

Supplemental

PACKET

Dec 20

2021



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

MEMORANDUM

To: Board of Selectmen
Cc: Finance Committee
Department Managers
From: Louise Miller, Town Administrator
Brian Keveny Finance Director
Date: December 20, 2021
Re: Summary of FY2023 Budget Recommendation for Town Departments and Unclassified Budgets

The FY2023 budget recommendation for Town departments reflects an increase of 3.12%. Upon signature of the settled Memorandum of Agreement with the Library union, the budget will be increased to reflect the agreed Cost of Living Adjustment. Still unsettled are the AFSCME and the Fire union collective bargaining agreements. In FY2022, no new employees were proposed to be added to the budget for Town departments, because of concerns with the continuing pandemic and the predicted shortfall in the School Department special revenue fund contributions to the General Fund revenue. A number of new employees are recommended for FY2023 to address service requests made on Town departments.

The FY2023 budget recommendation for unclassified expenses reflects an increase of 7.29%. The recommendation is based on our best estimate of increases for a number of line items. These estimates will be reviewed and revised as needed during the development of the operating budget. In addition, a new line item has been created for townwide energy. Energy is currently paid out of separate budgets within the Facilities Department and the School Department. The Town has worked to reduce its energy consumption in the last few years, the savings for which are difficult to track and to realize in the departmental budgets. Creating a separate line will allow the Town full transparency into the success of its various energy consumption reduction initiatives and will also provide simplified and more efficient reporting to the State. Excluding the new energy budget, the total recommended increase to unclassified expenses is 4.92%.

We did not budget for continuing pandemic-related expenses. These expenses are speculative at this time. As we suggested last year, we recommend that the Finance Committee consider an additional \$100,000 to \$150,000 in the Reserve Fund for FY2023 given the uncertainties surrounding COVID-19.

The first part of this memorandum sets forth the Management Recommendation for each of the budgets. The second part of this memorandum responds to the Board's question regarding the consequence of funding the Departmental and Unclassified budgets assuming a 2.5% increase year over year and half of new growth (estimated at \$300,000).

Summary of Departmental and Unclassified Budgets

Budgets Recommended for Decrease (in alphabetical order)

Departmental Budget:

Council on Aging: The Council on Aging budget is recommended to be decreased by \$21,000. The decrease represent the netting of a \$30,000 decrease reflecting the change in the senior tax write-off program, which is now covered in the Town's overlay, and level service increases of approximately \$9,000.

Unclassified Expenses

Debt Service: We recommend decreasing Debt Service by \$35,000. The decrease in the debt service within the levy will be approximately \$500,000. However, the decrease is one-year dip. Decreasing Debt Service in FY2023 to actual will result in an increase of \$500,000 in FY2024 in that line alone, which will make the budget process in FY2024 difficult, especially in light of other potential increases in other expenses, including health insurance, which is discussed in more detail further in this memorandum.

Unemployment: The Unemployment budget line had been increased in FY2022 to address the high number of claims that were made during the fiscal year as a result of COVID-related unemployment. The Town was able to receive CARES Act reimbursement for most of the expenses. During the highest period of unemployment claim filings, the Town was liable for \$182,000 in unemployment claims and has expended over \$200,000 in the last year and a half, inclusive of the \$182,000. While the budget recommended for FY2023 is a return to pre-COVID levels, it is uncertain how the continuing pandemic will affect seasonal and school employees in the coming year.

Water: The Water budget line was created in FY2021 to allow the Town to pay for water bills that were due for water usage by Town departments and projects. The Town has now allocated water usage to the correct departments and projects. This line is no longer needed as a separate budget line.

Budgets Recommended for Level Fund (in alphabetical order)

Departmental Budgets

Board of Selectmen: The FY2023 budget recommendation reflects level funded contractual services and expenses.

Finance Department: The FY2023 budget recommendation reflects actual salaries of persons currently in the Department's positions. The filling of positions with more junior employees has resulted in salary savings.

Legal: The Town continues to enjoy lower legal expenses and continues to be able to pay any settlements for cases out of the Legal budget line.

Miscellaneous Committees: No changes were requested by the Committees who receive a budget under this line.

Planning Department: The budget is level funded since the only employee in the Department is not eligible for steps and there are no anticipated needs for additional contractual services in FY2023.

Snow and Ice: The Department of Public Works (DPW) requested a small increase to the Snow and Ice budget based on historical expenditures. In FY2021, no Reserve Fund transfer was needed. This budget line fluctuates based on weather conditions and is the only line that the Town may expend at a deficit. Once the Snow and Ice budget is increased, the Town may not decrease it in the future without losing the ability to deficit spend. Given other needs for services, we do not recommend increasing this line in FY2023.

Transfer Station Landfill Monitoring: The budget for FY2022 was increased to reflect the cost of the contract for required MassDEP monitoring. The contract will not increase in FY2023.

Veterans' Services: The Town continues to be able to meet the services required for veterans within the same budget as FY2022.

Unclassified Expenses

Police-Fire Disability: This line provides for compensation for required costs beyond budgeted amounts in the event of police or fire personnel disability paid pursuant to Massachusetts General Laws chapter 111F.

Occupational Health: This line provides for the costs of pre-employment physical examinations.

Retiree Sick Leave Buy-Back: This line provides for the buy-back when employees retire from Wayland.

Reserve Fund: While we have maintained the Reserve Fund level funded in the FY2023 budget, we would recommend that the Finance Committee consider increasing the Reserve Fund by \$100,000 to \$150,000 to account for uncertainties surrounding the continuing pandemic. The Reserve Fund could be reduced if alternate funding becomes available.

Stormwater: This line provides for non-capital expenditures for the Town's NPDES (National Pollutant Discharge Elimination System) permit. Discussions regarding a permitting fee were halted when the COVID-19 pandemic began. The discussions should resume in light of the increased permit requirements and expenditures anticipated starting in FY2024.

Budgets Recommended for Level Service (in alphabetical order)

Departmental Budgets

Assessing Department: the budget is increased by \$4,600 to reflect an increase in contractual services for valuation services.

Information Technology: The FY2023 budget increase of \$14,241 reflects increases in salaries for steps for employees. The Department's increase is less than the Cost of Living Adjustment for FY2023 for non-union employees because the Department has seen some employee turnover resulting in salary savings. The balance of the increases are for increases in software licenses. The increases are offset again this year by a decrease in purchased services.

Joint Communication Center: The FY2023 budget includes only step increases for this Department since all employees are part of the AFSCME collective bargaining agreement. The Town uses supplemental grant funding for the Department. In the long term, the Department should be funded at its expenditure level. Staffing in the Department also continues to be challenging and options for the Department are being explored.

Police Department: The FY2023 budget recommendation is a level service budget increase of \$170,411 that includes adjustments to the salary line based on the collective bargaining agreement, adjustment for increased costs of gasoline, and the replacement of three police vehicles, one more vehicle than in the FY2022 budget. The replacement of two rather than three vehicles in FY2022 resulted from the Finance Committee request for cuts to the budget. The \$50,000 cut in FY2022 was a one-time cut. The police vehicle was purchased with excess funds in FY2021. The police vehicle replacement cycle, which includes three vehicles per year, has been restored for FY2023.

