker Elementary School's own electricity net requirements, with the excess generating credits that will reduce the Town's electricity bills. Preliminary estimates from Solect Energy estimate an annual electricity credit of \$20,000?
- The solar project will protect Loker Elementary School from future inflation-related utility electricity rate increases. Any such rate increases would raise the solar project's net financial benefits to the Town.
- The solar project will generate property tax payments for the Town each year.
- This is an opportune time to install a solar array on the roof. Both the new roof and the solar array will have similar long-lives, making it likely that the Town can avoid the cost of removing panels for roof repairs. In addition, the roof and solar contractors can coordinate to ensure the roof warranty is maintained in full force.
- The Developer will have sole liability related to construction and operation of the solar arrays.
- The Town's existing four solar arrays have generated savings and tax revenues to the Town, with no operating issues. We can build on that good experience to add a fifth project.

ARGUMENTS OPPOSED:

- The projected net electricity saving assumes continuation of the state's net metering credit solar incentive program.
- The value of the utility's net metering credits will vary, as the credits are not set by contract. Lower electricity prices might reduce the value of the credits and the net savings to the Town from the solar project.
- There is no guaranty that the Developer will be in existence to maintain the solar arrays during the twenty-year life of the power purchase agreement or to remove the arrays at the end of the agreement.
- Town operating costs might marginally increase as a result of working around the canopy.
- The solar canopy in the parking lot might complicate any future remodeling during the next twenty years.
- There can be incremental costs if the Town damages the solar systems or if solar panels on the roof need to be removed to support roof maintenance.

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

The Energy & Climate Committee strongly favors passage of this article. The Loker solar project will build on the success of the existing solar arrays in generating financial benefits for the Town. It will show the commitments of Loker Elementary School and the Town to taking meaningful steps to combat climate change. Both solar Developers are highly experienced, having installed comparable solar arrays for dozens of towns and other non-profit entities in Massachusetts. The solar project will not require any Town capital expenditure and will create immediate and tangible electric utility cost savings and property tax payments for the Town. Passage of the article is necessary in order to realize these savings and tax payments. Deferral on this article for a later meeting would result in the solar project receiving lower state financial incentives, causing a permanent reduction in potential Town electricity cost savings.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

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 Article: 5-0-0 **Date of Board Vote:** 01.04.2021

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Personnel Bylaws and Wage & Classification Plan – Non-Union Personnel **Estimated Cost:** \$ -

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

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL, and the Personnel Wage and Salary Classification Plan (Appendix TBD) previously adopted by the Town for non-union Town employees, and further, to determine whether the Town will vote to raise and appropriate, transfer from available funds, transfer from funds already appropriated for another purpose, or otherwise, the sum of \$ - for the purpose of funding said adjustments to wages and salaries for non-union Town employees for fiscal year 2020, and to authorize the Town Accountant to allocate said sums to and among the personnel and line items affected thereby in such accounts as are proper and required.

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):

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

Annual wage adjustments for non-union staff are brought to Annual Town Meeting. The proposed - % FY22 increase as identified in Appendix TBD of the warrant represents a nominal increase for non-union staff. The increase is consistent with wage increases for other town employees. Increases to starting wages for hourly and seasonal employees reflect the increase in the state minimum wage.

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:** _____



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 5-0-0 **Date of Board Vote:** 1.11.2021
Signature of Board Chairperson: _____ **Date:** _____



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

Article Title: Create Transfer Station Enterprise Fund **Estimated Cost: \$** _____

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

To determine whether the Town will vote to:

a) accept the provisions of the Massachusetts General Laws Chapter 44, Section 53F1/2 to establish an enterprise fund for the operation, maintenance and improvement of the Wayland Transfer station located at 484 Boston Post Road, Wayland MA 01778 effective July 1, 2021 and;

b) fund said enterprise fund by appropriating the closing and post-closing funds of the dissolution Transfer Station Revolving Fund and \$_____ from the General Fund

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):

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:** 1.11.2021

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



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

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):

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:** 1.11.2021
Signature of Board Chairperson: _____ **Date:** _____



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

Article Title: Appropriation to Pay BAN related to River's Edge **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 authorize the Board of Selectmen to appropriate funds to fund the Bond Anticipatory Note (BAN) used for asbestos cleanup remediation costs and other associated costs at River's Edge (source to be determined).

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):

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:** 1.11.2021
Signature of Board Chairperson: _____ **Date:** _____



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



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

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: 5-0-0 **Date of Board Vote:** 1.11.2021

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



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
Attach extra pages if necessary

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: 5-0-0 **Date of Board Vote:** 1.11.2021

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



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
Attach extra pages if necessary

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.



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Included in the Board of Selectmen 1.11.2021 Agenda Packet

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

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Included in the Board of Selectmen 1.11.2021 Agenda Packet

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:** _____

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

Sponsored by: Alan Reiss, David Bernstein – **Main Petitioners**

Estimated Cost: Approximately \$70K per year

To determine whether the Town will vote to:

LET IT BE RESOLVED that Town Meeting endorses the use of an electronic voting service for all sessions of all Town Meetings through fiscal year 2027, subject to the Moderator's rules, and requests the Board of Selectmen and Finance Committee to include sufficient funding in the FY2023, FY2024, FY2025, FY2026, FY2027 Omnibus Budget articles present at the CY2022, CY2023, CY2024, CY2025, CY2026 Annual Town Meetings. - 5 Consecutive years.

PETITIONERS' COMMENTS: Electronic voting at Town Meeting replaces voice voting and occasional standing counts. Because sound intensity declines with distance, voice voting is fundamentally inaccurate: voters seated further from the Moderator have less of a vote than those seated closer. For borrowing or zoning articles where a two-thirds majority is required, it can be difficult for the Moderator to determine the outcome. When the Moderator can't determine the outcome or when 7 voters request it, the outcome is determined by a standing count, which depending upon the number of voter's present can take from 10 minutes to an hour. Electronic voting ensures that every vote is accurate, without requiring voters to shout out their vote to ensure being heard, and without the need for standing counts. Whether voting by voice or by standing count, a voter's choice is public; the consequences of having one's votes known to friends, neighbors, employers, or employees can prevent the application of one's best judgement. Electronic voting ensure that all votes are private, free of intimidation in any form. Since Wayland began using electronic voting in 2012, the combination of its benefits have markedly changed the Town Meeting environment. Electronic voting eliminates the stress of shouting out votes, the concern over accurate vote resolution, and the worries from public voting; as a result, voters have become more relaxed, methodical, and deliberate – enabling them to employ their best judgement for the benefit of all Wayland citizens.

ARGUMENTS IN FAVOR:

- Electronic voting is more accurate than voice or hand voting at Town Meetings.
- Electronic voting takes away the need for standing or hand counts that can be time consuming when recounts are needed, and 2/3rd's quantum are required for zoning and borrowing.
- A supermajority believe that private electronic voting can produce a better outcome of articles with less intimidation and fear of retribution caused by public voting.
- A supermajority feel that voting integrity is better preserved, and the quality of government is improved.
- Town Meeting is run more efficiently and can inhibit non-residents from fraudulently voting.
- The use of eVoting has saved the town an average of 3 hours per Town Meeting and sometimes a full session.

Article May 2021: RESOLUTION TO CONTINUE ELECTRONIC VOTING THROUGH FY2027

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Article May 2021: RESOLUTION TO CONTINUE ELECTRONIC VOTING THROUGH FY2027

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Article May 2021: RESOLUTION TO CONTINUE ELECTRONIC VOTING THROUGH FY2027

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TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Establish Wayland Human Rights Commission **Estimated Cost:** 0

Article Text for Warrant: To determine if the town will vote to:

To determine if the Town will vote to establish a Human Rights Commission (HRC), which will serve as a government entity specifically focused on promoting justice, equity, and inclusive humanity in all spheres of Wayland life (including but not limited to education, employment, law enforcement, housing, public accommodation, health, recreation, sports, and the arts) for all persons who live, work, study, worship in or visit Wayland for any reason.

The HRC shall consist of no fewer than 13 and no more than 17 members. At least 9 members shall be Voting Members. To qualify as a Voting Member, a person shall be a Town resident 18 years of age or older. A person may be appointed as an Associate Member even if the person is not a resident of the Town or 18 years of age or older. The Town Administrator / Town Manager may serve as an ex-officio, non-voting member of the HRC. The members of the HRC (with the exception of the Youth Member, who will serve a 1-year term) shall be appointed to serve 3-year terms with no member serving more than 6 consecutive years. The initial HRC appointments shall be for staggered terms so that 4 of the appointed members shall initially serve 1-year terms, 5 of the initial members shall serve 2-year terms, and all remaining initial members shall serve 3-year terms. The length of the initial staggered terms shall be determined by lottery.

The members of the HRC shall be nominated by the entities identified below. These entities shall consider the goal of the composition of the HRC when making such nominations, which is to have an HRC that represents a broad spectrum of the community, including but not limited to a diverse representation of race, skin color, sex, age, religion, ethnicity, physical or mental ability, sexual orientation, gender identity, family and/or marital status, educational status, health status and socio-economic status. In addition to these factors, the nominating entities may also consider diversity of professional expertise, advocacy experience, and community involvement.

Cognizant of these goals, HRC members shall be nominated as set forth below and then confirmed by a majority of the Board of Selectmen:

Three members shall be nominated by the Wayland Board of Selectmen. One member nominated by the Board of Selectmen shall serve as the Chairperson of the HRC for the first 6 months, after which time the HRC shall elect Co-Chairpeople from among the full HRC membership;

Two members shall be nominated by the Wayland School Committee;

One member, serving as the Youth Member of the HRC, shall be nominated by the Principal of the Wayland High School;

One member shall be nominated by the Chief of the Wayland Police Department;

One member shall be nominated by the Director of the Wayland Public Schools METCO Program;



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

One member shall be nominated by the Wayland Council on Aging;
One member shall be nominated by the Wayland Housing Authority; and
One member shall be nominated by the Board of Library Trustees

The HRC shall nominate any remaining members up to a maximum of 17 not otherwise appointed, as above (including filling remaining unexpired terms), by seeking applications from a broad range of interested persons who shall reflect the HRC's goals as set forth above. In the case of the initial HRC, such nominations shall be made no later than 60 days following the first meeting of the HRC.

The HRC shall be authorized to:

- (1) Receive reports from individuals alleging a violation of human rights. Such violations may include, but are not limited to, allegations of inequity or mistreatment on the basis of race, skin color, sex, age, religion, ethnicity, physical or mental ability, sexual orientation, gender identity, family and/or marital status, educational status, health status, or socio-economic status. Upon receipt of a report, the HRC may suggest resources and provide referrals for human services and other resources as appropriate to the situation and/or report and refer reported matters to relevant Town, state, and/or federal authorities for investigation and disposition within their respective jurisdictions.
- (2) Mobilize Town entities (including but not limited to Town departments, elected and appointed Town boards, committees, councils, and commissions) to:
 - (a) identify discriminatory impacts of entity practices;
 - (b) establish justice, equity and inclusive humanity goals;
 - (c) collect and analyze data to measure progress toward these goals;
 - (d) determine what steps are needed to end or mitigate the negative impact of public and private policies and practices that are found to be barriers to the achievement of these goals.
- (3) Collaborate with representatives from historically disadvantaged groups to better understand barriers to justice, equity and inclusive humanity in the community, promote mutual understanding and respect for differences, develop strategies for ending inequities and eliminating these barriers, and organize community education events.

The HRC shall be directly accountable to the residents of the Town. To ensure such accountability, the HRC shall submit annually a written report for the record at Annual Town Meeting. The HRC shall also hold an annual public forum within two months of Annual Town Meeting, which includes an oral report by members of the HRC and an opportunity for the public to ask questions and provide comments to the HRC.



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

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TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Establish Wayland Human Rights Commission

Estimated Cost: 0

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):

Introduction and Background Regarding the Petitioner's Article to Establish a Human Rights Commission in Wayland

The idea for this Petitioner's Article to Establish a Human Rights Commission in Wayland began in January of 2020 when a small group of residents began to explore the idea of a Human Rights Commission (HRC) for the Town of Wayland. The group, which has informally adopted the name "HRC Study Group" now includes about a dozen residents who have been meeting almost weekly since June to learn how a Human Rights Commission might serve the needs of Wayland.

Human Rights Commissions, which exist in cities and towns across the United States and the world, are based on the principle that every person has equal value and dignity no matter who they are. HRCs can provide resources and support for individuals who experience identity-based mistreatment or discrimination, educate the public, champion equitable policies and practices, and more.

In Massachusetts, there are nearly 40 municipal-level HRCs that offer these protections across a range of commission and committee models. The HRC Study Group has investigated many of these models with a goal of identifying what entity, if any, would best serve the Wayland community.

Members of the HRC Study Group represent a wide range of experiences professionally and personally, including attorneys, educators, fundraisers, PhDs, parents, researchers, members of various town committees and boards, and individuals who have lived in Wayland from one year to many decades. The group has been aided by a faculty member at Northeastern University School of Law who specializes in human rights at the international, national and local levels. In the course of the work of the HRC Study Group the Northeastern University School of Law Professor and her research assistants have investigated and written informal memoranda on the structure of HRCs in other town and cities in Massachusetts as well as other HRCs across the country, the possible investigative powers of a town-based HRC in Massachusetts including whether or not a town-based HRC can issue a subpoena (they do not have independent subpoena power), and the relationship of an HRC to Massachusetts Open Meeting Laws.

It is important to note that members of the HRC Study Group are not necessarily seeking to serve as commissioners of an HRC but, rather, are focused on its design, implementation, and eventual evaluation.

Since June 2020, the HRC Study Group has:

- Studied the need for, and potential contours of, a Human Rights Commission for Wayland
- Heard directly and indirectly regarding incidents of bias in Wayland
- Learned from other HRCs around the Commonwealth and the country



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

- Expanded its focus from racial equity to human rights more broadly, and
- Developed the [Lived Experiences Project](#) to explore the dimensions of bias incidents through a survey to collect personal narratives (survey launched on International Human Rights Day, Dec 10, 2020).

Why does Wayland Need a Human Rights Commission?

"Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works.

Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them, we shall look in vain for progress in the larger world."

- Eleanor Roosevelt, speech commemorating the 10th anniversary of the Universal Declaration of Human Rights

Identity-based mistreatment and discrimination occur everywhere in the United States, and Wayland is no exception. Incidents of identity-based mistreatment in Wayland have been reported, for example, in the "bipoc.wayland" [Black, Indigenous and Other People of Color] and "Dear Wayland" Instagram accounts. Friends and neighbors have shared accounts of similar incidents with members of the HRC Study Group, including individuals in the group who have been targets of such incidents. While various Wayland entities play a crucial role in ensuring the safety and wellbeing of Wayland residents, there is currently no one civic body charged with ensuring that policies, practices and programs are in place to prevent these occurrences and, if that is not possible, to provide recourse and assistance to our neighbors who are impacted.

For example, currently if a person in Wayland is the target of an identity-based incident they can report it to the police, but they may not know where to turn for support. If an HRC were in place, a person could contact the HRC to get support, resources and advocacy on their behalf.

Establishing a Human Rights Commission would align Wayland with peer and neighboring towns, including [Arlington](#), [Belmont](#), [Concord-Carlisle](#), [Framingham](#), [Lexington](#), [Maynard](#), [Needham](#), [Newton](#) and [Winchester](#), who are working to improve the quality of life for all residents no matter their racial identity, religion, sexual orientation, gender identity, country of origin, or other aspect of identity. Creation of an HRC would establish Wayland as a town where residents and town officials share a belief that every person has equal value and dignity no matter who they are.

Purpose of a Human Rights Commission

The purpose of a Wayland Human Rights Commission would be to champion the achievement of justice, equity and inclusive humanity in all spheres of Wayland life for all people who live, work, study, worship in or visit Wayland. The work of the HRC would be guided by these values:

-What binds people together is greater than what separates us



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

- Every person has equal value and dignity no matter their race, color, sex, religion, physical or mental ability, origin or ancestry, ethnicity, sexual orientation, gender identity, marital status, socio-economic status or a combination of identities
- Everyone deserves equal access to benefits, privileges and power
- All groups of people are inherently equal, and no group is inferior or superior to another
- Working to achieve these goals is an immediate obligation

These values are rooted in the universal human rights principles expressed in the United Nations' Universal Declaration of Human Rights.

The HRC would comprise a volunteer group of Wayland stakeholders, representing various aspects of town life. The HRC Study Group held many discussions on the proposed composition of the HRC and concluded that the membership set forth in the article represents a wide variety of different groups who would nominate members while also allowing the HRC itself to nominate additional members to ensure diversity and inclusive humanity within the HRC. In addition, allowing the entities to nominate the members, who are then subject to confirmation by the Board of Selectman, will encourage the necessary autonomy of the members and entities while ensuring that the HRC also has sufficient authority to take any necessary action.

What's Happening in Other Locations?

Many towns and cities across Massachusetts have Human Rights Commissions or Committees. The [Massachusetts Human Rights Coalition](#) (MAHRC) is a coalition of "municipal and local agencies responsible for promoting human and civil rights and harmonious relationships among diverse groups at a local level." Members of the Wayland HRC Study Group have attended several MAHRC meetings. A list of Human Rights local and municipal agencies in Massachusetts can be found [here](#) on the MAHRC website. In addition, the Wayland HRC Study Group researched 24 of these agencies and created a summary of its findings [here](#).

The [International Association of Official Human Rights Agencies](#) maintains a list of U.S. State-level human rights organizations, such as the Mass Commission Against Discrimination here in the Commonwealth, as well as city and town human rights organizations around the U.S. and Canada.

The [US Human Rights Network](#) is home to the [National Human Rights Cities Alliance](#), a membership organization that promotes human rights cities projects around the U.S. This organization has published a statement of [human rights city principles](#).



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

Petitioners' Comments (150-word limit per Town Code):

Human Rights Commissions (HRCs) exist nationally and internationally, including nearly 40 municipal HRCs in Massachusetts. Their underlying principle is that everyone has equal value and dignity. HRCs provide resources and support for individuals who experience identity based mistreatment or discrimination, educate the public and champion equitable practices.

Wayland needs an HRC because, like everywhere else, identity based mistreatment and discrimination occur here. Such incidents have been shared in many ways including responses to the Lived Experiences Project. While various entities play a crucial role in ensuring the safety and well being of Wayland residents, no one civic body is currently charged with ensuring that policies and programs are in place to prevent occurrences and provide assistance to those impacted. An HRC would be the government entity so authorized and would establish Wayland as a town where residents and town officials share a belief that everyone has equal value and dignity.

Lead Petitioner's Contact Information*

Name (for publication in warrant): Karen Blumenfeld

Phone (for discussing article): (508)272-1384

Email (for publication in _____): Oxbow3@comcast.net

Signature of Lead Petitioner: _____ Date: _____

** The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

Attach extra pages if necessary

Article Title: Law Enforcement Officers Recognition Day Estimated Cost: 0

Article Text for Warrant: To determine if the town will vote to: declare that January 9 of every year, beginning 2022 in Wayland, Massachusetts shall be recognized as "Law Enforcement Officers day"

Table with 4 columns: #, Print Name Legibly, Signature, Print Street Address. Contains 14 rows of handwritten entries.

Sign page 1 and 2



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Law Enforcement Officers Recognition Day **Estimated Cost:** - 0 -

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):

see attached

Petitioners' Comments (150-word limit per Town Code):

see attached.

