

**PACKET**

**April 5**

**2021**



LOUISE L. E. MILLER  
TOWN ADMINISTRATOR  
TEL. (508) 358-3620  
[www.wayland.ma.us](http://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

### REVISED

*(Revises agenda posted April 1, 2021 at 3:57pm)*

## BOARD OF SELECTMEN

Monday, April 5, 2021

6:00 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=RVVkcG9qMXRVcXNlc1pMWVRXY1JLOT09>

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>

- 6:00 pm 1. Call to Order, Review Agenda for Public
- 6:03 pm 2. Announcements and Public Comment
- 6:15 pm 3. Bond Anticipatory Note (BAN) related to River's Edge: discuss and review potential options in which to pay BAN; potential vote
- 6:30 pm 4. Per- and polyfluoroalkyl substances (PFAS): update and discussion; including members of the Board of Public Works and Board of Health
- 7:00 pm 5. Wayfinding and Branding update with Town Planner
- 7:20 pm 6. Board of Selectmen Sign Policy: review and discussion of next steps



**BOARD OF SELECTMEN**  
**Monday, April 5, 2021**  
**6:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate Road, Wayland, MA**

- 7:30 pm 7. Town Administrator update
- a. COVID-19
- b. Town Building Reopening
- c. River's Edge
- Permitting update and potential Board of Selectmen vote on administrative consent order
- 8:00 pm 8. Medical Marijuana Application: discussion & review of Host Community Agreement for application from Earth Well Farms, LLC for 526 Boston Post Road
- 8:15 pm 9. Board of Selectmen Goals: discuss and review goals for Fiscal year 2021-2022
- 8:30 pm 10. Minutes –March 22, 2021 and March 29, 2021; review and vote to approve
- 8:35 pm 11. Consent: review and vote to approve
- 8:40 pm 12. Correspondence
- 8:45 pm 13. Selectmen's Reports and Concerns
- 8:50 pm 14. Topics not Reasonably Anticipated 48 hours in advance, if any
- 8:55 pm 15. Enter into Executive Session
- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation related to Kenneth Nelson v. Town of Wayland, et al.;
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with
- Local 690 Wayland-1 American Federation of State, County and Municipal Employees (AFSCME 690 Wayland -1)
  - Local 690 Wayland – 2 American Federation of State, County, and Municipal Employees (AFSCME 690 – 2);
  - Wayland DPW Association; Teamsters Local 170
- III. 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;
- IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of March 15, 2021.

Approve and Hold: Executive Session minutes of March 15, 2021; and

**BOARD OF SELECTMEN**  
**Monday, April 5, 2021**  
**6:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate Road, Wayland, MA**

- V. Pursuant to Massachusetts General Laws Chapter 30A, Section 21, (a) (2) to conduct a strategy session in preparation for contract negotiations with non-union personnel (Town Administrator)

9:55 pm 16. Adjourn





## TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

### MEMORANDUM

To: Board of Selectmen  
From: Louise Miller, Town Administrator  
Date: April 5, 2021  
Re: April 2021 Bond Anticipatory Note – River's Edge Asbestos Remediation

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The Bond Anticipatory Note for the River's Edge Asbestos Removal totaling \$525,000 matures on April 23, 2021. As discussed with the Board of Selectmen on March 22, 2021, the Town will issue a new BAN with a due date of November 2021 and discuss the Town's options with respect to the \$525,00 in early fall as part of the Town's capital and operating budgets development.

The following is the timeline for issuance of the BAN:

April 6, 2021	Competitive bid process; Hilltop securities reviews bid results with Town Administrator and Finance Director, and award bid.
April 9, 2021	Hilltop sends BAN paperwork to Town
April 12-15, 2021	Board of Selectmen sign associated paperwork – requires majority of the Board, Town Treasurer and Town Clerk.
April 16, 2021	Executed paperwork delivered to DOR
April 23, 2021	Dated and delivery date of BAN; Town receives BAN proceeds and pays off maturing notes

**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:  
Town of Wayland

Enforcement Document Number: 00010644  
Issuing Bureau: BWR  
Issuing Region/Office: NERO  
Issuing Program: WPC  
Primary Program Cites: WPC

**ADMINISTRATIVE CONSENT ORDER  
AND  
NOTICE OF NONCOMPLIANCE**

**I. THE PARTIES**

1. The Department of Environmental Protection (“Department” or “MassDEP”) is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21A, § 7. MassDEP maintains its principal office at One Winter Street, Boston, Massachusetts 02108, and its Northeast Regional Office at 205B Lowell Street, Wilmington, Massachusetts 01887.

2. The Town of Wayland (“Respondent”) is a municipality in the Commonwealth of Massachusetts. Respondent has a mailing address of 41 Cochituate Road, Wayland, MA 01778. Respondent owns and, acting through its Wastewater Management District Commission (“WWMDC”)<sup>1</sup>, operates a wastewater treatment works, which includes a wastewater treatment plant (“WWTP”) located at 185 Elissa Avenue in Wayland, MA and an associated wastewater collection system.

**II. STATEMENT OF FACTS AND LAW**

3. MassDEP is responsible for the implementation and enforcement of M.G.L. c. 21, §§ 26-53, the Surface Water Discharge Permit Regulations at 314 CMR 3.00; the Ground Water Discharge Permit Regulations at 314 CMR 5.00 and the Sewer System Extension and Connection Permit Regulations at 314 CMR 7.00. MassDEP has authority under M.G.L. c. 21A, § 16 and the Administrative Penalty Regulations at 310 CMR 5.00 to assess civil administrative penalties to persons in noncompliance with the laws and regulations set forth above.

4. WWMDC has been issued a National Pollutant Discharge Elimination System (“NPDES”) surface water discharge permit no. MA0039853 (“NPDES Permit”) jointly by the Environmental Protection Agency (“EPA”) and MassDEP to discharge treated effluent which discharges to the Sudbury River, in accordance with the terms and conditions of the NPDES Permit. The NPDES permit was issued on September 30, 2008 and was later modified on October 9, 2009. It remains valid as of the date of issuance of this Consent Order.

<sup>1</sup> The Wayland Wastewater Management District Commission (“WWMDC”) established by c. 461 of the Special Acts of 1996, is a board of the Respondent. For purposes of this Consent Order, WWMDC has the same mailing address as Respondent.

5. MassDEP has also issued an Individual Groundwater Discharge Permit No. 944-1 (“GWDP”) to the Respondent to provide additional discharge capacity to a proposed disposal facility located at the Town Hall Office at 41 Cochituate Road in Wayland, MA, in accordance with the terms and conditions of the GWDP. The GWDP was issued on September 19, 2019.
6. The following facts and allegations have led MassDEP to issue this Consent Order:
  - A. Respondent is the subject of an Administrative Consent Order No. ACO-NE-12-1N001 (“ACO-12”) which establishes the requirement and the timeframe for the design and construction of the proposed groundwater discharge facility, which is triggered when and if the Respondent’s WWTP exceeds 80% of the NPDES Permit average daily flow limit (41,600 gallons per day) for a consecutive 120 day period.
  - B. Alta at River’s Edge (“Alta”) is a proposed residential site that will serve a total of 218 units that consist of 339 bedrooms, located at 490 Boston Post Road in Wayland, MA owned by WP East Acquisitions, LLC.
  - C. Alta is approved under its hydrogeological evaluation approval that was issued by MassDEP on February 14, 2020, to treat and discharge a maximum of 37,380 gallons per day of sanitary sewage at its proposed soil absorption system (“SAS”). Alta was issued a General Groundwater Discharge Permit (permit no. 995-0) for a Small Privately Owned Wastewater Treatment Facility, on November 2, 2020, which is valid until November 2, 2025.
  - D. The Respondent’s WWTP has a designed average annual daily flow treatment capacity of 0.079 million gallons per day (“mgd”).
  - E. The NPDES Permit includes an effluent flow limit of 0.052 mgd, as a rolling 12-monthly average.
  - F. The Respondent’s WWTP highest average monthly discharge was 19,701 gallons per day in 2020.
  - G. Respondent was awarded a \$2.2 million MassWorks Infrastructure Grant in 2020 to provide financial assistance for roadway and infrastructure improvements, including the construction of a sanitary sewer conveyance system (*i.e.*, force mains) along State Route 20 to provide a sewer connection to Alta.
  - H. On February 22, 2021, Alta granted the Respondent permanent easements on, over, under and across portions of Alta’s property for the purpose of access to and the right to perform the wastewater operation and maintenance work and to discharge treated effluent from the Town’s wastewater treatment. The Easement is recorded at the Middlesex South Registry of Deeds at Book 77066, Page 1. In place of constructing the full wastewater treatment and disposal facilities on the project site pursuant to their MassDEP Groundwater Discharge Permit, Alta is seeking, through execution of this agreement with



the Town, to be provided a connection to the municipal sewer system, as a means to provide for wastewater conveyance, treatment, and disposal.

- I. Given the joint interests of the Town and Alta, design plans being developed for new infrastructure in the relevant segment of Boston Post Road (State Route 20) include provisions for:
  - a. A sewer extension from the Alta site to the Town's WWTP; and
  - b. Sewer lines to convey treated effluent from the WWTP to the SAS on the Alta site.
- J. Construction of the Route 20 wastewater conveyance system and the easement agreement with Alta will allow sanitary sewerage generated from the proposed Alta development to be conveyed to and treated at the Respondent's WWTP through the Town's issuance of a sewer connection permit.
- K. The Town intends to seek an Individual groundwater Discharge Permit to secure authorization to discharge treated effluent from the WWTP to the SAS located at the Alta site. On February 12, 2021, the Town submitted a MassDEP Individual Groundwater Discharge Permit application seeking this authorization. This discharge capacity will supplement their discharge capacity allotted under the NPDES Permit.
- L. The regulations at 314 CMR 5.03 (1) state in part:

No person shall discharge pollutants to ground waters of the Commonwealth without a currently valid permit from the Department pursuant to M.G.L. c. 21, 5.00, except as otherwise provided in 314 CMR 5.05. No person shall construct, install, modify, operate or maintain an outlet for such a discharge or any treatment works required to treat such discharge without having first obtained a discharge permit in accordance with 314 CMR 5.03 (1) and written approval from the Department for such activity, except as otherwise provided in 314 CMR 5.05.
- M. By constructing a sewer line from the Town's WWTP to the SAS at the Alta site, the Town will violate the provisions of 314 CMR 5.03(1), by proceeding with this construction prior to obtaining a MassDEP Groundwater Discharge Permit.

### III. DISPOSITION AND ORDER

For the reasons set forth above, MassDEP hereby issues, and Respondent hereby consents to, this Order:

7. The parties have agreed to enter into this Consent Order because they agree that it is in their own interests, and in the public interest, to proceed promptly with the actions called for herein rather than to expend additional time and resources litigating the matters set forth above. Respondent enters into this Consent Order without admitting or denying the facts or allegations

set forth herein. However, Respondent agrees not to contest such facts and allegations for purposes of the issuance or enforcement of this Consent Order.

8. MassDEP's authority to issue this Consent Order is conferred by the Statutes and Regulations cited in Part II of this Consent Order.
9. Respondent shall perform the following actions:
  - A. Prior to the construction of the wastewater conveyance systems (force mains) along Route 20, the Respondent shall submit the design plans and specifications to construct the system, to MassDEP for review and written approval.
  - B. On or before December 31, 2021, Respondent shall obtain an Individual Groundwater Discharge Permit from MassDEP for discharging WWTP effluent to the SAS at the Alta site.
  - C. Respondent shall obtain written authorization from MassDEP prior to commencing any discharge of WWTP effluent to the SAS at Alta at River's Edge.

10. Except as otherwise provided, all notices, submittals and other communications required by this Consent Order shall be directed to:

Kevin Brander, P.E., Section Chief  
Wastewater Management Section  
Massachusetts Department of Environmental Protection  
Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887  
Kevin.Brande@mass.gov

Such notices, submittals and other communications shall be considered delivered by Respondent upon receipt by MassDEP.

11. Actions required by this Consent Order shall be taken in accordance with all applicable federal, state, and local laws, regulations and approvals. This Consent Order shall not be construed as, nor operate as, relieving Respondent or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals.

12. For purposes of M.G.L. c. 21A, § 16 and 310 CMR 5.00, this Consent Order shall also serve as a Notice of Noncompliance for Respondent's noncompliance with the requirements cited in Part II above. MassDEP hereby determines, and Respondent hereby agrees, that the deadlines set forth above constitute reasonable periods of time for Respondent to take the actions described.

13. Respondent understands, and hereby waives, its right to an adjudicatory hearing before MassDEP on, and judicial review of, the issuance and terms of this Consent Order and to notice of any such rights of review. This waiver does not extend to any other order issued by the MassDEP.

14. This Consent Order may be modified only by written agreement of the parties hereto.

15. The provisions of this Consent Order are severable, and if any provision of this Consent Order or the application thereof is held invalid, such invalidity shall not affect the validity of other provisions of this Consent Order, or the application of such other provisions, which can be given effect without the invalid provision or application, provided however, that MassDEP shall have the discretion to void this Consent Order in the event of any such invalidity.

16. Nothing in this Consent Order shall be construed or operate as barring, diminishing, adjudicating or in any way affecting (i) any legal or equitable right of MassDEP to issue any additional order or to seek any other relief with respect to the subject matter covered by this Consent Order, or (ii) any legal or equitable right of MassDEP to pursue any other claim, action, suit, cause of action, or demand which MassDEP may have with respect to the subject matter covered by this Consent Order, including, without limitation, any action to enforce this Consent Order in an administrative or judicial proceeding.

17. This Consent Order shall not be construed or operate as barring, diminishing, adjudicating, or in any way affecting, any legal or equitable right of MassDEP or Respondent with respect to any subject matter not covered by this Consent Order.

18. This Consent Order shall be binding upon Respondent and upon Respondent's heirs, successors and assigns. Respondent shall not violate this Consent Order and shall not allow or suffer Respondent's employees, agents, contractors or consultants to violate this Consent Order. Until Respondent has fully complied with this Consent Order, Respondent shall provide a copy of this Consent Order to each successor or assignee at such time that any succession or assignment occurs.

19. If Respondent violates "any provision" of the Consent Order, Respondent shall pay stipulated civil administrative penalties to the Commonwealth in the amount of one thousand dollars (\$1,000.00) per day for each day, or portion thereof, each such violation continues.

Stipulated civil administrative penalties shall begin to accrue on the day a violation occurs and shall continue to accrue until the day Respondent corrects the violation or completes performance, whichever is applicable. Stipulated civil administrative penalties shall accrue regardless of whether MassDEP has notified Respondent of a violation or act of noncompliance. All stipulated civil administrative penalties accruing under this Consent Order shall be paid within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. If a court judgment is necessary to execute a claim for stipulated penalties under this Consent Order, Respondent agrees to assent to the entry of such judgment. If simultaneous violations



occur, separate penalties shall accrue for separate violations of this Consent Order. The payment of stipulated civil administrative penalties shall not alter in any way Respondent's obligation to complete performance as required by this Consent Order. MassDEP reserves its right to elect to pursue alternative remedies and alternative civil and criminal penalties which may be available by reason of Respondent's failure to comply with the requirements of this Consent Order. In the event MassDEP collects alternative civil administrative penalties, Respondent shall not be required to pay stipulated civil administrative penalties pursuant to this Consent Order for the same violations.

Respondent reserves whatever rights it may have to contest MassDEP's determination that Respondent failed to comply with the Consent Order and/or to contest the accuracy of MassDEP's calculation of the amount of the stipulated civil administrative penalty. Upon exhaustion of such rights, if any, Respondent agrees to assent to the entry of a court judgement if such court judgment is necessary to execute a claim for stipulated penalties under this Consent Order.

20. Failure on the part of MassDEP to complain of any action or inaction on the part of Respondent shall not constitute a waiver by MassDEP of any of its rights under this Consent Order. Further, no waiver by MassDEP of any provision of this Consent Order shall be construed as a waiver of any other provision of this Consent Order.

21. To the extent authorized by the current owner, Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to any facilities in the collection system or records being maintained for purposed of conducting any activity related to its oversight of this Consent Order. Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.

22. This Consent Order may be executed in one or more counterpart originals, all of which when executed shall constitute a single Consent Order.

23. The undersigned certify that they are fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.

24. This Consent Order shall become effective on the date that it is executed by MassDEP.

In the Matter of: Town of Wayland  
ACOP # 00010644

Page 7 of 7

**SPECIAL INSTRUCTIONS:**

Your two **signed copies** of the Administrative Consent Orders (“ACO”) must be delivered for execution (signature) by MassDEP to the following address:

Kevin Brander, P.E., Section Chief  
Wastewater Management Section  
Massachusetts Department of Environmental Protection  
Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

MassDEP will return **one signed copy** of the ACO to you after MassDEP has signed, provided you have followed the above instructions.

Payment will be due, pursuant to the instructions outlined within the ACO after you receive your fully executed copy.

**PLEASE DO NOT INCLUDE YOUR PAYMENT WITH THE SIGNED ACOS. SIGNED ACO ARE TO BE SENT TO THE ABOVE ADDRESS.**

Please call Helen Howard at (617) 292-5668 if you have questions regarding payment and/or instruction.

**Consented To:**

Town of Wayland

By: \_\_\_\_\_

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

Date: \_\_\_\_\_

**Issued By:**

Massachusetts Department of Environmental Protection

By: \_\_\_\_\_

Eric Worrall  
Regional Director  
Massachusetts Department of Environmental Protection  
Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

Date: \_\_\_\_\_

**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of: )

Town of Wayland )

File No.: ACO-NE-12-1N001

**ADMINISTRATIVE CONSENT ORDER**

I. THE PARTIES

1. The Department of Environmental Protection ("Department" or "MassDEP") is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21A, § 7. MassDEP maintains its principal office at One Winter Street, Boston, Massachusetts 02108, and its Northeast Regional Office at 205B Lowell Street, Wilmington, MA 01887.

2. The Town of Wayland ("Respondent") is a Municipal Corporation in the Commonwealth of Massachusetts. Respondent has a mailing address of 41 Cochituate Road, Wayland, MA 01778. Respondent owns and, acting through its Wastewater Management District Commission ("WWMDC")<sup>1</sup>, operates a wastewater treatment works, which includes a wastewater treatment facility located at 430 Boston Post Road in Wayland, MA and an associated wastewater collection system.

II. STATEMENT OF FACTS AND LAW

3. MassDEP is responsible for the implementation and enforcement of M.G.L. c. 21, §§ 26-53, the Surface Water Discharge Permit Regulations at 314 CMR 3.00; the Ground Water Discharge Permit Regulations at 314 CMR 5.00; and the Sewer System Extension and Connection Permit Regulations at 314 CMR 7.00. MassDEP has authority under M.G.L. c. 21A, § 16 and the Administrative Penalty Regulations at 310 CMR 5.00 to assess civil administrative penalties to persons in noncompliance with the laws and regulations set forth above.

4. Respondent has been issued a National Pollutant Discharge Elimination System ("NPDES") surface water discharge permit ("NPDES Permit") jointly by the Environmental Protection Agency ("EPA") and MassDEP to discharge treated effluent which discharges to the Sudbury River, in accordance with the terms and conditions of that permit. The NPDES permit

<sup>1</sup> The Wayland Wastewater Management District Commission ("WWMDC"), established by c. 461 of the Special Acts of 1996, is a board of the Respondent. For purposes of this Consent Order, WWMDC has the same mailing address as Respondent.



was issued on September 30, 2008, and was later modified on October 9, 2009. It remains valid as of the date of issuance of this ACO.