Public Library: The only increase included for FY2023 are step increases for staff in the Department totaling \$24,000. The funding recommendation meets the minimum threshold for eligibility for the library state funding: approximately \$20,000 annually for Wayland.

Treasurer/Collector: The Treasurer/Collector saw an increase in contractual services to supplement the staff in the Treasurer/Collector's Office for FY2022. The increase in contractual services was offset by a decrease in salaries from reorganizing the Department to 3 full-time employees. The Department should be able to provide the services required within the budgeted staffing level and contractual services. The Treasurer/Collector's primary challenge in FY2022 and FY2023 will be to manage the Department's contracts to provide timely services.

Recreation: The Department's budget is increasing by the steps for those employees in the Department eligible for steps and not paid under the Revolving Fund and for a small anticipated increase in the cost of expenses, for a total increase of \$6,000 in FY2023. The Cost of Living Adjustment for some employees are included in the salary increase but not all since some are union and some are non-union.

Youth and Family Services: The only increase included for FY2023 are step increases for staff in the department totaling \$24,800. No expenses have been added for FY2023.

Unclassified Expenses

Salary Reserve: The FY2023 budget request reflects currently unsettled collective bargaining agreements for Library, AFSCME, and Fire. The Library collective bargaining agreement is at the signature stage and the increases to salaries for the Library will be included in the budget for Town Meeting.

Retirement: The FY2023 budget increase of \$350,000 is based on the Town's assessment.

Health Insurance: The FY2023 budget increase of \$577,000 represents a 6.5% increase over the FY2022 budget. Substantial changes will take place in the next year with the departure of Fallon from the list of insurance providers. Fallon was the least costly of the health plans. The resulting effect on rates has been estimated at 3.5%. The health insurance budget increase for the remainder of the providers is being developed with an estimate of health insurance costs for FY2023 anticipated sometime in February. West Suburban Health Group is determining the level at

which the participating communities are interested and willing to draw from reserves to help subsidize the increases, understanding that Harvard/Pilgrim and Tufts will be merging the following year, reducing the number of health care providers further and potentially presenting a further financial strain on the budget in FY2024.

Budgets Recommended for Increase in Services (in alphabetical order)

Departmental Budgets

Conservation Department: The FY2023 budget reflects \$12,000 for one additional seasonal staff and \$6,000 in additional contractual services to cover the anticipated need for peer review services in FY2023. The exact services have not yet been determined. The Conservation Department is responsible for over 1,200 acres of land. The Department had requested a junior civil engineer to manage stormwater permitting and inspections. This position is not recommended for funding in FY2023. Other positions have been prioritized with the expectation that the Conservation Administrator will work with the Town Engineer to determine the stormwater staffing needs for the Town and propose a position jointly. The Department also requested a permanent shed for storing its tractor. More information is needed for this request.

Engineering: The Engineering budget is proposed to increase by \$29,698, which is approximately one third of the cost of hiring a construction project manager. The Town has a number of horizontal construction projects, the construction of which could be accelerated with the addition of a construction project manager. While the salary of the new employee would be covered through the capital project budget, one third is recommended for inclusion in the budget to cover time when the employee may be preparing for projects that have not yet been bid or is performing other administrative work.

Facilities: The recommended budget for FY2023 includes the addition of a construction project manager for vertical construction. As with Engineering, the costs associated with the construction project manager will be charged to capital projects. The FY2023 includes approximately one third of the salary requested. For both Engineering and Facilities, the cost of adding personnel will result in a reduction of costs for the construction and better control over the construction itself. The salaries recommended for FY2023 also include the cost of a part-time clerical position previously covered in the School Department budget. The balance of the increase in salaries results from an understated salary request in FY2022. With the sharing of positions with the School Department, Facilities employee salaries may not have reflected exactly where those employees were assigned.

Fire Department: The salaries budget requested for FY2023 reflects two additional salaries, one temporary for \$30,000 for staff needed to implement the new Public Safety software. The second salary is to fund a .5 FTE firefighter to begin the process of rolling in the two firefighters/paramedics currently funded through a SAFER grant, who will appear as additional staffing in FY2024. The balance of the increase in the Fire Department budget reflects projected increases in the cost of gasoline, medical supplies, and vehicle repairs.

Highway: The Highway Division budget for FY2023 is recommended to increase by \$51,000. A new position for mechanic/welder is recommended to be split with the Transfer Station. The new position would work three days per week in the Highway Division, funded by the General Fund, and

two days per week at the Transfer Station, funded by the Transfer Station Enterprise Fund. The increase in the salary line for the position in the Highway Division is offset by eliminating seasonal help, which the State has not permitted for the past two years. The balance of the increase in the budget covers the projected increased costs for gasoline and for supplies for road repairs, which track the cost of gasoline.

Building Department: The FY2023 budget reflects an increase of \$20,000 to change the position of Department Assistant to Land Use Coordinator. The budget also reflects additional hours to address anticipated additional inspection needs for major projects. The request for addition hours for inspections correlates with the Conservation Department's request for additional contractual services related to permitting of the anticipated projects.

Health Department: the FY2023 budget includes \$106,000 in salaries to cover the cost of one additional full-time public health nurse in the schools to meet the increased demand on nursing services, and one part-time nurse leader position to provide for the training required for school nursing. The Town has seen high turnover in public health nurses. Jobs are plentiful during the pandemic and salaries in surrounding communities are higher. The position of nurse leader was created in order to maintain the quality of services. Younger public health nurses benefit from access to a more senior nurse who can mentor and direct. The nurse leader function is currently provided by the Public Health Nurse in addition to her other job duties.

Park Division: the FY2023 budget includes \$50,000 in the salary line to reflect the amount anticipated to be funded from the Cemetery Trust account. This amount had been included in the budget until FY2022 where it was a one-time reduction to balance the budget. The FY2023 budget request included three new Park Division employees in response for requests by the public and boards to provide more maintenance of fields. The addition of one employee is offset by the reduction of seasonal staff, which was not certified by the State for two years. The FY2023 recommended budget also includes an increase of \$25,000 in contractual services. The FY2022 budget included a one-time tree inventory for \$25,000. Rather than cutting the one-time expense, the FY2023 budget recommends increasing contractual services during the fields maintenance period.

Personnel Board: The FY2023 budget is proposed to increase by \$7,500, the cost of hiring a summer intern. The intern would work under the supervision of the HR Manager to update personnel policies.

Town Clerk: The budget for FY2023 reflects two additional elections than in FY2022 and the addition of a part-time clerk. The part-time clerk position has been requested for the past four years. It was approved as a new position by the Personnel Board three years ago but has been unfunded. With the Town Manager Act, the Town Clerk position will become an appointed position. The current Town Clerk has stated that she will not stay in the Department but has requested that the Department be fully staffed for FY2023 when voting by mail is anticipated for all elections.