Lead Petitioner's Contact Information*

Name (for publication in warrant): Virginia A Gardner

Phone (for discussing article): 617-721-1062

Email (for publication in warrant): virginiagardner@aol.com

Signature of Lead Petitioner: Virginia Gardner **Date:** 1-02-2021

** The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*

PETITION TO MAKE JANUARY 9, AN ANNUAL RECOGNITION DAY FOR WAYLAND, MASSACHUSETTS LAW ENFORCEMENT OFFICERS

WHETHER IT IS CIVIL UNREST, LABOR STRIKES, HUGE SPORTING EVENTS, OR JUST HELPING A CAT GET DOWN FROM A TREE, LAW ENFORCEMENT OFFICERS ARE A CRITICAL PART OF OUR LIVES, WOVEN INTO THE EVERYDAY FABRIC OF LIVING IN AMERICA. THEY KEEP OUR NEIGHBORHOODS SAFE AND HELP ENSURE THAT WHATEVER IT IS YOU NEED TO DO; YOU CAN DO WITH PEACE OF MIND. THEY ARE OUR FIRST LINE OF DEFENSE

Let's show Wayland Law Enforcement that the difficult career path they have chosen is recognized by the people of Wayland who they protect and uphold the law for. Let's make January 9 an annual event for recognizing how important our Law enforcement officers are. Word count



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

Article Title: CPA Historic Preservation: Rehabilitation of 70-74 Main Street Estimated Cost: \$145,000

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

To determine whether the Town will vote to appropriate the following sum of money not to exceed \$145,000 from the Community Preservation Fund's Historic Preservation Fund to be expended, upon Historical Commission approval of design plans, to rehabilitate the exterior elevations of the building to their early 20th century appearance; and that a grant agreement is signed with the following conditions:

- a) that the work will be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 C.F.R. 67 and 68), and is reviewed and approved by the Wayland Historical Commission prior to demolition and construction;
- b) that a preservation restriction is granted by the property owner to the Wayland Historical Commission; and
- c) that a repayment schedule is included in the preservation restriction if the property is sold within a certain period of time that may also be guaranteed by a lien on the property.

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):

The Economic Development Committee (EDC) has identified 70-74 Main Street as one of the only historic commercial properties remaining in Cochituate. It is in disrepair and has lost its historic character due to 40-year-old renovations including the application of vinyl siding and out-of-scale windows. The EDC believes that rehabilitation of the exterior of the building consistent with early 20th century photographs will enhance the property and the streetscape and will be a public benefit for the Cochituate neighborhood.

The building at 70-74 Main Street sits in a high-profile position on Main Street, and its renovation would improve the streetscape economic vitality, while uncovering the history of a bygone era. Every day, people who wait in line at the traffic light, visit the Hannah Williams Playground, or walk by to restaurants, stores, the post office or the bank, will be able to appreciate the details of the small retail building up close. The building contains retail space with two small apartments above, no dedicated parking, and limited sewer capacity. It cannot expand, or build new, due to its septic constraints and lot size (only 4,105 sf, less than one tenth of an acre). The 3,104-square foot building and property is assessed at \$336,500, about a third of the value of a typical house in the surrounding neighborhoods, and this value reflects the limited rents that an owner can garner. This confluence of factors, here and elsewhere, results in severely limited financial resources for private property owners to do maintenance and improvements. Without some assistance, facades like this one remain as they are for years, to the detriment and lost opportunity of the community. Thus, this project proposes to work collaboratively with the owner to pool funds to uncover the building's history. Funds that would otherwise install vinyl could be directed toward a more robust and meaningful restoration. This work will yield an end product that has the potential to elevate the streetscape and the neighborhood, raise awareness about Cochituate's history, and perhaps inspire surrounding commercial and residential property owners to improve their properties historically as well.



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

The rehabilitation would require Historical Commission approval and would be judged by the standard historic preservation guidelines set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties. The public funds would be protected by a Preservation Restriction (PR) granted by the property owner to the Town and attached to the property deed. In addition, there would be a "repayment" schedule should the property be sold within a certain period of time after signing of the PR.

This project would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available in the Community Preservation Fund's Historic Preservation Fund.

Reasons to Approve: Enhancement of the busy streetscape in Cochituate Village would be an asset enjoyed by passersby and potentially an incentive to other property owners to improve their properties. This property is one of only a couple remaining commercial building in Cochituate Village from that period in history.

Reason Not to Approve: In the future there may be more pressing projects for which historic preservation funds may be used. Some may not approve of public funds used to enhance private property despite the protections of the public monies required within the article.

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 7-0-1 **Date of Board Vote:** 1/13/21

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: CPA Historic Preservation: Cemetery Stones Condition Assessment & Library Archival Document Conservation **Estimated Cost: \$30,820**

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

To determine whether the Town will vote to appropriate the following sums of money not to exceed:

a) \$14,000 from the Community Preservation Fund's Historic Preservation Fund to be expended by the Historical Commission to hire professional preservation consultants to assess conditions and make recommendations regarding restoration and rehabilitation of gravestones in the oldest sections of Wayland's North Cemetery and Lakeview Cemetery, and all of South Cemetery; and

b) \$16,820 from the Community Preservation Fund's Historic Preservation Fund to be expended by the Wayland Free Public Library Trustees to conserve and digitize irreplaceable historic documents owned by the Wayland Free Public Library.

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):

The work entailed in these two historic preservation projects is similar to other projects that have been funded using Community Preservation Act Historic Preservation monies in the past.

a) The Wayland Historical Commission requests \$14,000 to hire professional preservationists to evaluate the conditions of gravestones in each of Wayland's three cemeteries: specifically the oldest sections of Lakeview Cemetery on Commonwealth Road (Sections A, B, C, and small parts of E and F as shown on a map of the Cemetery) and North Cemetery on Old Sudbury Road (Old and Stoney Sections) and all of South Cemetery on Cochituate Road and make recommendations about restoration and rehabilitation. These areas have been targeted because: they contain some of the oldest graves in Wayland and there are damaged graves in all these locations, including stones that are broken, have fallen over, are leaning, are cracked or chipped, and/or are sitting on eroded ground.

Historic cemeteries are important cultural, architectural and archaeological resources. Wayland's cemeteries are windows into the town's historical development. North Cemetery, which dates to 1643, is the resting place of the Town's original settlers; Revolutionary War soldiers, former slaves, suffragists, authors, among others, and the location of the first Meetinghouse. South Cemetery, once called Centre Cemetery and established in 1835, is the smallest of the three cemeteries. Lakeview Cemetery was formally established in 1871 and is the resting place of many of the prominent shoe factory owners and families as well as many individuals who worked in those factories.

Preserving deteriorating gravestones in these cemeteries helps to preserve historic artifacts that carry both artistic and factual information that is useful to historians and genealogists. Just as important, it pays respect to those who have contributed to life in Wayland. As Benjamin Franklin said, "Show me your burial grounds and I'll show you a measure of the civility of a community."



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

b) The Library Trustees request \$16,820 to hire conservators to preserve some recently discovered primary resources/documents that are fragile and deteriorating. These historic documents provide valuable insight into Wayland’s history. Each is one of a kind and irreplaceable. They include: records from 1796-1843 of the East Sudbury Social Library, which was the institutional predecessor to the Wayland Free Public Library, itself the first truly public library in Massachusetts (and the second in the United States); as scrapbook donated by James Sumner Draper, a rich source of local history and a kind of portrait of a key figure in that history; a collection of letters (1903-1918) and a scrapbook on the Beginnings of the Library (1848-1878). Wayland residents have a strong interest in maintaining records of the past, knowing that our history points the way to the future. Conserving these documents preserves them for future generations while digitization makes them readily available to all who explore our past history.

Both projects are eligible for Community Preservation Fund’s (CPF) Historic Preservation Fund, which can be used for preservation, rehabilitation, and restoration of historic resources. These projects would be funded by monies that have already been collected and received by the Town and will not impact the Town’s tax rate. There are sufficient funds available in the CPF Historic Preservation Funds.

Reasons to Approve: Historic preservation is one of the three key purposes of the CPA. These resources must be protected and preserved now rather than later because the more they deteriorate the more difficult and expensive it is to preserve them. The gravestones project enables us to get a clear assessment of the condition of these resources so we can plan for their restoration and preservation. The library project will ensure that these unique records are maintained and made accessible for use by anyone with an interest in Wayland’s history. Furthermore, these projects are not likely to be a priority for other town funding sources.

Reason not to Approve: In the future there may be more pressing projects for which historic preservation funds may be used.

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 **Date of Board Vote:** 1/13/21

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: CPA Open Space: Native Plantings & Pollinator Plantings

Estimated Cost: \$9,000

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

To determine whether the Town will vote to appropriate funds to be expended by the Conservation Commission, including:

- a) \$7,000 from the Community Preservation Fund's Open Space Fund for the purchase of native plant species to help preserve Conservation Commission open spaces, and
- b) \$2,000 from the Community Preservation Fund's Open Space Fund to plant pollinator gardens on Conservation Commission land to preserve existing landscape.

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):

Open space is a treasured part of Wayland's character and our conservation properties are destinations for many townspeople's enjoyment and passive recreation activities. The Conservation Commission requests funding to preserve its open space properties and their ecosystems by supplementing native plant materials and creating pollinator gardens on land managed by the Conservation Commission.

a) The Native Plant Species project will be used to purchase native trees, shrubs and seed mixtures (\$5,500) and soil amendment and fencing (\$1,500) to protect and support these plantings. Native plant material has been substantially reduced due to invasive species. This project will offset the rapid degradation brought on by invasive species by providing enriched habitats on conservation property. As removal of invasive species continues, these preserved areas will act as nodes of regeneration that will propagate outward, helping to offset the imbalance brought on by invasive species and preserve the open space that the Conservation Commission maintains.

b) Pollinator Garden funding will be used to purchase pollinator-friendly shrubs, perennials, and seed mix (\$1,800) and soil amendment such as compost and straw (\$200) in order to install clusters of pollinator plants working to preserve and protect the open space's natural plant life and the insects and animals that rely upon it. The reproduction of plants and the life of our ecosystems depend upon pollination by birds, bats, bees, butterflies, beetles, and other small mammals.

Both projects are eligible for Community Preservation Fund's (CPF) Open Space Fund because they seek to preserve existing designated open space. Both projects would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available for both projects in the CPF Open Space Fund.

Reason to Approve: These projects help to preserve the habitats and ecosystems of open space resources.

Reason Not to Approve: In the future there may be more pressing projects for which CPA funds may be used.



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

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 **Date of Board Vote:** 1/13/21

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: CPA Recreation: Mill Pond Dam Walkway, Athletic Fields Design, Heard Farm Improvements (CPA-Historic Preservation in part) **Estimated Cost:** \$79,260

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

To determine whether the Town will vote to appropriate the following sums of money not to exceed:

a) \$21,760 from the Community Preservation Fund's Uncommitted Fund for Recreational use to be expended by the Board of Public Works to reconstruct the Mill Pond Dam walkway at Adams Park, off Millbrook Road; and

b) \$50,000 from the Community Preservation Fund's Uncommitted Fund for Recreational use to be expended by the Recreational Commission for design of playing fields and appurtenances at the Wayland Middle School, 201 Main Street; and

c) \$7,500 from the Community Preservation Fund of which \$5,500 from the Uncommitted Fund for Recreational use to be expended by the Conservation Commission to build a kiosk and signs at Heard Farm and \$2,000 from the Historic Preservation Fund to restore the historic apple orchard at Heard Farm, Heard Road off Pelham Island Road.

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):

These recreational projects funded through the Community Preservation Fund (CPF), will enhance the opportunities for and experience of recreational activities in Wayland.

a) The Board of Public Works is custodian for parkland in Wayland including Adams Park at Mill Pond and thus for the walkway over the Mill Pond Dam. The walkway adjoins the Town's trail system and provides access across the Mill Brook at the dam outlet from Mill Pond. The walkway supports have deteriorated and the walkway is no longer stable. This project will replace the structure in location with a timber supports and a new pressure treated walkway.

b) The Recreation Commission is custodian of Town playgrounds and playing fields, which are open to the general public when school is not in session. The Commission requests design funds for improvements to four playing fields at the Wayland Middle School. The design plans will address reconstruction of the softball infield; replacement of the backstop and team bench areas; renovation of the surfaces of the softball outfield and multi-use rectangular field with root zone mix; installation of a new irrigation system; addition of bleachers and team benches; and, reconstruction and expansion of the parking lot.

c) The Conservation Commission is custodian of conservation land known as Heard Farm, which is one of Wayland's iconic landscapes. Covering 87 acres along the shores of the Sudbury River, Heard Farm provides visitors with exceptional passive recreation trails, unique wildlife viewing opportunities, and a chance to connect to Wayland's past. Many visitors to Heard Farm visit the property unaware of the rich history and unique habitat that surrounds them as they stroll along the grassy trails. The addition of an informational kiosk in the New Orchard section and signs, at the kiosk and in the parking area,



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

improves the recreational experience for those using the property. The kiosk request is for materials only because staff and volunteers will build it. Historic Preservation Funds will be used for restoration of the old apple orchard, a remnant of Wayland's agricultural history from the 19th century.

All three projects are eligible for funding because the Community Preservation Act allows for preservation, rehabilitation, and restoration of recreational resources. These projects would be funded by monies that have already been collected and received by the Town and will not impact the Town's tax rate. There are sufficient funds available for these projects in the CPF Uncommitted Fund and Historic Preservation Fund.

Reasons to Approve: These resources are well used by Town residents and will contribute to the available, passive (walkway and Heard Farm improvements) and active (playing fields) recreational activities.

Reason not to Approve: In the future there may be more pressing projects for which CPA funds may be used.

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler **Contact Person Phone:** 508-245-4115
Contact Person Town Email: gschuler@wayland.ma.us

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 **Date of Board Vote:** 1/13/21

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



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

Article Title: Community Preservation Act – Set Asides and Transfers **Estimated Cost:** \$700,289

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

To determine:

- a) whether the Town will vote to set aside from the Community Preservation Fund's (CPF) Uncommitted Fund for later spending \$109,186 for open space, but not including land for recreational use, \$109,186 for historic preservation, and \$109,186 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for FY 2022;
- b) whether the Town will vote to set aside from the CPF for later spending \$372,731 from the Uncommitted Fund for annual debt service obligations for the purchase of the conservation restriction on Mainstone Farm, as previously approved by Town Meeting; and
- c) further, whether the Town will vote to transfer funds in the amount of \$109,186 from the Community Housing Fund of the CPF to the Wayland Municipal Affordable Housing Trust Fund.

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 accomplishes three annual tasks for managing the Town's Community Preservation Fund:

- a) annual distribution of funds to the three purposes as required by the Community Preservation Act (CPA), i.e., Community Housing, Historic Preservation, and Open Space;
- b) reservation of the monies required to fund the debt service on the Conservation Restriction on Mainstone Farm; and
- c) the transfer of funds allocated for Community Housing in the Community Housing Fund ("a") above) to the Wayland Municipal Affordable Housing Trust Fund (WMAHTF) that was authorized by the 2014 Annual Town Meeting to provide for the creation and preservation of affordable housing in Wayland.

The CPF is the Town's primary vehicle for financing purchases of open space, undertaking projects for historic preservation, and creating and preserving community housing that is affordable for low- and moderate-income individuals and families. CPF monies can also be used for many types of recreation projects as well as costs of administrative expenses and consultant fees associated with appraisals, surveys, monitors, and similar activities within the scope of the CPA's purposes. The CPF is funded through the local surcharge on real estate and contributions from the State Trust Fund. The following explanations correspond with the lettered paragraphs above

- a) Within the Wayland CPF, there are four separate pools of money, with funds designated exclusively for open space, historic preservation, and community housing, each of which receives at least 10% of the annual contributions (1.5% local tax surcharge + State Trust Fund yield), and the Uncommitted Fund, which receives the balance of funds not specifically designated. The monies in the individual purpose funds can only be used for those particular purposes, while the monies in the Uncommitted Fund may be used for any of the three



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

purposes plus certain recreation projects, administrative expenses, and fees incurred for projects. The first part of this article accomplishes the annual allocation to the three purposes

- b) The 2017 Annual Town Meeting voted to purchase a Conservation Restriction protecting Mainstone Farm land from development and preserving it as open space in perpetuity. To accomplish that purchase, the Town assumed debt that is paid exclusively by the Community Preservation Fund.
- c) The WMAHTF was created to address the shortage of affordable housing in Wayland. Funds to be transferred to the WMAHTF are those already allocated to the Community Housing Fund through the annual distribution. These funds maintain the same use restrictions as if they continued to be held in the CPF.

There are no known reasons to oppose this article.

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

Contact Information for Publication in Warrant

Contact Person Name: Gretchen Schuler **Contact Person Phone:** 508-245-4115

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

Proposing Board Information

Board Name: Community Preservation Committee

Board Vote (Quantum) to Submit Article: 8-0-0 **Date of Board Vote:** 1/13/21

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

Article Title: LOKER TURF FIELD CONSTRUCTION

Estimated Cost: \$3,600,000

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

To determine whether the Town will vote to:

- a) Appropriate a sum of money of not more than \$3,600,000 to be expended under the direction of the Wayland Recreation Commission for designing, permitting, engineering and constructing a multi-purpose synthetic turf athletic playing field at the Loker Conservation & Recreation Area including playing surfaces, lighting, drainage, landscaping, recreational amenities, access and parking areas; and any and all other costs incidental or related thereto;
- b) Provide for said appropriation by borrowing, taxation, transfer from unappropriated funds, transfer from available funds appropriated for other purposes, or otherwise, provided not more than \$188,816 of the funds appropriated shall be transferred from the Recreation Stabilization Fund;
- c) Authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow up to said sum in accordance with Massachusetts General Laws Chapter 44, section 7 and 8 and any other enabling authority, and issue bonds or notes of the Town therefor; and
- d) Authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Massachusetts General Laws Chapter 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

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):

2019 FINANCE COMMITTEE COMMENTS: This Article would authorize \$3,600,000 for the construction of a multi-purpose synthetic turf field at the Loker Conservation & Recreation Area, an area that the Town purchased for \$1.7 million in 2000. At a Special Town Meeting in November 2017, the Town approved design funds for this project, of which \$154,000 was expended. The scope of this project includes a regulation-sized field (measured at 195' by 330') and includes the playing surfaces, lighting, drainage, landscaping, amenities, access roads, and parking areas. Of the total sum, \$188,816 is to be transferred from the Recreation Stabilization Fund, and up to \$200,000 is to be transferred from the Recreation Revolving Fund. The requested funds are anticipated to be expended in FY 2022.

The Recreation Commission recommends the construction of this field to address a playing field shortage in Wayland. It is estimated that there are over 6,000 children, adults, and seniors who use Wayland Recreation sites annually. The Town cannot currently meet demand at our present field capacity, has been unable to find fields in other towns with capacity to rent, and, as a result, needs to turn kids away from youth sports. The *Wayland Town-Wide Recreation Facilities Strategic Plan* concluded that Wayland grass fields are significantly over-utilized, deteriorating, and deficient. Both Weston & Sampson Engineers in the Strategic Plan and Gale Associates, Inc. have suggested that our grass fields be used 400-600 hours per year. Using this standard and, based on presumed field usage data for actual field permits issued by the Recreation Department since 2017, we are currently overusing Wayland's existing assets by an average of 5,000 hours per year. This represents a



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

deficit of eight to twelve grass fields. A single, rectangular turf field with lights can accommodate over 2,400 hours of usage per year, or cut in half the deficit faced by the Town. Using synthetic turf instead of natural grass turf allows for many more hours of usage which natural grass cannot withstand, especially with New England weather. While turfing over an existing grass field does add some hours of playability, adding a new field footprint does much more. For example, Cochituate Ball Park is already used by Wayland athletes from 8:00 am to 10:00 pm almost daily, changing the surface to synthetic turf does not add much, if any, play time.