5. The following facts and allegations have led MassDEP to issue this Consent Order:
  - A. The NPDES Permit includes an actual measured effluent flow limit of 0.052 million gallons per day ("mgd"), as a rolling 12-month average.
  - B. On September 21, 2007, a Draft WWTP Assessment Study (the "Study") was completed by Metcalf & Eddy Engineers, on behalf of the WWMDC, through an agreement with Twenty Wayland, LLC, which has development interests in the community. The Study included a list of then-existing and projected sewer connections, along with associated design flows, which reflected a total allocated Title V design flow capacity of 77,527 gallons per day for the WWMDC sewer system. Based on the results of the Study, MassDEP expressed concern that the WWTP is oversubscribed, which could result in an exceedance of the effluent flow limit set forth in the NPDES Permit. The Study also concluded that the existing WWTP "appears to be at the end of its useful life", and that a new \$4 million WWTP is to be constructed to meet the Town's needs for wastewater management and to meet the requirements of the Town's NPDES Permit.
  - C. On August 23, 2010, MassDEP approved the design plans for the construction of a new wastewater treatment plant. The plant is designed to meet the effluent flow limits required under the Town's NPDES Permit.
  - D. On November 22, 2010, MassDEP received a sewer connection permit application from Twenty Wayland, LLC, seeking a MassDEP sewer connection permit for the proposed Town Center Development Project, located at 400 Boston Post Road in Wayland, MA. The application requested connection of 45,000 gallons per day of wastewater design flows to the WWMDC treatment works. The application was signed and approval recommended by Fred Knight, chairman of the WWMDC.
  - E. On May 19, 2011, in response to numerous requests from concerned parties, MassDEP held a public hearing on the sewer connection permit at Town Hall in Wayland, to solicit public comments on the sewer connection permit application.
  - F. On June 7, 2011, MassDEP issued a sewer connection permit to Twenty Wayland, LLC, based on a review of the application, technical information provided, and public comments received. Since DEP was concerned that the full design flow of the Town Center Project could result in an exceedance of the discharge capacity limit under the Town's NPDES Permit, the MassDEP sewer connection permit included a number of special conditions intended to ensure compliance with the terms and conditions of the NPDES Permit. Special Condition No. 1 of the MassDEP sewer connection permit provides:

1. This permit authorizes a discharge of up to 45,000 gallons per day (gpd) from the project specified within the permit, subject to the following phasing and restrictions:

- a) While the permittee may construct facilities to collect and convey wastewater from the Twenty Wayland LLC project site to the Wayland Wastewater Management District Commission (WWMDC) treatment facility, no wastewater may be discharged, until such time as the work to upgrade the WWMDC treatment facility is completed, unless otherwise approved by MassDEP in writing.
- b) Phase I of the Twenty Wayland LLC project shall be limited to 28,000 gallons per day (gpd) in design flow, as included in the permit application and documented below:

Use	Flow basis	Units	Flow (gpd)
Supermarket	97 gpd/1,000 ft <sup>2</sup>	45,000 ft <sup>2</sup>	4,365
Office	75 gpd/1,000 ft <sup>2</sup>	10,000 ft <sup>2</sup>	750
Retail	50 gpd/1,000 ft <sup>2</sup>	52,700 ft <sup>2</sup>	2,635
Restaurant	35 gpd/seat	350 seats	12,250
Residential	110 gpd/bedroom	72 bedrooms	8,000
		<b>Total Flow:</b>	<b>28,000 gpd</b>

c) Phase II of the Twenty Wayland LLC project includes the discharge of an additional 17,000 gpd of design flows. The permittee may request MassDEP approval to connect discharges from Phase II at any time after establishing actual wastewater flows from Phase I, subject to the sole discretion of MassDEP as to the satisfactory documentation of actual flows and compliance with 314 CMR 7.00. Any request for approval to connect flows from Phase II shall include, at a minimum, the following information:

- i. A detailed summary of actual flows from Phase I facilities and associated occupancy, which shall be collected over a period adequate to characterize average and peak flows from the Phase I facilities.
- ii. A summary of flow data from the WWMDC treatment facility to document remaining treatment facility capacity.
- iii. A summary of design flows for Phase II facilities, which shall be limited to a total of 17,000 gpd of additional flow.

MassDEP's determination to approve or deny the request to connect flows from Phase II of the Twenty Wayland LLC project will rely on any and all issues considered essential to ensuring compliance of the WWMDC treatment facility with its National Pollutant Discharge Elimination System (NPDES)

*discharge permit, or any draft or final WWMDC groundwater discharge permit. This review will include, but not be limited to, actual average day and peak day flows at the treatment plant; actual flows from the Twenty Wayland LLC Phase I project; design flows associated with projects which have received approval from WWMDC and/or MassDEP for future connections to the treatment facility; construction of facilities to support a groundwater discharge permit; issuance of a groundwater discharge permit to WWMDC; and compliance history of the WWMDC facility with the terms and conditions of its NPDES permit.*

- G. On August 25, 2011, Fred Knight, Chair of the WWMDC, submitted via email to MassDEP a Proposal for Additional Capacity for the WWMDC. The Proposal affirmed three goals: to speed the development of the Town Center Project; to encourage economic development; and to spread infrastructure costs among as many users as possible. The Proposal outlined a strategy of pursuing a groundwater discharge facility at the site adjacent to Wayland Town Hall at 41 Cochituate Road in Wayland ("Town Hall site").
- H. On May 21, 2012, the Respondent submitted to MassDEP a Hydrogeological Report for the Town Hall site. The submittal and subsequent MassDEP approval of this Report are a prerequisite for submitting a groundwater discharge permit application for the site, pursuant to 314 CMR 5.09.
- I. On October 26, 2012, MassDEP approved the Hydrogeological Report for the Town Hall site, and authorized the Respondent to submit an application for a groundwater discharge permit.
- J. On November 7, 2012, flows from the WWMDC collection system were connected to the new WWMDC wastewater treatment plant, and new outfall to the Sudbury River.
- K. The September 2012 WWMDC Discharge Monitoring Report submitted by the Respondent reported the average daily flow for the month to be 21,998 gallons per day and the 12-month running average effluent flow to be 17,045 gallons per day.

### III. DISPOSITION AND ORDER

For the reasons set forth above, MassDEP hereby issues, and Respondent hereby consents to, this Order:

- 6. The parties have agreed to enter into this Consent Order because they agree that it is in their own interests, and in the public interest, to proceed promptly with the actions called for herein rather than to expend additional time and resources litigating the matters set forth above. Respondent enters into this Consent Order without admitting or denying the facts or allegations

set forth herein. However, Respondent agrees not to contest such facts and allegations for purposes of the issuance or enforcement of this Consent Order.

7. MassDEP's authority to issue this Consent Order is conferred by the Statutes and Regulations cited in Part II of this Consent Order.
8. Respondent shall perform the following actions:
  - A. On or before January 22, 2013, the Respondent shall submit a MassDEP BRP WP79 application for a groundwater discharge permit. The application shall include all supporting materials as specified under 314 CMR 5.09A. MassDEP will process the permit application in accordance with timelines established in 310 CMR 4.10(m)(3), and will make efforts to expedite the review more quickly if resources allow.
  - B. On or before January 22, 2013, the Respondent shall provide an updated, written list of existing connections to, and projected connections to the WWMDC system, in accordance with the design flows pursuant to 314 CMR 7.15.
  - C. With each Discharge Monitoring Report submitted in accordance with the requirements of the Respondent's NPDES Permit, the Respondent shall clearly note the current 12-month rolling average effluent flow, the daily flow for each day of the month, and shall provide a listing of any new connections made to the WWMDC treatment works, and the associated design flow pursuant to 314 CMR 7.15.
  - D. Within 30 days of when the average daily flows from the Respondent's WWTP exceed 80% of the NPDES Permit average daily flow limit (41,600 gallons per day) for a consecutive 120 day period, the Respondent shall submit to MassDEP for review and approval a schedule for construction of the groundwater discharge facilities at the Town Hall site, and wastewater treatment works operations protocols so that flows will be managed in accordance with the requirements of both the NPDES permit and the MassDEP groundwater discharge permit.
9. Except as otherwise provided, all notices, submittals and other communications required by this Consent Order shall be directed to:

Kevin Brander, P.E.  
Section Chief  
Wastewater Management Section  
DEP/NERO  
205B Lowell Street  
Wilmington, MA 01887

Such notices, submittals and other communications shall be considered delivered by Respondent upon receipt by MassDEP.



10. Actions required by this Consent Order shall be taken in accordance with all applicable federal, state, and local laws, regulations and approvals. This Consent Order shall not be construed as, nor operate as, relieving Respondent or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals.
11. Respondent understands, and hereby waives, its right to an adjudicatory hearing before MassDEP on, and judicial review of, the issuance and terms of this Consent Order and to notice of any such rights of review. This waiver does not extend to any other order issued by the MassDEP.
12. This Consent Order may be modified only by written agreement of the parties hereto.
13. MassDEP hereby determines, and Respondent hereby agrees, that any deadlines set forth in this Consent Order constitute reasonable periods of time for Respondent to take the actions described.
14. The provisions of this Consent Order are severable, and if any provision of this Consent Order or the application thereof is held invalid, such invalidity shall not affect the validity of other provisions of this Consent Order, or the application of such other provisions, which can be given effect without the invalid provision or application, provided however, that MassDEP shall have the discretion to void this Consent Order in the event of any such invalidity.
15. Nothing in this Consent Order shall be construed or operate as barring, diminishing, adjudicating or in any way affecting (i) any legal or equitable right of MassDEP to issue any additional order or to seek any other relief with respect to the subject matter covered by this Consent Order, or (ii) any legal or equitable right of MassDEP to pursue any other claim, action, suit, cause of action, or demand which MassDEP may have with respect to the subject matter covered by this Consent Order, including, without limitation, any action to enforce this Consent Order in an administrative or judicial proceeding.
16. This Consent Order shall not be construed or operate as barring, diminishing, adjudicating, or in any way affecting, any legal or equitable right of MassDEP or Respondent with respect to any subject matter not covered by this Consent Order.
17. This Consent Order shall be binding upon Respondent and upon Respondent's successors and assigns. Respondent shall not violate this Consent Order and shall not allow or suffer Respondent's employees, agents, contractors or consultants to violate this Consent Order. Until Respondent has fully complied with this Consent Order, Respondent shall provide a copy of this Consent Order to each successor or assignee at such time that any succession or assignment occurs.
18. If respondent violates any provision of the Consent Order, Respondent shall pay stipulated civil administrative penalties to the Commonwealth in the amount of \$1000.00 (one thousand dollars) per day for each day, or portion thereof, each such violation continues.

Stipulated civil administrative penalties shall begin to accrue on the day a violation occurs and shall continue to accrue until the day Respondent corrects the violation or completes performance, whichever is applicable. Stipulated civil administrative penalties shall accrue regardless of whether MassDEP has notified Respondent of a violation or act of noncompliance. All stipulated civil administrative penalties accruing under this Consent Order shall be paid within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. If simultaneous violations occur, separate penalties shall accrue for separate violations of this Consent Order. The payment of stipulated civil administrative penalties shall not alter in any way Respondent's obligation to complete performance as required by this Consent Order. MassDEP reserves its right to elect to pursue alternative remedies and alternative civil and criminal penalties which may be available by reason of Respondent's failure to comply with the requirements of this Consent Order. In the event MassDEP collects alternative civil administrative penalties, Respondent shall not be required to pay stipulated civil administrative penalties pursuant to this Consent Order for the same violations.

Respondent reserves whatever rights it may have to contest MassDEP's determination that Respondent failed to comply with the Consent Order and/or to contest the accuracy of MassDEP's calculation of the amount of the stipulated civil administrative penalty. Upon exhaustion of such rights, if any, Respondent agrees to assent to the entry of a court judgment if such court judgment is necessary to execute a claim for stipulated penalties under this Consent Order.

19. Failure on the part of MassDEP to complain of any action or inaction on the part of Respondent shall not constitute a waiver by MassDEP of any of its rights under this Consent Order. Further, no waiver by MassDEP of any provision of this Consent Order shall be construed as a waiver of any other provision of this Consent Order.

20. To the extent authorized by the current owner, Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to WWMDC wastewater treatment works for purposes of conducting any activity related to its oversight of this Consent Order. Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.

21. This Consent Order may be executed in one or more counterpart originals, all of which when executed shall constitute a single Consent Order.

22. Respondent's obligations under this Consent Order shall cease upon Respondent's completion of all actions and payments required pursuant to Paragraphs 8 through 21 of this Consent Order.

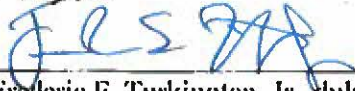
23. The undersigned certify that they are full authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.

24. This Consent Order shall become effective on the date that it is executed by MassDEP.




Consented To:  
Town of Wayland

By:

  
Frederic E. Turkington, Jr., duly authorized  
Town Administrator  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

Date:

And by:

  
Frederick Knight, Chair, WWMDC, duly authorized  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

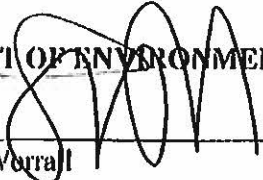
Date: January 10, 2013

Federal Employer Identification No.:

Issued By:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:

  
Eric S. Worrall  
Deputy Regional Director  
MassDEP  
205b Lowell Street  
Wilmington, MA 01887

Date:

~~January 10, 2013~~

1/15/13 JW



## TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

### MEMORANDUM

To: Board of Selectmen  
From: Louise Miller, Town Administrator  
Date: April 5, 2021  
Re: River's Edge – DEP Permitting

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The Infrastructure Development Agreement (IDA) between the Town and Alta River's Edge provides the terms for building wastewater infrastructure from and to Alta River's Edge for treatment of wastewater effluent from River's Edge to the Town's Wastewater Treatment Plant and for return of treated effluent back to the leaching field River's Edge up to the capacity of the leaching field. Under the terms of the IDA, the Town must obtain all permits for the project prior to April 30, 2021, except for the Department of Environmental Protection (DEP) Discharge Permit at the leaching field. The DEP, however, requires that the Town enter into an Administrative Consent Order (ACO) to permit the construction of the infrastructure wastewater in anticipation of issuance of the Discharge Permit at the River's Edge leaching field. The Discharge Permit is currently held by Alta River's Edge and will only be released once the construction work is complete. Without the ACO, DEP will not permit the construction work to begin. The ACO is required because the Town would be in violation of an existing ACO (the 2012 ACO) were it to accept the effluent from River's Edge without the Discharge Permit for the leaching field. The 2012 ACO limits the amount of treated effluent from the Wastewater Treatment Plant to the Sudbury River and requires the Town to build a leaching field at Town Building for excess treated effluent.

Once construction of the wastewater infrastructure from and to Alta River's Edge is complete and DEP has issued the discharge permit to the Town, the Town will review both ACOs with DEP and will request a new ACO requesting removal of the requirement for a leaching field at Town Building.



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

**For Immediate Release**  
**Date: March 31, 2021**

**Contact: Thomas Holder, DPW Director**  
**(508) 358-3678**  
**tholder@wayland.ma.us**

## **Wayland Addresses Water Testing Results**

*Wayland, Massachusetts* - The Town of Wayland issued a statement this afternoon regarding the presence of per- and polyfluoroalkyl substances (PFAS) in the Town's public water supply. PFAS are a group of chemical compounds used in a variety of industrial processes since the 1940's including the production of carpets, clothing, fabrics for furniture, paper packaging for food and many other common household materials. While consumer products and food are the largest source of exposure to these chemicals for most people, drinking water can be an additional source of exposure.

PFAS in drinking water has become an emerging issue nationwide. On October 2, 2020 MassDEP issued its public drinking water standard of twenty (20) nanograms per liter or parts per trillion (ppt) for six specific PFAS, which Mass DEP abbreviates as PFAS6. The Town of Wayland has been proactive in testing for PFAS since January, 2020 and has been actively monitoring the PFAS levels in each of the Town's four (4) water well fields. On February 4, 2021 the Town received its first PFAS reading that reflected a level in excess of the MassDEP maximum contaminant level (MCL) at the Happy Hollow well field. Upon receipt of the elevated readings, the Town notified MassDEP to obtain further instructions. The Town is currently engaged with MassDEP, working toward fulfilling Wayland's regulatory obligations and the development of remedial actions necessary to reduce PFAS6 levels and protect public health. In addition, the Town notified its engineering firm to both begin investigating any possible sources of PFAS and start researching possible remedies to the elevated levels. MassDEP provided the Town with instructions related to the issuance of a town-wide PFAS notification letter. A letter approved by MassDEP will be mailed out to all residents this week.

Department of Public Works Director, Thomas Holder stated, "PFAS is an evolving issue. The new, more stringent PFAS limits recently put into place by MassDEP are designed to

ensure MA water supplies are safe, and what is most important is that we make certain our Town water supply meets those targets. The Town of Wayland started testing for PFAS almost a year before any MassDEP regulations became a reality, and this was because we felt it was an important component to monitor within the Town water supply. That proactive approach continues today as we work towards addressing the contaminants in question. I am working closely with the Town Administrator, the Board of Public Works, and all Town Departments involved in addressing the PFAS issue. I can confidently say that this is absolutely a top priority for all Boards and Departments, and we are committed to finding a resolution to the issue.”

MassDEP has advised that the following sensitive population subgroups should consider using bottled water that has been tested for PFAS6: anyone diagnosed by their healthcare provider as having a compromised immune system, pregnant or nursing women, and infants. The Town will provide an alternative bottled water supply to Town residents. The Town will also provide bottled water to the public schools and will be contacting other child care facilities / private schools as well as nursing and adult care facilities. Information on PFAS and instructions detailing how to obtain the Town-provided bottled water will be available on the Town’s PFAS webpage at [www.wayland.ma.us/pfas](http://www.wayland.ma.us/pfas) starting no later than 12:00 noon on Friday April 2. Anyone with questions regarding PFAS and what is being done is encouraged to visit the Town’s PFAS webpage, which will also include links to various governmental websites related to PFAS. The Town will maintain ongoing communications as we learn more information.

###



## Wayland Water Division

### DRINKING WATER PFAS6 PUBLIC EDUCATION

*This material contains important information about your drinking water.  
Please translate it, speak with someone who understands it or ask the contact listed below for a translation.*

On October 2, 2020, the Massachusetts Department of Environmental Protection (MassDEP) promulgated a new drinking water regulation and maximum contaminant level (MCL) of 20 nanograms per liter (ng/L) for the sum of six per- and polyfluoroalkyl substances (called PFAS6). This new standard requires public water systems our size to start sampling for PFAS6 in April of 2021 at each location where water is pumped from the Town's sources into the water distribution system for public use, referred to as a point of entry (POE). Proactively, the Wayland Water Division began sampling each POE in January of 2020 prior to the MassDEP promulgating the new MCL.

The Wayland Water Division has confirmed elevated levels of PFAS6 in the drinking water during initial and confirmatory monitoring starting in January 2021. Even though the level is above the MCL, a PFAS6 MCL violation has not yet occurred, as violations are based on three months of testing, and we are waiting for the results of the March 2021 sampling. Instead, we are required to provide you with these materials to make you aware of the elevated levels so you can make informed decisions about your drinking water while we continue to monitor the water supply.