Town Offices: The FY2023 budget shows a net increase of \$78,000, which includes steps and Cost of Living Adjustment for employees in the Department and the addition of a part-time sustainability coordinator. The increase does not include the addition of a summer intern to work on updating procurement processes and other administrative projects. The increase to the Town Offices budget also reflects an increase to the Town Meeting budget, which has been under-budgeted in the past. The increase of \$10,000 begins to bridge the gap in funding.

Unclassified Expenses

Medicare: FY2023 is the third year of additional funding in this account to reflect actual expenditures. This account was level funded for many years and the Town is still catching up with the funding.

Regional Vocational Education: This budget line is difficult to anticipate because of enrollment uncertainty and anticipated higher costs of tuition and transportation. We receive preliminary assessments from the Regional Vocational Schools in the spring. Once they are received, this budget line should be adjusted.

General Insurance: The FY2023 budget increase of \$86,000 continues to bring this budget closer to actual annual expenditures. Insurance includes flood, property, and liability insurance.

New Budget Line

Energy: The FY2022 budget for energy has been moved to a new budget line for FY2023. The budget includes an 11% increase in the cost of electricity, which is the contractual amount. The budget also includes a 60% increase to natural gas. By separating energy from other line items, the Town will gain a better understanding of the change in energy usage over time. Over the past five years, the Town has reduced the total energy budget in both the School And Town departments by approximately \$1.5 million.

Summary of Level Service Funding and Tax Increase Plus New Growth Budget

The Board of Selectmen have requested that we provide what a level service budget request would be. The Board also requested an understanding of what a budget funding the Departmental and Unclassified budgets assuming a 2.5% increase year over year and half of new growth (estimated at \$300,000) would look like. This calculation leads to a total budget for Town Departments and Unclassified Expenses of \$44,885,808.

The level service request for all Town Departments payroll totals \$14,640,580, an increase of \$417,072 over the FY2022 budget of \$14,223,508, or 2.93%. The level service request for all Town Departments expenses totals \$5,975,053, an increase of \$409,328 over the FY2022 budget of \$5,565,725, or 7.35%. The level service request for Unclassified Expenses depends upon the definition of level service for this type of request. A number of the lines were not fully funded in FY2022 and the debt service amount for FY2023 is falling for a single year, returning to prior levels in FY2024. For this memorandum, the requested increases for underfunded budgets as well as the maintenance of debt service at a level amount are included in the definition of level service. Under this definition, the level service request for Unclassified Expenses totals \$25,026,639, an increase of \$1,317,532 or 5.56% over FY2022. The total level service budget for all Town Departments and Unclassified Expenses is \$45,642,272. Approximately \$750,000 would need to be cut from the Town Departments and Unclassified Expenses to meet a funding level of \$44,885,808. To meet the cut without affecting the delivery of departmental service, the Town would need to cut debt service by \$500,000 and continue underfunding General Insurance and Medicare Tax by \$250,000. No new positions would be added to any Town Department.

MEMORANDUM

TO: Members of the Planning Board

Cc: Sarkis Sarkisian, Town Planner

FROM: Anette Lewis, Associate Member

DATE: January 4, 2021

RE: Outside Seating at Restaurants – Multiple Options

At the request of the Economic Development Committee and the Planning Board, I undertook a review of Wayland’s current Zoning Bylaws to assess what provisions might need to be amended to allow for outside seating at restaurants in town.

Existing Bylaw

Currently, “restaurants”, defined as “an establishment for the serving and consumption of food and beverages **inside** a building at tables or counters”¹ (#11 in Table of Permitted Principle Uses by District), are not permitted in Single Residence Districts nor in Limited Commercial Districts. However, they are allowed by Special Permit in the following enumerated districts: Roadside Business, Business A, Business B, Light Manufacturing, Mixed-Use Overlay, and in each of those districts they are also required to obtain Site Plan Approval.²

Other than the Tables of Permitted Principal Uses, the only section of the Bylaw that specifically addresses restaurants and how to obtain permission for a restaurant is found under Business District A at Section 198-1102.1.1. And, that section already contains provisions for allowing outside seating at restaurants located in Business District A (*see* Sec. 198-1102.1.1.1.).

Along with a ZBA-issued Special Permit to allow restaurant use (i.e., consumption of food and beverages inside the building), the criteria for approval of outside seating in Business District A are that: 1) the use is incidental to the consumption inside the building; 2) food or beverages must be served or consumed on the premises outside the building; and 3) the ZBA may impose “safeguards and limitations” in its approval of a Site Plan. Examples of such safeguards and limitations are provided under Section 198-1102.1.1 – i) areas to be traversed by motor vehicles are to be paved or covered with a suitable material; ii) properties in abutting residential districts are to be protected from headlight glare; iii) illumination of outdoor areas is to be shielded so that it does not shine upon any property in a residential district; iv) the use of banners or other advertising novelties is prohibited; v) conditions with respect to size, number of seats, hours of operation, construction, vehicular and pedestrian access, etc. And, of course, the same generally applicable criteria for issuance of all Special Permits apply here viz “use of the premises shall not be against the public interest, shall not derogate from the character of the neighborhood . . . and shall not be detrimental

¹ See Code of the Town of Wayland Sec. 198-104.2

² In the River’s Edge Housing Overlay District, “food service, including a café or diner primarily for residents” is allowed as of right subject to Site Plan Approval from the Planning Board during the project’s initial development (*see* Sec. 198-2504.1.2.). The terms food service, café, and diner are not defined. Note: It appears that in Sec. 198-2504, there is a hole in the Planning Board’s oversight because the project is only subject to further regulatory review in the case of redevelopment of more than 25% of the existing build out and that review is by Special Permit.

or offensive because of noise, vibrations, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety”.

Current “Restaurant” Uses

By memo of September 29, 2020, Town Planner Sarkis Sarkisian provided the Planning Board with what he referred to as “a comprehensive list of Restaurants” and the zoning district in which each is located.³ The majority of those establishments on the list are located in either the Business District A or the Mixed-Use Overlay District (i.e., Town Center) and thus are currently able to apply for an amendment to their existing Special Permit to allow for outside seating. Those establishments located in a residential district should already either be subject to a Special Permit that is allowing them to operate or are somehow grandfathered. In either case, they can apply for a special permit to seek permission for outside seating.