The synthetic turf field is proposed to have virgin crumb rubber infill. A similar Article considered during the 2019 Annual Town Meeting for a synthetic turf field at the Loker Area proposed a crumb rubber infill. The decision to use this infill material was made after thorough analysis by a Weston and Sampson toxicologist and community input, including by the School Committee, the Recreation Commission, and the Permanent Municipal Building Committee (PMBC). Analysis of research was compiled by the School Committee and virgin crumb rubber infill was approved by the Recreation Commission on November 19, 2019, and the PMBC on July 18, 2018. Crumb rubber is the most widely used infill and most researched material for synthetic turf fields. This Article proposes the infill choice of “virgin” crumb rubber. Unlike crumb rubber, “virgin” crumb rubber is made from known components that can be modified to enhance the product and avoid specific chemicals. Although virgin crumb rubber has a higher cost than alternative infills, it is a material that requires less maintenance, provides good drainage, and does not float.

The publication of a recent study, reported in local news articles, addressed potential health concerns regarding PFAS, man-made chemicals that do not degrade easily, in synthetic turf blades/fibers. Studies show, however, that only a small amount of PFAS can be absorbed through the skin, and that 98% of Americans have detectable levels of PFAS in their blood. The turf field installed at Wayland High School was manufactured without PFAS. The Town would require that the construction specifications for the field installed at the Loker Area prohibit use of PFAS, as confirmed by the carpet provider.

Design and construction bid documents are complete. The project is being managed by the same team who managed the recent WHS Stadium Project: PMBC, the Town Project Manager and an Owner’s Project management firm, *Left Field, Inc.*

As of the publication of the Warrant, the project still requires approvals and permits from the Conservation Commission and the Zoning Board of Appeals. The approval of this warrant article does not obviate the need for permits. The Conservation Commission previously voted twice on the applications for this project. Both applications resulted in a draw vote, which is a procedural denial, and therefore the Commission issued neither a permit nor conditions. The Town will apply a third time for the permit in early 2021 with the intent to obtain all required permits before ATM.

The Zoning Board of Appeals is expected to consider the project for a Special Permit for lights and Site Plan approval in early 2021. Throughout 2018 and 2019, the Town invested over \$150,000 to design this project, as well as many public meetings, resources, personnel, professional studies, and consultant reviews. Approval of this article appropriates the funds and does not obviate the need for any regulatory permits. While the upfront cost of developing a synthetic turf field at Loker is twice the cost of a grass field, the higher cost is justified by 1) lower annual maintenance costs (because there is no need to mow, seed, fertilize, irrigate, or paint); 2) increased availability and usage; and 3) the need for fewer total fields to meet the Town’s athletic and



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

recreational needs.

The total ongoing costs for turf maintenance is estimated to be \$10,500-\$19,000 annually:

- Maintenance of the artificial turf surface: \$6,500-\$15,000 (Weston & Sampson has estimated \$10,000-\$15,000/year for maintenance of a generic turf field. The current contract for the maintenance of the artificial turf playing surface at the High School ranges from \$6,500-\$8,000/year).
- Routine parks maintenance of natural areas, toilets, trash, and recycling, and parking: \$4,000. The Department of Public Works (DPW) will perform the routine parks maintenance of natural areas, trash and recycling, and parking areas. The field maintenance will be managed through the Recreation Department and funded by field users.

According to Weston & Sampson, newer generation turf fields have a lifespan of 10 years or more. Synthetic turf carpet replacement was estimated at a cost of approximately \$900,000. The Recreation Commission considered as many as 12 other Town land parcels for locating a new field. The challenges vary from site to site, but each involve significant tree removal and land clearing, building expensive access roadways and parking lots, while protecting wetlands areas. The Loker Area site has an existing paved asphalt access roadway and the remnants of the Dow Chemical parking lot. While there is tree removal expected, much of the area is open and clear because the site was home to the former Dow building. Approximately 45 trees in the wetlands area are planned to be removed and will require replacement, and an additional 268 trees in upland areas will be removed. The design includes a replacement planting plan that will replant 221 new trees and shrubs at the site. A new parking lot at Loker could also serve to allow public access to conservation land through use of an existing trail system. An additional \$118,000 of CPA funds appropriated during the 2019 Annual Town Meeting could partially offset the cost of this project's parking lot. The Loker Field plan utilizes the existing access road and calls for 63 parking spaces planned, which is more parking than most other recreational facilities in Wayland. A consultant not affiliated with this project conducted a peer-reviewed traffic study, which concluded that the traffic in the area of the project is rated D, and the installation of a new field would not worsen the traffic rating.

After design, the nearby North Pond was certified as a protected vernal pool. Vernal pools are unique but temporary wildlife habitats best known for the amphibians and invertebrate animals that use them to breed. The project could mitigate the effect of development by cleaning up old debris that has remained after Dow Chemical vacated and also enhance the trail system to distance other threats to the vernal pools.

In its prior denial of a permit for this project on April 25, 2019, the Conservation Commission noted concern with relocating the Conservation Trail and adding vegetation to protect the vernal pools. The project was designed to sit outside the thirty-foot buffer 'No Build Zone' that protects the Wetlands.

Overall, the design team felt the project is improving the habitat in and around the wetlands by removing old asphalt and fencing abandoned by Dow Chemical. The project was also designed to comply with the 2013 Historical Commission's directive to avoid any area that was of Native American tribal, archeological, ceremonial, or historical significance. Wayland residents approved the use of excluded debt for this project at the polls in the April 2019 election, which Massachusetts Department of Revenue confirms is still valid. At the 2019 Annual Town Meeting, a similar Loker Turf Article was considered but narrowly did not obtain the 2/3 threshold needed to approve the funding.



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

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

Since 2000, Wayland has invested almost \$2M in the purchase and design of the Loker site. The design utilizes land that is deeded specifically for recreational use and continues to lie vacant for over 20 years. Recreation studied and pursued over a dozen other suitable options to alleviate the over-usage of its grass fields and Loker was deemed most suitable for a multipurpose turf field. Grass fields continue to deteriorate from over-utilization. When school dismissal times changed, field shortages became dire, shifting youth organizations to using school fields after dark. Access to outdoor recreation is valuable to both individuals and the Wayland community at large, now more than ever. The turf project demonstrates fiscal responsibility by: 1) lower maintenance costs; no need to mow, seed, water, or paint 2) the need for less grass fields 3) significantly greater playing time, both by hours/day and days/year. FAQ at wayland.ma.us.



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

Contact Information for Publication in Warrant

Contact Person Name: K. Brenna **Contact Person Phone:** 6864

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

Proposing Board Information

Board Name: Recreation Commission

Board Vote (Quantum) to Submit Article: 5-0-0 **Date of Board Vote:** 01/05/2021

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



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

TEXT FROM 2020 WARRANT ARTICLE

ARGUMENTS IN FAVOR: This proposal would establish a new multi-purpose playing field for Wayland Recreation users and allow the Recreation Department to enhance and expand current program offerings for preschool, adult, and senior groups.

The addition of this field will partially alleviate the severe overuse of existing recreation grass fields. A new rectangular turf field will allow for the rest and rehabilitation of existing recreation fields that need repair. Existing conditions of Wayland grass fields are deteriorating and deficient. Rehabilitation would ensure safer playing fields for all Town residents.

Based on usage trends in Wayland, the Town currently has a field deficit of over 5,000 hours. An additional lighted field can accommodate over 2,400 hours of usage per year. An additional full-size grass field would accommodate approximately 400-600 hours of usage. One lighted turf field can accommodate 4-6 times the capacity of a grass field.

The addition of a field with lighting has become increasingly more important since the Wayland Public Schools shifted their school start times later in the day, thus pushing back the start time at which children can begin use of the fields.

The average cost to maintain a synthetic turf field is less than the average cost to maintain a grass field.

Synthetic turf requires no mowing, painting, fertilizers, irrigation, saving thousands of gallons of water per year, while also reducing the burden on the DPW. Wayland is the only community in the Dual County League that does not have multiple turf fields to support its programs.

Building this field will utilize a site that is delineated for recreation and has been vacant since 2000.

ARGUMENTS OPPOSED: Opponents argue that this proposal is too expensive and that a field could be built at lower cost on another site in Town.

These resources would be better spent to complete the upgrade of fields in the Recreation Department strategic plan, including Alpine, Claypit, Schwartz/Riverview, and Middle School fields.

The construction plans for the Loker turf field may require the removal of ledge in addition to soil removal. Opponents note that costs could escalate if ledge removal is more difficult than anticipated.

Artificial turf fields may pose greater danger of severe burns and heat illness during summer weather since field surface temperatures are higher on artificial turf fields; surface temperatures can reach as high as 200 degrees Fahrenheit.

A higher capacity artificial turf field will have more use than a grass field and may have a greater impact on traffic. There are also concerns about the adequacy of on-site parking and the potential for overflow parking in the adjacent neighborhood, as well as the ability of the roadway to handle emergency vehicles.

Residents have expressed concerns regarding the safety of materials in the synthetic turf, particularly turf fibers and crumb rubber infill. Opponents argue that "virgin" crumb rubber does not eliminate the issue and that a different infill (like walnut shells, cork, or coconut) should be used as an alternative.

Opponents may argue that the site was cleaned up twenty years ago using the required standards at the time. Given that standards have changed, opponents argue that additional testing should be conducted to better understand potential hazards at the site and ensure safety.



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

Opponents may argue that consideration of this Article is premature based on the Town's recommended Five-Year Capital Improvement Plan, which recommended funding for this project in FY 2022.

As of the publication of the Warrant, the project has not received the Conservation Commission permits or the Zoning Board of Appeals approval. Concern exists that the requirements included in these approvals could cause costs to increase.

RECOMMENDATION:

QUANTUM OF VOTE: 2/3 vote – See General Laws, Chapter 44, Sections 7 and 8.

For more information about this article, contact Recreation Director Katherine Brenna at 508-358-6864 or email kbrenna@wayland.ma.us.

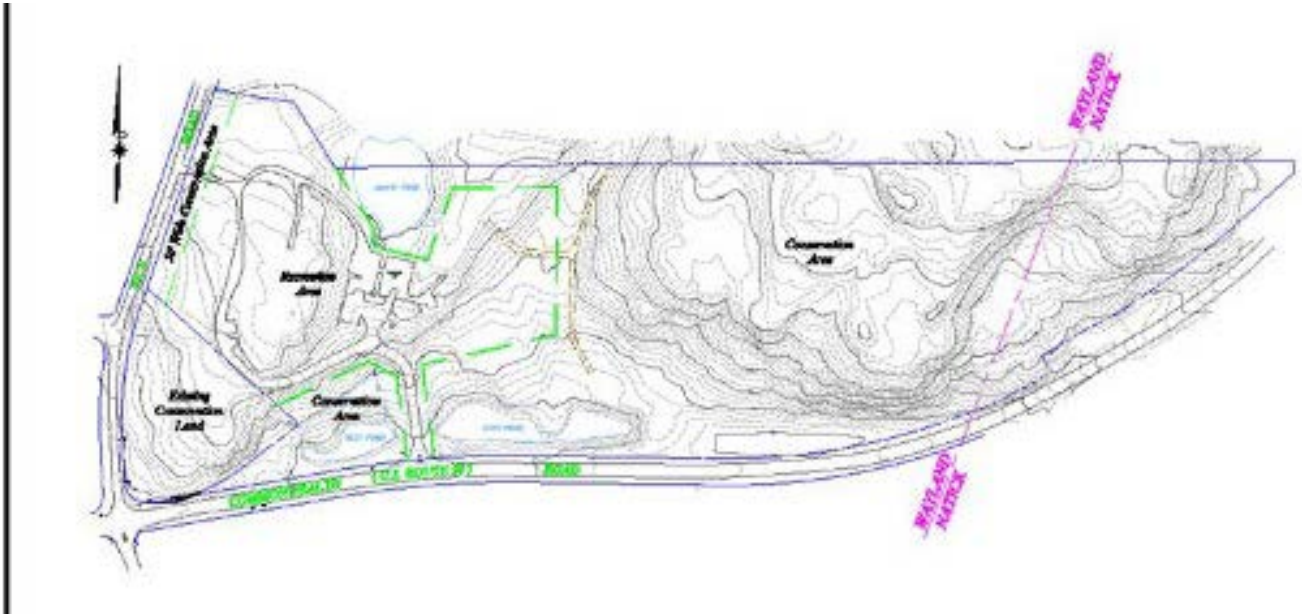


TOWN OF WAYLAND
SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING
Attach extra pages if necessary





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



412 Commonwealth Road | Loker Conservation & Recreation Area

Covid 19 vaccination information and update

January 13, 2021

First Responder vaccinations update

Wayland and Natick Health Departments partnered for First Responder COVID vaccinations (Phase I of the State's plan), because Wayland did not meet the minimum number of first responders (minimum 200) to qualify to receive vaccine. The first round of vaccinations began on January 12 in Natick and will also take place on January 14. The clinic on January 12 was very successful and ran smoothly. The second dose of the vaccine is scheduled to take place on February 9 and 11.

Information about Covid 19 vaccination rollout in Wayland

1. Two weeks ago the Town signed the Massachusetts COVID-19 Vaccination Program agreeing to comply with COVID-19 vaccination protocols and conditions should the Town become a vaccine provider.
2. Last week we received our first set of orders and instructions from the State regarding Local Health providing Covid-19 vaccinations beyond the First Responder clinics. We were formally asked if we would be willing to locally provide COVID-19 vaccinations (there is no obligation). We responded and advised the State that we are "standing up" to provide Covid 19 vaccinations in Wayland. Currently we are completing and submitting any required paperwork and documents necessary to receive vaccine and set up vaccination clinics.
3. Frequency of clinics through Wayland Local Health will likely be once a week for an entire day (hours to be determined). Factors include sustainability, staff and resource availability, vaccine availability.
4. The Town has formed a senior staff working group for vaccination planning and logistics. We met last week and will meet again next week.
5. We have 35 Medical Reserve Corps volunteers to assist with the clinics as well as Community Health Nurses. We continue to receive applications for new MRC volunteers who are nurses/medical professionals. We have asked firefighter/paramedics to volunteer for training pursuant to a special provision allowing paramedics to administer COVID-19 vaccine.
6. The State is actively setting up a website which will include information for all clinics that will be located in Massachusetts including: how to sign up for an appointment, maps, Q & A's, and other important information. Large vaccination sites are also planned in various locations including possibly the Natick Mall.
7. The State's phased plan is still in place and we will follow these orders. These plans may change if the Federal Government changes their orders on vaccination rollout. Information is fluid at this time and we are continuing to monitor/participate in any webinars/zoom calls for new and urgent information, which changes day by day.
8. The State is currently in Phase 1 of the vaccine rollout, which also involves Congregate Care and Shelter Settings and Long-term care facilities. Local Health is not expected to handle these vaccinations.
9. We will be using the new state program "prep-mod" for registration/scheduling appointments, inventory, and other required administrative tasks. Note: prep-mod is a program provided by the State that must be used for COVID-19 clinics and has just been rolled out "live" in the past week. Town staff is working on training and access and we have pivoted from use of the program that we set up last fall for our drive-thru flu clinics to using prep-mod.
10. We have several locations we are planning to use in Town as vaccination sites, and we are actively working on necessary contracts and logistics.
11. We are educating ourselves and training on vaccine handling and distribution.
12. We do NOT have vaccine yet and will be learning when to expect it as the State continues planning for local sites being set up.

COVID-19 in MA: Jan. 13th, 2021

Samuel V. Scarpino, PhD

Assistant Professor

Network Science Institute

Northeastern University

External Faculty

Santa Fe Institute

@svscarpino

scarpino.github.io

s.scarpino@northeastern.edu



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B.1.1.7

- Preliminary data consistent with higher transmissibility. see R1
- Currently it does **not** seem to be more severe in terms of hospitalization rate. see R2
- Preliminary evidence suggests the current vaccines will still work. see R3
- The spike gene deletion is in other non-B.1.1.7 “lineages.” see R4 and R5
- No definitive evidence that it’s in MA, but the strong suspicion is that it must be here. see R6

B.1.1.7 - References

- R1 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/950823/Variant_of_Concern_VOC_202012_01_Technical_Briefing_3_-_England.pdf
- R2 - <https://www.biorxiv.org/content/10.1101/2021.01.07.425740v1>
- R3 - <https://virological.org/t/detection-of-non-b-1-1-7-spike-69-70-sequences-b-1-375-in-the-united-states/587>
- R4 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/949639/Technical_Briefing_VOC202012-2_Briefing_2_FINAL.pdf
- R5 - <https://virological.org/t/multiplexed-rt-qpcr-to-screen-for-sars-cov-2-b-1-1-7-variants-preliminary-results/588>
- R6 - <https://whdh.com/news/health-experts-say-new-coronavirus-variant-may-already-be-circulating-in-mass/>

Vaccination is finally starting to pick up nationally

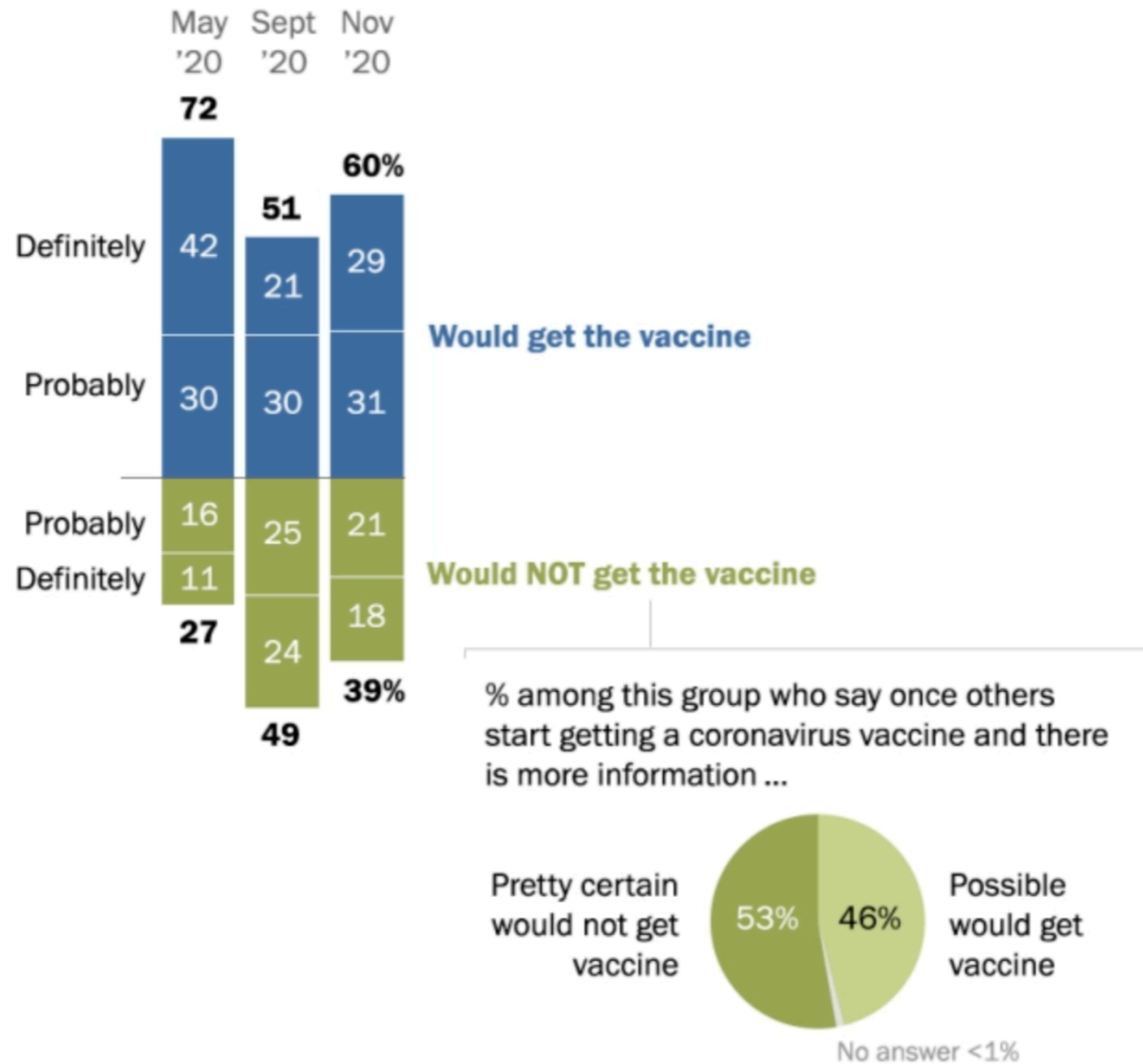
Vaccinations in the U.S. began Dec. 14 with health-care workers, and so far **9.94 million doses** have been given, according to a state-by-state tally by Bloomberg and data from the Centers for Disease Control and Prevention. At least 636,172 people have completed the two-dose vaccination regimen.