**The Wayland Water Division has not yet violated the drinking water regulations. A PFAS6 MCL violation occurs when the average of all monthly samples collected over a quarter exceeds the MCL. If our system violates the PFAS6 Maximum Contaminant Level (MCL) after the March 2021 samples are collected, a PUBLIC NOTICE will be issued.**

Sample Location by Entry Point to Distribution System	Monitoring Period	Sample Collection Date	PFAS6 Result (ng/L)	Average (ng/L) <sup>1</sup>	MCL (ng/L)
Baldwin Pond Treatment Plant	Pre-MCL	1/14/2020	2.2	N/A	20
Happy Hollow Wellfield	Pre-MCL	1/14/2020	15.7	N/A	20
Campbell Well	Offline	N/A	N/A	N/A	20
Chamberlain Well	Pre-MCL	1/14/2020	12.0	N/A	20
Baldwin Pond Treatment Plant	Pre-MCL	3/11/2020	2.4	N/A	20
Happy Hollow Wellfield	Pre-MCL	3/11/2020	18.7	N/A	20
Campbell Well	Pre-MCL	7/14/2020	2.7	N/A	20
Chamberlain Well	Pre-MCL	3/11/2020	10.7	N/A	20
Baldwin Pond Treatment Plant	Pre-MCL	11/2/2020	2.36	N/A	20
Happy Hollow Wellfield	Pre-MCL	11/2/2020	19.21	N/A	20
Campbell Well	Pre-MCL	11/2/2020	3.69	N/A	20
Chamberlain Well	Pre-MCL	11/2/2020	14.89	N/A	20
Baldwin Pond Treatment Plant	Pre-MCL	12/16/2020	2.55	N/A	20
Happy Hollow Wellfield	Pre-MCL	12/16/2020	Failed Q.C.2	N/A	20
Campbell Well	Pre-MCL	12/16/2020	Failed Q.C.2	N/A	20
Chamberlain Well	Pre-MCL	12/16/2020	Failed Q.C.2	N/A	20

Sample Location by Entry Point to Distribution System	Monitoring Period	Sample Collection Date	PFAS6 Result (ng/L)	Average (ng/L) <sup>1</sup>	MCL (ng/L)
Baldwin Pond Treatment Plant	Quarter 1 Initial	1/20/2021	3.13	N/A	20
Happy Hollow Wellfield	Quarter 1 Initial	1/20/2021	23.36	N/A	20
Campbell Well	Quarter 1 Initial	1/20/2021	3.62	N/A	20
Chamberlain Well	Quarter 1 Initial	1/20/2021	16.66	N/A	20
Baldwin Pond Treatment Plant	Quarter 1 Confirmation	2/9/2021	2.79	2.96	20
Happy Hollow Wellfield	Quarter 1 Confirmation	2/9/2021	22.64	23.0	20
Campbell Well	Quarter 1 Confirmation	2/9/2021	3.72	3.67	20
Chamberlain Well	Quarter 1 Confirmation	2/9/2021	14.89	15.78	20
Baldwin Pond Treatment Plant	Quarter 1 February	2/25/2021	5.47	N/A	20
Happy Hollow Wellfield	Quarter 1 February	2/25/2021	29.18	N/A	20
Campbell Well	Quarter 1 February	2/25/2021	8.07	N/A	20
Chamberlain Well	Quarter 1 February	2/25/2021	18.0	N/A	20

<sup>1</sup>The Average = (Initial Sample Result Dated 1/20/21 + Confirmation Sample Result Dated 2/9/21) divided by 2.

<sup>2</sup>The December 2020 samples collected at the Happy Hollow Wellfield, Campbell Well, and Chamberlain Well failed independent quality control analysis so the results were not included.

The location where elevated levels of PFAS6 was reported is the Happy Hollow Wellfield, one of the four entrance points (POE) that supplies drinking water to our system. PFAS6 levels were reported below the 20 ng/L MCL at the other three POE locations.

***Some people who drink water containing PFAS6 in excess of the MCL may experience certain adverse effects. These could include effects on the liver, blood, immune system, thyroid, and fetal development. These PFAS6 may also elevate the risk of certain cancers. For more information on PFAS, see the links below.***

### ***What is PFAS6?***

PFAS6 includes perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorononanoic acid (PFNA), perfluorohexanesulfonic acid (PFHxS), perfluorodecanoic acid (PFDA) and perfluoroheptanoic acid (PFHpA). PFAS are man-made chemicals that have been used in the manufacturing of certain fire-fighting foams, moisture and stain resistant products, and other industrial processes. For more information see the weblinks listed below.

### ***What should I do?***

**For Consumers in a sensitive subgroup (pregnant or nursing women, infants and people diagnosed by their health care provider to have a compromised immune system):**

- **Consumers in a sensitive subgroup (pregnant or nursing women, infants and people diagnosed by their health care provider to have a compromised immune system) are**



advised not to consume, drink, or cook with water when the level of PFAS6 is above 20 ng/L.

- **Consumers in sensitive subgroups** are advised to use bottled water for drinking and cooking of foods that absorb water (like pasta).
- **For infant formula**, use bottled water or use formula that does not require adding water.
- **Bottled water should only be used if it has been tested.** A list of companies that voluntarily tested their water for PFAS and shared the results can be found on MassDEP's website at: <https://www.mass.gov/doc/bottled-water-tested-for-pfas>.

**For all other consumers not in a sensitive subgroup:**

- **If you are not in a sensitive subgroup**, you may continue to consume the water because the 20 ng/L value is applicable to a lifetime consuming the water and shorter duration exposures present less risk.
- **If you have specific health concerns regarding your past exposure**, you should see the Centers for Disease Control and Prevention's link below and consult a health professional, such as your doctor.

**Steps you can take to reduce your intake** - Consider taking the following steps while actions are being implemented to address this issue:

- **For older children and adults (not in a sensitive subgroup)**, the 20 ng/L value is applicable to a lifetime of consuming the water. For these groups, shorter duration exposures present less risk. However, if you are concerned about your exposure while steps are being taken to assess and lower the PFAS6 concentration in the drinking water, use of bottled water will reduce your exposure.
- **Home water treatment systems** that are certified to remove PFAS by an independent testing group such as NSF, UL, or the Water Quality Association may be effective in treating the water. These may include point of entry systems, which treat all the water entering a home, or point of use devices, which treat water where it is used, such as at a faucet. For information on selecting home treatment devices that are effective in treating the water for PFAS6 refer to the MassDEP factsheet per the weblinks below.
- **In most situations, the water can be safely used for washing foods, brushing teeth, bathing, and showering.**

**Please note: Boiling the water will not destroy PFAS6** and will somewhat increase its level due to evaporation of some of the water.

Although at this time the source of PFAS6 in Wayland's drinking water near the Happy Hollow Wellfield has not been determined, the Town is investigating possible sources of PFAS. We are not aware of any current activities that contribute PFAS into Wayland's drinking water.

### ***What is being done?***

The Wayland Water Division has taken the following immediate proactive measures:

1. Continuance of its monthly PFAS6 sampling protocols.
2. Engaged with the Massachusetts Department of Environmental Protection (MassDEP) toward fulfilling Wayland's regulatory obligations and the development of remedial actions necessary to reduce PFAS6 levels and protect public health.
3. Evaluation of appropriate treatment processes and consideration of supplemental or alternative water supplies.
4. To assist with the availability of public information, the Town has created a website dedicated to PFAS6 outreach as listed below.

5. Should further water quality sampling analysis result in an exceedance of the PFAS6 MCL, bottled water will be provided to those customers identified in MassDEP's regulatory guidance as being in a sensitive subgroup. Please visit the Town's PFAS-Info outreach website for more information.

### ***Where can I get more information?***

For more information, please contact Don Millette at 508-358-3672 or [dmillette@wayland.ma.us](mailto:dmillette@wayland.ma.us) or 66 River Road Wayland, MA 01778, and refer to the weblinks listed below:

- **Town of Wayland PFAS Information**  
(<https://www.wayland.ma.us/PFAS-Info>)
- **MassDEP Fact Sheet - Questions and Answers for Consumers**  
(<https://www.mass.gov/media/1854351>)
- **MassDEP Fact Sheet - Home Water Treatment Devices - Point of Entry and Point of Use Drinking Water Treatment** – (<https://www.mass.gov/service-details/home-water-treatment-devices-point-of-entry-and-point-of-use-drinking-water>)
- **CDC ATSDR Information on PFAS for consumers and health professionals**  
(<https://www.atsdr.cdc.gov/pfas/index.html>)
- **Massachusetts Department of Public Health information about PFAS in Drinking Water** - <https://www.mass.gov/service-details/per-and-polyfluoroalkyl-substances-pfas-in-drinking-water>

This public education material is being sent to you by:

Wayland Water Division. PWS ID#: 3315000. Date distributed: April 3, 2021

We will provide public notice updates every three months until the situation has been resolved.

*Please share this information with other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses).*

Rev. 2021-03

TOWN OF WAYLAND  
DEPARTMENT OF PUBLIC WORKS  
66 River Rd  
Wayland, MA 01778

PRSRT STD U.S. POSTAGE <b>PAID</b> WAYLAND, MA PERMIT NO. 16
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WAYLAND WATER CUSTOMER  
WAYLAND, MA 01778





# MassDEP Fact Sheet

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## Per- and Polyfluoroalkyl Substances (PFAS) in Drinking Water: Questions and Answers for Consumers

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### **1. What are PFAS and how are people exposed to them?**

Per- and Polyfluoroalkyl Substances are a group of chemical compounds called PFAS. Two PFAS chemicals, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), were extensively produced and are the most studied and regulated of these chemicals. Several other PFAS that are similar to PFOS and PFOA exist. These PFAS are contained in some firefighting foams used to extinguish oil and gas fires. They have also been used in a number of industrial processes and to make carpets, clothing, fabrics for furniture, paper packaging for food and other materials (e.g., cookware) that are resistant to water, grease and stains. Because these chemicals have been used in many consumer products, most people have been exposed to them.

While consumer products and food are the largest source of exposure to these chemicals for most people, drinking water can be an additional source of exposure in communities where these chemicals have contaminated water supplies. Such contamination is typically localized and associated with a specific facility, for example, an airfield at which they were used for firefighting or a facility where these chemicals were produced or used.

### **2. What is the Massachusetts drinking water standard?**

On October 2, 2020, MassDEP published its public drinking water standard or Massachusetts Maximum Contaminant Limit (MMCL) of 20 nanograms per liter (ng/L) or parts per trillion (ppt) – for the sum of the concentrations of six PFAS. The six PFAS are: perfluorooctane sulfonic acid (PFOS); perfluorooctanoic acid (PFOA); perfluorohexane sulfonic acid (PFHxS); perfluorononanoic acid (PFNA); perfluoroheptanoic acid (PFHpA); and perfluorodecanoic acid (PFDA). MassDEP abbreviates this set of six PFAS as “PFAS6.” This drinking water standard is set to be protective against adverse health effects for all people consuming the water. For information on the PFAS6 drinking water standard see: [310 CMR 22.00: The Massachusetts Drinking Water Regulations](#). For more information about the technical details behind the MMCL, see MassDEP’s technical support document at: [Per- and Polyfluoroalkyl Substances \(PFAS\): An Updated Subgroup Approach to Groundwater and Drinking Water Values](#).

### **3. What health effects are associated with exposure to PFAS6?**

The MassDEP drinking water standard is based on studies of the six PFAS substances in laboratory animals and studies of exposed people. Overall, these studies indicate that exposure to sufficiently elevated levels of the six PFAS compounds may cause developmental effects in fetuses during pregnancy and in breastfed infants. Effects on the thyroid, the liver, kidneys, hormone levels and the immune system have also been reported. Some studies suggest a cancer risk may exist following long-term exposures to elevated levels of some of these compounds.



It is important to note that consuming water with PFAS6 above the drinking water standard does not mean that adverse effects will occur. The degree of risk depends on the level of the chemicals and the duration of exposure. The drinking water standard assumes that individuals drink only contaminated water, which typically overestimates exposure, and that they are also exposed to PFAS6 from sources beyond drinking water, such as food. To enhance safety, several uncertainty factors are additionally applied to account for differences between test animals and humans, and to account for differences between people. Scientists are still working to study and better understand the health risks posed by exposures to PFAS. If your water has been found to have PFAS6 and you have specific health concerns, you may wish to consult with your doctor.

#### **4. How can I find out about contaminants in my drinking water?**

If you get your water from a public water system, you should contact them for this information. For a contact list for all public water systems in the Commonwealth you may visit:

<https://www.mass.gov/lists/drinking-water-health-safety#contacts> then under "Contacts" click on "MA Public Water Supplier contacts sorted By Town."

For private well owners see the [Per- and Polyfluoroalkyl Substances \(PFAS\) in Private Well Drinking Water Supplies FAQ](#) for more information.

#### **5. What options should be considered when PFAS6 in drinking water is above MassDEP's drinking water standard?**

- ✓ Sensitive subgroups, including pregnant or nursing women, infants and people diagnosed by their health care provider to have a compromised immune system, should consider using bottled water that has been tested for PFAS6, for their drinking water, cooking of foods that absorb water (like pasta) and to make infant formula. Bottled water that has been tested for PFAS6, or formula that does not require adding water, are alternatives.
- ✓ For older children and adults, the MMCL is applicable to a lifetime of consuming the water. For these groups, shorter duration exposures present less risk. However, if you are concerned about your exposure while steps are taken to assess and lower the PFAS6 concentration in your drinking water, use of bottled water that has been tested for PFAS6 will reduce your exposure.
- ✓ Water contaminated with PFAS6 can be treated by some home water treatment systems that are certified to remove PFAS6 by an independent testing group such as NSF, UL, or Water Quality Association. These may include point of entry (POE) systems, which treat all the water entering a home, or point of use (POU) devices, which treat water where it is used, such as at a faucet.
- ✓ In most situations the water can be safely used for washing and rinsing foods and washing dishes.
- ✓ For washing items that might go directly into your mouth, like dentures and pacifiers, only a small amount of water might be swallowed and the risk of experiencing adverse health effects is very low. You can minimize any risk by not using water with PFAS6 greater than the MMCL to wash such items.
- ✓ The water can be safely used by adults and older children for brushing teeth. However, use of bottled water should be considered for young children as they may swallow more water than adults when they brush their teeth. If you are concerned about your exposure, even though the risk is very low, you could use bottled water for these activities.
- ✓ Because PFAS are not well absorbed through the skin, routine showering or bathing are not a significant concern unless PFAS6 levels are very high. Shorter showers or baths, especially for children



who may swallow water while playing in the bath, or for people with severe skin conditions (e.g. significant rashes) would limit any absorption from the water. Based on information from the Connecticut Department of Health, which is the only State to have issued guidance on this issue, water should not be used, long-term, for showering and bathing if the PFAS6 level exceeds 210 ppt.

- ✓ For pets or companion animals, the health effects and levels of concern to mammalian species, like dogs, cats and farm animals, are likely to be similar to those for people. However, because these animals are different sizes, have different lifespans, and drink different amounts of water than people it's not possible to predict what health effects an animal may experience from drinking water long-term with PFAS6 concentrations greater than the MMCL. There is some evidence that birds may be more sensitive to PFAS6. There is little data on PFAS6 effects on other species like turtles, lizards, snakes and fish. As a precaution, if you have elevated levels of PFAS6 in your water, you may wish to consider using alternative water for your pets. If you have concerns, you may also want to consult with your veterinarian.
- ✓ For gardening or farming, certain plants may take up some PFAS6 from irrigation water and soil. Unfortunately, there is not enough scientific data to predict how much will end up in a specific crop. Since people eat a variety of foods, the risk from the occasional consumption of produce grown in soil or irrigated with water contaminated with PFAS6 is likely to be low. Families who grow a large fraction of their produce would experience higher potential exposures and should consider the following steps, which should help reduce PFAS6 exposures from gardening:
  - Maximize use of rainwater or water from another safe source for your garden.
  - Wash your produce in clean water after you harvest it.
  - Enhance your soil with clean compost rich in organic matter, which has been reported to reduce PFAS uptake into plants.
  - Use raised beds with clean soil.
- **NOTE ON BOILING WATER:** Boiling water will not destroy these chemicals and will increase their levels somewhat due to water evaporation.
- **NOTE ON BOTTLED WATER:** Even though bottlers are not required to test for PFAS6, some bottlers have. The best way to know if the bottled water you are drinking or plan to drink has been tested for PFAS6 is to contact the bottler and ask for the latest PFAS testing results. Contact information should be available on the bottle or you may need to search the internet. For more information, see MassDEP's website on PFAS and bottled water at: <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas#bottled-water-and-home-water-filters>.
- **NOTE ON POU and POE TREATMENT DEVICES:** Point of Use (POU) and Point of Entry (POE) treatment devices are not specifically designed to meet Massachusetts' drinking water standard for PFAS6, there are systems that have been designed to meet the USEPA's Health Advisory of 70 ng/L for the sum of PFOS and PFOA. Any treatment device you use should be certified to meet the [National Sanitation Foundation \(NSF\)](#) standard P473 to remove PFOS and PFOA compounds so that the sum of their concentrations is below the USEPA Health Advisory of 70 ng/L. **Please be aware that 70 ng/L is significantly greater than the MassDEP's drinking water standard of 20 ppt for the PFAS6 compounds.** Many of these treatment devices certified to meet NSF standard P473 will likely be able to reduce PFAS6 levels to well below 70 ppt, but there are no federal or state testing requirements for these treatment devices. If you chose to install a treatment device, you should check to see if the manufacturer has independently verifiable PFAS6 monitoring results demonstrating that the device can reduce PFAS6 below 20 ppt. See more detailed information on POU/POE treatment systems in the Private Well Factsheet at <https://www.mass.gov/info->



[details/per-and-polyfluoroalkyl-substances-pfas-in-private-well-drinking-water-supplies-faq.](#)

## **6. Where can I get more information on PFAS?**

MassDEP PFAS Information. <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas>

[Per- and Polyfluoroalkyl Substances \(PFAS\) in Private Well Drinking Water Supplies FAQ](#)

Massachusetts Department of Public Health PFAS webpage: <https://www.mass.gov/service-details/per-and-polyfluoroalkyl-substances-pfas-in-drinking-water>

Interstate Technology and Regulatory Council (ITRC) PFAS resources.

<https://www.itrcweb.org/Team/Public?teamID=78>

Association of State Drinking Water Administrators PFAS webpage <https://www.asdwa.org/pfas/>

EPA's Drinking Water Health Advisories for PFOA and PFOS can be found at: <https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos>

The Centers for Disease Control and Prevention's Public Health Statement for PFOS and PFOA can be found at:

<https://www.atsdr.cdc.gov/pfas/index.html>

## **7. Where can I find more information about Treatment Devices for PFAS?**

MassDEP information on drinking water treatment devices: <https://www.mass.gov/service-details/home-water-treatment-devices-point-of-entry-and-point-of-use-drinking-water>

NSF PFAS information: <https://www.nsf.org/knowledge-library/perfluorooctanoic-acid-and-perfluorooctanesulfonic-acid-in-drinking-water>

USEPA information on PFAS and treatment devices: <https://www.epa.gov/sciencematters/reducing-pfas-drinking-water-treatment-technologies>

UL information on PFAS and treatment devices: <https://www.ul.com/offerings/testing-and-certification-water-filtration-products>

The Water Quality Association information on PFAS, including treatment:

<https://www.wqa.org/Portals/0/WQ&A%20sheets/WaterQA%20PFAS.pdf>

For further information on PFAS in drinking water, including possible health effects, you may contact the Massachusetts Department Environmental Protection, Drinking Water Program at [program.director-dwp@state.ma.us](mailto:program.director-dwp@state.ma.us) or 617-292-5770.





# TOWN OF WAYLAND Health Department

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

April 2, 2021

Dear Owner:

Your property has been identified as being served by a private well. The Wayland Health Department is initiating outreach to private well owners for 2 reasons:

1. To verify that you have a well (either irrigation or potable). If you do not have a well please contact us by email [health@wayland.ma.us](mailto:health@wayland.ma.us) so we can update our records.
2. To communicate regarding a newly emerging water contaminant called "PFAS" and actionable levels found in Town Drinking Water supply wells. A letter from the DPW is being sent to all residents to inform them of the PFAS levels found and begin a communication plan.