Options

There are a number of options available to the Planning Board to accommodate outdoor seating at restaurants. Here are the ones that come to mind and they are not all mutually exclusive:

- A. Restaurants located in Business District A or the Mixed-Use Overlay District that wish to apply for permission to have outside seating can proceed under the current bylaws and submit an application for a Special Permit and Site Plan Approval. There is no need to amend the zoning bylaws.
- B. Existing Restaurants located in other districts should already be subject to some form of regulatory approval be it Special Permit or grandfathering and can apply for a special permit to seek permission for outside seating.
- C. If the Planning Board wishes to make the availability of outside seating at restaurants more readily apparent, the Table of Permitted Accessory Uses by Districts can be amended by adding a new accessory use “75. Outside seating at restaurants” and allow it by Special Permit together with Site Plan Approval in the following enumerated districts (or any lesser or greater number of districts): Roadside Business, Business A, Business B, Light Manufacturing. Need to fill in the relevant district boxes in the table with “SP” and under Site Plan Approval insert an “R”. Outside seating is already provided for in the Mixed-Use Overlay District Table of Uses.
- D. The Planning Board can prepare an application form listing those items that need to be addressed in order to be eligible for receipt of a Special Permit and Site Plan Approval for outside seating (a list of possible considerations is attached). It must be recognized that the ZBA could require additional measures.
- E. The Planning Board can adopt regulations outlining the areas of concern that need to be addressed and those items that need to be included in any application for outside seating. Based on comments during the public hearing, the ZBA could require additional measures.

*There is an error in 1104.1.2 = wrong citation to off-street parking – should be Sec. 198-506 (and not Sec. 198-504).

³ It should be noted that several of the establishments on the list do not qualify as “restaurants” under the Zoning Bylaw (e.g., Donelan’s Market, Stop and Shop Supermarket, Wayland Beach Snack Shack, Wayland Variety & Deli) because food and beverages are not consumed at tables or counters inside a building.

Possible Considerations In Granting Permission for Outside Seating At Restaurants

- Zoning district in which restaurant is located
- Proximity of the seating area to a residential district
- Setback of seating from property lines and traveled ways
- Number of seats both inside and outside
- How much of an increase in seating can be permitted from what is currently allowed inside (might want to consider a ratio)
- The distance tables should be from each other
- How much square footage to be used for outside seating relative to inside seating
- Sufficiency of toilet facilities
- Sufficient wastewater capacity and sufficient grease traps
- Noise including music
- Hours of operation
- Service of alcohol
- Location of barriers to be placed around the seating area
- Pedestrian walkways around perimeter
- Circulation through seating area and clear travel ways to building doors and emergency exits
- Composition of patio or other surface on which outdoor seating will be placed – needs to be readily cleanable
- Need for increased number of parking spaces (site plan showing where they will be located) [Sec. 198-506.1.3 requires one off-street parking space for every three employees, plus one additional space for every four seats; see also Sections 198-506.1.11, 198-506.5.1, 198-506.7, 198-506.7.5, and 198-506.8]
- Control of glare on to neighboring properties from headlights
- Whether there is a proposed temporary or permanent covering over the outside area or over individual tables
- Illumination of outdoor areas and prevention of light spillover to neighboring properties
- Year round or specific months of the year
- Auxiliary heaters
- No outdoor cooking or fires
- Proximity of refuse containers to the outside seating area
- Property owner's letter of permission
- Site Plan Drawing

Special Permit & Site Plan Review by Zoning Board of Appeals with regulatory review by:

Board of Health/ Health Department

Building Commissioner

Fire Chief

Possible Board of Selectmen for amendment of liquor license

Possibly Wastewater Management District Commission

Possibly Conservation Commission/Conservation Administrator

Possibly Planning Board

Guidance – Applications for Outside Seating At Restaurants

The Wayland Zoning Board of Appeals (ZBA) may issue a new or amend an existing Special Permit, in conjunction with Site Plan Review and Approval, to allow outside seating at a restaurant¹. [Except that for establishments located in the Mixed-Use Overlay District, the Planning Board is the issuing authority.] The generally applicable criteria for issuance of a Special Permit are that

“use of the premises shall not be against the public interest, shall not derogate from the character of the neighborhood . . . and shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use, building or structure shall not otherwise be injurious to the inhabitants of the Town or their property or dangerous to the public health or safety”. Sec. 198-203.1.

Specific criteria for restaurants in Business District A (as provided for in Sec. 198-1102.1.1.1.) are instructive as to what the ZBA will be considering in its review in all districts.

Attached is a summary entitled “Considerations In Granting Permission for Outside Seating At Restaurants” listing items that should be submitted with your Special Permit application for consideration by the ZBA during the public hearing process.

The ZBA will also take into consideration comments from the public and regulatory reviews by the following:

- Board of Health/ Health Department
- Possibly Wastewater Management District Commission
- Building Commissioner
- Fire Chief
- Police Chief
- Possibly Conservation Commission/Conservation Administrator
- Possibly Planning Board for Site Plan Review
- The Design Review Board’s advisory opinion for new construction and commercial signs
- Board of Selectmen for amendment of liquor license

¹ “Restaurants” are defined as “an establishment for the serving and consumption of food and beverages inside a building at tables or counters”

Considerations In Granting Permission for Outside Seating At Restaurants

NOTE: The following information should be submitted with an application for a Special Permit and, whenever appropriate, should also appear on the accompanying Site Plan drawing.

Required Administrative Items

- Zoning district in which restaurant is located²
- List of any previous special permits and site plans for the property
- Operation year round or specific months of the year
- Hours of operation
- Property owner's letter of permission
- Site Plan Drawing

Seating Area

- Number of seats both inside and outside
- Square footage to be used for outside seating relative to inside seating
- Composition of patio or other surface on which outdoor seating will be placed – needs to be readily cleanable
- Location of barriers to be placed around the seating area for safety
- Circulation through seating area and clear travel ways to building doors and emergency exits
- Setback of seating from property lines and traveled ways
- Proximity of the seating area to a residential district

Supporting Facilities

- Sufficiency of toilet facilities
- Sufficient wastewater capacity (35 gpd/seat & 1,000 gpd/minimum for the entire premises)
- Sufficient grease traps (sizing based on 15 gpd/seat for the entire premises)
- Proximity of refuse containers to the outside seating area
- Whether there is a proposed temporary or permanent covering over the outside area or over individual tables
- Auxiliary heaters
- Coolers/freezers
- Banners and other advertising novelties are not allowed

Parking Facilities

- Need for increased number of parking spaces, if any (site plan showing where they will be located) [Sec. 198-506.1.3 requires one off-street parking space for every three employees, plus one additional space for every four seats; see also Sections 198-506.1.11, 198-506.5.1, 198-506.7, 198-506.7.5, and 198-506.8]
- Control of glare onto neighboring properties from headlights
- Pedestrian walkways to and from parking areas

Potential Effects on the Surrounding Neighborhood

- Illumination of outdoor areas and prevention of light spillover to neighboring properties
- Noise including music
- Service of alcohol
- Outdoor cooking/fire pits

² Applications are to the ZBA except that for those establishments located in the Mixed-Use Overlay District, the permit issuing authority is the Planning Board.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

DRAFT Meeting Minutes **BOARD OF SELECTMEN**

Monday, November 29, 2021

7:00 p.m.

ALL REMOTE

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

Attendance: Thomas J. Fay, Adam G. Gutbezahl, Cherry C. Karlson, Carol B. Martin, David V. Watkins

Also Present: Town Administrator Louise Miller, John Bugbee, Assistant Town Administrator

A1. Call to Order, Review the Agenda for Public: At 7:01 p.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present and reviewed the agenda for the public. T. Fay announced each member by full name and that all members would participate remotely.