Bloomberg

<https://www.bloomberg.com/graphics/covid-vaccine-tracker-global-distribution/>

Majority of Americans now say they would get a vaccine for the coronavirus

% of U.S. adults who say if a vaccine to prevent COVID-19 were available today, they ...



Note: Respondents who did not give an answer are not shown.

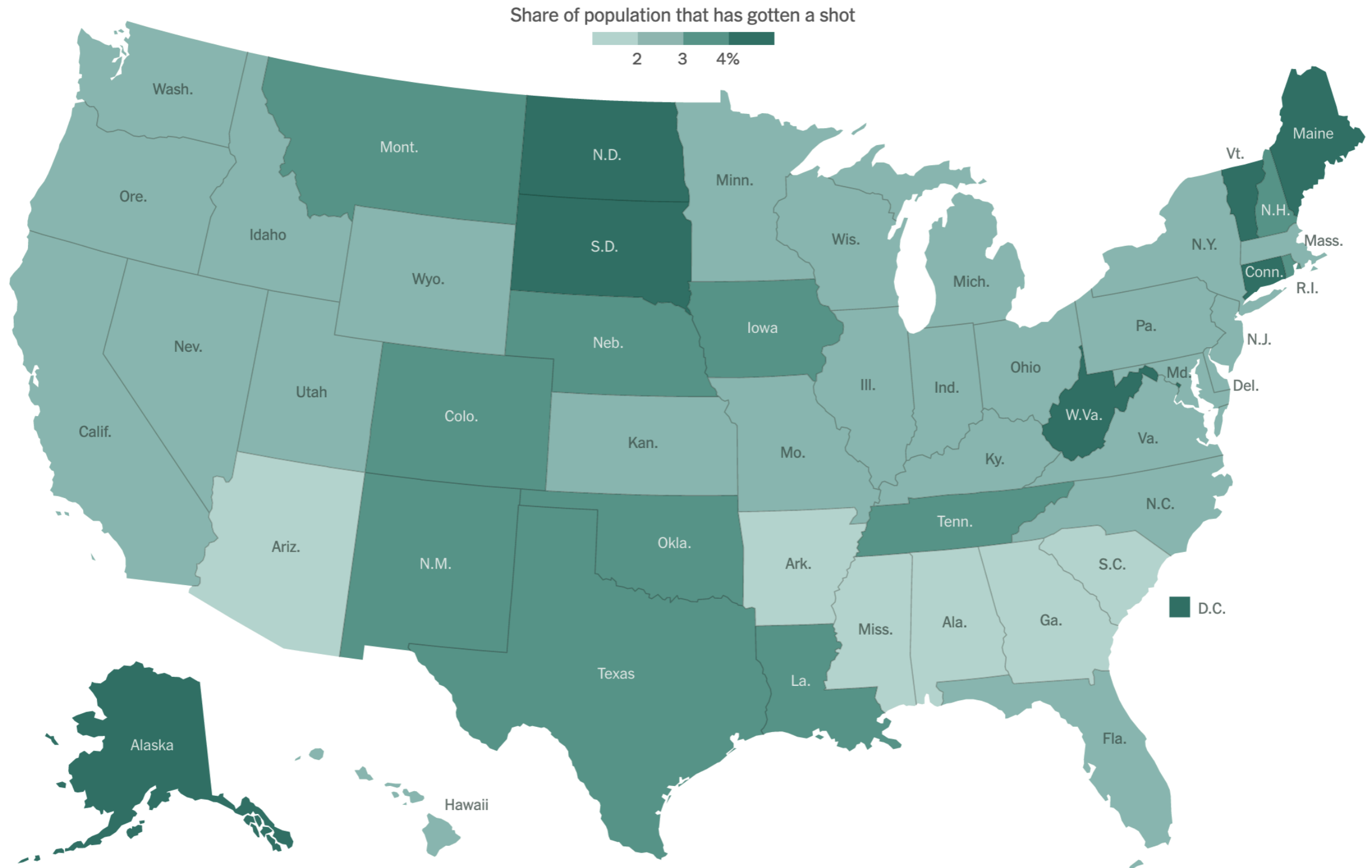
Source: Survey conducted Nov. 18-29, 2020.

"Intent to Get a COVID-19 Vaccine Rises to 60% as Confidence in Research and Development Process Increases"

PEW RESEARCH CENTER

Around 9M doses have been administered

By The New York Times Updated Jan. 12, 2021



Source: Centers for Disease Control and Prevention

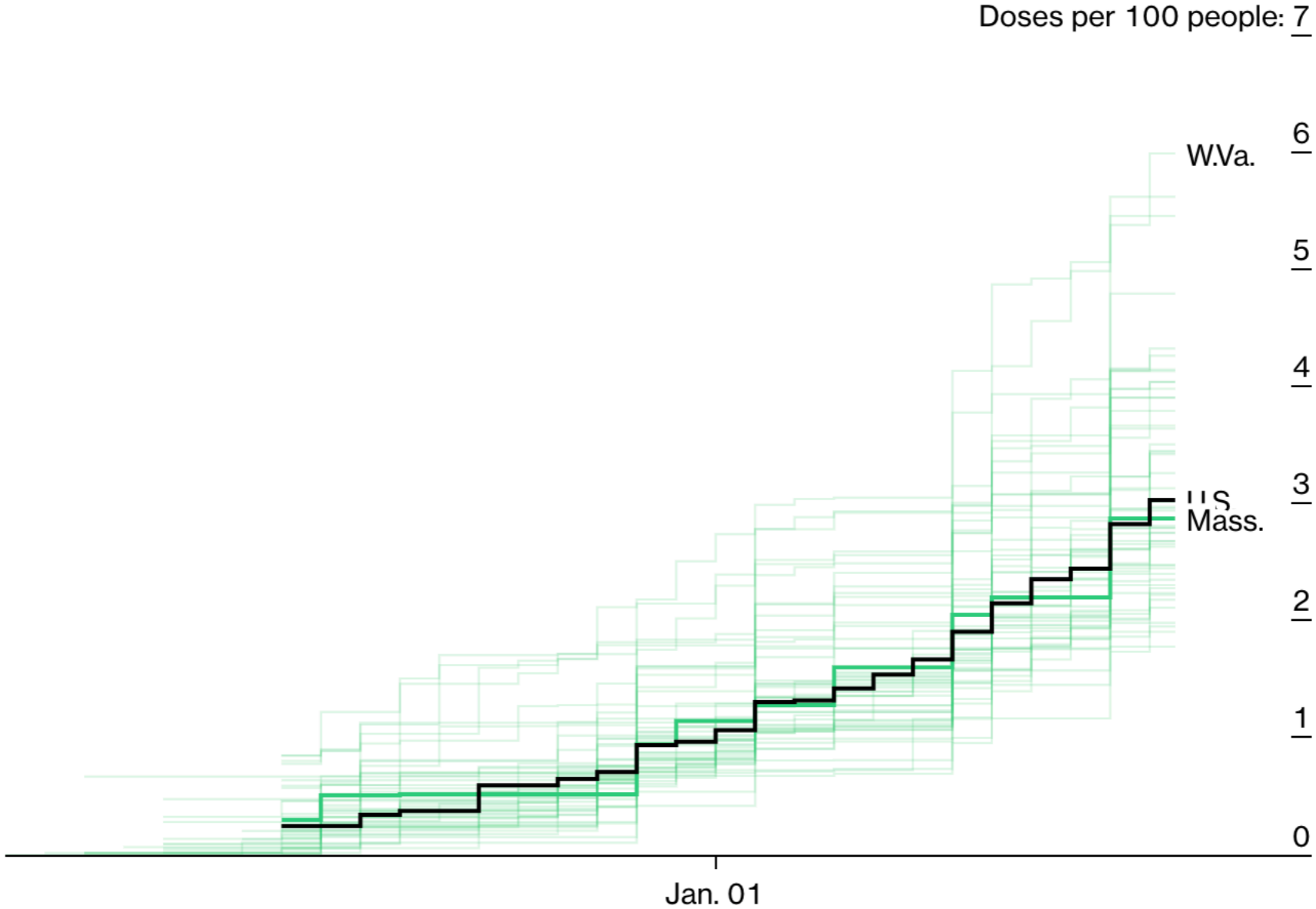
<https://www.nytimes.com/interactive/2020/us/covid-19-vaccine-doses.html>

MA is about average in terms of administering doses, but is behind on overall coverage.

Name	Pct. of people given a shot ▼	Doses distributed	Shots given	Doses used
U.S. Total*	2.8%	27,696,150	9,327,138	34%
Northern Mariana Islands	6.9%	18,650	3,722	20%
West Virginia	5.8%	160,975	103,330	64%
South Dakota	5.5%	83,500	48,698	58%
North Dakota	5.2%	53,525	39,479	74%
Alaska	4.9%	141,600	35,838	25%
American Samoa	4.3%	10,650	2,124	20%
Connecticut	4.2%	250,775	151,395	60%
Washington, D.C.	4.2%	62,725	29,812	48%
Vermont	4.1%	64,925	25,757	40%
Maine	4.1%	132,975	54,945	41%
Oklahoma	4.0%	381,375	157,843	41%
Montana	3.9%	78,350	42,083	54%
Colorado	3.9%	516,750	224,428	43%
Nebraska	3.8%	177,375	74,439	42%
Rhode Island	3.7%	80,225	39,568	49%
New Mexico	3.7%	177,075	78,235	44%
New Hampshire	3.7%	122,350	50,613	41%
Tennessee	3.7%	485,800	251,257	52%
Texas	3.1%	1,949,125	911,461	47%
Iowa	3.1%	208,875	98,691	47%
Louisiana	3.1%	368,300	142,771	39%
New York	3.0%	1,622,100	579,532	36%
Utah	3.0%	256,275	95,225	37%
Massachusetts	3.0%	476,025	204,082	43%

Doses administered per 100 people

Massachusetts ×



Note: Roughly 75% of people may need to be inoculated with the two-dose vaccine for a return to normal, according to estimates by top U.S. infectious disease doctor Anthony Fauci. Data from Bloomberg's Covid-19 Vaccine Tracker



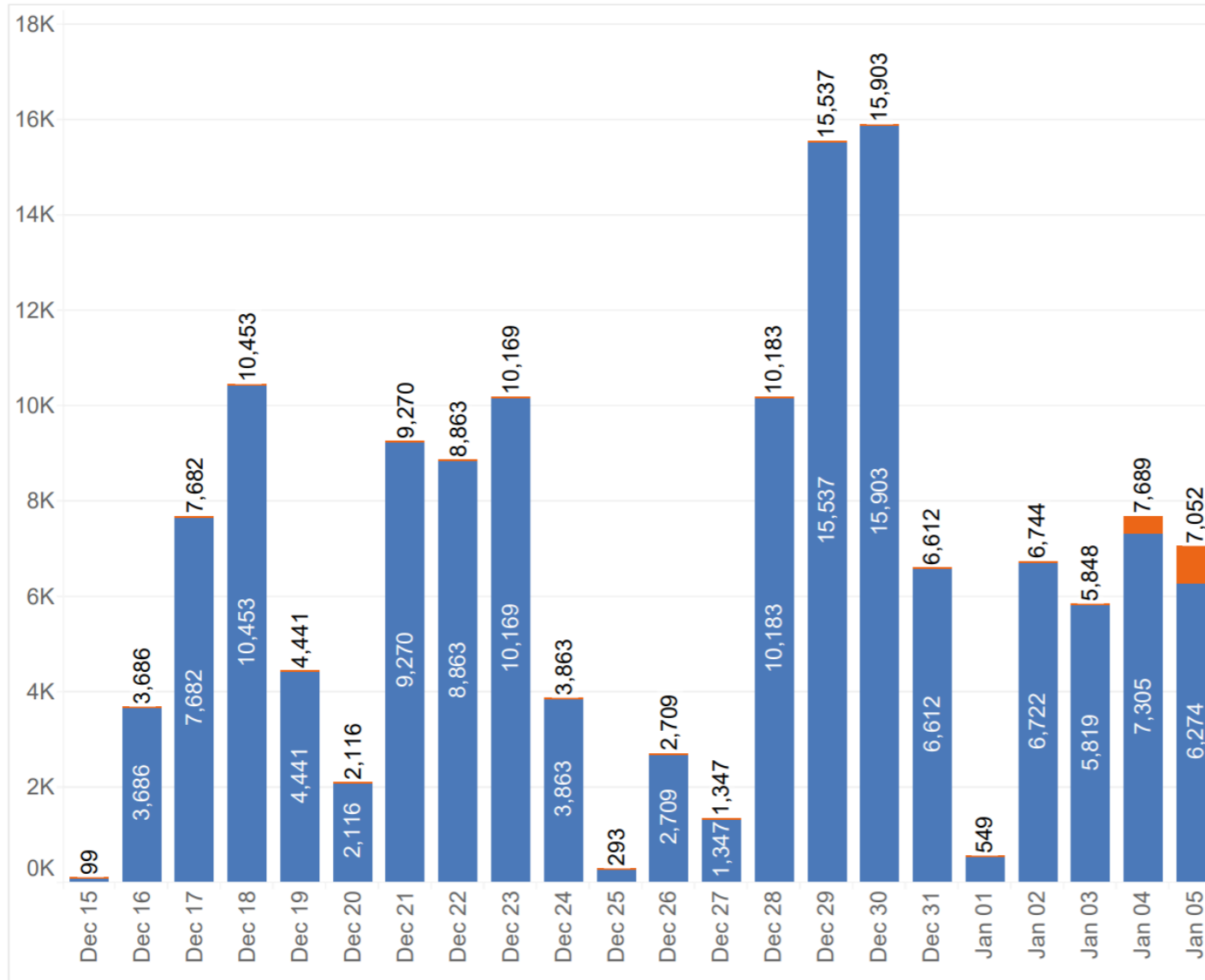
Next updated coming tomorrow

Massachusetts Department of Public Health COVID-19 Dashboard - Thursday, January 7, 2021

COVID-19 Vaccine Doses Administered

Data as of January 05, 2021

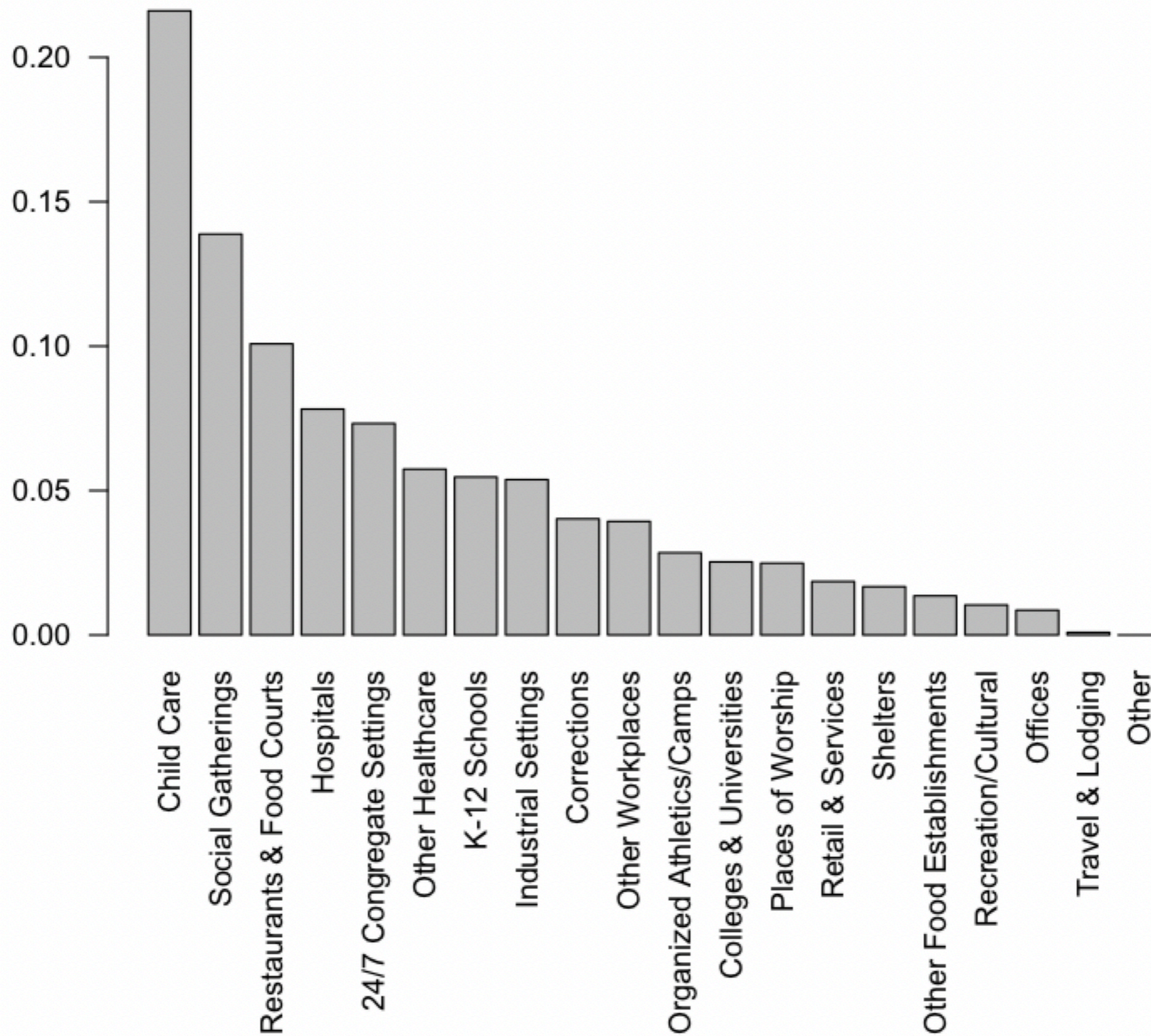
■ First doses administered ■ Second doses administered