## What are PFAS?

Per- and polyfluoroalkyl substances (PFAS) are a family of chemicals used since the 1950s to manufacture stain-resistant, water-resistant, and non-stick products. PFAS are widely used in common consumer products as coatings on food packaging, outdoor clothing, carpets, leather goods, ski and snowboard waxes, and more.

Certain types of firefighting foam—historically used by the U.S. military, local fire departments, and airports to fight oil and gasoline fires—may contain PFAS.

PFAS in drinking water is an important emerging issue nationwide. Because PFAS are water soluble, over time PFAS from some firefighting foam, manufacturing sites, landfills, spills, air deposition from factories and other releases can seep into surface soils. From there, PFAS can leach into groundwater or surface water, and can contaminate drinking water. PFAS have also been found in rivers, lakes, fish, and wildlife.

PFAS stay in the environment for a long time and do not break down easily. As a result, PFAS are widely detected in soil, water, air, and food. Some PFAS can accumulate in the food chain. Exposure can occur when someone uses certain products that contain PFAS, eats PFAS-contaminated food, or

drinks PFAS-contaminated water. When ingested, some PFAS can build up in the body and, over time, these PFAS may increase to a level where health effects could occur.

Studies indicate that exposure to sufficiently elevated levels of certain PFAS may cause a variety of health effects including developmental effects in fetuses and infants, effects on the thyroid, liver, kidneys, certain hormones and the immune system. Some studies suggest a cancer risk may also exist in people exposed to higher levels of some PFAS. Scientists and regulators are still working to study and better understand the health risks posed by exposures to PFAS, and MassDEP is following developments in this burgeoning area closely.

#### What are the levels of concern for PFAS chemicals?

On October 2, 2020, MassDEP published its PFAS public drinking water standard, which called for a Massachusetts Maximum Contamination Level (MMCL), of 20 nanograms per liter (ng/L) (or parts per trillion (ppt)) – individually or for the sum of the concentrations of six specific PFAS. These PFAS are perfluorooctane sulfonic acid (PFOS); perfluorooctanoic acid (PFOA); perfluorohexane sulfonic acid (PFHxS); perfluorononanoic acid (PFNA); perfluoroheptanoic acid (PFHpA); and perfluorodecanoic acid (PFDA). MassDEP abbreviates this set of six PFAS as “PFAS6.” This drinking water standard is set to be protective against adverse health effects for all people consuming the water (please note this applies to **public** wells only). Public Drinking water wells must be tested monthly. Elevated PFAS levels require notification and possible action.

#### PFAS in Wayland Public Drinking Water Supply Wells:

In February 2021, the Town of Wayland Happy Hollow wells tested above 20 ppt for PFAS. All residents will receive a letter from the Town regarding this issue. Please know that this problem is happening all over the commonwealth and the country and the town is actively working with MassDEP to determine next steps.

#### Private Wells

Private Wells are currently not included in this new MassDEP Regulation. MassDEP is waiting to obtain more results from both the private and public well PFAS sampling efforts before considering making any changes to the recommended contaminants for private well owners relative to PFAS testing. MassDEP does not currently recommend that all private wells be tested for PFAS. But they would recommend testing if there is a reason to suspect that a private well may be contaminated by PFAS. They would also recommend testing for PFAS if a well is in the vicinity of a public drinking well that has PFAS levels above 20 ppt such as at the Happy Hollow Wells or elevated PFAS levels (but not above the actionable level) such as at the Chamberlain Well. Enclosed are 2 maps that show a conceptual estimation of groundwater flow directions in the areas around these 2 wells (outlined by red) where if a private well is located testing for PFAS would be recommended. If you have a private well in these areas and have questions please contact the Health Department office at 508-358-3617.

If a potential source of PFAS contamination is identified by MassDEP, such that one or more parcels of land are assigned a MassDEP Bureau of Waste site Cleanup (BWSC) tracking number (for a potentially high level of PFAS) then the BWSC would require the responsible/potentially responsible parties to offer sampling of nearby private wells (testing would likely be within 500 feet of the site and it would continue to expand that search until they reach the end of the contaminant plume).

The Wayland Health Department wants to make private well owners aware of this newly emerging water contaminant. The state is not currently offering programs where money is available to test private wells in the town of Wayland. Helpful information is listed below on the state's website.

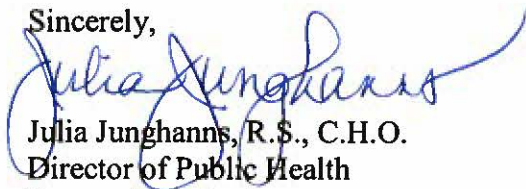
What you need to know about the possibility of PFAS in private well water and information on testing: <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas-in-private-well-drinking-water-supplies-faq>

**Information on PFAS**

The town has created a website with substantial information about PFAS. Please visit the town website for more information: <https://www.wayland.ma.us/PFAS-Info>

For general information and guidance on private wells including testing frequency, maintenance, and care please go to the MassDEP website: <https://www.mass.gov/service-details/faqs-private-wells>

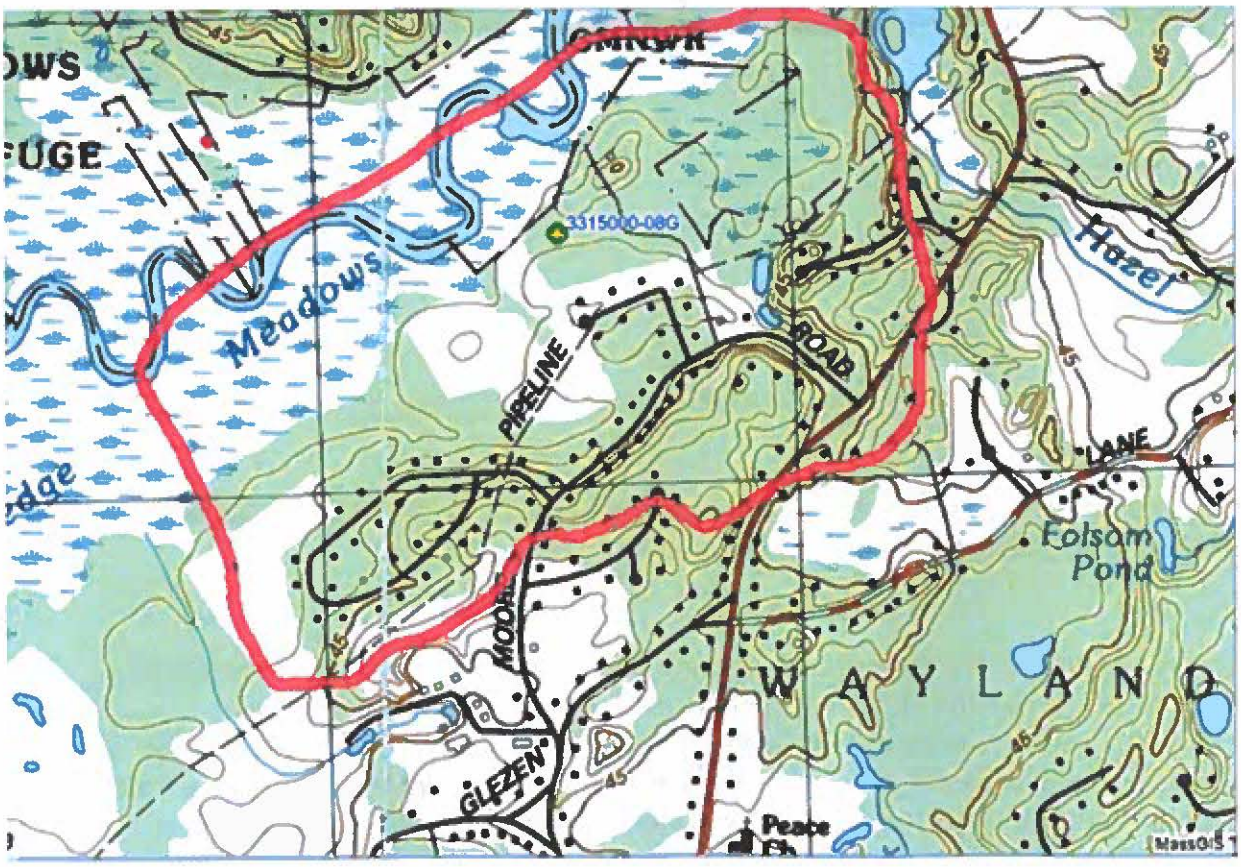
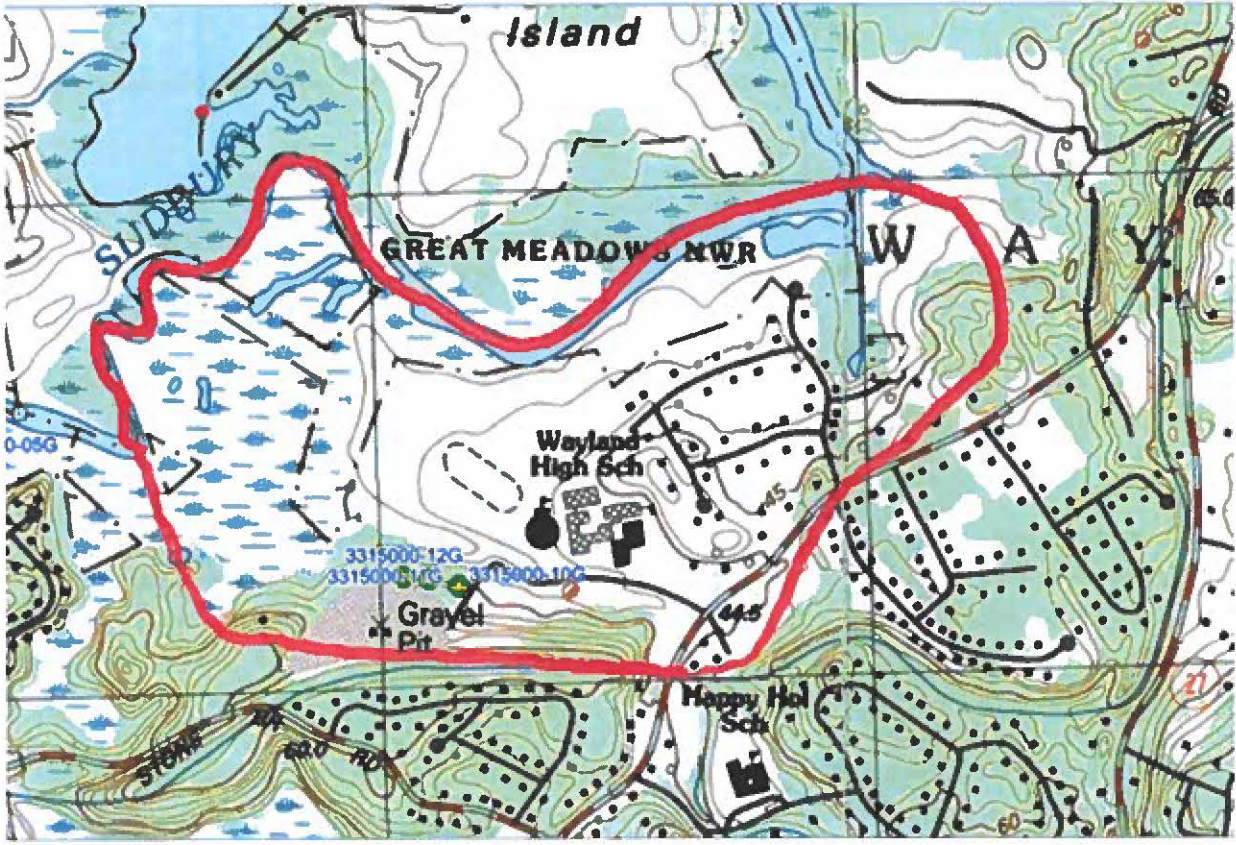
Sincerely,



Julia Junghanns, R.S., C.H.O.  
Director of Public Health  
Town of Wayland







## **SIGNS - PUBLIC DISPLAY and USE OF TOWN SIGN BOARDS**

The Town has made available frames to display four, 4 feet by 8 feet sign boards to publicize events benefiting or open to the general public. The frames are located on Route 20 at the Weston town line, Route 20 at the intersection of Routes 27 and 126, the intersection of Old Connecticut Path and Routes 126 and 27, and the Cochituate Fire Station at the corner of East Plain Street. The following procedures govern the use of these sign boards.

1. Sign boards may be reserved by calling or writing the Department of Public Works.
2. Due to the demand for these signboards, priority is given as follows:
  - Town Meeting and all elections, Special Town Meeting, and Candidates' Night take precedence over all organizations
  - Requests from Town departments
  - Wayland civic, nonprofit, and Town-wide organizations
  - Church groups
3. Signs must be painted attractively with waterproof paint on 4 x 8 foot wood boards or an aluminum composite panel no thicker than 3/8 inch.
4. Signs must be delivered to the Wayland DPW garage prior to 6:30 a.m. on the Monday on which they are to be displayed.
5. The usual period of display will be one week, from Monday to Monday. Signs must be picked up at the Wayland DPW garage as soon as possible after they have been taken down.
6. The Town is not responsible for loss or damage to the signs.

When the Town signboards have already been reserved, town-wide civic and nonprofit organizations may request in writing permission from the Board of Selectmen to display sandwich board signs adjacent to the Town signboards. Sandwich-board signs must be smaller than the Town signs. They must be placed so as not to obscure the Town signs and secured in such a way that they are not displaced by wind. They may be displayed for a period of one week and must be removed promptly after the advertised event.

*Approved October 20, 2003; revised December 14, 2009; restated on October 13, 2010*



## TOWN SIGNBOARD INITIAL DISCUSSION

Discussions about the Selectmen's Sign Policy have gone on intermittently for several years, involving among others Mike Lowery, Tom Holder, Gay Hughes, Louise, and me. The current policy covers the four signboards and sandwich boards at those sites. Tom Fay has raised concerns about the electronic signs used by Public Safety and the DPW. Mike has expressed concerns annually about the H-frame/in-ground signs. I think it would be helpful to take about 15 minutes to think about and discuss issues related to signs and then we'll draft a policy for the board to revise.

### Current Policy

Covers four signboard and sandwich boards

#### Problems (sign boards)

Placement  
Blank/empty frames  
Duration  
Multiple requests

#### Problems (sandwich boards):

Placement  
Proliferation  
Duration  
Request origin  
Schools  
Out-of-town requests

### New Issues

H-frames/lawn signs

#### Problems:

Proliferation  
Placement  
Duration  
Size

Electronic signboards (Public safety and DPW signs)

#### Problems:

Placement  
Message  
Duration

LED Signs

#### Problems:

Cost  
Distraction

Source from Selectmen Mary Antes

TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

**HOST COMMUNITY AGREEMENT**

This Host Community Agreement (“Agreement”) is entered into this day of \_\_\_\_\_, 2021, by and between the Earth Well Farms, LLC with a principal office at 526 Boston Post Road, Wayland, MA 01778 (“the Company”), and the Town of Wayland, a Massachusetts municipal corporation with a principal address of 41 Cochituate Road, Wayland, MA 01778 (the “Town”), acting by and through its Board of Selectmen, in reliance upon all of the representations made herein (collectively referred to herein as the “Parties”).

WHEREAS, the Company wishes to locate a Medical Marijuana Treatment Center to engage in the cultivation, manufacturing, and sale of medical marijuana (“Facility”) at 526 Boston Post Road, Wayland MA 01778 (the “Property”) in accordance with the laws, regulations, and policies of the Commonwealth of Massachusetts (“MA Law”) and the ordinances, rules, regulations, and policies of the Town (“Local Law”); and

WHEREAS, the Company intends to provide certain benefits to the Town in the event that it receives the requisite licenses from the Cannabis Control Commission or such other state licensing or monitoring authority, as the case may be, to operate the Facility and receives all required local permits and approvals from the Town;

NOW THEREFORE, in consideration of the of the provisions of this Agreement, the Company and the Town agree to the following:

1. **Definitions.** As used in this agreement, terms shall have the following meaning.
  - a. **Gross Sales Revenue** means the total revenue actually derived from cultivation, manufacturing, processing and/or sales of marijuana and marijuana related products at the Marijuana Facility.
  - b. **Calendar Year** means a period of days running from January 1st until and through December 31st of the same year.
  - c. **Commencement Date** means the date the Company commences sales at its Marijuana Facility.

2. **Annual Payments**

In the event that the Company obtains the requisite licenses and/or approvals as may be required for the operation of the Facility, and receives any and all necessary and required permits and licenses of the Town, and at the expiration of any final appeal period related thereto, said matter not being appealed further, which permits and/or licenses allow the Company to locate, occupy and operate the Facility in the Town, then the Company agrees to provide the following Annual Payments:

TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

**A. Community Impact Fee**

The Company anticipates that the Town will incur additional expenses and impacts on the Town's road and other infrastructure systems, law enforcement, fire protection services, inspectional services, and permitting and consulting services, as well as unforeseen impacts on the Town. Accordingly, in order to mitigate the financial impact on the Town and use of Town resources, the Company agrees to pay an Annual Community Impact Fee to the Town, in the amount and under the terms provided herein.

1. Company shall annually pay an Annual Community Impact Fee in an amount equal to three percent (3%) of Gross Sales Revenue at the Facility (the "Annual Payments"). Such payments shall be in addition to the 3% Local Option Tax authorized by M.G.L. c. 64N, § 3 and accepted by the Town.
2. The Annual Payments shall be made on a quarterly basis in each calendar year on or before the last day of January, April, July and October, beginning on the first of such dates after the execution of this Agreement, which payment shall be for the quarter immediately preceding the payment. By way of example, a payment made on or before January 31 shall be for the immediately preceding October through December, inclusive. The Annual Payments shall continue for the term of this Agreement, payable on a quarterly basis.
3. While the Town has the sole discretion for determining how to spend the Annual Payments, the Parties understand and acknowledge that, as required by M.G.L. c. 94G, § 3(d), the Annual Payments are reasonably related to the costs imposed upon the Town by the Company's operation of a Marijuana Retailer at the Property.

**B. Additional Costs, Payments and Reimbursements**

1. Permit and Connection Fees: The Company hereby acknowledges and accepts, and waives all rights to challenge, contest or appeal, the Town's building permit fee and other permit application fees, sewer and water connection fees, and all other local charges and fees generally applicable to other commercial developments in the Town. Provided, however, that any upfront payment for such fees and costs shall be offset against the annual payment of 3% of gross sales.
2. Facility Consulting Fees and Costs: The Company shall reimburse the Town for any and all reasonable consulting costs and fees related to any land use applications concerning the Facility, negotiation of this and any other related agreements, and any review concerning the Facility, including planning, engineering, legal and/or environmental professional consultants and any related reasonable disbursements at standard rates charged by the above- referenced consultants in relation to the Facility. Provided, however, that any payment for such fees and costs shall be offset against the annual payment of 3% of gross sales.

TOWN OF WAYLAND AND  
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3. **Other Costs:** The Company shall reimburse the Town for the actual costs incurred by the Town in connection with holding public meetings and forums substantially devoted to discussing the Facility and/or reviewing the Facility and for any and all reasonable consulting costs and fees related to the monitoring and enforcement of the terms of this Agreement, including, but not limited to independent financial auditors and legal fees. Provided, however, that any payment for such fees and costs shall be offset against the annual payment of 3% of gross sales.
4. **Late Payment Penalty:** The Company acknowledges that time is of the essence with respect to their timely payment of all funds required under Section 2 of this Agreement. In the event that any such payments are not fully made within ten (10) days of the date they are due, the Town shall provide the Company with written notice of such failure to make a timely payment. The Company shall have a ten (10) day period to cure such failure to make timely payment from the date of receipt of such notice., For any payment made after the due date, the Company shall also be required to pay the Town a late payment penalty equal to five percent (5%) of such required payments.