A2. Announcements: There were none.

A3. Community Preservation Act (CPA) Projects: discussion and potential vote of submission of CPA project applications: L. Miller provided some background regarding the Capital Improvement Plan and reviewed a list of potential projects that were eligible for CPA funding. The Board considered the submittal of CPA project applications to the Community Preservation Committee (CPC).

L. Miller provided a list that included the Wayland Free Public Library redesign and repairs, the Loker Recreation Area Grass Field project, and renovation of the exterior of Fire Station #2. L. Miller noted that the acquisition of the property at Launcher Way from the U.S. Department of Defense could also be eligible for CPA funds. L. Miller asked the Board to discuss potential CPA project applications and direct L. Miller as to the projects the Board wished her submit an application on behalf of the Board to the CPC. L. Miller informed that Board that the Conservation Commission may also act to submit an application to the CPC for CPA funding of the 27 Sherman's Bridge Road property.

C. Martin asked for clarification on the amount of funding needed for the Fire Station #2 project, and added that she agreed that the Launcher Way property acquisition and any projects related to the Americans with Disabilities Act (ADA) should be considered for CPA funding. L. Miller stated she would seek clarification on the amount for Fire Station #2 from the Public Buildings Director and request from CPA accordingly.

The Board discussed the amount of any request submitted to the CPC for the Launcher Way acquisition. L. Miller noted that the CPA application process was a public one, and the Town would need to not compromise the procurement process with the U.S. Department of Defense, which included sealed bids. C. Karlson noted that the costs and the timelines were still unknown. C. Martin recommended the Board submit more definitive requests. C. Karlson stated that some of the more definitive information would need to be discussed in Executive Session relative to the potential Launch Way acquisition. D. Watkins asked if the Oxbow project would be eligible for CPA funds. J. Bugbee provided some background and the estimated costs related to the ADA compliance of the trails at Oxbow, which would be eligible for CPA funding.

C. Karlson moved that the Board authorize the Town Administrator to complete a CPA project application on behalf of the Board for the redesign and repairs at the Wayland Free Public Library and it was the Board's understanding that the Public Building Director would coordinate with the Library Trustees to prepare the application. The Board discussed the motion. C. Karlson amended the motion, and moved, seconded by A. Gutbezahl, that the Board authorize the Town Administrator to complete a CPA project application on behalf of the Board for the redesign and repairs at the Wayland Free Public Library with an amount to be

determined. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Martin moved, seconded by A. Gutbezahl, that the Board vote submission of a CPA project application relative to the partial funding of the Loker Field Construction. C. Martin revised the motion, seconded by A. Gutbezahl, to include authorization for the Town Administrator to complete said CPA project application on behalf of the Board. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson moved, seconded by C. Martin, that the Board vote to authorize the Town Administrator to submit an application to the CPC on the Board's behalf for renovation of the exterior of Fire Station #2. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson moved, seconded by C. Martin, that the Board vote to authorize the Town Administrator to complete an application to the CPC on the Board's behalf to fund the trail and woodland field construction at Oxbow Field. In discussion, C. Karlson described that some of the work was eligible for CPA funding under the Recreation criteria and others were part of a settlement agreement. A. Gutbezahl confirmed that the funds would cover ADA improvements. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson expressed interest in supporting the Launcher Way land acquisition, but noted the need for a broad motion due to the outstanding appraisal, unknown costs and the need for an executive strategy session. There was discussion about other potential funding sources related to the project.

C. Karlson moved, seconded by, D. Watkins, that the Board vote to authorize the Town Administrator to submit an application to the CPC on the Board's behalf for the purchase of the property known as Launcher Way. A. Gutbezahl offered an amendment to the motion to include up to one-hundred percent of the purchase price, C. Karlson accepted the amendment and D. Watkins seconded. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Minutes – November 22; review and vote to approve: No action was taken on meeting minutes.

A5. Consent: review and vote to approve:

1. Vote the question of designating and approving signing authority to L. Miller, Town Administrator on items listed below.
2. Vote the question of approving and signing the weekly payroll and expense warrants.
3. Vote approving and signing agreement with Boardman's Animal Control Inc. for animal control and animal inspection services.

There was a discussion regarding the dates of the contract in Item #3, J. Bugbee clarified the term dates needed to be revised, C. Martin noted a typographical error in the contract. C. Karlson moved, seconded by C. Martin, the approval of the Consent Calendar. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A7. Adjourn: At 7:55 p.m., C. Karlson moved, seconded by C. Martin, adjourn the meeting. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items included in the packet and during the Board of Selectmen Meeting of November 29, 2021:

1. Memorandum To: Board of Selectmen Date: November 29, 2021 Re: Potential Board of Selectmen Sponsored CPA Project Applications
2. Wayland Community Preservation Committee Plan, Version 6A, dated 11/02/2021, with Project Application, Appendices and Errata sheet

Items Distributed For Information and Use By the Board during the Meeting of November 29, 2021 Otherwise Not Included In The Packet (Handouts): There were none.

Correspondence: There was none.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

DRAFT Meeting Minutes
BOARD OF SELECTMEN
Monday, December 6, 2021
7:00 p.m.

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

Attendance: Thomas J. Fay, Cherry C. Karlson, Carol B. Martin, David V. Watkins

Remote Participation: Adam G. Gutbezahl

Also Present: Town Administrator Louise Miller, Assistant Town Administrator John Bugbee, Management Analyst Seath Crandall, Finance Director Brian Keveny, Director of Assessing Rob Leroux

A1. Call to Order, Review the Agenda for Public: At 7:00 p.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present and reviewed the agenda for the public. T. Fay announced each member by full name and that A. Gutbezahl would participate remotely.

A2. Announcements and Public Comment: A. Gutbezahl announced that on Wednesday, December 8, the Department of Youth and Family Services would host a public forum on vaping.

Rachel Sideman-Kurtz, Plain Road, joined by teleconference to express disappointment in the Board's decision to disallow a display of a menorah on Town property, including making such decision without consultation of the Human Rights, Diversity, Equity and Inclusion (HRDEI) Committee.

Mary Ann Borkowski, Lakeshore Drive, joined by teleconference to comment on the Police Chief Search and her desire for a larger role for public involvement in the process.

A3. Police Chief: discussion and potential vote to ratify appointment of Sean Gibbons as Wayland Police Chief, effective upon swearing in. T. Fay acknowledged S. Gibbons's service as the Interim Police Chief upon the retirement of the previous Police Chief. T. Fay announced that L. Miller had recommended the Board ratify S. Gibbons as the Police Chief, which was decided after a thorough review process conducted by Paradigm Associates and included public input in the hiring process.