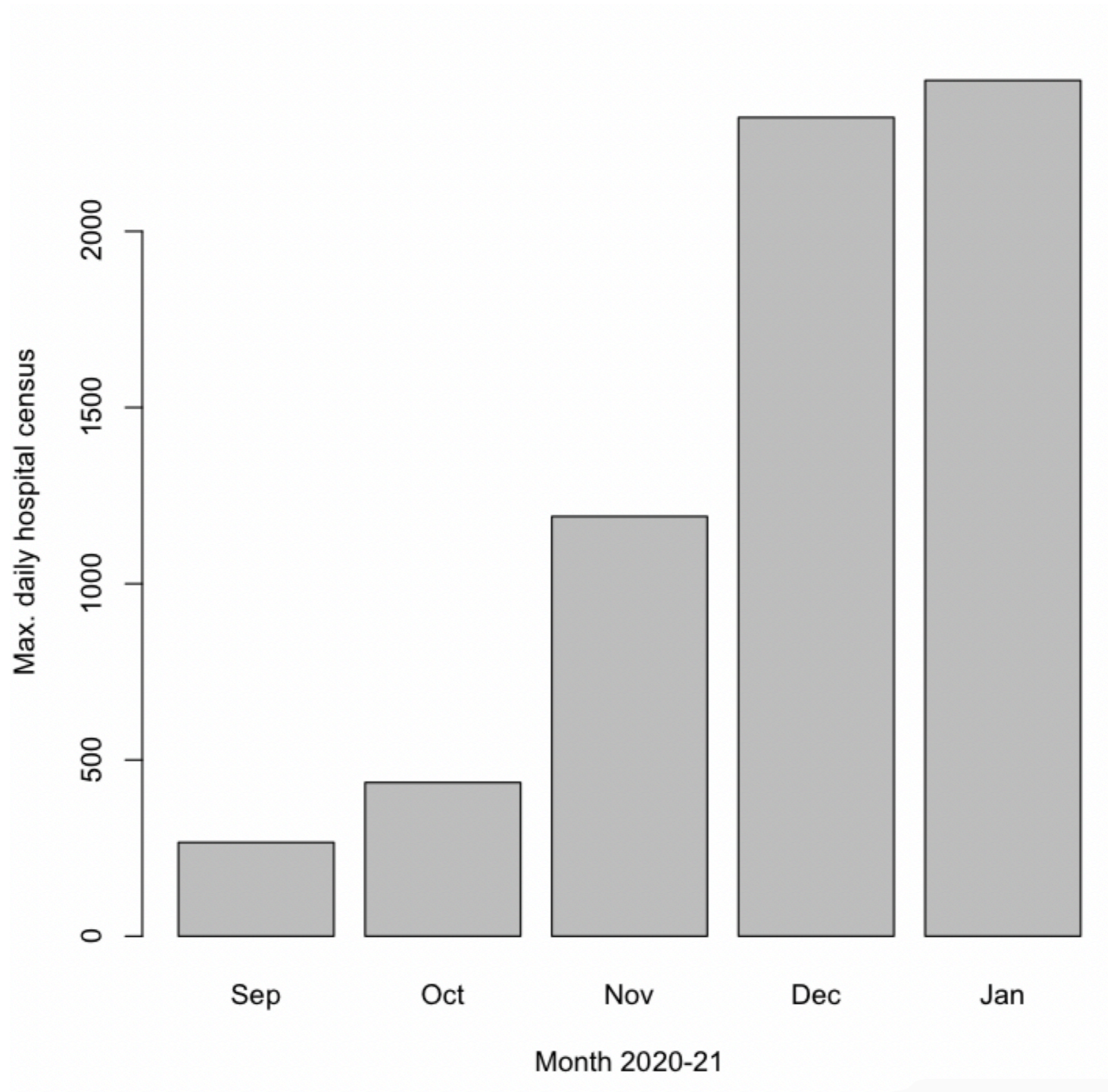
Vaccine summary		Change from previous 7 day period	
49,184	First doses administered in the last 7 days	▲	12%
139,895	Total cumulative first doses administered		
1,213	Second doses administered in the last 7 days		
1,213	Total cumulative second doses administered	▲	100%
50,397	Total doses administered in the last 7 days		
141,108	Total cumulative doses administered	▲	14%

Note: Immunization data from most (but not all) providers in Massachusetts are reported into the Massachusetts Immunization Information System (MIIS) through direct messages from electronic health records or direct entry by users. Due to inputting and processing, it may take 24-48 hours or more for shipping or administration data to appear in MIIS. MIIS data are available for analysis one calendar day after they are reported to the MIIS. Duplicate patient records may be created when patient information is not entered consistently. Current COVID-19 vaccines require two doses for a person to become fully vaccinated. Some individuals may receive a first or second dose from a non-reporting provider and would not be reflected as fully vaccinated. Data on doses administered includes doses administered by the Federal Pharmacy Partnership for Long-term Care Program.

Where are cases “originating” from?

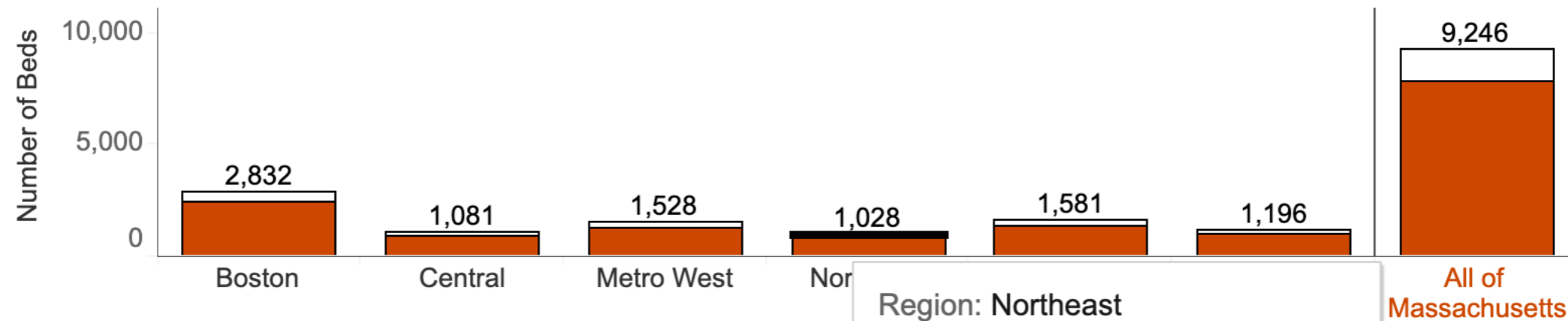


Hospitalizations have doubled month-on-month since Sep.

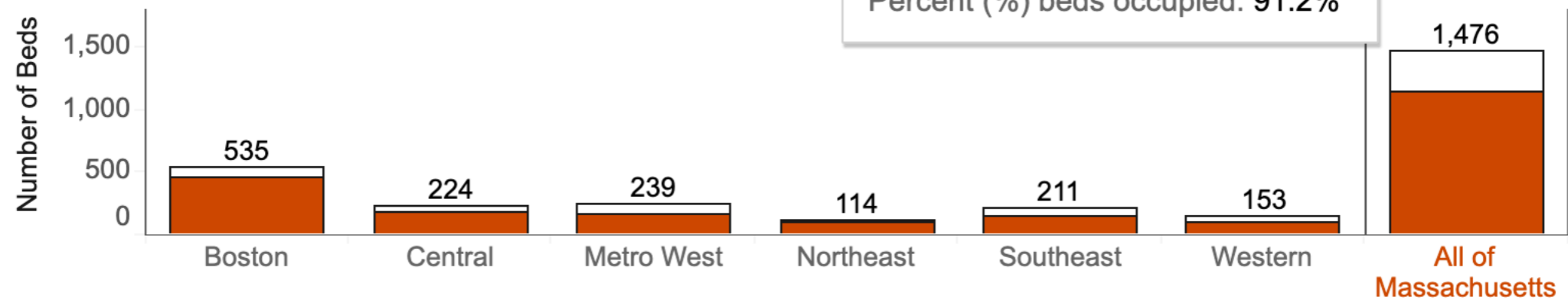


But, are not evenly distributed across the state

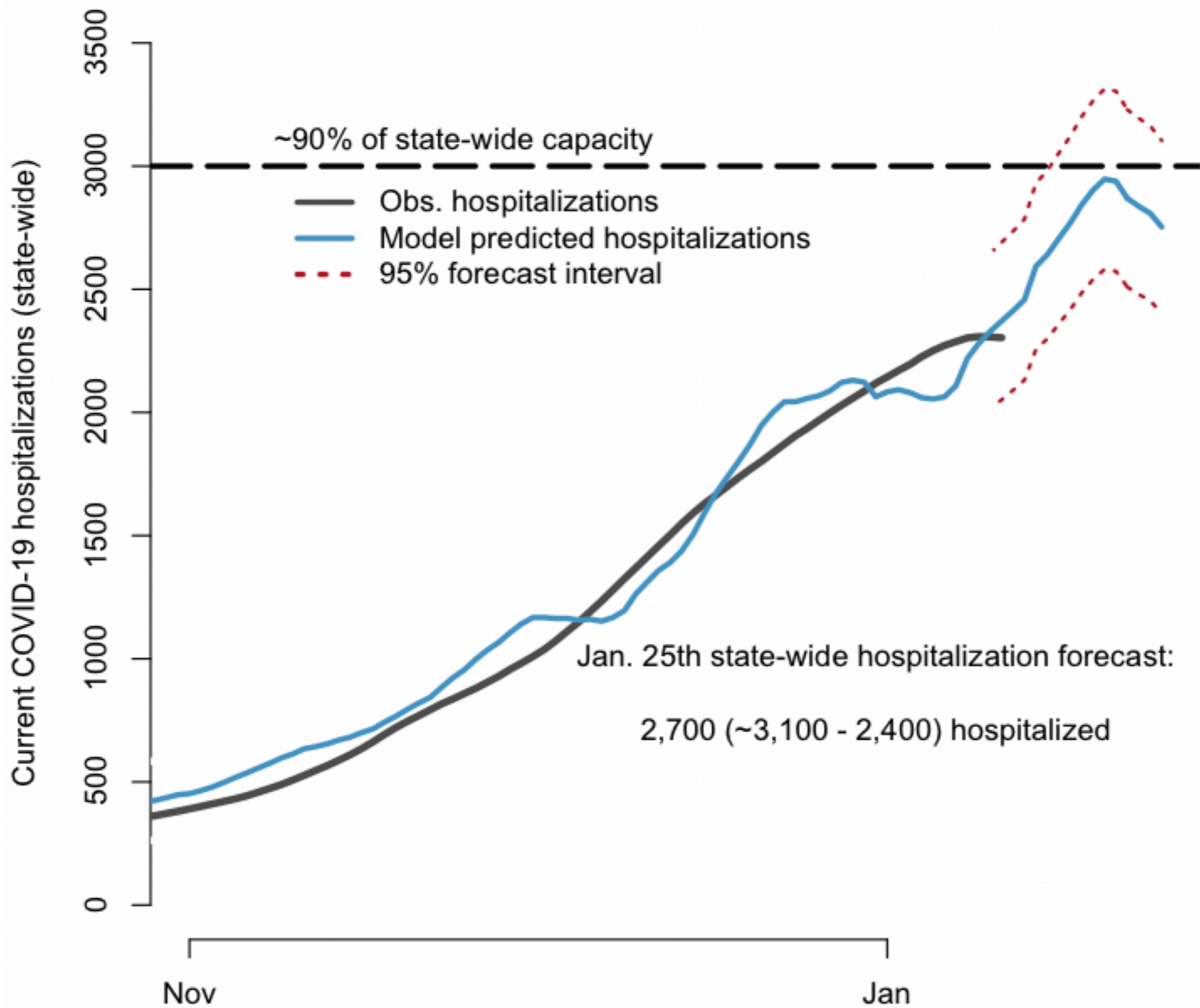
Available and **occupied** medical/surgical (not ICU) beds by region



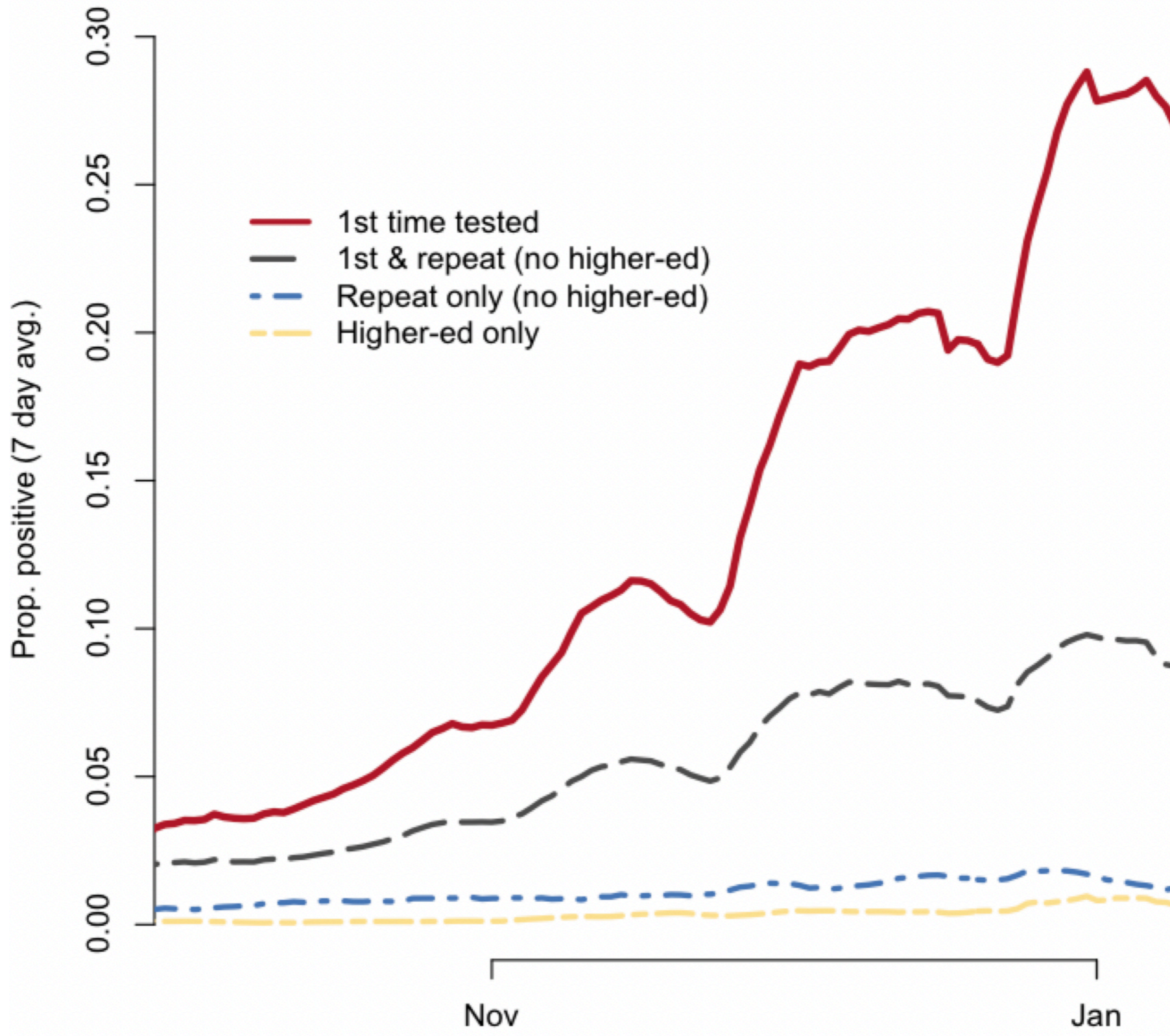
Available and **occupied** ICU beds by region



MA COVID-19 Hospital Demand Forecast



1st time COVID-19 peaked at 30%

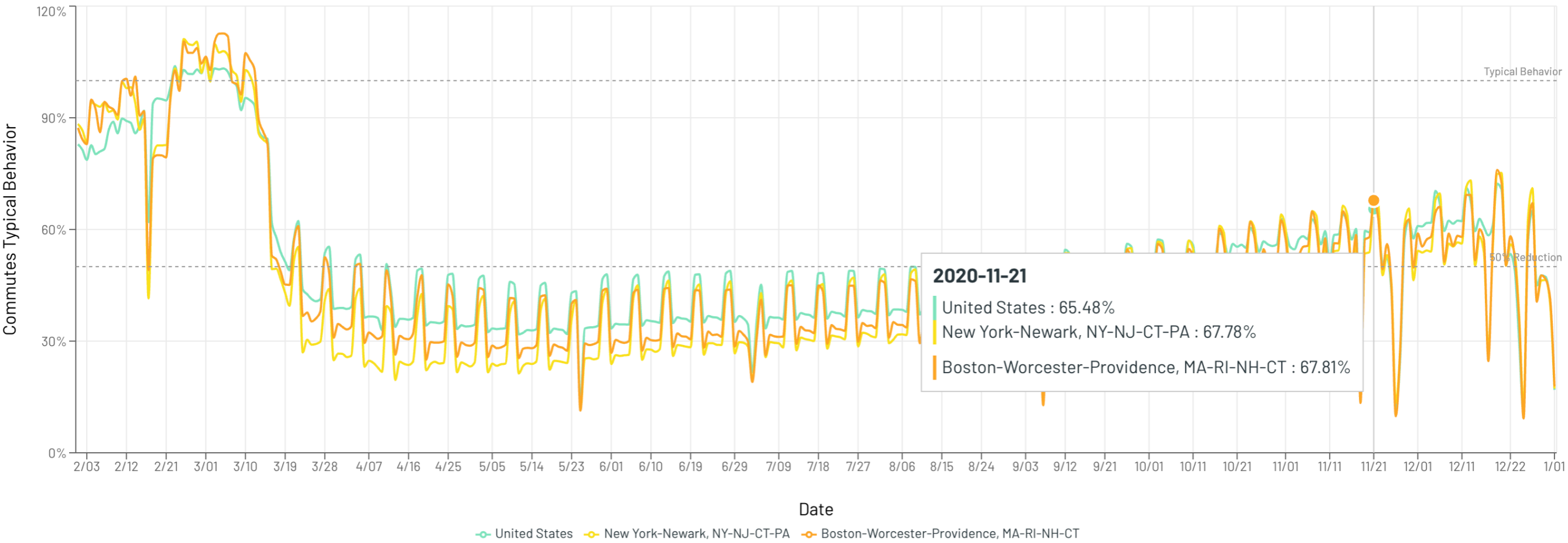


Commute flows are down, which is good

COMMUTES

To measure commuting behavior, we count the daily number of active commuters. A user is defined as an active commuter if within the span of one day they move between their two personal areas. We compute a daily statistic that is the fraction of active commuters relative to the population of the selected location. In the following, *index* is proportional to the value of this statistic while *typical behavior* shows how each day compares to baseline values of the statistic in the same weekday from January and February (e.g. the value on Tuesday April 7th is compared to a typical Tuesday in January/February).