C. Annual Reporting for Host Community Impact Fees and Benefit Payments

1. The Company shall notify the Town when the Company commences sales at the Facility pursuant to laws and regulations.
2. The Company shall, at least annually, provide the Town with copies of all reports which are required to be submitted to the Commonwealth, regarding the Company's operations at the Facility.
3. At the time the Company submits each payment to the Town, the Company shall submit financial records to the Town with a certification of gross sales with respect to such Payment. The report shall specify the Payment(s) as calculated under this section and shall be prepared by the Company in accordance with generally accepted accounting principles ("GAAP") consistently applied. The Company shall maintain its books, financial records, and other compilations of data pertaining to all requirements of this Agreement in accordance with standard GAAP consistently applied and all applicable state laws and regulations. The Company shall retain such records for a period of at least seven (7) years.
4. Upon request by the Town, the Company shall provide the Town with the same access to its financial records (to be treated as confidential, to the extent allowed by law) as it is required by the CCC and Department of Revenue for purposes of obtaining and maintaining a license for the Facility.
5. In addition to the above referenced reports, the Company shall also provide to the Town such other information as may reasonably be requested by the Board of Selectmen of the Town of Wayland.

TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

6. Financial Records Compliance with Local Law. The Company shall work cooperatively with all necessary Town agencies, departments, boards, committees, and officers to ensure that the Company's operations are compliant with Local Law. The Company shall comply with the conditions of any special permit, licenses or other permits issued by the Town, including but not limited to conditions concerning security. This Agreement does not waive, limit, control, or in any way affect the legal authority of any Town agency, board, committee, or official to regulate, authorize, restrict, inspect, investigate, enforce against, or issue, deny, suspend, or revoke any permit, license or other approval with respect to, the Company or the Site, nor does it waive, limit, control, or in any way affect the legal authority of the Wayland Police Department to investigate, prevent, or take action against any criminal activity with respect to the Company or the Site. Nothing in this Agreement presumes, implies, suggests, or otherwise creates any promise either that the Company shall obtain or retain any or all local permits, licenses, and other approvals that are required in order to operate at the Site.
7. Independent Audit. During the term of this Agreement and for three years following the termination of this Agreement the Company shall agree, upon request of the Town to have its financial records examined, copied and audited by an Independent Financial Auditor, the expense of which shall be borne by the Company. Provided, however, that any payment for such fees and costs shall be offset against the annual payment of 3% of gross sales. The Independent Financial Auditor shall review the Company's financial records for purposes of determining that the Annual Payments are in compliance with the terms of this Agreement. Such examination shall be made not less than thirty (30) days following written notice from the Town and shall occur only during normal business hours and at such place where said books, financial records and accounts are maintained. The Independent Financial Audit shall include those parts of the Company's books and financial records which relate to the payment, and shall include a certification of itemized gross sales for the previous calendar year, and all other information required to ascertain compliance with the terms of this Agreement. The independent audit of such records shall be conducted in such a manner as not to interfere with the Company's normal business activities.

3. Local Vendors and Employment

To the extent such practice and its implementation are consistent with federal, state, and municipal laws and regulations, the Company will make every effort in a legal and non-discriminatory manner to give priority to local businesses, suppliers, contractors, builders and vendors in the provision of goods and services called for in the construction, maintenance and continued operation of the Facility when such contractors and suppliers are properly qualified and price competitive and shall use good faith efforts to hire Town residents.



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4. Local Taxes

At all times during the Term of this Agreement, property, both real and personal, owned or operated by the Company shall be treated as taxable, and all applicable real estate and personal property taxes for that property shall be paid either directly by the Company or by its landlord and neither the Company nor its landlord shall object or otherwise challenge the taxability of such property and shall not seek a non-profit or agricultural exemption or reduction with respect to such taxes.

Notwithstanding the foregoing, (i) if real or personal property owned, leased or operated by the Company is determined to be non-taxable or partially non-taxable, or (ii) if the value of such property is abated with the effect of reducing or eliminating the tax which would otherwise be paid if assessed at fair cash value as defined in G.L. c. 59, §38, or (iii) if the Company is determined to be entitled or subject to exemption with the effect of reducing or eliminating the tax which would otherwise be due if not so exempted, then the Company shall pay to the Town an amount which when added to the taxes, if any, paid on such property, shall be equal to the taxes which would have been payable on such property at fair cash value and at the otherwise applicable tax rate, if there had been no abatement or exemption; this payment shall be in addition to the payment made by the Company under this Agreement.

5. Security

The Company shall maintain security at the Facility and Property in accordance with a security plan approved by any required state and/or Town licensing and monitoring authority(ies). In addition, the Company shall at all times comply with MA Laws, Local Law, and any Town special permit or other permit/approval regarding security of the Site. Further, the Company shall coordinate with the Wayland Police Department in the development and implementation of required security measures, including without limitation the determination of the placement of security cameras and the sharing of security information. The Company will maintain a cooperative relationship with the Wayland Police Department, including but not limited to, periodic meetings to review operational concerns and communication with the Wayland Police Department of any incidents and suspicious activities at the Facility and Property. To the extent requested by the Town's Police Department, and subject to the security and architectural review requirements of the CCC, or such other state licensing or monitoring authority, as the case may be, the Company shall work with the Town's Police Department in determining the placement of exterior security cameras. In addition, at the discretion of the Town's Police Chief in the interest of public safety, the Police Chief may require the presence of a police detail, and the costs of any such detail shall be the responsibility of the Company. Provided, however, that any payment for such fees and costs shall be offset against the annual payment of 3% of gross sales.

The Company agrees to cooperate with the Police Department, including but not limited to periodic meetings to review operational concerns, security, delivery schedule and procedures, cooperation

TOWN OF WAYLAND AND  
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in investigations, and communications with the Police Department of any suspicious activities at or in the immediate vicinity of the Facility, and with regard to any anti-diversion procedures.

To the extent requested by the Town's Police Department, the Company shall work with the Police Department to implement a comprehensive diversion prevention plan to prevent diversion, such plan to be in place prior to the commencement of operations at the Establishment.

The Company agrees to comply with all the CCC's requirements, regulations, and laws of the Commonwealth, including but not limited to Criminal Offender Record Information ("CORI") review for any personnel or employees.

**6. Community Impact Hearing Concerns**

The Company agrees to employ its best efforts to work collaboratively and cooperatively with its neighboring businesses and residents to establish written policies and procedures to address mitigation of any reasonable concerns or issues that may arise through its operation of the Facility, including, but not limited to any and all reasonable concerns or issues raised at the Company's required Community Outreach Meeting relative to the operation of the Facility; said written policies and procedures, as may be amended from time to time, shall be reviewed and approved by the Town and shall be incorporated herein by reference and made a part of this Agreement, the same as if each were fully set forth herein.

**7. Support**

The Town agrees to submit to the CCC, or such other state licensing, registering or monitoring authority, as the case may be, the required certifications relating to the Company's application for a license or certificate of registration to operate the Facility where such compliance has been properly met, but makes no representation or promise that it will act on any other license or permit request, including, but not limited to any zoning application submitted for the Facility, in any particular way other than by the Town's normal and regular course of conduct and in accordance with its rules and regulations and any statutory guidelines governing them.

**8. Term; Termination of Agreement**

This Agreement shall take effect on the date first set forth above (the "Effective Date"), and shall continue in effect for so long as the Company operates the Facility, or five (5) years from the date upon which the Facility commences operations at the Property, whichever is earlier.

At the conclusion of the term of this Agreement, in the event that the Company wishes to continue to operate at the Site, the Parties shall renegotiate a new Agreement in accordance with the current prevailing regulations and laws as such regulations and laws may be amended or replaced. Thereupon, the Town and the Company shall negotiate the amount and calculation of annual

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payments to the Town. To the extent permitted by law, this Agreement shall remain in effect until execution of a new successor agreement.

In the event that the Company no longer does business in the Town or loses or has any license(s), approvals, and/or permit(s) to operate the Facility revoked, then this Agreement shall become null and void, and the Company shall pay to the Town any payment amounts due upon the termination date, and in no event shall the Town be responsible for the return of any funds provided to it by the Company. Payments due to Town shall be pro-rated based upon the period of operation within the Town.

9. Successors/Assigns

The Company shall not assign, sublet, or otherwise transfer its rights nor delegate its obligations under this Agreement, in whole or in part, without the prior written consent from the Town, and shall not assign any of the monies payable under this Agreement, except by and with the written consent of the Town. Neither the City nor the Company shall assign, sublet, or otherwise transfer any interest in the Agreement without the written consent of the other.

Events deemed an assignment include, without limitation: (i) Company's final and adjudicated bankruptcy whether voluntary or involuntary; (ii) the Company's takeover or merger by or with any other entity; (iii) the Company's outright sale of assets and equity, majority stock sale to another organization or entity for which the Company does not maintain a controlling equity interest; (iv) or any other change in majority ownership or status of the Company; and/or (v) any assignment for the benefit of creditors.

10. Notices

Any and all notices, consents, demands, requests, approvals or other communications required or permitted under this Agreement, shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, and shall be deemed given when so delivered by hand, if so mailed, when deposited with the U.S. Postal Service, or, if sent by private overnight or other delivery service, when deposited with such delivery service.

To the Town:

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

TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

To Company:

Zachary Hap Seligman Karen  
Jonathan R. Watkins  
Earth Well Farms  
526 Boston Post Rd  
Wayland, MA 01778  
Email: legal@earthwellfarms.com

11. Severability

If any term of condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless the Town would be substantially or materially prejudiced. Further, the Company agrees that it will not challenge, in any jurisdiction, the enforceability of any provision included in this Agreement; and to the extent the validity of this Agreement is challenged by the Company in a court of competent jurisdiction, the Company shall pay for all reasonable fees and costs incurred by the Town in enforcing this Agreement.

12. Governing Law

This Agreement shall be governed and construed and enforced in accordance with the laws of the Commonwealth of Massachusetts, without regard to the principles of conflicts of law thereof. The Parties expressly waive any defense to enforcement based upon nonconformance with federal law regarding the legality of marijuana. The Company submits to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.

13. Entire Agreement

This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the Company and the Town with respect to the matters described herein. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

14. Amendment/Waiver

Amendments, or waivers of any term, condition, covenant, duty or obligation contained in this Agreement may be made only by written amendment executed by all signatories to the original Agreement, prior to the effective date of the amendment.

TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

15. Headings

The article, section, and/or paragraph headings in this Agreement are for convenience of reference only, and shall in no way affect, modify, define or be used in interpreting the text of this Agreement.

16. Counterparts

This Agreement may be signed in any number of counterparts all of which taken together, each of which is an original, and all of which shall constitute one and the same instrument, and any party hereto may execute this Agreement by signing one or more counterparts.

17. Signatures

Facsimile signatures affixed to this Agreement shall have the same weight and authority as an original signature.

18. No Joint Venture

The Parties hereto agree that nothing contained in this Agreement or any other documents executed in connection herewith is intended or shall be construed to establish the City, or the City and any other successor, affiliate or corporate entity as joint ventures or partners.

19. Indemnification

The Company shall indemnify, defend, and hold the Town harmless from and against any and all claims, demands, liabilities, actions, causes of actions, defenses, proceedings and/or costs and expenses, including attorney's fees, brought against the Town, their agents, departments, officials, employees, insurers and/or successors, by any third party arising from or relating to the development of the Property and/or Facility. Such indemnification shall include, but shall not be limited to, all reasonable fees and reasonable costs of attorneys and other reasonable consultant fees and all fees and costs (including but not limited to attorneys and consultant fees and costs) shall be at charged at regular and customary municipal rates, of the Town's choosing, incurred in defending such claims, actions, proceedings or demands. The Company agrees, within thirty (30) days of written notice by the Town, to reimburse the Town for any and all costs and fees incurred in defending itself with respect to any such claim, action, proceeding or demand.

20. Third-Parties

Nothing contained in this agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Town or the Company.



TOWN OF WAYLAND AND  
EARTH WELL FARMS, LLC

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.

Town of Wayland

By: \_\_\_\_\_

Earth Well Farms, LLC

By: \_\_\_\_\_

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## **Article 10. Fiscal Year 2022 Omnibus Budget**

*Proposed by: Finance Committee*

*Estimated Cost: \$98,114,912*

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.

### **MOTIONS UNDER ARTICLE 10:**

1) That each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2022 be voted, granted and appropriated as an expenditure for several purposes and uses set forth in said budget establishing a total budget of \$93,307,412 which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated \$87,865,380 shall be raised by taxation, \$374,400 shall be provided by transfer from Ambulance Receipts, \$481,859 shall be transferred from other funds, \$3,903,119 shall be provided from Water Revenue, and \$631,244 shall be provided from Wastewater Revenues and \$51,410 shall be provided by Wastewater Certified Retained Earnings.

2) That each and every numbered item set forth in the Finance Committee's capital budget of Fiscal Year 2022 listed on pages 46-55 in the total amount of \$4,807,500 be appropriated for equipment and vehicles acquisitions and projected for the listed departments, each of which shall be an appropriation, and of the total sum so appropriated, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,669,429 pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$600,000 to be raised from taxation, \$1,921,500 shall be provided by transfer from Unreserved Fund Balance, \$227,000 shall be provided from Ambulance Receipts, \$89,571 shall be provided from Surplus Capital Accounts and, \$300,000 shall be provided by Water Enterprise Capital.

**FINANCE COMMITTEE COMMENTS:** Passage of this article will approve the Town's Fiscal Year 2022 omnibus budget. The Finance Committee refers the residents to the Report of the Finance Committee at the beginning of the Warrant, which provides detail of the proposed operating budget, capital budget and plan.

The Board of have not voted a position.

**ARGUMENTS IN FAVOR:** The budget reflects the cost of operating the town in an efficient manner in order to maintain delivery of current levels of service to the residents of Wayland.

**ARGUMENTS OPPOSED:** Some residents believe that this growth in town spending and the resulting tax increases are unsustainable. Some have communicated that they feel the level of services should be reduced. Other residents believe that insufficient funds have been budgeted to perform all desired services.

**RECOMMENDATION:** The Finance Committee recommends approval. Operating Budget Vote: 7-0-0 and Capital Budget Vote: 7-0-0

**QUANTUM OF VOTE:** Majority – see Massachusetts General Laws Chapter 40, Section 5; Chapter 44, Section 53 F1/2 and Chapter 44, Section 33B. Borrowing, two-thirds - see Massachusetts General Laws Chapter 44, Section 2, 7 and 8.

*For more information about this article, contact Finance Director Brian Keveny at [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us).*

FISCAL YEAR 2022 BUDGET		ACTUAL FY 2019	ACTUAL FY 2020	APPROVED FY 2021	REQUESTED FY 2022
	<b>SELECTMEN</b>				
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
1	PURCHASE OF SERVICES	\$89,989	\$41,509	\$52,000	\$52,000
	SUPPLIES	\$0	\$0	\$7,500	\$2,500
	TOTAL EXPENSES	\$89,989	\$41,509	\$59,500	\$54,500
	TOTAL SELECTMEN	\$89,989	\$41,509	\$59,500	\$54,500
	<b>TOWN OFFICE</b>				
	<i>Total FTEs</i>	5.00	5.00	6.70	6.70
2	PERSONNEL SERVICES	\$459,087	\$564,972	\$682,946	\$688,071
	PURCHASE OF SERVICES	\$27,686	\$9,138	\$182,600	\$189,100
3	SUPPLIES	\$57,416	\$56,790	\$63,000	\$66,520
	TOTAL EXPENSES	\$85,102	\$65,928	\$245,600	\$255,620
	TOTAL TOWN OFFICE	\$544,189	\$630,900	\$928,546	\$943,691
	<b>PERSONNEL BOARD</b>				
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
4	PERSONNEL SERVICES	\$5,000	\$4,000	\$8,000	\$10,000
	PURCHASE OF SERVICES	\$9,950	\$2,030	\$28,000	\$26,000
5	TOTAL EXPENSES	\$9,950	\$2,030	\$28,000	\$26,000
	TOTAL PERSONNEL BOARD	\$14,950	\$6,030	\$36,000	\$36,000
	<b>FINANCE</b>				
	<i>Total FTEs</i>	4.80	4.80	3.80	3.80
6	PERSONNEL SERVICES	\$368,245	\$310,097	\$326,084	\$318,452
	PURCHASE OF SERVICES	\$58,520	\$58,170	\$65,865	\$65,865
7	SUPPLIES	\$200	\$0	\$500	\$500
	TOTAL EXPENSES	\$58,720	\$58,170	\$66,365	\$66,365
	TOTAL FINANCE	\$426,965	\$368,267	\$392,449	\$384,817
	<b>ASSESSOR</b>				
	<i>Total FTEs</i>	4.00	4.00	3.50	3.50
8	PERSONNEL SERVICES	\$241,888	\$205,808	\$243,178	\$240,901
	PURCHASE OF SERVICES	\$44,743	\$27,986	\$48,060	\$52,060
9	SUPPLIES	\$66	\$2,613	\$2,500	\$2,500
	TOTAL EXPENSES	\$44,809	\$30,599	\$50,560	\$54,560
	TOTAL ASSESSOR	\$286,697	\$236,407	\$293,738	\$295,461
	<b>TREASURER</b>				
	<i>Total FTEs</i>	3.23	3.23	3.23	3.23
10	PERSONNEL SERVICES	\$199,695	\$200,837	\$217,616	\$198,501
	PURCHASE OF SERVICES	\$44,362	\$161,927	\$43,500	\$61,150
11	SUPPLIES	\$6,132	\$21,180	\$20,000	\$22,000
	TOTAL EXPENSES	\$50,494	\$183,107	\$63,500	\$83,150
	TOTAL TREASURER	\$250,189	\$383,944	\$281,116	\$281,651