C. Martin moved, seconded by C. Karlson, to ratify the Town Administrator's recommendation to appoint S. Gibbons as the Police Chief, effective upon his swearing in. In discussion, C. Martin and C. Karlson thanked S. Gibbons for serving as Interim Police Chief. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A6. 2022 Annual Town Meeting: a. Vote to open Town Meeting Warrant from Wednesday, December 15, 2021 through Tuesday January 18, 2021 at 4:30 p.m. and to set the Annual Town Election date

C. Karlson moved, seconded by C. Martin, that the Board vote to open the Warrant for the Annual Town Meeting to begin on Saturday, May 14, 2022 at a time and place to be determined, and the Annual Election to be held on Tuesday, May 10, 2022 at designated polling places. The warrant for said Annual Town Meeting will be open from Wednesday, December 15, 2021, at 8:30 a.m., through Tuesday, January 18, 2022, at 4:30 p.m. In accordance with Chapter 36, Section 36-3 of the Code of the Town of Wayland, all articles for consideration and inclusion in said warrant shall be submitted to the Selectmen's Office in Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts by 4:30 p.m. on Tuesday, January 18, 2022, at 4:30 p.m. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A4. Public Hearing on Tax Rate & Tax Classification a. Meet with the Board of Assessors, Finance Director, Treasurer and Town Clerk to Review the Tax Recapitulation Sheet for FY2022 b. Vote to adopt FY2022 tax rate policy:

A4.a. Meet with the Board of Assessors, Finance Director, Treasurer and Town Clerk to Review the Tax Recapitulation Sheet for FY2022: At 7:14 p.m., T. Fay opened the annual Tax Rate & Tax Classification Hearing and announced that the purpose was for the Board to adopt Town Tax Policy by setting the FY 2022 tax rate and its effect on taxpayers for the different classification of properties in Wayland. T. Fay reported that the Board would vote whether a uniform tax rate would be maintained for residential, commercial and industrial properties and whether an open space discount and/or residential and/or small commercial exemption would be created. Finance Director Brian Keveny and Director of Assessing Rob Leroux were present in person.

At 7:15 p.m., Board of Assessors Chair Zachariah Ventress, called a meeting of the Board of Assessors to order and announced by full name members Molly Upton, Massimo Taurisano and Sharon Burke who joined by teleconference.

R. Leroux presented a slide deck on the FY2022 Tax Classification. R. Leroux also reviewed the actions the Board would need to take to maintain a single tax rate or change to a split tax rate, as well any necessary action to adopt any exemptions. A split tax rate would shift a portion of the tax levy from the residential class to the commercial/industrial and personal property classes. R. Leroux provided an overview of the property assessment review process, new growth, and how the tax rate was calculated for both residential and commercial exemptions. R. Leroux noted that since 95% percent of Wayland tax revenue comes from Residential classification, a slight reduction for the residential properties would put a large increase on the small number of Commercial, Industrial and Personal Properties (CIP). R. Leroux noted that 115 of 351 Massachusetts communities vote to have a split tax rate.

R. Leroux reviewed the Residential Exemption impact in Wayland and indicated that creation of such an Exemption in Wayland was not recommended, given the Town's low number of non-owner occupied properties, as well as the fact that only 15 communities in the Commonwealth have a Residential Exemption. R. Leroux also noted that Small Commercial Exemption mainly benefits the property owners, typically not small business tenants. R. Leroux reported that the Board of Assessors advised the Board of Selectmen to vote to adopt a single rate, to vote against adopting an Open Space Discount, to vote against a Residential Exemption, and vote not to adopt a Small Commercial Exemption.

A4.b. Vote to adopt FY2022 tax rate policy:

C. Karlson moved, seconded by C. Martin, that the Board vote to select a residential tax factor of one for FY 2022. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

C. Karlson moved, seconded by C. Martin, that the Board select an Open Space Discount for FY 2022. Roll Call Vote: YEA: none. NAY: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. ABSENT: none. ABSTAIN: none. The motion was not adopted, with a vote of 0-5.

C. Karlson moved, seconded by C. Martin, that the Board choose a Residential Exemption for FY 2022. Roll Call Vote: YEA: none. NAY: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. ABSENT: none. ABSTAIN: none. The motion was not adopted, with a vote of 0-5.

C. Karlson moved, seconded by C. Martin, that the Board choose a Small Commercial Exemption for FY 2022. Roll Call Vote: YEA: none. NAY: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. ABSENT: none. ABSTAIN: none. The motion was not adopted, with a vote of 0-5.

At 7:40 p.m., the Board of Assessors adjourned its meeting unanimously.

B. Keveny presented a summary of the Tax Recapitulation Sheet for FY 2022 and offered comparisons to previous years. B. Keveny noted the Tax Recapitulation sheet is a product of Annual Town Meeting and Special Town Meeting approvals of the FY 2022 budget, for a sum total of \$98.8 million. B. Keveny reported

that State assessments remained consistent, State Aid revenue would increase by 2% from the previous year, and that Enterprise Funds and Community Preservation Act Funds were both inconsistent compared to the previous years.

B. Keveny emphasized the significant values in the document, including the property tax levy of \$77.1 million dollars and \$5.2 million in local receipts. B. Keveny noted that a third Enterprise Fund for the Transfer Station was added since the last year. B. Keveny noted that the total assessed values were up 5% over the previous year, resulting in the tax recap of \$18.52 per thousand dollars of assessed value to drop to \$18.35.

Anette Lewis, Claypit Hill Road, joined by teleconference to ask about the increase in Free Cash. B. Keveny answered that increase was due to Local Receipts and turn backs being higher than expected.

Molly Upton, Bayfield Road, joined by teleconference to ask about the schools Food Services budget that was being funded by the state.

At 8:03 p.m., T. Fay declared the public tax hearing closed.

A5. School Bus Parking Public Forum T. Fay opened the School Bus Parking forum to discuss the challenges of determining an appropriate location to park school buses. L. Miller introduced the School Bus Parking Working Group members which included herself, as well as Becky Stanizzi, a member of the Economic Development Committee; Kathie Steinberg, a former School Committee member; and Jeanne Downs, a member of the School Committee, who were all present at the meeting. Other members of the Working Group included Sarkis Sarkisian, the Town Planner; Dr. Omar Easy, the School Superintendent; and Ellen Whittemore, the School Department Director of Finance & Operations.

B. Stanizzi and K. Steinberg presented a slidedeck on the recent progress to evaluate and propose solutions for the parking issue. B. Stanizzi reported the buses were parked at the Town Building for twenty years, and then moved to Wayland High School, to the Old DPW Building lot in front to the Middle School, then to the septage facility lot (which is now occupied by Alta at River's Edge), and then more recently the buses have been parked back at Wayland Town Building. B. Stanizzi noted the number of buses changes from year to year, and that here was a current need to locate parking for 16 buses and 10 driver and dispatch vehicles.