- Typical Behavior
- Index
- Date
- Days Since 1st Reported Case
- Linear
- Log

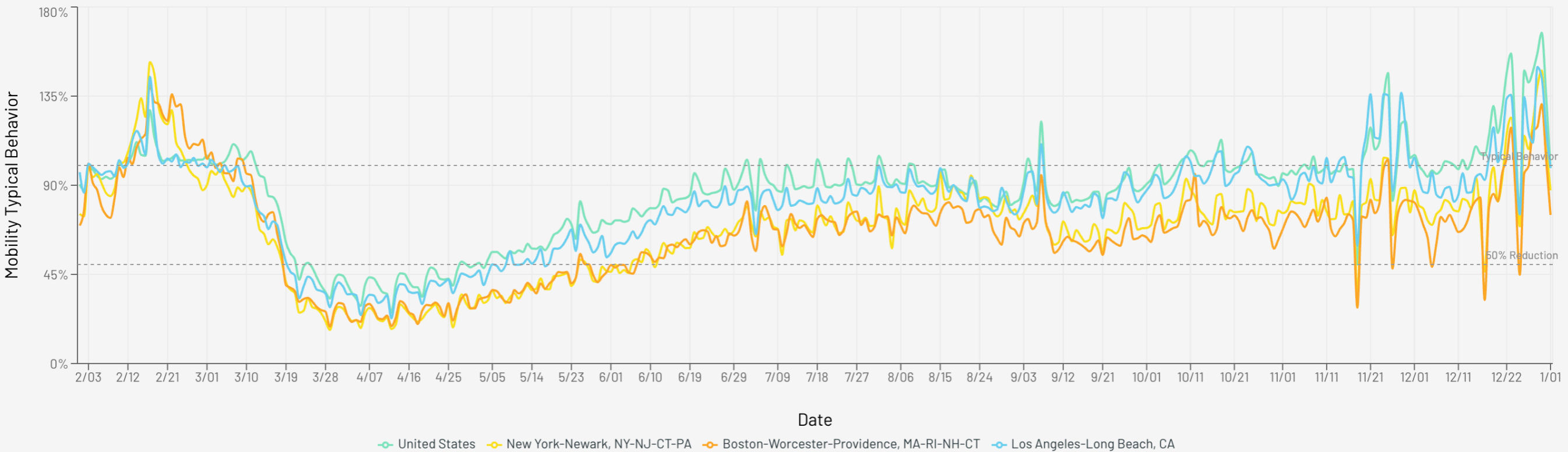


But, mobility is up to LA-levels, which is troubling

MOBILITY

As a proxy for individual mobility, we calculate the radius of gyration of anonymous users throughout a day. The radius of gyration measures the mean square deviation of the distances traveled by a user on a given day, as measured from the center of mass of the trajectory. Larger radii of gyration correspond to trajectories with positions that are far away from the average position. We compute a daily statistic that is proportional to the radius of gyration for the users living in the selected location. In the following, *index* is proportional to the value of this statistic while *typical behavior* shows how each day compares to baseline values of the statistic in the same weekday from January and February (e.g. the value on Tuesday April 7th is compared to a typical Tuesday in January/February).

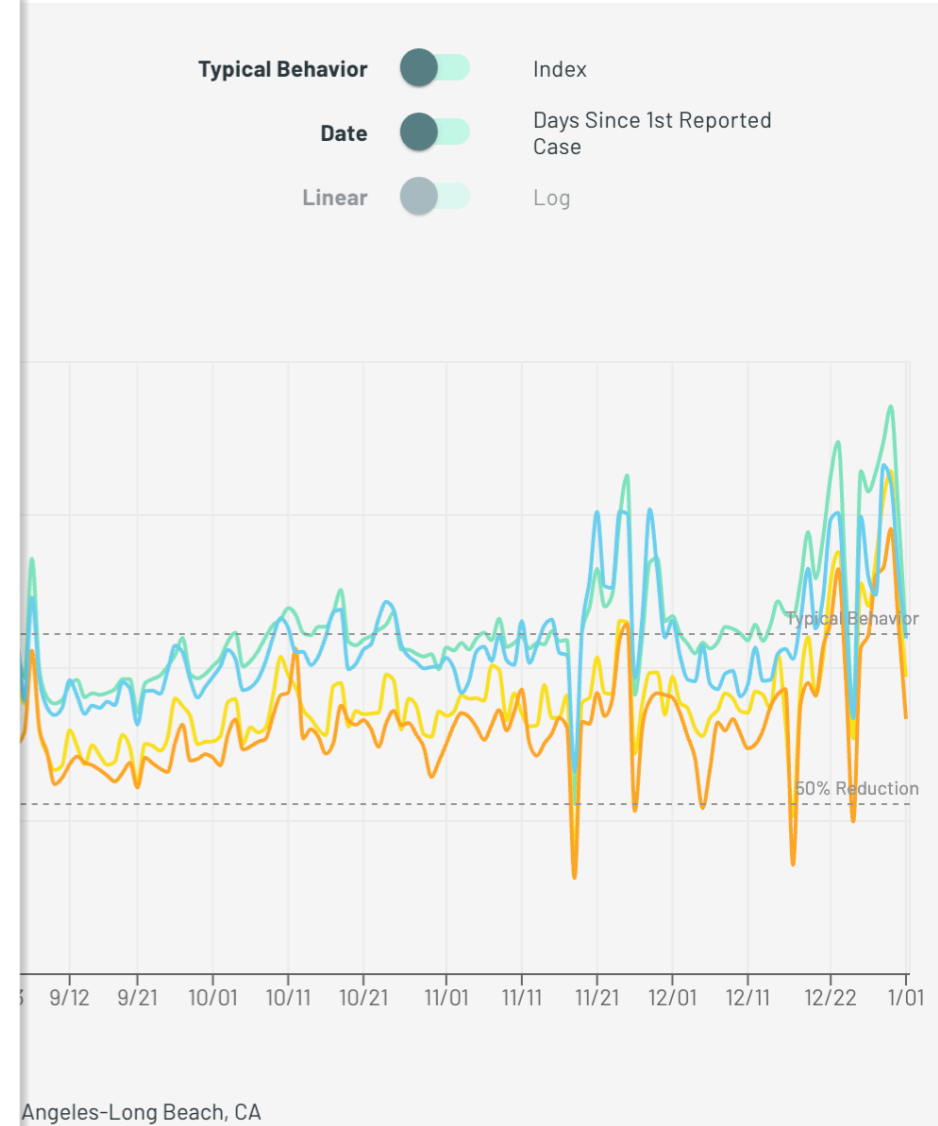
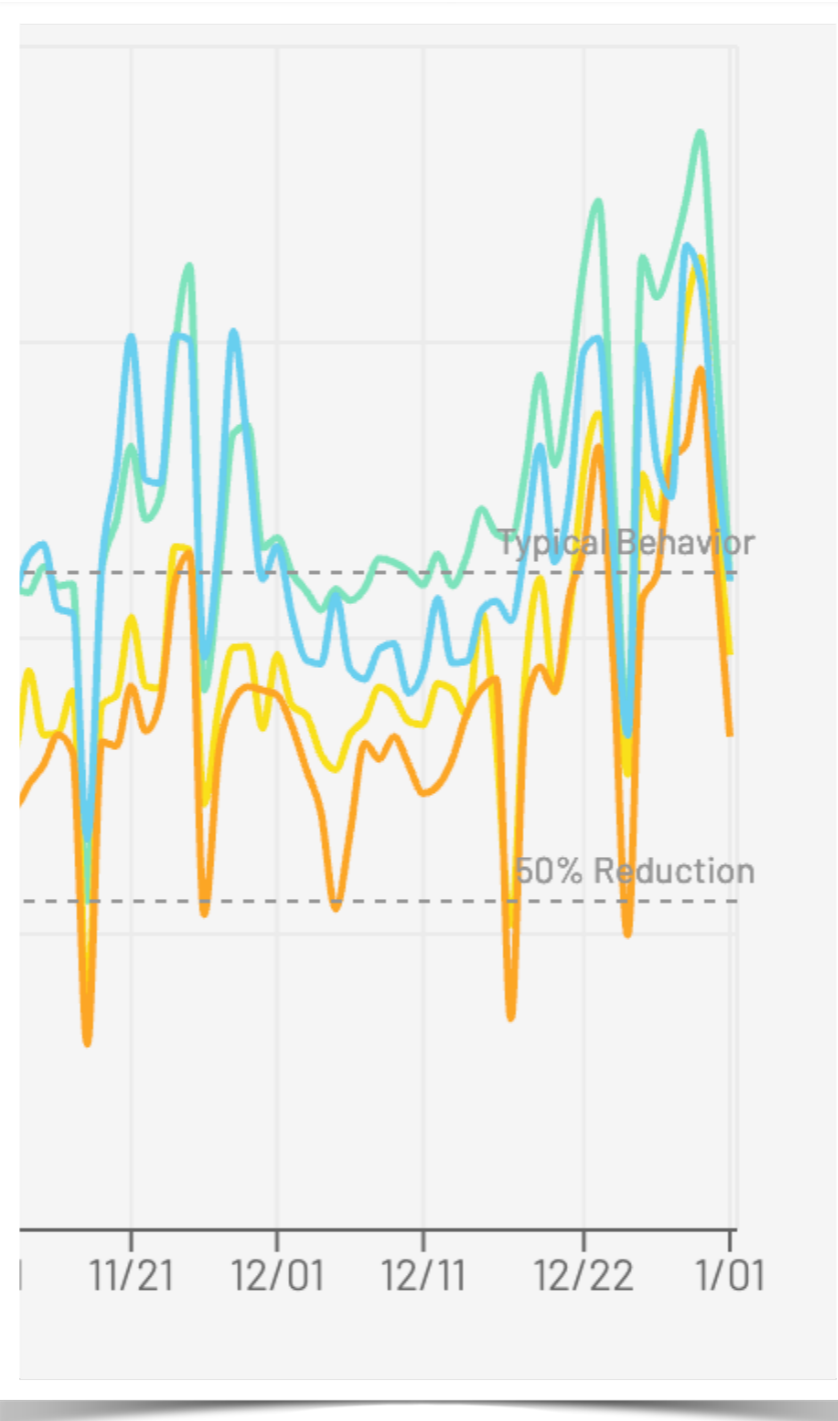
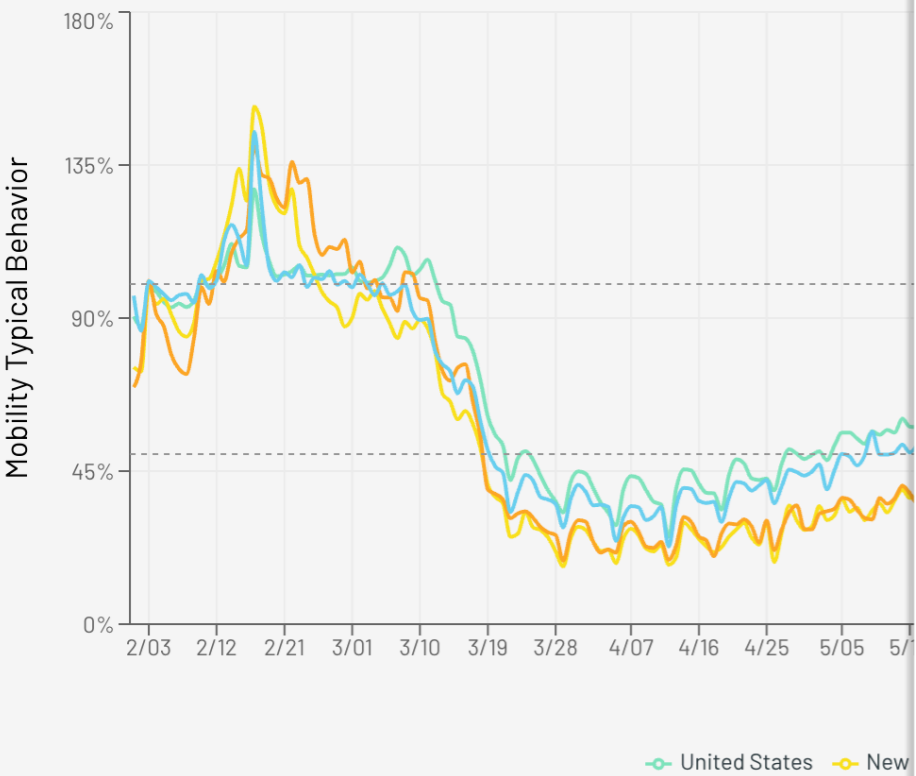
- Typical Behavior
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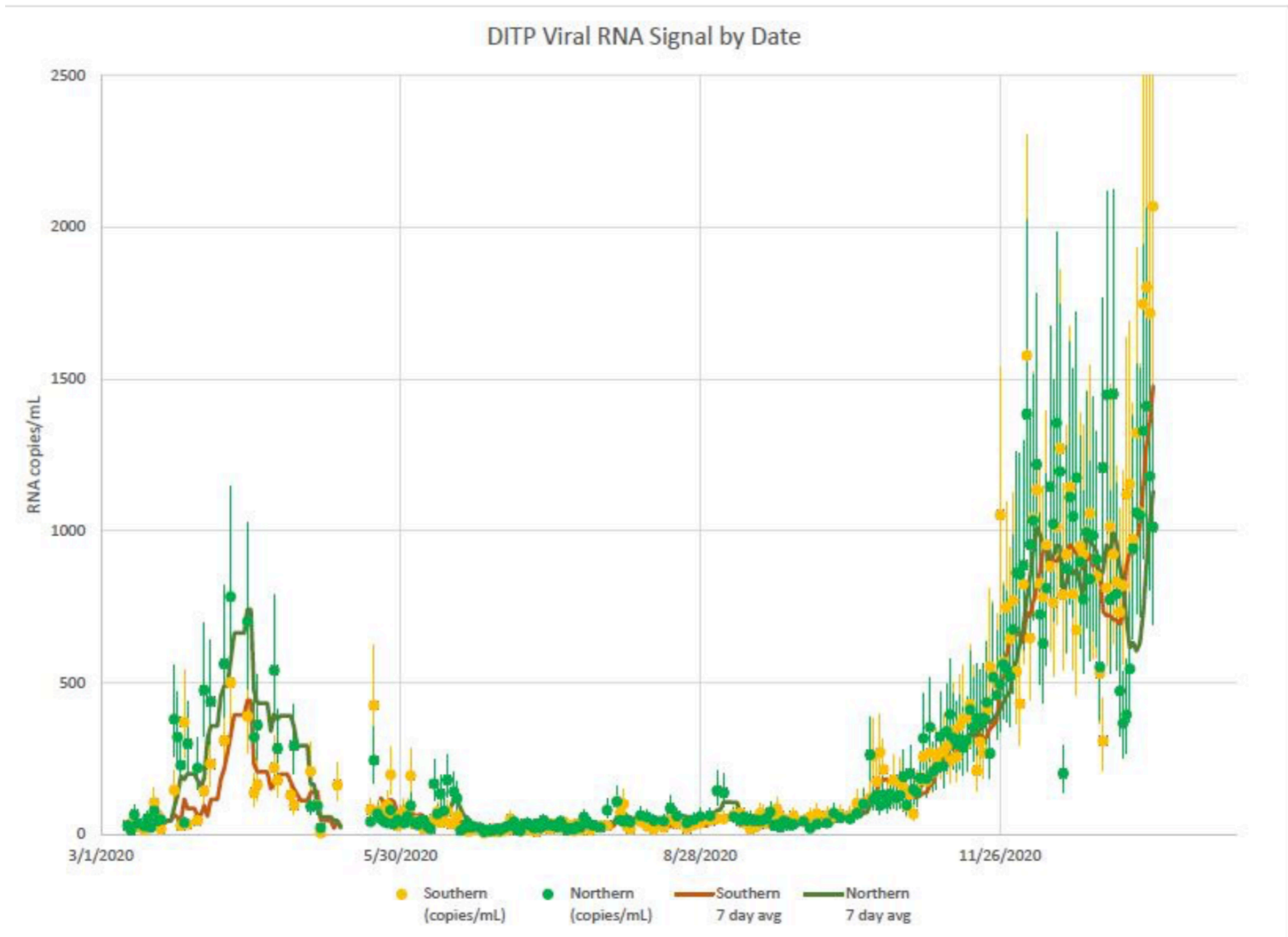
But, mobility is up to LA-levels, which is troubling

MOBILITY

As a proxy for individual mobility, we calculate the radius of gyration of anonymous user deviation of the distances traveled by a user on a given day, as measured from the center with positions that are far away from the average position. We compute a daily statistic selected location. In the following, *index* is proportional to the value of this statistic with statistic in the same weekday from January and February (e.g. the value on Tuesday A



And the Biobot signal is way up*



*it's challenging to interpret this signal (at least for me)

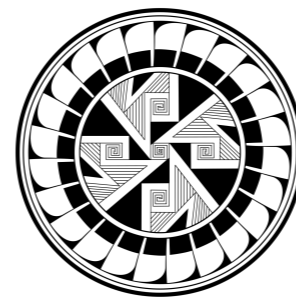
Questions?

Samuel V. Scarpino, PhD

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External Faculty
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s.scarpino@northeastern.edu



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PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM JANUARY 10, 2020 THROUGH AND INCLUDING JANUARY 18, 2021 OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR JANUARY 19, 2021

Items distributed to the Board of Selectmen –January 10, 2021 – January 18, 2021
(none)

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of January 11, 2021

1. Memorandum from Town Administrator and Finance Director to Board of Selectmen dated January 11, 2021 re: Summary Update to FY2022 Budget Recommendation
2. Memorandum from Town Administrator to Finance Committee dated January 11, 2021 re: Responses to Finance Committee’s Questions re CIP transmitted December 17, 2020
3. Annual Town Meeting 2021 Article Submission form for Real Estate Fund use to Pay Bond Anticipation Note related to River’s Edge
4. DRAFT of Grant of Easements between Town of Wayland and Alta River’s Edge for use of portion of Transfer Station Access Road
5. DRAFT of Grant of Easements between Town of Wayland and Alta River’s Edge for Wastewater Improvements.

Items included as part of the Agenda Packet for discussion during the January 19, 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 13, 2021 re: COVID-19 Vaccination Information and Update
3. Slide deck from Samuel V Scarpino, PhD re: COVID-19 in MA: January 13, 2021
4. Annual Town Meeting 2021 Article Submission forms for:
 - Recognize Citizens & Employees
 - OPEB Funding
 - Personnel Bylaws and Wage & Classification Plan
 - FY 22 Budget
 - Sell or Trade Equipment & Vehicles
 - Purchase of Land at Town Center
 - Capital Stabilization Fund
 - Create Transfer Station Enterprise Fund
 - Tax Work Off Amendment
 - CPA Historic Preservation: Rehab 70-74 Main St
 - CPA Rec: Mill Pond Dam, Athletic Field Design and Heard Farm Improvements
 - Loker Turf Field
 - Pay Previous Fiscal Year Unpaid Bills
 - FY22 Revolving Fund
 - Non-Union Personnel COLA
 - Choose Town Officers
 - Accept Gifts of Land
 - Community Choice Aggregation
 - Solar at Loker Roof
 - Approve Transfer Station Enterprise Budget
 - Accept Spencer Circle
 - CPA Historic Preservation: Cemetery Stones & Library Archival
 - CPA: Set Asides
 - Recognize Law Enforcement Officers Day
 - Current Year Transfers
 - Town Clerk Compensation
 - SWQC Budget
 - Hear Reports
 - Select Board/Town Manager Act
 - Remote participation at ATM
 - Dissolve Transfer Station Revolving Fund
 - Appropriation to pay Ban related to River’s Edge
 - FincCom Appointing Board
 - CPA Open Space: Native & Pollinator Plants
 - Establish Wayland Human Rights Commission
 - Implement Elementary School Space Utilization Study for 21-22 School Year
5. Board of Selectmen Meeting Minutes Draft for January 2, 2021
6. Board of Selectmen Meeting Minutes Draft for January 4, 2021

BOARD OF SELECTMEN
Monday January 19, 2021
5:00 pm
Wayland Town Building
Council on Aging Room
41 Cochituate Road, Wayland, MA

CORRESPONDENCE

1. Correspondence from Rebecca Rausch, Massachusetts State Senator to Board of Selectmen dated January 11, 2021 re: Remote Meeting Legislation for Town Meetings.
2. Correspondence from Town Clerk to Board of Selectmen dated January 13, 2021 re: Resignation of John Todd from Board of Assessors.
3. Correspondence from Town of Sudbury to Board of Selectmen dated January 14, 2021 re: Letter and report on Sudbury's Perambulation of Town bounds.
4. Correspondence from Eversource Energy to Board of Selectmen Dated January 8, 2021 re: Five-Year Vegetation Management Plan (VMP) for Central, Eastern, and Southeaster, MA.