FISCAL YEAR 2022 BUDGET		ACTUAL FY 2019	ACTUAL FY 2020	APPROVED FY 2021	REQUESTED FY 2022
<b>TOWN COUNSEL</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$331,561	\$136,910	\$244,000	\$244,000
12	SUPPLIES				
	TOTAL EXPENSES	\$331,561	\$136,910	\$244,000	\$244,000
	TOTAL TOWN COUNSEL	\$331,561	\$136,910	\$244,000	\$244,000
<b>INFORMATION TECHNOLOGY</b>					
	<i>Total FTEs</i>	3.00	3.00	5.00	5.00
13	PERSONNEL SERVICES	\$141,556	\$177,744	\$341,786	\$358,296
	PURCHASE OF SERVICES	\$120,319	\$127,239	\$187,730	\$183,850
14	SUPPLIES	\$436,862	\$414,147	\$492,100	\$531,932
	TOTAL EXPENSES	\$557,181	\$541,386	\$679,830	\$715,782
	TOTAL INFORMATION TECHNOLOGY	\$698,737	\$719,130	\$1,021,616	\$1,074,078
<b>TOWN CLERK</b>					
	<i>Total FTEs</i>	2.00	2.00	2.00	2.00
15	PERSONNEL SERVICES	\$140,751	\$131,062	\$143,355	\$143,355
	PURCHASE OF SERVICES	\$11,511	\$12,239	\$91,398	\$42,550
16	SUPPLIES	\$455	\$2,025	\$2,360	\$0
	TOTAL EXPENSES	\$11,966	\$14,264	\$93,758	\$42,550
	TOTAL TOWN CLERK	\$152,717	\$145,326	\$237,113	\$185,905
<b>ELECTIONS</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PERSONNEL SERVICES	\$12,541	\$532	\$0	\$0
	PURCHASE OF SERVICES	\$34,460	\$36,362	\$0	\$0
	SUPPLIES	\$3,162	\$4,341	\$0	\$0
	TOTAL EXPENSES	\$37,622	\$40,703	\$0	\$0
	TOTAL ELECTIONS	\$50,163	\$41,235	\$0	\$0
<b>REGISTRAR</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PERSONNEL SERVICES	\$1,075	\$325	\$0	\$0
	PURCHASE OF SERVICES	\$3,535	\$712	\$0	\$0
	TOTAL EXPENSES	\$3,535	\$712	\$0	\$0
	TOTAL REGISTRAR	\$4,610	\$1,037	\$0	\$0
<b>CONSERVATION</b>					
	<i>Total FTEs</i>	2.80	2.86	3.00	3.00
17	PERSONNEL SERVICES	\$184,047	\$197,650	\$222,777	\$228,120
	PURCHASE OF SERVICES	\$26,946	\$20,498	\$29,325	\$36,417
18	SUPPLIES	\$10,971	\$460	\$19,750	\$21,000
	TOTAL EXPENSES	\$37,917	\$20,958	\$49,075	\$57,417
	TOTAL CONSERVATION	\$221,964	\$218,608	\$271,852	\$285,537
<b>PLANNING</b>					
	<i>Total FTEs</i>	1.40	1.40	1.00	1.00
19	PERSONNEL SERVICES	\$103,824	\$112,238	\$102,220	\$99,220
	PURCHASE OF SERVICES	\$5,279	\$4,097	\$7,100	\$7,100
20	SUPPLIES	\$355	\$225	\$200	\$200
	TOTAL EXPENSES	\$5,634	\$4,322	\$7,300	\$7,300
	TOTAL PLANNING	\$109,458	\$116,560	\$109,520	\$106,520



FISCAL YEAR 2022 BUDGET		ACTUAL FY 2019	ACTUAL FY 2020	APPROVED FY 2021	REQUESTED FY 2022
<b>FACILITIES</b>					
	<i>Total FTEs</i>	4.54	5.54	6.54	6.54
21	PERSONNEL SERVICES	\$271,017	\$370,414	\$475,451	\$479,061
	PURCHASE OF SERVICES	\$305,497	\$379,421	\$337,500	\$318,500
	UTILITIES	\$392,057	\$419,016	\$694,500	\$742,550
	SUPPLIES	\$99,679	\$28,371	\$113,500	\$115,600
22	TOTAL EXPENSES	\$797,233	\$826,808	\$1,145,500	\$1,176,650
	TOTAL FACILITIES	\$1,068,250	\$1,197,222	\$1,620,951	\$1,655,711
<b>MISC COMMITTEES</b>					
<i>Historic Commission, Surface Water Quality Commission, Historic District Commission, Public Ceremonies Committee</i>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
23	PURCHASE OF SERVICES	\$44,792	\$53,904	\$3,775	\$3,775
	TOTAL EXPENSES	\$44,792	\$53,904	\$3,775	\$3,775
	TOTAL MISC COMMITTEES	\$44,792	\$53,904	\$3,775	\$3,775
<b>POLICE</b>					
	<i>Total FTEs</i>	26.59	26.59	26.59	26.59
24	PERSONNEL SERVICES	\$2,595,864	\$2,525,272	\$2,820,892	\$2,902,293
	PURCHASE OF SERVICES	\$91,289	\$116,810	\$124,830	\$75,080
25	SUPPLIES	\$183,473	\$206,571	\$242,725	\$268,725
	TOTAL EXPENSES	\$274,762	\$323,381	\$367,555	\$343,805
	TOTAL POLICE	\$2,870,626	\$2,848,653	\$3,188,447	\$3,246,098
<b>JOINT COMMUNICATIONS</b>					
	<i>Total FTEs</i>	8.00	8.00	8.00	8.00
26	PERSONNEL SERVICES	\$516,596	\$545,532	\$549,908	\$558,432
	PURCHASE OF SERVICES	\$12,016	\$4,519	\$9,500	\$9,500
	UTILITIES	\$11,777	\$12,810	\$13,000	\$13,000
27	SUPPLIES	\$2,712	\$11,754	\$14,000	\$14,000
	TOTAL EXPENSES	\$26,505	\$29,083	\$36,500	\$36,500
	TOTAL JOINT COMMUNICATIONS	\$543,101	\$574,615	\$586,408	\$594,932
<b>EMERGENCY MANAGEMENT</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$13,996	\$14,757	\$0	\$0
	SUPPLIES	\$1,964	\$3,181	\$0	\$0
	TOTAL EXPENSES	\$15,960	\$17,938	\$0	\$0
	TOTAL EMERGENCY MANAGEMENT	\$15,960	\$17,938	\$0	\$0
<b>DOG OFFICER</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$23,999	\$37,119	\$0	\$0
	SUPPLIES	\$0	\$0	\$0	\$0
	TOTAL EXPENSES	\$23,999	\$37,119	\$0	\$0
	TOTAL DOG OFFICER	\$23,999	\$37,119	\$0	\$0
<b>FIRE &amp; ALS</b>					
	<i>Total FTEs</i>	28.54	28.54	29.54	29.54
28	PERSONNEL SERVICES	\$2,697,846	\$2,474,305	\$3,028,763	\$2,953,565
	PURCHASE OF SERVICES	\$67,420	\$61,799	\$72,600	\$72,600
29	SUPPLIES	\$190,521	\$190,288	\$204,239	\$206,239
	TOTAL EXPENSES	\$257,941	\$252,087	\$276,839	\$278,839
	TOTAL FIRE	\$2,955,787	\$2,726,392	\$3,305,602	\$3,232,404

FISCAL YEAR 2022 BUDGET		ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2019	FY 2020	FY 2021	FY 2022
<b>BUILDING &amp; ZONING</b>					
	<i>Total FTEs</i>	4.63	4.63	5.03	5.03
30	PERSONNEL SERVICES	\$282,065	\$306,193	\$336,663	\$355,943
	PURCHASE OF SERVICES	\$16,586	\$9,381	\$16,550	\$16,550
	SUPPLIES	\$1,170	\$1,265	\$3,000	\$3,000
31	TOTAL EXPENSES	\$17,756	\$10,646	\$19,550	\$19,550
	TOTAL BUILDING & ZONING	\$299,821	\$316,839	\$356,213	\$375,493
<b>SCHOOLS</b>					
	<i>Total FTEs</i>	411.73	427.66	460.84	445.96
32	TOTAL SCHOOLS	\$40,504,770	\$41,786,120	\$43,491,145	\$45,223,290
<b>REGIONAL VOCATIONAL SCHOOLS</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
33	TOTAL REGIONAL VOC SCHOOLS	\$181,716	\$301,910	\$333,000	\$368,500
<b>DPW</b>					
	<i>Total FTEs</i>	34.82	34.82	33.82	33.82
	PERSONNEL SERVICES	\$1,948,240	\$1,855,150	\$2,045,923	\$2,100,598
<b>DPW ENGINEERING</b>					
34	PERSONNEL SERVICES	\$335,292	\$261,048	\$289,470	\$300,109
	PURCHASE SERVICES	\$20,837	\$14,011	\$34,500	\$26,000
	SUPPLIES	\$3,562	\$4,000	\$14,920	\$15,420
35	TOTAL EXPENSES	\$24,399	\$18,011	\$49,420	\$41,420
	TOTAL ENGINEERING	\$359,691	\$279,059	\$338,890	\$341,529
<b>HIGHWAY</b>					
36	PERSONNEL SERVICES	\$1,007,417	\$953,712	\$1,050,025	\$1,094,771
	PURCHASE SERVICES	\$516,531	\$314,651	\$461,300	\$454,200
	SUPPLIES	\$133,410	\$121,499	\$151,500	\$157,500
37	TOTAL EXPENSES	\$649,941	\$436,150	\$612,800	\$611,700
	TOTAL HIGHWAY	\$1,657,358	\$1,389,862	\$1,662,825	\$1,706,471
<b>PARK AND CEMETERY</b>					
38	PERSONNEL SERVICES	\$605,531	\$640,390	\$706,428	\$705,718
	PURCHASE SERVICES	\$239,296	\$230,836	\$226,981	\$246,000
	SUPPLIES	\$106,004	\$105,766	\$132,000	\$139,500
39	TOTAL EXPENSES	\$345,300	\$336,602	\$358,981	\$385,500
	TOTAL PARK AND CEMETERY	\$950,831	\$976,992	\$1,065,409	\$1,091,218
<b>LANDFILL</b>					
40	PURCHASE SERVICES	\$30,823	\$40,000	\$50,000	\$60,000
	TOTAL DPW	\$2,998,703	\$2,685,913	\$3,117,124	\$3,199,218
<b>SNOW</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
41	PERSONNEL SERVICES	\$168,415	\$126,464	\$175,000	\$175,000
	PURCHASE OF SERVICES	\$193,619	\$97,435	\$110,000	\$100,000
	SUPPLIES	\$196,783	\$208,785	\$215,000	\$225,000
42	TOTAL EXPENSES	\$390,402	\$306,220	\$325,000	\$325,000
	TOTAL SNOW	\$558,817	\$432,684	\$500,000	\$500,000

FISCAL YEAR 2022 BUDGET		ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2019	FY 2020	FY 2021	FY 2022
<b>BOARD OF HEALTH</b>					
	<i>Total FTEs</i>	9.29	9.43	10.43	10.43
43	PERSONNEL SERVICES	\$722,273	\$742,976	\$814,036	\$814,036
	PURCHASE OF SERVICES	\$147,180	\$126,535	\$161,124	\$161,658
	SUPPLIES	\$9,193	\$9,853	\$13,000	\$16,000
44	TOTAL EXPENSES	\$156,373	\$136,388	\$174,124	\$177,658
	TOTAL BOARD OF HEALTH	\$878,646	\$879,364	\$988,160	\$991,694
<b>VETERANS SERVICES</b>					
	<i>Total FTEs</i>	0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$32,111	\$33,656	\$46,000	\$46,000
	SUPPLIES	\$1,848	\$1,929	\$4,000	\$4,000
45	TOTAL EXPENSES	\$33,959	\$35,585	\$50,000	\$50,000
	TOTAL VETERANS SERVICES	\$33,959	\$35,585	\$50,000	\$50,000
<b>COUNCIL ON AGING</b>					
	<i>Total FTEs</i>	3.69	3.69	4.09	4.09
46	PERSONNEL SERVICES	\$227,296	\$215,305	\$254,942	\$252,904
	PURCHASE OF SERVICES	\$50,378	\$40,886	\$55,350	\$55,750
	SUPPLIES	\$8,358	\$11,144	\$15,300	\$15,300
47	TOTAL EXPENSES	\$58,736	\$52,030	\$70,650	\$71,050
	TOTAL COUNCIL ON AGING	\$286,032	\$267,335	\$325,592	\$323,954
<b>YOUTH SERVICES</b>					
	<i>Total FTEs</i>	2.77	2.77	3.26	3.26
48	PERSONNEL SERVICES	\$188,246	\$189,744	\$253,742	\$262,742
	PURCHASE OF SERVICES	\$3,782	\$1,311	\$4,901	\$4,901
	SUPPLIES	\$1,068	\$72	\$1,625	\$1,625
49	TOTAL EXPENSES	\$4,850	\$1,383	\$6,526	\$6,526
	TOTAL YOUTH SERVICES	\$193,096	\$191,127	\$260,268	\$269,268
<b>LIBRARY</b>					
	<i>Total FTEs</i>	13.69	13.69	13.69	13.69
50	PERSONNEL SERVICES	\$803,599	\$834,033	\$869,477	\$894,826
	PURCHASE OF SERVICES	\$45,926	\$48,718	\$51,399	\$51,834
	SUPPLIES	\$217,748	\$207,650	\$234,877	\$234,694
51	TOTAL EXPENSES	\$263,674	\$256,368	\$286,276	\$286,528
	TOTAL LIBRARY	\$1,067,273	\$1,090,401	\$1,155,753	\$1,181,354
<b>RECREATION</b>					
	<i>Total FTEs</i>	3.54	3.54	3.54	3.54
52	PERSONNEL SERVICES	\$157,219	\$167,589	\$185,383	\$189,192
	PURCHASE OF SERVICES	\$36,202	\$2,237	\$87,410	\$83,980
	SUPPLIES	\$0	\$0	\$0	\$0
53	TOTAL EXPENSES	\$36,202	\$2,237	\$87,410	\$83,980
	TOTAL RECREATION	\$193,421	\$169,826	\$272,793	\$273,172

FISCAL YEAR 2022 BUDGET		ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2019	FY 2020	FY 2021	FY 2022
<b>DEBT AND INTEREST</b>					
<i>Total FTEs</i>					
54	TOTAL DEBT AND INTEREST	\$7,218,934	\$6,729,672	\$6,874,864	\$6,634,542
<b>RETIREMENT</b>					
<i>Total FTEs</i>		0.00	0.00	0.00	0.00
	PURCHASE OF SERVICES	\$4,648,984	\$4,862,852	\$5,182,237	\$5,378,336
55	TOTAL RETIREMENT	\$4,648,984	\$4,862,852	\$5,182,237	\$5,378,336
<b>UNCLASSIFIED</b>					
<i>Total FTEs</i>		0.00	0.00	0.00	0.00
	HEALTH & LIFE INSURANCE				
	Employee Health Insurance (426)	\$5,239,298	\$5,694,940	\$6,285,371	\$6,514,825
	Retiree Health Insurance (456)	\$1,661,919	\$1,806,450	\$1,888,933	\$1,918,031
	Health Insurance Incentive Waiver (53)	\$229,443	\$240,932	\$242,000	\$256,900
	Employee & Retiree Life Insurance (603)	\$16,262	\$15,688	\$30,600	\$31,200
	Other Expenses	\$124,240	\$143,546	\$67,260	\$159,200
56	TOTAL HEALTH/LIFE INSURANCE	\$7,271,162	\$7,901,556	\$8,514,164	\$8,880,156
	OTHER INSURANCE				
57	PROPERTY, CASUALTY & LIABILITY INSURANCE	\$718,606	\$790,120	\$701,000	\$750,000
58	MEDICARE TAX - 1.45%	\$681,960	\$734,556	\$698,088	\$730,000
59	UNEMPLOYMENT COMPENSATION	\$51,769	\$49,999	\$50,000	\$100,000
60	POLICE/FIRE DISABILITY	\$502	\$0	\$15,000	\$15,000
61	OCCUPATIONAL HEALTH	\$8,000	\$7,445	\$8,000	\$8,000
	TOTAL OTHER INSURANCE	\$1,460,837	\$1,582,120	\$1,472,088	\$1,603,000
62	SICK LEAVE BUYBACK	\$33,139	\$46,066	\$40,000	\$40,000
63	RESERVE FOR SALARY SETTLEMENT	\$0	\$0	\$135,091	\$329,582
	TOWN MEETING	\$115,225	\$8,636	\$0	\$0
	STREET LIGHTING	\$79,919	\$25,032	\$0	\$0
64	RESERVE FUND BUDGET	\$0	\$0	\$250,000	\$250,000
65	STORMWATER	\$0	\$101,728	\$200,000	\$200,000
66	WATER CHARGES	\$0	\$0	\$50,000	\$25,000
	TOTAL UNCLASSIFIED	\$8,960,282	\$9,665,138	\$10,661,343	\$11,327,738
<b>TOTAL GENERAL FUND BUDGET</b>		<b>\$78,729,158</b>	<b>\$79,916,472</b>	<b>\$86,149,125</b>	<b>\$88,721,639</b>



FISCAL YEAR 2022 BUDGET		ACTUAL	ACTUAL	APPROVED	REQUESTED
		FY 2019	FY 2020	FY 2021	FY 2022
	<b>WATER FUND</b>				
	<i>Total FTEs</i>	8.00	8.00	8.00	8.00
	SALARIES	\$745,134	\$743,291	\$811,600	\$822,570
	PURCHASE OF SERVICES	\$399,806	\$364,198	\$557,000	\$408,000
	UTILITIES	\$402,657	\$393,500	\$410,000	\$400,000
	SUPPLIES	\$406,783	\$466,234	\$529,000	\$671,000
	OTHER FINANCING USES	\$383,537	\$374,779	\$362,400	\$374,388
	DEBT SERVICE	\$1,292,656	\$1,231,860	\$1,313,017	\$1,227,161
67	TOTAL WATER DEPARTMENT	\$3,630,573	\$3,573,862	\$3,983,017	\$3,903,119
	<b>WASTEWATER FUND</b>				
	<i>Total FTEs</i>	1.54	1.54	1.54	1.54
	SALARIES	\$29,531	\$81,460	\$88,330	\$88,330
	PURCHASE OF SERVICES	\$131,525	\$130,104	\$140,650	\$133,872
	UTILITIES	\$47,040	\$40,009	\$54,750	\$49,000
	SUPPLIES	\$1,635	\$7,656	\$37,908	\$49,855
	OTHER FINANCING USES	\$94,965	\$34,913	\$36,472	\$35,493
	DEBT SERVICE	\$458,104	\$429,172	\$435,894	\$326,104
68	TOTAL WASTEWATER MGMT COMM	\$762,800	\$723,314	\$794,004	\$682,654
	<i>Grand Total FTEs</i>	587.59	604.72	643.13	628.25
	TOTAL ENTERPRISE FUNDS	\$4,393,373	\$4,297,176	\$4,777,021	\$4,585,773
	<b>GRAND TOTAL OMNIBUS BUDGET</b>	<b>\$83,122,531</b>	<b>\$84,213,648</b>	<b>\$90,926,146</b>	<b>\$93,307,412</b>

<b>Proposed Capital Budget - Fiscal 2022</b>			
<b>DPW</b>			
1	Town Wide Road Reconstruction	CC	\$ 600,000
2	Heavy Equipment Replacement - Dump Truck H20	B	275,000
3	Stormwater Management	FC	50,000
4	Sidewalk Improvements - Study & Construction	FC	50,000
<b>Facilities</b>			
5	Fire Station #2 Rehab. Add'l Funding	B/SB	575,000
6	Public Safety Building Exterior Painting & Sealing	FC	135,000
7	Conservation Truck Replacement	FC	62,000
8	Library Upper and Lower Level Rehab - Design	FC	50,000
<b>Fire</b>			
9	Ambulance	B	345,000
10	Breathing Air Compressor	AMB	95,000
11	Fire Vehicle - Car 2	AMB	67,000
12	Extrication Tools	AMB	65,000
<b>Information Technology</b>			
13	Network and Wireless Elementary Schools	FC	320,000
14	Public Safety Records Management CAD Software	FC	285,000
<b>JCC</b>			
15	Public Safety Radio System Replacement	FC	350,000
<b>Police</b>			
16	In-Car Video Recording Equipment Replacement	FC	50,000
<b>Schools</b>			
17	Middle School Corridor Repair: Carpet with Floor Tiles & Locker Replacement	B	564,000
18	Replacement of Student Storage Systems	FC	152,100
19	Middle & High School Voice Lift System	FC	115,000
20	School Space Study and Construction	FC	100,000
21	Replacement of Fire Alarm Control Panel/Smoke Detector	FC	87,400
22	Happy Hollow Chair Lift	FC	75,000
23	Loker Egress Doors	FC	40,000
24	Elementary School Feasibility Instructional Spaces	FC	0
<b>DPW Water Enterprise Fund</b>			
25	Heavy Equipment Replacement - Utility Truck W-9	WR	200,000
26	Water Main - Design & Construction	WR	100,000
<b>TOTAL BUDGET</b>			<b>\$ 4,807,500</b>
<b>SUMMARY OF FUNDING SOURCES</b>			
BORROWING (within the levy)		B	\$ 1,669,429
CASH CAPITAL (FY22 taxation)		CC	600,000
FREE CASH (unspent funds from prior years)		FC	1,921,500
SURPLUS BONDS (unspent bond proceeds)		SB	89,571
AMBULANCE FUND (ambulance fees)		AMB	227,000
WATER REVENUE (water fees)		WR	300,000
<b>TOTAL FUNDING SOURCES</b>			<b>\$ 4,807,500</b>