K. Steinberg reported that the Town had worked with a consultant, The Engineering Corporation, Inc., (TEC), which assessed over 70 potential sites across a number of criterion and then prioritized the parcels for suitability. K. Steinberg reported that TEC ultimately recommended two advantageous sites: the Claypit Hill School and the Middle School. K. Steinberg noted that the School Committee rejected both of these top site options after the School Committee had received opposition from residents related to parking the buses in neighborhoods and/or at schools, as there was concern over costs and impacts to natural resources nearby. K. Steinberg summarized efforts to minimize costs and the number of buses, as well as to promote walking and biking to schools. K. Steinberg reported that the School Committee then opted to include two alternative sites for review: the Route 20 South former Landfill site, which is currently under evaluation, and the Town Building lot, where the buses are currently parked.

B. Stanizzi reviewed some of the challenges for the sites proposed by TEC and the current potential short-term options, which included the Town Building and the rental of a private lot. B. Stanizzi reviewed the pros and cons of the current layout plan at the Town Building lot and also reviewed the proposed revisions in response to the concerns presented from Zoning Board, Planning Board and Conservation Commission.

Gretchen Dresens, Main Street, joined the meeting in person to comment that the former DPW site at the Middle School was not a suitable site for bus parking.

David Bernstein, Glezen Lane, joined the meeting by teleconference to request the Board consider the commission of electric school buses. K. Steinberg noted that the Metropolitan Area Planning Council (MAPC) was investigating the feasibility of procuring electric buses.

Alexia Obar, Dean Road, joined the meeting in person to comment that the Town Building lot was a school lot because the Children's Way Preschool operates inside Town Building. A. Obar added that there are safety concerns of the current layout.

David Spencer, Old Tavern Road, joined the meeting by teleconference to comment on the revised plan at Town Building and questioned the benefits of the revised plan.

D. Bernstein, Glezen Lane, joined the meeting again to reiterate that the Board should invest in electronic buses, and the City of Beverly, MA had successfully added electric buses to its fleet. B. Stanizzi noted that there are other factors to consider.

Anette Lewis, Claypit Hill Road, joined the meeting by teleconference to ask where the potential trailer would be located. B. Stanizzi noted it would be in the Town Building lot. A. Lewis expressed safety concerns with the front lot of Town Building and made suggestions for the group to review.

Clifford Lewis, Claypit Hill Road, joined the meeting by teleconference as the Chair of the Board of Public Works (BoPW) and expressed that the BoPW was displeased with the speed at which the Route 20 South Landfill Visioning Committee was working and requested its work be expedited.

Mike Lowery, Lakeshore Drive, member of the Board of Public Works, joined the meeting by teleconference and requested the Board establish a long-term solution.

C. Martin thanked the School Committee and the Bus Parking Working Group on the work conducted to resolve the issue. D. Watkins suggested the Board consider utilizing an RFP process for private parcels and potential electric school buses. T. Fay thanked E. Whittemore for working to reduce the number of buses needed, and K. Steinberg and B. Stanizzi. A. Gutbezahl thanked K. Steinberg and B. Stanizzi for the presentation and stated the Town should plan for the future by ensuring any parking option allows for the placement of charging bays for electric vehicles.

Tom Sciacca, Rolling Lane, joined the meeting by teleconference, and spoke as member of the Energy and Climate Committee to correct the previous comment that the City of Beverly had a fleet of electric buses, and noted that the City of Beverly had added one prototype bus that was being tested. He also suggested the Route 20 South Landfill be considered as a longterm parking option.

Richard Turner, Nob Hill Road, joined the meeting by teleconference to comment that in 2010 when the Environmental Protection Agency (EPA) mandated reduction in diesel emissions, most vehicles began to use a diesel exhaust fluid (DEF) system, a liquid additive used to reduce the amount of air pollution created by a diesel engine. R. Turner made some suggestions to the proposed layout. R. Turner suggested the buses were built in 2010. J. Bugbee added that per the contract the buses are not older than six years old. J. Bugbee later clarified, the contract specifies different terms for the first year of the contract.

Marissa Davis, Adams Lane, a Children's Way school parent, joined the meeting by teleconference and commented on the layout and requested moving the stop line, asked to confirm the number of buses needed long-term, and also asked that the teachers and families of The Children's Way school have an opportunity to give feedback.

Jeanne Downs, School Committee, joined in person to clarify that The Children's Way school families could communicate the feedback to both the Town Administrator and the School Department.

Alice Boelter, Lakeshore Drive, joined by teleconference to comment that during COVID-19 fewer people have been going to Town Building and that should be factored into current capacity considerations, and also voiced support for parking the buses at the Route 20 Landfill site.

Gretchen Dresens, Main Street, joined the meeting in person again to ask how the general public could participate and give input to the Working Group.

A. Obar, Dean Road commented in person, and asked the Board to update the website to include all available documents.

C. Lewis, Claypit Hill Road, joined the meeting by teleconference and added that the Board needed to seek a long-term and a short-term solution.

T. Fay closed the forum.

A7. Discuss establishing a Board of Selectmen sub-committee regarding revising a portion of Chapter 19 of the Town Code, and potential vote: C. Martin would provide a draft document related to the establishment of a sub-committee charged with providing revisions to Chapter 19 of the Town Code at the next meeting.

A8. Town Administrator update a. Alta at River's Edge b. Council on Aging/Community Center (COA/CC) c. List of Potential ATM 2022 Articles d. Departmental Reports: Council on Aging, Youth and Family Services:

A8.a. Alta at River's Edge: No update was given.

A8.b. Council on Aging/Community Center (COA/CC): No update was given.

A8.c. List of Potential ATM 2022 Articles: L. Miller reported that additional articles, including CPA articles, were being considered since the last list was prepared.

A8.d. Departmental Reports: Council on Aging, Youth and Family Services: The Board acknowledged the departmental reports.

A9. Wayland Public Body Meetings: discuss potentially eliminating hybrid meeting option and limiting to only in-person or all-remote meetings; potential vote The Board discussed the options for holding public meetings. A. Gutbezahl expressed preference for all-remote meetings and thanked Seath Crandall for providing technical support for the meetings. The Board would continue the discussion at the next meeting.

A10. Minutes – November 22 and November 29, 2021; review and vote to approve: No Action was taken on minutes.

A11. Consent: review and vote to approve:

1. Vote the question of designating and approving signing authority to L. 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 Public Health Excellence for Shared Services Grant in the amount of \$485,750.00 for local health support for COVID-19 case investigation and contact tracing for the Grate Meadows Public Health Collaborative.
4. Vote the question to ratify amendment to agreement with RMD Collaborative for additional services at Wayland Fire Station #2.
5. Vote the question of accepting MIIA grant in the amount of \$7,873.08 for purchase of equipment related to Wayland's proactive risk management efforts.
6. Vote the question of approving and paying KP Law invoice #134334 in the amount of \$5,410.73 for professional legal services through October 31, 2021.
7. Vote the question of approving and signing agreement 18-2006 Task order no. 15 amendment #1 with Tighe & Bond, Inc. for Wastewater Treatment Facility Engineering Services.
8. Vote the question of approving and signing agreement 22-2003 Task Order no. 1 with Kleinfelder Northeast Inc. for FY22 MS4 Compliance Assistance Engineering Services.
9. Vote the question of approving and signing agreement 18-2005 Task Order no. 19 with Tata & Howard for Emergency Response Plan (ERP) 2021 Update.
10. Vote the question of approving and appointing list of election officers provided by Town Clerk and recommended by the Board of Registrars through August 31, 2022.
11. Vote the question of approving and signing agreement with EDF Energy Services, LLC for the purchase and receipt of electricity for the Town.
12. Vote the question of approving and signing agreement with Peak Event Services for the Rental of a Housing Structure for the PFAS Mitigation Equipment.
13. Vote the question of approving and signing renewal Licenses for liquor and Auto Dealer for 2022 (see attached memo).