BOARD OF SELECTMEN
Tuesday, January 19, 2021
5:00 p.m.
Wayland Town Building
41 Cochrane Road, Wayland, MA

CONSENT CALENDAR

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of approving and signing invoice #129223 from KP Law, dated December 30, 2020, for professional services rendered through November 30, 2020 in the amount of \$2,682.39
4. Vote the question of approving and signing invoice #129224 from KP Law, dated December 30, 2020, for professional services rendered through November 30, 2020 in the amount of \$130.50
5. Vote the question of approving expenditure of \$496.90 from the Wayland COVID-19 Relief Fund.
6. Vote the question of accepting with thanks three (3) donations in the amount of \$300.00 to the Wayland COVID-19 Relief Fund.
7. Vote the question of accepting with thanks six (6) donations in the amount of \$1,750.00 to the Testing for COVID-19 in the Wayland Schools Fund.



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

DRAFT Meeting Minutes
Joint Emergency Meeting of
School Committee, Board of Health
and Board of Selectmen
Saturday, January 2, 2021
11:30 a.m.
Wayland Town Building
Council on Aging 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 (with participation by video-teleconference via Zoom and WayCAM):

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

Board of Health: Robert Defrancesco, Susan E. Green, John G. Schuler, Arnold R. Soslow

Absent: Brian J. McNamara

School Committee: Jeanne Downs, Ellen Grieco, Kim Reichelt, Christopher Ryan, Kathie Steinberg

Also participating by video-teleconference via Zoom and WayCAM: Town Administrator Louise Miller, Information Technology Director Mike McCann, Health Director Julia Junghanns, Public Health Nurse Ruth Mori, School Physician Ellen Mahoney, and Superintendent of Schools Arthur Unobskey

A1. Call to Order by Chair, Review the Agenda for the Public At 11:41 a.m., C. Karlson called the emergency joint meeting of the Board of Selectmen (BoS), Board of Health (BoH) and School Committee (SC) to order when a quorum was available by video-teleconference. C. Karlson announced that the meeting would be broadcast and recorded for later broadcast by WayCAM in compliance with revised Open Meeting Law requirements. C. Karlson announced by full name each member of the BoS who was participating remotely and that no member was physically present at Town Building. C. Karlson announced that no in person attendance of members of the public would be permitted and announced the ways in which the public could participate by phone and via a virtual 'hand-raise' via Zoom. J. Downs conducted a roll call attendance by full name for each member of the SC who was participating remotely. S. Green announced by full name each member of the BoH who was participating remotely. C. Karlson reviewed the agenda and the protocols for the meeting. The participants would first review a document titled *Local Metrics for Wayland School Opening or Closure* issued on September 30, 2020, then have a joint discussion which would result in a recommendation to the Superintendent.

A2. Announcements and Public Comment There were no announcements. C. Karlson tabled the Public Comment until after the metrics were reviewed by the BoS, BoH and SC. C. Karlson noted that the Public Comment period would be limited to ten minutes.

A3. To discuss and possibly vote recommendations regarding protocols about closing schools, pivoting to remote learning, and topics related to the reopening of schools on January 4. C. Karlson asked the group to focus on the decision-making document to determine how to return to school on Monday Jan. 4, specifically whether to return to in-person learning or remote learning. The decision-making tool was divided into three areas: I. Activity Metrics II. Wayland School compliance with COVID-19 protocols III. Other Variables

I. Activity Metrics: Local Metrics for Wayland School Opening or Closure L. Miller reviewed the three COVID-19 indicators for Local Activity Metrics which included: 1) Two Week Case Count, 2) Average Daily Incidence Rate per 100,000 and 3) Percent Positivity. L. Miller reviewed the local data that showed an increase in spread of COVID-19 in Wayland. L. Miller reported that Wayland was currently in the yellow/moderate category but heading toward the more severe red-category. L. Miller noted that Health Director Julia Junghanns and Public Health Nurse Ruth Mori were reporting higher levels of community spread in the last week.

J. Junghanns noted an obvious recent increase in coronavirus spread at Wayland's retail businesses, restaurants, gyms, salons and assisted living facilities. J. Junghanns noted that she anticipated an additional uptick in household transmission due to the recent holidays. R. Mori reported that the contact tracers were continuing to trace the cases being reported, but Wayland was experiencing significant community spread which may be an indicator to pivot to remote learning for a week. A. Soslow noted that he did not agree with the data that was being characterized by the staff.

II. Wayland School compliance with COVID-19 protocols: Local Metrics for Wayland School Opening or Closure Superintendent of Schools Arthur Unobskey reviewed the second metric in the document which measures Wayland School compliance with COVID-19 protocols which includes: school social distancing, mask use, hand hygiene, grade/class cohorting, distancing on buses and parental attestation of student health. A. Unobskey felt that overall there was very good compliance with mask use and hand hygiene and had observed minimal spread in the buildings. A. Unobskey deduced that the eight recent cases in Cohort A were not likely contracted at school, because Cohort A was last physically in school on Dec. 15. Cohort B was last in the school buildings on Dec. 22, and had no known cases. A. Soslow expressed agreement with the characterization by A. Unobskey that the spread was not happening in the school buildings. K. Reichelt expressed concern about families being accurate on the required parental attestations and asked if there was data available that would indicate that they can trust the results from the parental attestations.

III. Other Variables: Local Metrics for Wayland School Opening or Closure L. Miller reviewed the third metric which measures other variables such as Wayland's ability to provide personnel and to conduct contact tracing.

L. Miller reported a specific staffing issue at the Middle School where the Schools would not be able to provide the appropriate staffing to support what is required. R. Mori indicated that the lack of medical personnel at the Middle School was the primary priority. K. Reichelt asked for clarification on the staffing issue. L. Miller reported that the staffing issue was a short-term absence for the upcoming week at the Middle School. R. Mori noted that this vacancy developed on Thursday after the BoH had its meeting on Wednesday. R. Mori reported that the Town does not have nursing support in place for the Middle School for the upcoming week and would not have support in place until Jan 11. Medical support is needed to staff the health rooms to be able to support some medical complexities of the current student body. Personnel in the substitute pool or other schools do not have the same qualifications and expertise to meet the current needs at the Middle School. R. Mori recommended that the Middle School shift to all remote learning for one week.

C. Ryan recognized the staffing issue and asked about resources. L. Miller noted that the Town had two full-time employees working on contract tracing as well as R. Mori, and a variety of other part-timers. J. Junghanns reported that there are four medical volunteers currently being trained, but can only commit part-time. L. Miller noted that there is a shortage of contact tracers available across the state. L. Miller noted that one case can take the entire Public Health Department to follow up with the close contacts, and that tracing continues to be demanding on staff. L. Miller gave an example where a single positive case in Wayland had 38 close contacts, and it took nine Health Department staff to conduct contract tracing for that one case; each close contact can take up to an hour. L. Miller noted that it is preferred to conduct contact tracing at the local level. There is a state-level contact tracing program that has less than a 50% rate of completion of contact tracing and low levels of satisfaction from its users.

E. Grieco asked if the restraints on the capacity for contract tracing would impact the ability to return to school on Monday. C. Karlson indicated that the resources described have a capacity that is dependent on the details of the specific contract tracing case. A. Soslow offered his own services to provide contract tracing, and suggested that J. Schuler would also be willing to help with contract tracing. D. Watkins asked a question about the ventilation to which L. Miller reported that the ventilation systems present no issues, and that the ventilation systems currently meet all code requirements and Massachusetts Department of Elementary and Secondary Education (DESE) Guidelines.

Discussion: Local Metrics for Wayland School Opening or Closure C. Karlson opened the topic for discussion. E. Grieco requested clarification that the discussion was to determine whether to pivot to all remote learning or to resume hybrid in-person cohort learning for the week of Jan 4. C. Karlson read the statement from the document: “All protocols and metrics will be examined collectively by the Town Administrator, School and Health Departments, in consultation with the BoS, BoH, and SC (or a designee of) and a recommendation will be made to the School Superintendent on opening or closing Wayland schools.”

K. Reichelt noted that there is a new variant of the coronavirus which is unknown and could make response problematic. C. Ryan asked for a comparison to other school districts planning to return to school and asked if other areas in Town would see restrictions in addition to schools. A. Unobskey reported that eight of the nearby nine communities he communicated with were returning in-person on Mon. Jan. 4; one was returning on Jan. 5.

E. Grieco asked for further clarification on the pending recommendation to the Superintendent. L. Miller indicated that the recommendation that needed attention would be for one week, beginning Mon. Jan. 4 and ending by Mon. Jan. 11; this would allow the contract tracers to support the travel attestations, and to fill the absences among the medical providers at the Middle School.

A2. Announcements and Public Comment At 1:37 p.m., C. Karlson opened the meeting for public comment for ten minutes and read a phone number for the public to call in and described a virtual ‘hand-raise’ via Zoom.

Traci Green, Old Connecticut Path, joined by teleconference and reported that she was an epidemiologist and was willing to volunteer her services to assist in contact tracing. T. Green anticipated that the need for contract tracers will increase and encouraged the Town to secure more personnel to assist. T. Green expressed concern about the fear-mongering associated with the increase in positivity rates. T. Green also encouraged the Town to track the number of people who are vaccinated in the community and include that data in the decision-making metrics.

Matthew Thomas, Alden Road, joined by teleconference and indicated that there were a lot of risk controls in place that may be challenged by an increase in community spread, and that it would be appropriate for the Town to act to reduce the rate of exposure.

Nancy Seward, Jeffrey Road, joined by teleconference to offer a comment and ask a question of the Superintendent. N. Seward commented that if the school building closed it would make sense to also close other areas like restaurants, bars and gyms. N. Seward asked A. Unobskey to clarify his statement about the travel guidelines. A. Unobskey later noted that the schools are following the state’s travel orders and guidelines.

Kori Rogers, President of the Wayland Teachers Association, joined by teleconference to supplement her submitted written comment, and noted that the schools focus on the students who are under 19 years, but the personnel are adults and are equally at risk. K. Rogers described that the school personnel are in consistent close contact with students and that social distancing is challenging for fourth graders. She indicated she was personally terrified during mask breaks, because students talk, engage and get close together. K. Rogers indicated that Special Educators also have unique exposure risks.

Joe Goldberg-Giuliano, Riverview Cir, joined by teleconference and commented that remote learning is not effective for five year olds; he also commented that if the Town would close the school buildings, it should also close restaurants, bars and gyms.

Joe Polizzotti, Indian Road, joined by teleconference and concurred with the previous comment that remote learning was ineffective and noted that there have been minimal reports of in-school spread. J. Polizzotti commented that it was a sweeping generalization that all residents had travelled over school break, and added that his family had not travelled and followed guidelines so that his children could go back to school.

C. Karlson closed public comment.

Discussion: Local Metrics for Wayland School Opening or Closure E. Mahoney recognized the complexity of the topic but recommended that the members also consider the value of children being present in school. J. Schuler summarized that he saw the only reason to not open the schools was to prevent spread from some of the families who may have traveled. R. Mori reiterated the lack of medical providers for the Middle School. A. Soslow indicated he had submitted a written opinion but reiterated that schools should continue with in-person learning, but that the Middle School should not be open. R. Defrancesco concurred. S. Green expressed concern for a surge due to post-

holiday spread and that travelers have not had time to be tested and receive the results, and a week of remote learning would allow more time for families to do that. S. Greene agreed the Middle School should not open.

Recommendation to the School Superintendent on opening or closing Wayland schools

A. Soslow moved that the BoH recommend to the Superintendent that the Wayland Schools continue with a full hybrid model indefinitely. A. Soslow moved that the BoH believes that any school that does not have the required school nurse personnel is not in compliance. In discussion, K. Reichelt offered clarification to A. Soslow's written statement on the methods for which students can opt for all-remote learning formats. L. Miller recommended that the motions be amended and clarified that the medical coverage can be provided by personnel other than nurses, such as medics or other combinations of qualified personnel. A. Soslow amended his motion. A. Unobskey also recommended the motion be more specific about A. Soslow's statement on compliance.

C. Karlson suggested that the first motion be amended to state that the BoH recommends that the schools continue with the hybrid model, and the second to state that the BoH recommends that each school have sufficient medical coverage. R. Mori confirmed that the Town had exhausted all options to provide sufficient medical coverage at the Middle School, to no avail. S. Green voiced disagreement with the first statement and in favor of the second statement in the motion.

Motion 1: Roll Call Vote: YEA: R. Defrancesco, J. Schuler, A. Soslow. NAY: S. Green. ABSENT: Brian J. McNamara. ABSTAIN: none. Adopted 3-1.

Motion 2: Roll Call Vote: YEA: R. Defrancesco, S. Green., J. Schuler, A. Soslow. NAY: none. ABSENT: Brian J. McNamara. ABSTAIN: none. Adopted 4-0.

J. Downs suggested that the SC follow the BoH recommendation that schools continue with the hybrid model and that each school have sufficient medical coverage, and added that the Middle School does not have sufficient medical coverage and that the Middle School should pivot to full remote learning until coverage is sufficient. In discussion, K. Reichelt noted that there are challenges to in-person learning and encouraged families to be tested after travel and before returning to school. K. Steinberg suggested that the data may support that children are safer in school than when not in school.

Motion 1: Roll Call Vote: YEA: J. Downs, E. Grieco, C. Ryan, K. Steinberg. NAY: K. Reichelt. ABSENT: none. ABSTAIN: none. Adopted 4-1.

Motion 2: Roll Call Vote: YEA: J. Downs, E. Grieco, K. Reichelt, C. Ryan, K. Steinberg. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson suggested that the BoS also add a recommendation to request that families submit health and travel attestations on Sunday, rather than on Monday morning and recommended that school personnel reiterate the travel protocols for students, parents and teachers. C. Karlson recommended that the administration staff help support some of the non-medical issues around COVID-19. C. Karlson asked the BoS members to opine on the two recommendations. T. Fay, M. Antes and D. Watkins each expressed support for the BoH recommendations. L. Anderson expressed agreement with the BoH recommendation as well as the additional statements that C. Karlson suggested around the attestations, travel protocols, administrative staff and the impact of other businesses in Town.

Motion 1: Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Motion 2: 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 summarized the recommendation to Superintendent A. Unobskey who agreed to send a strongly worded update to parents, students and personnel related to these BoH recommendations.

A4. Topics Not Reasonably Anticipated by the Chair 48 Hours in advance of the Meeting, if any There were none.

A5. Adjourn. At 2:50 p.m., L. Anderson moved, seconded by T. Fay, that the BoS adjourn the meeting of the BoS. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

At 2:51 p.m., S. Green moved, seconded by J. Schuler, that the BoH adjourn the meeting of the BoH. Roll Call Vote: YEA: R. Defrancesco, S. Green., J. Schuler, A. Soslow. NAY: none. ABSENT: Brian J. McNamara. ABSTAIN: none. Adopted 4-0.

A3. To discuss and possibly vote recommendations regarding protocols about closing schools, pivoting to remote learning, and topics related to the reopening of schools on January 4. J. Downs invited the SC to a discussion to address the logistics of carrying out the BoH recommendation in regard to the pivot to remote learning at the Middle School. K. Reichelt expressed frustration with residents who are not compliant with the guidelines and voiced that the current situation was foreseeable. E. Grieco suggested to put the topic of resource planning/nursing personnel on a future SC agenda. A. Unobskey felt the benefits of the hybrid remote/in-person schooling outweighed the risks of in-building spread. There was a discussion about reducing the risk of spread during mask breaks, recess and meal times.

At 3:13 p.m., J. Downs moved, seconded by E. Grieco, that the SC adjourn the meeting of the SC. Roll Call Vote: YEA: J. Downs, E. Grieco, C. Ryan, K. Steinberg, K. Reichelt. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by Board of Selectmen, Board of Health, and School Committee at the Meeting of January 2, 2021

1. Local Metrics for Wayland School Opening or Closure, dated September 30, 2020
[https://www.wayland.k12.ma.us/UserFiles/Servers/Server_1036352/File/2020 Novel Coronavirus \(COVID-19\) Updates/Town Updates/Decision Criteria for Opening or Closing Schools 9.30.20.pdf](https://www.wayland.k12.ma.us/UserFiles/Servers/Server_1036352/File/2020%20Novel%20Coronavirus%20(COVID-19)%20Updates/Town%20Updates/Decision%20Criteria%20for%20Opening%20or%20Closing%20Schools%209.30.20.pdf)
2. WPS COVID Metrics Dashboard
<https://sites.google.com/waylandps.org/wps-covid-dashboard/metrics-dashboard>
3. Email from Dr. Soslow dated January 2, 2021

Items included in the Agenda Packet during the Board of Selectmen Meeting of January 2, 2021

1. There were none.

Correspondence

Emails to School Committee as Public Comment

- 1.



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

DRAFT Meeting Minutes
BOARD OF SELECTMEN
Monday, January 4, 2021
5:00 p.m.
Wayland Town Building
Council on Aging 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 video-teleconferencing via Zoom and WayCAM. C. Karlson participated by video-teleconferencing and was also present at Town Building.

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, Management Analyst Seath Crandall and Town Planner Sarkis Sarkisian were present at Town Building. Town Engineer Paul Brinkman participated by video-teleconference.

A1. Call to Order by Chair, Review the Agenda for the Public At 5:02 p.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was available by video-teleconference. C. Karlson announced that the meeting would be broadcast and recorded for later broadcast by WayCAM in compliance with revised Open Meeting Law requirements. She announced by full name each Board member who was participating remotely and announced that no in person attendance of members of the public would be permitted. C. Karlson announced a phone number for the public to call to offer comments and reviewed how to participate via a virtual 'hand-raise' via Zoom. She reviewed the agenda for the public.

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

A3. Licensing: a. Vote to approve renewal of 2021 licenses Used Car Dealership Class II for Wayland Foreign Motors L. Miller reviewed the details of the license renewal application, and reported that the property owner had been notified of a failed septic system.

T. Fay moved, seconded by M. Antes, that the Board vote to approve the renewal of 2021 Used Car Dealership Class II license for Wayland Foreign Motors on Route 20. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Town Administrator Review: Distribute Town Administrator self-assessment including a report on goal achievement C. Karlson reported that the Board had recently received L. Miller's self-assessment to be included in a future meeting packet. C. Karlson asked L. Miller if she was willing to waive the right to have the assessment done privately and allow the discussion to happen publicly. L. Miller agreed. The Board planned to conduct a public discussion at a future meeting.

A6. 2021 Annual Town Meeting: a. 2021 Annual Town Meeting Articles: Review and potential vote to submit C. Karlson noted the purpose was to review the Annual Town Meeting (ATM) warrant articles that would be sponsored by the Board and vote to submit the articles. C. Karlson walked the Board through each document as it appeared in the packet.