<b>1. Budget: Department of Public Works - \$600,000</b>	
Title: Town Wide Road Reconstruction	Project Advocate(s): Director, DPW
Description: Funding for road improvement projects on the Town's 96 miles of roadway. At present construction rates, resurfacing costs approximately \$250,000 per mile. The \$600,000 combined with State Chapter 90 funding is expected to repave 4-5 miles of roads in FY22 including the following: Alden, Brewster, Cabot, Hobbs, Nob Hill, Brackett, Millbrook, Michael, and Plain Phase 2 (Route 20 to Hidden Springs).	
Justification: Annual program that ensures the Town's roads and municipal ways remain in safe and usable condition. Schedule is based on required water main projects, drainage issues, and pavement conditions. This level of funding represents a 17-20 year resurfacing schedule for all Town roads.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Part of the ongoing repair and maintenance of Town roadways	
Source of Funds: Cash Capital	In the 5 Year Capital Plan?: Yes

<b>2. Budget: Department of Public Works - \$275,000</b>	
Title: Heavy Equipment Replacement - Dump Truck H20	Project Advocate(s): Director, DPW
Description: This is a replacement scheduled for FY24 which is being advanced due to recent significant equipment failures.	
Justification: H20 is a 1999 Volvo 10-Wheel Dump Truck which has had a number of frame failures, most recently in January 2021. These are failures to the truck frame which have been welded as temporary repairs. It is strongly recommended to replace this vehicle during FY22 with a 10-Wheel Dump Truck due to its capabilities.	
Relationship to General Plan: Scheduled replacement of an older piece of equipment that is valuable to the operations of the DPW	
History: Planned replacement accelerated due to equipment failures	
Source of Funds: Borrowing	In the 5 Year Capital Plan?:

<b>3. Budget: Department of Public Works - \$50,000</b>	
Title: Stormwater Management	Project Advocate(s): Director, DPW
Description: Funding to conduct necessary repairs to drainage / stormwater management systems within the Town Right of Way	
Justification: The DPW seeks funding to address issues with the drainage / stormwater management systems located within the Town's right of way. The DPW has identified several roadways in need of repairs, with Maguire Road the primary project currently scheduled for CY2021. Other projects include outfall repairs, Pod Meadow erosion repairs and Wallace Road drainage reconstruction.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>4. Budget: Department of Public Works - \$50,000</b>	
Title: Sidewalk Improvements - Study & Construction	Project Advocate(s): Director, DPW
Description: This is a new capital budget request that is expected to be recurring. The request will provide funds specifically targeting the renewal and expansion of the Town's sidewalk system. Improvements will also include the provision to add ADA required modifications to the sidewalk system. For FY22 the funds are expected to be used for sidewalk design for Cochituate Road (Five Paths to Route 20).	
Justification: The Town's roadways have historically been the primary recipient of transportation improvement funds. More recently it has become apparent that non-motorized transportation (pedestrian and bicycle) warrants investment. Current levels of funding with the roadway renovation budget are not sufficient to provide for the renewal and expansion of the Town's pedestrian system. A portion of the funding request is derived by reducing the roadway renovation request. Providing a specific capital budget item will provide the DPW a means to invest in the sidewalk system of the Town.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: New capital budget recurring request	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: No

<b>5. Budget: Facilities - \$575,000</b>	
Title: Fire Station #2 Rehab. Add'l Funding	Project Advocate(s): Public Buildings Director
Description: Renovate Fire Station #2 to adequately support both male and female staff and to meet current standards and regulations for equipment, maintenance and storage. Renovations will include updated office space, separate male and female locker and rest rooms, proper storage for EMS and Hazardous materials containment equipment, a gear storage room, bunk rooms and a fully handicapped accessible restroom for public use. It is anticipated these updates and renovations will take place within the same structure and no expansions will be needed. The cost to renovate Fire Station #2 was expected to be approximately \$1,000,000, however during the design process it was determined that seismic bracing would also be required and additional funds are required.	
Justification: Fire Station #2 located at 145 Main Street was originally designed as a call firefighter station but is now staffed 24/7 and 365 days a year similar to the Town's main fire station at the Public Safety Building. Currently Fire Station #2 can only adequately accommodate two personnel at a time, during times of increased response requirements (storms and emergencies) staffing needs may increase to six. The building is also not adequate for housing both male and female staff. In addition, it lacks the required storage areas for fire and EMS equipment and is in need of updating and repairs to plumbing, electrical and HVAC.	
Relationship to General Plan: Upgrading of infrastructure to meet staffing requirements	
History: Design appropriated in FY18 and initial construction appropriated in FY19	
Source of Funds: Borrowing	In the 5 Year Capital Plan?: No

<b>6. Budget: Facilities - \$135,000</b>	
Title: Public Safety Building Exterior Painting & Sealing	Project Advocate(s): Public Buildings Director
Description: Paint, caulk, seal exterior surfaces of Public Safety Building	
Justification: Required periodic maintenance to maintain building envelope integrity.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes



<b>7. Budget: Facilities - \$62,000</b>	
Title: Conservation Truck Replacement	Project Advocate(s): Public Buildings Director
Description: New heavy-duty truck with lift gate for land management activities (Ford F-250 Super cab with lift gate and winch)	
Justification: Current truck is 16 years old and will not pass safety inspection due to rust	
Relationship to General Plan: Replacement of unserviceable vehicle	
History: This is a planned replacement	
Source of Funds: Free Cash	In the 5 Year Capital Plan? Yes

<b>8. Budget: Facilities - \$50,000</b>	
Title: Library Upper and Lower-Level Rehab - Design	Project Advocate(s): Public Buildings Director
Description: Planning and design to rehab upper and lower levels of the Library. Coordinate with needed ADA and HVAC upgrades, wastewater connection, exterior sealing and parking lot improvements	
Justification: This project combines all the anticipated Library upgrades and required maintenance into one larger and more economical project. Accomplishing the construction project at the same time will reduce the long-term impact on Library Services as well as better utilize Facilities staffing.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Several items that have been on the 5-year plan are being combined to a more manageable project	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>9. Budget: Fire Department - \$345,000</b>	
Title: Ambulance	Project Advocate(s): Fire Chief
Description: Replace ambulance and corresponding equipment	
Justification: Funds are being sought to replace a 7-year-old ambulance. This is one of two ambulances used by the department daily to respond to EMS calls which account for the majority of our call volume. Funds will replace the ambulance and related equipment.	
Relationship to General Plan: Ongoing replacement of fire vehicle based on age and condition	
History: This is a planned replacement	
Source of Funds: Borrowing	In the 5 Year Capital Plan?: Yes

<b>10. Budget: Fire Department - \$95,000</b>	
Title: Breathing Air Compressor	Project Advocate(s): Fire Chief
Description: Breathing Air Compressor System Replacement	
Justification: Funds are being sought to replace an outdated SCBA compressor air filling system that no longer meets the appropriate standards. This system is used to fill the air cylinders and dive tanks used by firefighters. Part of the funds will pay for the installation of the unit.	
Relationship to General Plan: Improvement of Town assets and safety	
History: This is a planned replacement	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

<b>11. Budget: Fire Department - \$67,000</b>	
Title: Fire Vehicle - Car 2	Project Advocate(s): Fire Chief
Description: Replace the Shift Officer's command vehicle and corresponding equipment	
Justification: Funds are being requested to replace the Shift Officer's command vehicle and corresponding equipment as part of a regular replacement plan. The replacement of this vehicle was deferred from last FY. This car is the most frequently used vehicle, and it responds to emergency calls, inspections, fire alarm work, vehicle lock outs, investigations, etc.	
Relationship to General Plan: Ongoing replacement of fire vehicles based on age and condition	
History: This is a planned replacement	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

<b>12. Budget: Fire Department - \$65,000</b>	
Title: Extrication Tools	Project Advocate(s): Fire Chief
Description: Replace outdated extrication tools	
Justification: Funds are being sought to replace existing auto extrication tools and equipment. The existing equipment is between 10 - 20 years old and is not designed to operate on modern vehicles.	
Relationship to General Plan: Improvement of Town assets and safety	
History: This is a planned replacement	
Source of Funds: Ambulance Fund	In the 5 Year Capital Plan?: Yes

<b>13. Budget: Information Technology - \$320,000</b>	
Title: Network and Wireless Elementary Schools	Project Advocate(s): IT Director
Description: Replace wireless and wired networking systems at Loker, Happy Hollow and Claypit Hill Schools.	
Justification: Both wired and wireless systems at all three facilities are past their manufacturers end of life, are no longer supported and do not receive software updates necessitating their replacement. This will result in significantly improved performance, especially in the wireless system.	
Relationship to General Plan: Improvement of Town assets	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>14. Budget: Information Technology - \$285,000</b>	
Title: Public Safety Records Management CAD Software	Project Advocate(s): IT Director
Description: Replacement of Records Management System (RMS) and Computer Aided Dispatch System (CAD) in the Public Safety Department.	
Justification: The current provider of these systems made the sudden and unexpected decision to discontinue this line of business. Consequently, all support for the product will end in late 2021. Additionally, any product updates which are required to maintain statutory and regulatory recordkeeping and reporting compliance will also cease.	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan accelerated due to discontinuing support by provider	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>15. Budget: Joint Communications Center (JCC) - \$350,000</b>	
Title: Public Safety Radio System Replacement	Project Advocate(s): Police and Fire Chiefs
Description: Currently the Wayland Public Safety radio system is over 15 years old. The current equipment is no longer serviceable and is outdated. It is the main communication link for public safety units. This system is used by JCC to communicate with police and fire personnel in the field.	
Justification: Critical public safety communication equipment is outdated and no longer serviceable	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>16. Budget: Police - \$50,000</b>	
Title: In-Car Video Recording Equipment Replacement	Project Advocate(s): Police Chief
Description: Currently the Wayland Police Department has video recording in all marked patrol units. The video recording system is used for evidentiary purposes on numerous police calls. The current system is the first-generation model and has a recommended life span of 5 years from the manufacturer. It has been in place for 8 years. The newer system has additional features included with the new technology.	
Justification: Equipment is beyond the manufacturer's recommended life span	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>17. Budget: School Department - \$564,000</b>	
Title: Middle School Corridor Repair: Carpet with Floor Tiles and Locker Replacements	Project Advocate(s): School Committee, Public Buildings Director
Description: The FY 2022 request is the third year of a multi-year program to replace worn aging carpeting with vinyl composition floor tile (VCT) and slab moisture barrier combined with the replacement of more than 700 corridor lockers in the remainder of approximately 57,000 sq. feet of the school.	
Justification: There are safety and health issues related to the worn carpets in the Schools' hallways and classrooms. New material (VCT) has a 30-year life expectancy while carpet has a useful life of 10 to 12 years in a school setting if properly maintained. Additionally, the VCT requires less maintenance is easier to keep clean and will improve the learning environment as well as the aesthetics of the school. A slab moisture barrier, reflected in the replacement costs noted above, provides added protection from water and moisture. Lockers lining corridor walls will also be replaced and coordinated with tiling of corridors.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Part of ongoing capital improvement plan	
Source of Funds: Borrowing	In the 5 Year Capital Plan?: Yes

<b>18. Budget: School Department - \$152,100</b>	
Title: Replacement of Student Storage Systems	Project Advocate(s): School Committee, Public Buildings Director
Description: Funding is requested to improve the safe and efficient operations of the elementary schools by installing a storage system in which to place students' personal belongings, such as outerwear, musical instruments, books and backpacks, safely out of the way. Additionally, cabinets in classrooms at the elementary schools and in the Middle School science labs are past their life expectancy. As a result, the particle board is disintegrating. Design and bidding of the cabinetry is included in this item while the cost of replacement is included in the 5-year Capital Plan for FY23.	
Justification: The horizontal bar and hook system with protruding metal edges at eye level for young students presents safety concerns. Additionally, the current system is ineffective for safely storing students' personal belongings, which impedes safe movement through the corridors and interferes with maintaining and cleaning the spaces. The Fire Chief has been explicit that corridors must remain clear of obstacles. The new locker system will meet fire codes and align with ALICE drill safety requirements. The COVID-19 environment requires that students' belongings are kept separate. In addition, the cabinetry in the Middle School science labs and elementary schools are decaying. The Department of Public Health's indoor air quality study in 2019 noted the deterioration of the cabinetry and recommendation for replacement.	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>19. Budget: School Department - \$115,000</b>	
Title: Middle & High School Voice Lift Systems	Project Advocate(s): School Committee, Public Buildings Director
Description: Classrooms are required to have voice lift systems for students with hearing disabilities. As students move throughout the classrooms and grade levels, additional voice lift systems are required. The need for this system is more acute due to mask wearing. This project includes a system for the Middle School and the remaining portion of the two-year planned upgrade of the High School system.	
Justification: The Lightspeed Classroom Audio Systems are failing at the High School. They are nearly 10 years old, are no longer functioning effectively, and interfere with the school's PA system. The Middle School does not have a voice lift system currently.	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes



<b>20. Budget: School Department - \$100,000</b>	
Title: School Space Study and Construction	Project Advocate(s): School Committee, Public Buildings Director
Description: Implement the recommendations of the 2021 Space Utilization Study supported by TBA which builds on the work of their 2012 utilization study and 2020 ventilation assessment. The Utilization Study will articulate specific recommendations to address needs arising from COVID-19 related requirements for the commencement of the 2021-2022 school year in August, 2021. The Study will provide projected implementation costs.	
Justification: Implementation of the Space Utilization Study recommendations will resolve capacity issues related to COVID-19 to ensure our instructional and student services staff have the spaces necessary in which to deliver and conduct educational and health services. Elementary school class sizes and instructional spaces are at capacity as a result of COVID-19 driven instructional needs. Due to DESE's requirements for health waiting rooms, ventilation specifications and social distancing protocols, certain spaces within each elementary school have become limited or altogether unavailable for service delivery. To return to an all-in model with continued COVID-19 health and safety requirements, there is a need to restore spaces for service delivery and conducting confidential parent and student services meetings. The completion of this work will make certain that educational services will be delivered in safe and appropriate spaces.	
Relationship to General Plan: Compliance with COVID-19 health and safety requirements	
History: New request responsive to COVID-19 related space needs	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: No

<b>21. Budget: School Department - \$87,400</b>	
Title: Replacement of Fire Alarm Control Panel/Smoke Detector	Project Advocate(s): School Committee, Public Buildings Director
Description: The Capital Conditions Needs Assessment conducted in 2018 identified that the fire alarm control panels and smoke detection systems at Claypit Hill, Loker, the Middle School and the High School Field House require replacement as they have reached their useful life. Additionally, the Wayland Fire Department has recommended strongly that the systems be replaced. The updated alarm systems will be addressable systems that will identify individual detectors in lieu of the current systems that only identify a large section of the building. This item covers the design and bidding of the system for all locations noted above and the replacement for Claypit Hill and Loker schools. The replacement of the system at the Middle School and High School Field House is included in the 5-year Capital Plan for FY23.	
Justification: Replacement is required to meet safety standards	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>22. Budget: School Department - \$75,000</b>	
Title: Happy Hollow Chair Lift	Project Advocate(s): School Committee, Public Buildings Director
Description: Replace the chair lift at Happy Hollow School	
Justification: As mandated and required by ADA regulations, our schools require operational chair lifts. The lift is over 32 years old and has reached its projected life span. The existing lift has had numerous breakdowns in the last few years resulting in a student without proper access while awaiting repairs. Due to changes in ADA requirements since original installation, replacement of the chair lift will require architectural, demolition and construction services to install a vertical lift system in place of the existing inclined lift.	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: Yes

<b>23. Budget: School Department - \$40,000</b>	
Title: Loker Egress Doors	Project Advocate(s): School Committee, Public Buildings Director
Description: This request is to install two forms of egress in two classrooms at Loker Elementary School. The Fire Inspector recommended that these classrooms have a second form of egress.	
Justification: The Fire Inspector identified that two classrooms do not have two forms of egress as required.	
Relationship to General Plan: Improvement of Town assets and safety	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: No

<b>24. Budget: School Department - \$0</b>	
Title: Elementary School Feasibility Instructional Spaces	Project Advocate(s): School Committee, IT Director
Description: Conduct a feasibility study to determine square footage and design requirements for the Elementary Schools' instructional learning spaces to also include the Happy Hollow School.	
Justification: 2020 Annual Town Meeting has already approved the Feasibility at Loker and Claypit Hill Schools. This project will now include Happy Hollow School. Language from previous Town Meeting is below: The combination of projected growing student enrollment and changing demographics of learners requires a review of elementary school spaces. Elementary school class sizes and instructional spaces are at capacity. With three new residential housing developments in the planning and construction phases (projected to open between the next one to four years), it is prudent and necessary to conduct a feasibility study. The study will define the impact on schools and allow the Facilities and School Departments to plan for the number, type and location of appropriate and available instructional classroom spaces based on need.	
Relationship to General Plan: Maintenance and improvement of infrastructure.	
History: Part of ongoing capital improvement plan	
Source of Funds: Free Cash	In the 5 Year Capital Plan?: No

<b>25. Budget: Department of Public Works, Water - \$200,000</b>	
Title: Heavy Equipment Replacement - Utility Truck W-9	Project Advocate(s): Director, DPW
Description: This is a scheduled replacement	
Justification: W9 is a 2009 Ford with approximately 12,000 miles. This truck is the primary response vehicle to water main breaks and other issues involving Town's water distribution system. This vehicle has had extensive site use and is beyond its useful life. The current vehicle is under-equipped to meet the evolving needs of the Water Division. To effectively provide construction services, this vehicle requires the inclusion of an inverter, compressor, tamping apparatus, fitting inventory space, lift gate, and hydraulic/pneumatic equipment capabilities. As such, the DPW is seeking to replace the current vehicle with an updated, more capable truck.	
Relationship to General Plan: Scheduled replacement of an older piece of equipment that is valuable to the operations of the DPW	
History: This is a planned replacement	
Source of Funds: Water Revenue	In the 5 Year Capital Plan?: Yes

<b>26. Budget: Department of Public Works, Water - \$100,000</b>	
Title: Water Main - Design & Construction	Project Advocate(s): Director, DPW
Description: Replacement and upgrade of approx. 2,100 linear feet of 4" Cast Iron water main with 8" Ductile Iron water main. The work is anticipated to occur on River Road.	
Justification: The Water Main Replacement Program has been designed to replace the water distribution systems older water mains that have exceeded their expected life spans. The program also looks at upgrading areas of the distribution system that do not currently meet ISO Fire Flow requirements. In 2016, the Water Division completed its Capital Efficiency Study. The Study looks at all aspects of Water Division Infrastructure including: Age of Water Mains, Pipe Material, Break History, Soil Conditions and Fire Flow requirements. The Water Main Replacement Program is based on this Study. Postponing the scheduled replacement of the ageing infrastructure can impact the Operational Budget by necessitating overtime costs for water quality complaints. These older mains are also more susceptible to leakage, bacteria and turbidity problems.	
Relationship to General Plan: Ongoing maintenance and investment in the Town's infrastructure	
History: Part of ongoing capital improvement plan	
Source of Funds: Water Revenue	In the 5 Year Capital Plan?: Yes



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# TOWN OF WAYLAND

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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, March 22, 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 designated time.**

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

**Also Present:** Town Administrator Louise Miller, Assistant Town Administrator John Bugbee and Management Analyst Seath Crandall were present at Town Building and participated by video-teleconference.