- **Capital Stabilization Fund** C. Karlson noted that this article language was identical to the previous ATM submission. T. Fay noted that the attached letter from the Finance Committee was not dated. L. Miller noted

that this article would merely establish the fund, and the funding sources would be determined separate from the establishment of the fund. D. Watkins recommended that the funding source be free cash, and that the article be reworded to include the intent to both establish and fund at this ATM. T. Fay expressed concern about merging the two efforts, L. Anderson suggested using a two part motion and to keep the language broad now and finalize it at future meeting.

- **Select Board/Town Manager Act** L. Anderson reported that she had made some minor revisions and corrections to the prior year warrant article submission and updated the FAQ (Frequently Asked Questions) document with new dates and budget values to reflect the current fiscal year. L. Anderson noted that the Act was sometimes referred to as a Special Act and recommended consistency. L. Anderson also suggested that Town Counsel review the changes that would amend the Select Board’s authority to include declaring a state of emergency for a public health emergency. M. Antes suggested using consistent terms, and carefully considering which documents to include in the appendix. There was discussion about how to communicate the ways in which the Act would change Town Code. D. Watkins offered to attempt to provide a red-lined version of affected code.
- **Senior Citizen Tax Work Off Exemption Language** C. Karlson noted that this article clarifies language similar to what was done with the Valor Act.
- **Spencer Circle Street Acceptance** C. Karlson noted that there is bit more work needed on coordinating easement language with residents and one business decision with the Board of Public Works (BoPW).
- **Community Choice Aggregation** L. Anderson noted that this article was submitted by the Energy and Climate Committee. L. Miller noted that the language had been discussed by the Board, the Finance Committee and by Town Counsel ahead of the last ATM and suggested an accompanying FAQ for this article. T. Fay expressed support for it going forward. L. Miller clarified that the ATM voters do not approve the plan; voters authorize the Board to start the process and write the plan.

A5. Committee Appointments: a. Interview and Potential vote to appoint:

Committee	Potential Appointee	Representing	Term End Date
Audit Committee	Steve Curtin	Selectmen	June 30, 2023

S. Curtin joined the meeting by teleconference and reviewed his relevant experience and intent to join the Audit Committee. The Board interviewed S. Curtin.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen vote to appoint S. Curtin to the Audit Committee to a term ending on June 30, 2023. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0

A6. 2021 Annual Town Meeting: a. 2021 Annual Town Meeting Articles: Review and potential vote to submit (continued)

- **Loker Elementary School Solar Agreement** L. Miller noted that the article would authorize the School Committee to transfer the care and custody of the Loker Elementary School roof and the parking lot canopies to the Board to allow the Board to enter into any agreements for the provision of solar panels. C. Karlson noted that the article does not set the terms of any agreement. L. Miller noted that sub-paragraph C of the agreement applied only to the parking lot canopies. L. Miller noted that the arguments in favor of the article need to be updated. D. Watkins asked if the Board had considered doing this internally versus commercially.
- **Personnel Bylaws and Wage & Classification Plan – Cost of Living Adjustments for Non-Union Personnel** C. Karlson noted that this article would be reviewed by the Personnel Board and submitted by the Board of Selectmen on its behalf.

T. Fay moved, seconded by M. Antes, that the Board submit the following articles to the warrant for the 2021 ATM: Capital Stabilization Fund, Community Choice Aggregation, Spencer Circle Street Acceptance, Loker Elementary School Solar Agreement, Select Board/Town Manager Act, Cost of Living Adjustments for Non-Union Personnel. In discussion, T. Fay amended the motion to include the previous six articles and add the Senior Citizen Tax Work-Off Exemption Language and M. Antes again seconded the amended motion.

D. Watkins suggested a third amendment to the motion, and suggested that the Board vote to submit a draft attachment with the red-line version of the current Town Code to the Select Board/Town Manager Act article. There was no second to his amendment. C. Karlson tabled his amendment to a future meeting for discussion.

T. Fay amended his motion again to omit the Select Board/Town Manager Act from the list. T. Fay moved, seconded by M. Antes, to submit the following six articles: Capital Stabilization Fund, Community Choice Aggregation, Spencer Circle Street Acceptance, Senior Citizen Tax Work Off Exemption Language, Loker Elementary School Solar Agreement, and Cost of Living Adjustments for Non-Union Personnel. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

T. Fay moved, seconded by L. Anderson, to submit Select Board/Town Manager Act article to the 2021 Annual Town Meeting warrant. In discussion, L. Anderson noted that she agreed that a redline version of Town Code might be helpful for voters, but the submission of the article was not contingent on that attachment. T. Fay concurred. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: none. Adopted 4-1.

C. Karlson listed the warrant articles that appeared on the agenda that were tabled to a future meeting: Planning Board articles, Remote Participation at Annual Town Meeting, Purchase of Land for a Council on Aging/Community Center, Transfer Station Enterprise Fund articles.

A8. River's Edge: Update to include permitting, easement documents, timeline, and Petition for Public Involvement Plan (PIP) Designation; Potential vote on response to PIP designation Town Engineer P.

Brinkman and Town Planner S. Sarkisian joined the meeting by video-teleconference. L. Miller reviewed the status of the project and noted that there are two topics for discussion, one of which would be discussed in Executive Session.

Permitting, easement documents update L. Miller noted that the language for the grant of easement was near final; it had been reviewed by the purchaser's attorneys and Town Counsel and Special Counsel. C. Karlson noted that there had been a public comment submitted by A. Lewis on the matter. L. Miller reported that there had been ongoing discussion about the maintenance of the secondary road, which was currently maintained by the Town. L. Miller summarized the document in the packet, and reported that the Operation & Maintenance plan for the drainage easement is part of the Conservation Commission permit and would not be finalized and approved until after construction. L. Miller reported that in the event the Town opts to no longer use the properties that are being served by the access road, then the obligation for maintenance would be transferred to the owner of the property.

D. Watkins noted the need for consistency with listing the umbrella company and subsidiaries across the documents. L. Miller responded that Town Counsel was aware of and addressing that issue. D. Watkins asked if there was a reason the costs of maintenance and repair of the access road were not shared with the property owner. L. Miller noted that the Town currently controls that aspect of the access road and opted to continue to maintain that control. L. Miller added that the owner would be paying property taxes just as other property owners in Wayland, who are not being asked to share additional costs for road maintenance or snow removal. There was discussion about the gate to the access road and liens to the property. L. Miller reviewed the Land Disposition Agreement. There was discussion with P. Brinkman regarding the easement and the wastewater system.

L. Miller noted that all Town permits had been obtained, a groundwater discharge permit application was being submitted to MassDEP and work was being done to finalize the documents for a MassDOT access permit, all of which were anticipated to be finalized in January.

Timeline update L. Miller broadly updated the Board on the project timeline; she reported that the contracts for wastewater related work had been executed with the respective engineering firms, and anticipated that closing on the property would occur in January. She noted that completion of the first part of the infrastructure to carry wastewater from the project site to the Town facility would be completed in the fall of 2021 and anticipated that first occupancy to occur in the spring of 2022.

Petition for Public Involvement Plan (PIP) Designation; Potential vote on response to PIP L. Miller reported that two Release Tracking Numbers (RTN) were assigned by MassDEP for the site that related to cleanup of asbestos and groundwater. The Town will need to provide a response by January 18. L. Miller reported that the asbestos issue will be closed by January 18 and that the groundwater was being reviewed by the Town's consultant, Ben Gould, LSP. L. Miller reported that the deadline for the groundwater issue is March 18. Town Counsel would draft the response to the PIP. L. Miller requested authorization to prepare a response letter and that a Board member be assigned to assist. L. Miller noted that the petition was requesting documents related to groundwater and wastewater that were purported to not be public documents, but L. Miller clarified that all related documents are public. C. Karlson recommended making the dedicated page on the Town website to allow easier access to the documents.

L. Anderson moved, seconded by M. Antes, that T. Fay be designated to assist the Town Administrator with the task of responding to the Petition for Public Involvement Plan. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A7. COVID-19: a. Update from Town Administrator L. Miller reported that a total of 63 new COVID-19 cases were confirmed in Wayland in the last week of the year. L. Miller reported that several businesses and restaurants had temporary closures. L. Miller reminded residents that there is a live COVID-19 Hotline for residents to report COVID-19 related concerns. L. Miller noted that the hotline is supported by the police, public safety and public health personnel. L. Miller noted that each business was required to submit a plan to re-open that declares a responsible party for COVID-19 guideline compliance.

C. Karlson recognized the public comments from the January 2nd joint meeting regarding the request for the Board to consider imposing restrictions at facilities like salons, gyms, or restaurants. L. Miller noted that the Governor recently increased restrictions and reduced capacity in certain businesses, restaurants and offices. There was a discussion about designating a Board member to represent the Board with the school decision making, like the one that occurred on January 2.

L. Miller reported that the January 2nd meeting did result in more volunteers coming forward to assist with contact tracing. L. Miller noted that some volunteers who have medical backgrounds can be directed to the Medical Reserve Corps to assist with vaccinations. L. Miller reported that Massachusetts was in Phase 1a of vaccine distribution, and first responders would begin to receive vaccines on January 11. Wayland did not have enough first responders to qualify and consequently paired up with Natick to distribute vaccinations to first responders. L. Miller clarified that first responders included police, fire and dispatchers only.

L. Miller noted that future phases of vaccine distribution will require significant Town personnel and resources. The Town has a logistical team preparing for vaccine distribution, tentatively planned to occur at the vacant building where Whole Foods was previously located. L. Miller reported that Town employees had been assigned the responsibility to train new volunteers and that Fire Department medics will be trained to administer vaccine as well.

A9. Town Administrator update: a. Wayland Middle School Light Project b. Stone bridge Road Bridge Update c. Wayland High School retro Commissioning Project d. River's Edge Asbestos Removal Update e. Surveillance Testing in Schools f. Kindergarten g. Housing Production Plan h. Reeves Hill Communication Tower i. COVID 19 Vaccination Update j. FY2020 Audit Letter update

A9.a. Wayland Middle School Light Project L. Miller reported that the project will replace the lights at the Middle School with new LED lights and was aimed at increasing energy efficiency. L. Miller reported that the project was funded through the Green Communities Grant and will cost approximately \$77,000, which would result in an estimated project savings of \$22,000.

A9.c. Wayland High School Retro Commissioning Project L. Miller reported on a completed project that recommissioned the systems at the Wayland High School; the project was aimed at increasing energy efficiency. L. Miller reported that the project was funded through the Green Communities Grant, would cost \$34,000 and was expected to provide savings up to \$150,000.

A9.b. Stonebridge Road Bridge Update L. Miller reported that the Town received responses to the RFP for an independent surveyor to determine the Town boundary at the bridge. L. Miller reported that a contract for the Board to review would be ready at the next meeting and the cost estimate was approximately \$3,700.

A9.d. River's Edge Asbestos Removal L. Miller provided no further update, as the topic was addressed in A8.

A9.e. Surveillance Testing in Schools L. Miller reported that the Town is reviewing the responses to the RFP for the pooling test program in the schools; a vendor should be selected by the end of the week. S. Crandall reported that the Town had received one donation to date.

A9.f. Kindergarten L. Miller reported that School and Town departments are coordinating efforts to plan for Kindergarten students to attend school in-person beginning on February 25, as approved by the School Committee.

A9.g. Housing Production Plan L. Miller reported that she is working with S. Sarkisian and J. Bugbee to finalize an RFP for a consulting firm in February. L. Miller recognized that R. Bratt from the Housing Partnership had done a lot of work to issue the RFP.

A9.h. Reeves Hill Communication Tower L. Miller updated the Board on a recent issue that arose from two projects that are occurring at the tower. L. Miller reported that there is one project to upgrade the Public Safety communications and another that will install a receiving unit for the Water Department's AMI water meter reading systems. L. Miller noted that the lease document related to the tower was in the packet for discussion. L. Miller noted that the AMI must be installed on the tower, but doing so may trigger a situation where the Town would then owe money to its lessee.

A9.i. COVID 19 Vaccination Update L. Miller provided no further update, as the topic was addressed in A8.

A9.j. FY2020 Audit Letter update L. Miller reported that she, School Business Manager S. Bottan and Finance Director B. Keveny are drafting the Management Response Letter to be presented to the Audit Committee for its review. L. Miller also reported that the Internal Revenue Service (IRS) would be conducting an audit which may require personnel and resources from the Town; the audit has been extended to March.

A10. Minutes - December 7, 2020 and December 14, 2020; review and vote to approve

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen approve the meeting minutes of December 7, 2020 and the meeting minutes of December 14, both as amended. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A11. Consent: review and vote to approve C. Karlson noted that there were additional items added to the consent calendar in the revised agenda.

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 ratifying Purchase Agreement with Allegiance Fire and Rescue for the purchase of one (1) Pierce Enforcer 1500 GPM pumper.
4. Vote the question of approving expenditure of \$1,096.28 from the Wayland COVID-19 Relief Fund.
5. Vote the question of accepting with thanks seven (7) donations in the amount of \$1,217.95 to the Wayland COVID-19 Relief Fund.
6. Vote the question of approving and signing Amendment no. 2 to Contract no. 18-1037 with Weston & Sampson Engineers, Inc. for Engineering Services for the Athletic Fields and Stadium Renovations.
7. Vote the question of approving and signing Contract no. 18-2003 Task Order no. 18 with TEC, Inc. – The Engineering Corp for Old Stone's Bridge Engineering Assistance Services.

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

A12. Correspondence The Board reviewed the correspondence in the packet.

A13. Selectmen's Reports and Concerns M. Antes reminded the Board about the Massachusetts Municipal Association (MMA) virtual meeting. T. Fay recognized Recreation Director K. Brenna for an effective presentation to the Finance Committee on December 21 which may be helpful for residents to view on WayCAM. D. Watkins mentioned that it would be helpful for residents to be able to review the Recreation Department's field usage data and volunteered to gather the data. L. Anderson reported that she was troubled to hear that Framingham's Health Director had resigned and expressed concern for Wayland's essential personnel who are working under extreme circumstances. C. Karlson requested an analysis from the Assessor's Office to compare Wayland's taxes to other communities. C. Karlson noted that recently an OML violation occurred because a chair of a committee was not using the Town issued email account. C. Karlson recommended that Board members each contact the chairs of the committees for which they liaise to ensure that all volunteers are using the Town system. C. Karlson asked L. Miller to keep the Board informed of any unanticipated warrant articles that might have budget implications.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours in advance of the Meeting, if any There were none.

A15. 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; 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 litigation Stephen Cass v. John Ritchie IV. 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; V. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road; and VI. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of December 14, 2020 Approve and Hold: Executive Session minutes of December 14, 2020

At 8:47 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 litigation Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination; 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; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to litigation Stephen Cass v. John Ritchie; 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; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC. relative to property and development located off 400-440 Boston Post Road; and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of December 14, 2020 with the intent to approve and hold said executive session minutes.

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.

A16. Adjourn. At 10:04 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 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 in the Agenda Packet during the Board of Selectmen Meeting of January 4, 2021

1. 2021 License Renewal Memo for Wayland Foreign Motors for a Used Car Dealer's License Class II
2. Town Administrator Evaluation Schedule
3. Board and Committee Vacancies as of December 15, 2020
4. Resume for Steve Curtin
5. Annual Town Meeting 2021 Article Submission forms for:
 - a. Capital Stabilization Fund
 - b. Select Board/Town Manager Special Act
 - c. Community Choice Aggregation
 - d. Senior Tax work off
 - e. Spencer Circle Street Acceptance
 - f. Loker Elementary School Solar Agreement
 - g. Personnel Bylaws and Wage & Classification Plan – Non-Union Personnel COLA
6. Select Board/Town Manager Special Act Frequently Asked Questions (FAQS) updated January 4, 2021
7. Select Board / Town Manager Special Act Executive Summary updated January 4, 2021
8. Select Board / Town Manager Act updated January 4, 2021
9. 2001 Annual Town Meeting Article 19: Senior Property Tax Work-off Program

10. 2001 Annual Town Meeting Article 19 vote result
11. Massachusetts General Law - Part I, Title IX, Chapter 59, Section 5K
12. 2015 Annual Town Meeting Article 8: Accept Valor Act language and vote result
13. Wayland COVID-19 Case Update as of December 24, 2020
14. Memorandum from Board of Health Director dated December 30, 2020 re: Temporary Closure of The Dudley Chateau
15. DRAFT of Grant of Easements between Town of Wayland and Alta River's Edge for use of portion of Transfer Station Access Road
16. DRAFT of Grant of Easements between Town of Wayland and Alta River's Edge for Wastewater Improvements
17. MassWorks Infrastructure Program Pre-Contract Information Worksheet
18. Boston Post Road (Route 20) Conceptual Sewer Design
19. Site Description Wayland Route 20 Sewer Extension
20. Correspondence between Carol Plum, Resident, Benson Gould of CMG Environmental, Inc. and others dated December 29, 2020 re: Wayland Public Involvement Plan Petition
21. Petition for Public Involvement Plan Designation RTN 3-0036013 and RTN 3-0034474
22. Copy of Legal Notice to December 10, 2020 Wayland Town Crier re: Notice of Initial Site Investigation and Tier I Classification 484 Boston Post Road, Wayland DEP RTN 3-36013
23. Correspondence from CMG Environmental, Inc. to Town of Wayland dated December 2, 2020 re: Notice of Phase I – Initial Site Investigation, 484 Boston Post Road, Wayland MA RTN 3-36013.
24. Documentation pertaining to the Amendment no. 1 to Ground Lease between Town of Wayland and Horizon Towers LLC.
25. Board of Selectmen Meeting Minutes Draft for December 7, 2020
26. Board of Selectmen Meeting Minutes Draft for December 14, 2020

CORRESPONDENCE

1. Correspondence from Department of Housing & Community Development to Board of Selectmen dated December 10, 2020 re: Local Initiative Program LAU Approval – The Subdivision at Michael Road, Wayland
2. Correspondence from the Massachusetts Bay transportation Authority to Board of Selectmen dated December 14, 2020 re: Forging Ahead: Changes of Service Proposal
3. Correspondence from Town Administrator to Richard Schifone, Eversource Rights & Permits Supervisor dated December 15, 2020 re: Request to rescind the Grant of Location Petition for Rice Road
4. Correspondence from Marco Cardillo to Neil McPherson, Fire Department Chief dated December 21, 2020 re: Gift of \$200 to the Wayland Fire Department from Late Brother's Estate (Anthony Cardillo)
5. Correspondence from Richard Turner, Chair of Public Ceremonies Committee dated December 21, 2020 re: After Action Report for Wreaths across America Event
6. Correspondence from Massachusetts Division of Capital Asset Management and Maintenance to Board of Selectmen dated December 21, 2020 re: Commonwealth's Search for Lease Space
7. Correspondence from Teri Hegarty, Management Analyst, to Town Administrator, dated December 31, 2020, re: Quota of Alcoholic Beverages Licenses
8. Correspondence from Xfinity to Board of Selectmen dated December 16, 2020 re: Programming Changes & Municipal Emergency Reporting Procedures
9. Correspondence from Civic Plus to Town Administrator dated December 15, 2020 re: 2020 Annual Review & Update on 2021
10. Correspondence from Framingham Planning Board to Wayland Planning Board dated December 23, 2020 re: Notice of Public Hearing – 490 Cochituate Road Application of Santander Bank
11. Correspondence from Xfinity to Board of Selectmen dated December 22, 2020 re: Regional Sports Networks