**A1. Call to Order by Chair, Review the Agenda for the Public** At 5:01 p.m., C. Karlson called the meeting of the Board of Selectmen to order when a quorum was available by video-teleconference and reviewed the agenda. C. Karlson announced that the meeting would be broadcast and recorded by WayCAM in compliance with revised Open Meeting Law requirements and announced by full name each Board member who was participating remotely. C. Karlson announced that no in person attendance by members of the public would be permitted, provided a phone number for the public to call to offer comments and reviewed the procedure to participate via Zoom.

**A2. Announcements and Public Comment** There were no announcements from the Board.

Heather Pineault, Country Corners Road, joined by teleconference and said that she was a member of the Town Administrator's Racial Justice Advisory Group and one of the petitioners of the Human Rights Commission warrant article. She commented on her own behalf describing a recent racial incident in Wayland.

Mary Ann Borkowski, Lake Shore Drive, joined by teleconference to announce The Floral Heart Project: A COVID Memorial set up at First Parish in Wayland.

Elaine Donnelly, Hampshire Road, joined by teleconference to announce the findings from a survey conducted by the Wayland Lived Experience Project. E. Donnelly reported that the survey results indicated that the majority of respondents characterize the discrimination they experienced as motivated by a racial, cultural, or ethnic difference.

Janot Mendler de Suarez, Orchard Lane, joined by teleconference and said that she was a member of the Town Administrator's Racial Justice Advisory Group. She commented on her own behalf strongly urging the Board to publicly issue a statement in support of Asian-American residents.

Sasha Gill, Old Connecticut Path, joined by teleconference to voice objection to the Resolution on Truth and Local Media.

Richard Turner, Nob Hill Road, Chair of Public Ceremonies Committee joined by teleconference to announce that the current COVID-19 restrictions would not allow for a Memorial Day Parade. R. Turner reported that there would be a virtual ceremony.



**A3. Traffic at the Elementary Schools: Discuss and potential vote on recommendations of Interim Police Chief regarding traffic signage at Happy Hollow Elementary, Loker Elementary and Claypit Hill Elementary Schools** C. Karlson reminded the Board that it serves as the Traffic Commissioners for the Town.

Interim Police Chief Sean Gibbons joined the meeting by teleconference to discuss the traffic patterns at the elementary schools. L. Miller reported that the Superintendent of Schools had requested the Police Department to review the traffic patterns at each school in response to the anticipated increase in number of students arriving by car rather than school bus. S. Gibbons suggested establishing a No Left Turn order at the Happy Hollow School to improve traffic flow; he recommended reevaluation next school year when more students may be arriving by school bus.

T. Fay moved, seconded by M. Antes, that the Board of Selectmen approve a No Left Turn sign for the stipulated hours as shown in Chief Gibbon's presentation. 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 update: a. COVID-19 b. Town Building Reopening Plan c. Selectmen Goal Setting Retreat d. River's Edge Petition for Public Involvement Plan (PIP): e. PFAS**

**A4.a. COVID-19** L. Miller reviewed a letter to Massachusetts Department of Public Health indicating the Town's intent to participate in a regional collaboration to distribute COVID-19 vaccine. L. Miller anticipated that up to nine communities would enter into an inter-municipal agreement. L. Miller reported that expenses related to vaccine distribution may be reimbursable from individual Health Insurance providers and the Federal Emergency Management Agency (FEMA).

**A4.b. Town Building Reopening Plan** L. Miller reported that there was a plan to reopen the Town Building on a limited basis by appointment in most cases beginning Monday, March 29. L. Miller reported that some members of the public have requested tours of the building and the public safety buildings.

**A4.c. Selectmen Goal Setting Retreat** L. Miller reminded the Board that there would be a goal setting retreat on Monday, March 29. C. Karlson reminded the Board that the meeting would be held in person.

**A4.d. River's Edge Petition for Public Involvement Plan (PIP)** L. Miller reported that the first PIP meeting was held on March 18. The Town received two documents from the Vertex Companies, LLC, Licensed Site Professionals (LSP) for the Alta River's Edge project; they will be posted on the Town website.

**A4.e. PFAS** L. Miller reported that there would soon be a new webpage related to Per- and Polyfluoroalkyl Substances (PFAS) as required by the Massachusetts Department of Environmental Protection (DEP). L. Miller reported that a second sampling had been taken from the Happy Hollow wells near Wayland High School and the results were expected soon. L. Miller reported that the Town had received notice from the Environmental Protection Agency (EPA) indicating that East Middlesex Mosquito Control used containers to store and transport Anvil 10+10, an insecticide used to control mosquitoes regionally; this may be the source of PFAS.

**A5. Town Administrator's Racial Justice Advisory Group: discuss and potential vote for proposed Human Rights, Diversity, Equity and Inclusion Committee** L. Miller provided an overview of the Advisory Group's proposal for a new Human Rights, Diversity, Equity and Inclusion Committee that would be charged to serve as an advisory resource to Town Departments and elected and appointed boards, commissions and committees. L. Anderson thanked the residents for their passion and work on the proposal. T. Fay and C. Karlson concurred. L. Anderson asked what the Committee would do with any incident reports that required investigation. L. Miller reported that Town Counsel had opined that the Committee could serve as a reporting portal, but would not be charged with conducting investigations, as investigations fall under the jurisdiction of the Police and/or the FBI. D. Watkins expressed the need for a broader investment and a way to measure the committees' deliverables. L. Miller reported that the deliverables would be determined after the data was collected. M. Antes noted that similar committees to support residents with concerns exist all across the state.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve the proposed charge for a Human Rights, Diversity, Equity and Inclusion Committee, as presented. D. Watkins suggested that the Board take no action until Annual Town Meeting votes on the closely related petitioner Article FF. T. Fay suggested that the Board's action on the proposal would inform the subsequent petitioners' action on Article FF. T. Fay recommended that the Board not take a position on the petitioner article. 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 (ATM): a. 2021 ATM articles: review and discuss; potential votes to insert articles in Warrant and vote Board position**

**FF. Establish Wayland Human Rights Commission** T. Fay reiterated his recommendation that the Board not take a position on the petitioners' article given the similarities between it and the proposed Human Rights Committee the Board just approved.

**G: Update FY2022 Personnel By-Laws and Wage & Classification Plan and Fund FY2021 Union and Non-Union Personnel Agreements** C. Karlson noted that the article costs had been revised, with a new total cost of \$117,184. The Board previously voted 5-0 to support the article and expressed agreement with the revisions, as presented.

**J. Fiscal Year 2022 Omnibus Budget** C. Karlson reported that the Finance Committee voted unanimously against funding OPEB with taxation.

**D. OPEB Funding**

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen reconsider Article D. OPEB Funding given the recent action taken by the Finance Committee and its preference to fund OPEB with Free Cash. There was discussion regarding the intent to change the funding source. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: none. Adopted 4-1.

T. Fay moved, seconded by L. Anderson, that the Board of Selectmen approve Article D. OPEB Funding for \$250,000 funded by Free Cash. There was a review of the Town Administrator and Finance Director's previous recommendation for OPEB funding. Roll Call Vote: YEA: T. Fay, C. Karlson. NAY: D. Watkins. ABSENT: none. ABSTAIN: M. Antes, L. Anderson. Adopted 2-1-2.

**J. Fiscal Year 2022 Omnibus Budget (continued)** C. Karlson stated that the action just taken by the Board would result in a slight change to the total amount of funding for Article J.

**AA. CPA Historic Preservation: Rehab 70-74 Main Street** L. Miller reported that Town Counsel had provided non-substantive revisions to the article language.

**BB. Historic Preservation: Cemetery Stones Condition Assessment and Library Archival Document Conservation** L. Miller reported that Town Counsel had substantive revisions to the funding. The revision reallocated the funding source for the Cemetery Stone study to expend funds from the administrative line of the CPA Funds. Town Meeting approval is not required for CPA administrative expenditures.

**A7. 2021 Annual Election: a. Polling Places b. Discussion and potential vote Annual Election Warrant to be held May 11, 2021** L. Miller updated the Board that the Superintendent of Schools sought and received a one-day waiver of the required in-person schooling for the purposes of the Town Election from the Department of Elementary and Secondary Education (DESE). L. Miller reported that the Town Meeting Warrant would serve as both the Election Warrant and the Town Meeting warrant, and that the warrant sets and notifies the public of the polling locations as required by law.

**A8. Early in-person, early voting by mail and Absentee Voting: discuss and potential vote to provide for early in-person voting for 2021 Annual Election** L. Miller reported that both early voting by mail and absentee voting have been automatically extended by the state legislature for local elections. L. Miller stated that the Board would need to take action to allow early in-person voting for the 2021 Annual Town Election. Town Clerk, Anna Ludwig joined the meeting by teleconference and recommended against in-person early voting for the local election, as it would be a significant strain on Town resources.

**A9. Resolution on Truth and Local Media: discuss** T. Fay discussed the importance of transparency but would be amenable to withdrawing the resolution. L. Anderson concurred and encouraged everyone to publicly correct inaccurate information when it arises. D. Watkins recommended that the Board withdraw the resolution. M. Antes concurred and encouraged the Town to be better at making correct information accessible.

**A10. BAN related to River's Edge: discuss and review potential options in which to pay BAN; potential vote** L. Miller reviewed the history of the Bond Anticipatory Note (BAN) and that the original amount of \$525,000 would be due in April 2021. L. Miller stated that the Town had previously anticipated that the proceeds would be available to pay the BAN, but the proceeds would not be available until after the end of the fiscal year. L.

Miller and the Finance Director previously recommended that the Board rollover the BAN until FY2022. L. Miller reviewed the options that would be available in FY2022.

**A11. Minutes –March 8, March 15 and March 18, 2021; review and vote to approve**

L. Anderson moved, seconded by M. Antes, that the Board of Selectmen approve the minutes of March 8, as amended, March 15, and March 18, 2021, 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.

**A12. Consent: review and vote to approve**

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of accepting with thanks one (1) donation in the amount of \$36.00 to the Testing for School COVID-19 Relief Fund.
4. Vote the question of accepting with thanks one (1) donation in the amount of \$500.00 to the Wayland COVID-19 Relief Fund
5. Vote the question of approving and signing contract with Solitude Lake Management, LLC for Mechanical Harvesting at Dudley Pond.
6. Vote the question of approving expenditure of \$10,034.00 for invoices #135459, #135853, #136578 from Anderson & Kreiger for legal services related to River's Edge.
7. Vote the question of re-appointing Catherine A. Radmer to Board of Registrars for a three (3) year term through April 1, 2024.
8. Vote to approve the re-consideration of the application of Jindu, Inc., d/b/a Jindu Modern Asian Cuisine, for a new on-premises annual liquor license to sell all alcoholic beverages at the Jindu Modern Asian Cuisine Restaurant, located at 131 Boston Post Road, Wayland, MA. The Seller's DOR (Department of Revenue) and DUA (Department of Unemployment Assistance) clearances have been reviewed by the Board of Selectmen and are included in this reconsideration.
9. Vote the question of designating Louise Miller, Town Administrator, as sole signatory to sign off on the re-consideration liquor application for Jindu, Inc. d/b/a Jindu Modern Asian Cuisine, located at 131 Boston Post Road, Wayland, MA.
10. Vote the question of designating Louise Miller, Town Administrator, as sole signatory to sign off on the liquor license when/if the liquor application for Jindu, Inc. d/b/a Jindu Modern Asian Cuisine, located at 131 Boston Post Road, Wayland, MA, is approved by the Alcoholic Beverages Control Commission.
11. Vote the question of approving two (2) sandwich boards to be displayed from April 3, 2021 to April 10, 2021 at the following locations: Old Connecticut Path and Cochituate Road (Five Paths) and Route 20/Old Connecticut Path by the Coach Grill for promoting the Wayland High School Scholarship program

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.

**A13. Correspondence** The Board reviewed the correspondence in the packet.

**A14. Selectmen's reports and concerns** D. Watkins requested to discuss Article X. Accept Spencer Circle again. L. Miller reported that the Town received a document from the Planning Board related to the article and that Town Counsel recommended that a clarification be issued by the Department of Public Works to the homeowners. L. Miller reported that Town Counsel would be available at the Board's meeting on April 13 to answer questions regarding the article. L. Anderson acknowledged the public comment requesting that the Board support Asian-American residents, and announced that Wayland Interfaith Leaders Association (WILA) had issued a statement on recent anti-Asian violence.

**A15. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any** There were none.

**A16. Adjourn.** At 8:35 p.m., T. Fay moved, seconded by L. Anderson, to adjourn the meeting. Roll Call Vote: YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by Board of Selectmen during the Meeting of March 22, 2021 otherwise not in Packet**

1. A3. Elementary School Traffic Safety Report as prepared by Interim Police Chief Sean Gibbons
2. A6. Draft Article G. Update FY2022 Personnel By-Laws and Wage and Classification Plan and Fund FY2021 Union and Non-Union Personnel Agreements
3. A6. Article J. Fiscal Year 2022 Budget
4. A7.1 Memorandum from Town Administrator to Board of Selectmen dated March 22, 2021 re: Polling Locations – Local Election May 11, 2021
5. A7.2 Town Election Warrant Vote
6. A7.3 Draft Front Cover of Town Meeting Warrant Book 2021
7. A7.4 Draft Language within Town Meeting Warrant Book 2021
8. A10. Memorandum from Town Administrator to Board of Selectmen dated March 22, 2021 re: Bond Anticipatory Note – River’s Edge
9. A11. Draft Board of Selectmen Meeting Minutes of March 8, 2021
10. A11. Draft Board of Selectmen Meeting Minutes of March 15, 2021
11. A11. Draft Board of Selectmen Meeting Minutes of March 18, 2021
12. A12. Memorandum addressed to Board dated March 22, 2021 re: Current Board of Registrars
13. A Statement of Response to anti-Asian Violence from Members of the Wayland Interfaith Leaders Association, dated Mar 19, 2021

**Items included in the Agenda Packet during the Board of Selectmen Meeting of March 22, 2021**

1. Plan for Regional Vaccination Collaboration
2. Correspondence from The Vertex Companies to Town Administrator dated March 4, 2021 re: Public Meeting – Draft Public Involvement Plan River’s Edge
3. Link to Release Abatement Measure (RAM) Plan for River’s Edge
4. Link to Documents related to the public involvement Plan for River’s Edge
5. Correspondence from Kristen Sarson to Town Administrator re: River's Edge RTN 3-34474 IRACPSS
6. Correspondence from Vertex Companies to Town Administrator dated March 17, 2021 re: Availability of Report for Public Comment Immediate Response Action Completion & Permanent Solution Report
7. Wayland Human Rights, Diversity, Equity, and Inclusion Committee (Purpose, Composition, Term, Duties, and Procedure)
8. Article AA. CPA – Historic Preservation: Rehabilitation of 70-74 Main Street Final
9. Article D. OPEB Funding
10. Article BB. CPA – Historic Preservation: Cemetery Stones Condition Assessment and Library Archival Document Conservation
11. Article FF. – Establish Wayland Human Rights Commission
12. Article J.- Fiscal Year 2022 Omnibus Budget
13. Correspondence from Department of Labor Services (DLS) to Town Administrator dated March 18, 2021 re: DLS Alert, “An Act Further Providing for Early Voting by Mail” Signed into Law
14. An Act Further Providing for Early Voting Bill
15. Wayland Board of Selectmen Resolution on Truth in Local Media

**CORRESPONDENCE**

1. Correspondence from Doug Leard, Chair, Local Emergency Planning Committee (LEPC), to the Board of Selectmen and Louise Miller, Town Administrator, dated March 18, 2021, re: Follow-up to the March 16, 2021 LEPC Meeting
2. Correspondence from resident Karen Blumenfeld, to Board of Selectmen, dated March 18, 2021, re: document for Human Rights Council info for Packet (includes PowerPoint of the Lived Experiences Project)

**BOARD OF SELECTMEN**  
**Monday, April 5, 2021**  
**6:00 p.m.**  
**Wayland Town Building**  
**41 Cochituate Road, Wayland, MA**

**CONSENT CALENDAR**

1. Vote the question of designating and approving signing authority to Louise Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote the question of approving expenditure of \$644.84 from the Wayland COVID-19 Relief Fund.
4. Vote the question of approving a Common Victualler's License for Fresh Food Holdings, LLC, d/b/a The Bagel Table of Wayland, 21 Andrew Avenue, Wayland, MA 01778.
5. Vote the question of designating Louise Miller, Town Administrator, as sole signatory to sign off on the Common Victualler's License for Fresh Food Holdings, LLC, d/b/a The Bagel Table of Wayland, 21 Andrew Avenue, Wayland, MA 01778.
6. Vote the question of approving invoice #130544 from KP Law in the amount of \$7,224.41 for legal services rendered through February 28, 2021
7. Vote the question of approving invoice #130488 from KP Law in the amount of \$884.50 for legal services rendered through February 28, 2021
8. Vote the question of approving and signing contract with Solitude Lake Management, LLC for Mechanical Harvesting at Dudley Pond.



**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM MARCH 19, 2021 THROUGH AND INCLUDING MARCH 31, 2021 OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR APRIL 5, 2021**

**Items distributed to the Board of Selectmen for discussion during March 29, 2021 Meeting otherwise not in Packet**

**Items included as part of the Agenda Packet for discussion during the April 5, 2021 Board of Selectmen Meeting(s)**

1. Correspondence from Louise Miller, Town Administrator to Board of Selectmen Re: April 2021 Bond anticipatory Note – River’s Edge Asbestos Remediation
2. Administrative Consent order and notice of Noncompliance from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Department of Environmental Protection
3. Administrative Consent order from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Department of Environmental Protection (2012)
4. Correspondence From Louise Miller, Town Administrator to the Board of Selectmen dated April 5, 2021 Re: River’s Edge – Dep Permitting
5. Press release dated March 31, 2021 on Wayland Addresses Water Testing Results
6. Wayland Water Division, Drinking Water PFAS6 Public Education Information
7. MassDEP Fact Sheet, PFAS in Drinking Water: Questions and Answers for Consumers
8. Correspondence from Julia Junghanns, Director of Public Health dated April 2, 2021 to property owners regarding private wells and PFAS (includes map)
9. Town of Wayland Public Display and Use of Town Sign Boards Policy
10. Town Signboard Initial Discussion
11. Host Community Agreement between Town of Wayland and Earth Well Farm
12. Article 10. Fiscal Year 2022 Omnibus Budget (Article and attachments)
13. Board of Selectmen Minutes, March 22, 2021

**BOARD OF SELECTMEN**  
**Monday April 5, 2021**  
**6:00 pm**  
**Wayland Town Building**  
**Council on Aging Room**  
**41 Cochituate Road, Wayland, MA**

**CORRESPONDENCE**

1. Correspondence from Governor Charles Baker to all Municipalities in state of Massachusetts re: Proclamation that March 29, 2021 to be Vietnam War Veterans Day.
2. Correspondence from Town Administrator to resident Aiden Finely dated March 31, 2021 re: information regarding PFAS within Town and referral to Massachusetts Department of Environmental Protection website regarding PFAS Fact Sheet.
3. Correspondence from Town Clerk to Board of Selectmen dated March 30, 2021 re: Resignation of Zoe Hughes from Cultural Council
4. Correspondence from Town Clerk to Board of Selectmen dated March 31, 2021 re: Resignation of Richard Lee from Cultural Council