14. Vote the question of approving and signing the Comcast Renewal License agreement for the Town.
15. Vote the question of approving and submitting the finalized Town of Wayland 2020 Re-Precincting Plan (map, block data report, and legal descriptions) to the State Local Election Districts Review Commission

C. Karlson moved, seconded by D. Watkins to approve the Consent Calendar with the exception of Item #14, to be reviewed at the next meeting. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

A12. Correspondence: The Board reviewed the correspondence in the packet without comment.

A13. Selectmen's Reports and Concerns: A. Gutbezahl commented on the Board's previous discussion regarding religious displays using Town resources. C. Karlson reported that municipal Affordable Housing Trust continued to seek parcels for affordable housing, and sought to fund an appraisal for the Launcher Way property, possibly with CPA funds. D. Watkins reported that the Board should focus on filling the Human Resources vacancy, and that the Board would need to develop a policy for the MassDOT Complete Streets Funding Program. C. Martin suggested that the Board's meeting on December 20, 2021 be held remotely and she requested a copy of the Q4 report from November 9, 2021. T. Fay noted that he had been in contact with Dovie King, Chair of the HRDEI Committee and looked forward to working on setting up a complaint phone line.

A14. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A15. Executive Session: I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6), discuss the acquisition, by gift, purchase or otherwise, interest in all or part of the parcels of land, on and off Elissa Avenue, north of the current X Golf business, and bounded by Elissa Avenue on the west and on the north by 185 Elissa Avenue, owned by the Town, from Boston Retail I, LLC. II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with all bargaining units pursuant to the Public Employee Committee (PEC) agreement; III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with: International Association of Firefighters, AFL-CIO Local 178; 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); IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of September 27, November 2, and November 22, 2021 Approve and Hold: Executive Session minutes of September 27, November 2 and November 22, 2021

At 10:25 p.m., Chair T. Fay opted to forgo the Executive Session.

A16. Adjourn: At 10:42 p.m., C. Karlson moved, seconded by C. Martin, adjourn the meeting. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items included in the packet and updated during the Board of Selectmen Meeting of December 6, 2021:

1. Revised Agenda of the Board of Selectmen for December 6, 2021, revises agenda posted Dec 2, 2021 at 3:29 p.m.
2. Press Release Town of Wayland Massachusetts FY2022 Tax Rate & Tax Classification Hearing
3. Massachusetts Department of Revenue Division of Local Services Bureau of Accounts Tax Rate Recapitulation FY 2022
4. Documents for Public Hearing Re: Tax Classification and Tax Rate Recap process with the Massachusetts Department of Revenue Division of Local Services and Board of Assessors
 - a. Slide deck: Town of Wayland Fiscal Year 2022, Tax Classification Hearing presented by Board of Assessors, dated December 6, 2021, 20 slides
 - b. Schedule A-1 Offset Receipts Ch. 44 S.53E
 - c. Schedule A-2 Enterprise Funds Ch. 44 S. 53 F1/2 et al (1st and 3rd)

- d. Schedule A-4 Community Preservation Fund Ch. 44B
 - e. Schedule B-1 Free Cash Certification and Appropriation
 - f. Schedule B-2 Sources and Uses of Other Available Funds
 - g. Schedule DE-1 Debt Exclusion
 - h. Schedule OL-1 Overlay Worksheet
 - i. Levy Limit
 - j. Classification Tax Allocation (LA-5 Options & Certification)
 - k. Tax Rate Recapitulation
 - l. Board of Selectmen's Certification of Vote
 - m. Town Administrator's Certification of Vote
 - n. Town Clerk's Certification of Vote
5. Memorandum To: All Boards, Committees, Commissions, Departments and Staff From: Board of Selectmen Date: December 6, 2021 Re: 2022 Annual Town Meeting and Annual Election
 6. Document: Establish Sub-Committee to Revise Chapter 19-Section 3 of Town Code with Town Code: Chapter 19, Section 3 attached
 7. Draft: Article List 2022 Annual Town Meeting
 8. Department Update to BOS: Council on Aging May to November with Newsletter attached
 9. Department Update to BOS: Youth & Family Services dated November 29, 2021
 10. Memorandum: To: Board of Selectmen From: Teri Hegarty, Management Analyst Date: December 6, 2021 Re: 2022 Liquor License Renewals & Remaining Non-liquor License Renewals

Items Distributed For Information and Use By the Board during the Meeting of December 6, 2021 Otherwise Not Included In The Packet (Handouts):

1. Local Election Districts Review Commission Office of the Secretary of the Commonwealth c/o Elections Division One Ashburton Place, Room 1705 Boston, MA 02108 Re: Town Of Wayland- 2020 Re-Precincting, dated December 6, 2021, with attachments Maps and Data prepared courtesy of William Francis Galvin, Census Liaison
2. Renewal Cable Television License for the Town of Wayland, MA Term: 12/1/21 –11/30/31 (10 yrs.)

Correspondence:

1. Correspondence from the following residents to Board of Selectmen re: support for Sean Gibbons as Wayland Police Chief • Alli McNiff; December 1, 2021 • Gina Meyers; December 1, 2021 • Pamela Wineman; December 1, 2021 • Tap Maniar; Nov 29, 2021 • April Methot; Nov 30, 2021 • Gretchen & Paul Dresens; Nov 29, 2021 • George Gardner; Nov 29, 2021 • Virginia Gardner; Nov 29, 2021 • Susan & Chris Memoli; Nov 29, 2021
2. Correspondence from Comcast to Board of Selectmen dated November 18, 2021 re: Price changes to programming.
3. Correspondence from Xfinity to Board of Selectmen dated November 23, 2021 re: changes to Xfinity TV programming.
4. Correspondence from Elaine Donnelly to Board of Selectmen dated November 29, 2021 re: request for Board to consider purchasing Launcher Way.
5. Correspondence between Linda Malenfant and Board of Selectmen's office dated December 1, 2021 re: Questions related the School Bus Parking Forum
6. Correspondence from below residents to Board of Selectmen re: support for CPA project for Town to Purchase 27 Sherman's Bridge Road for Conservation and/or affordable housing. • Doug Stotz; Nov 29, 2021 • Beth Zeeman, Paul Stern, Christopher Foster and Hilary French; Nov 29, 2021
7. Correspondence from Christine McKenna Lok to Board of Selectmen dated Nov 29, 2021 re: Urge Board to prioritize CPA funds for affordable housing projects.



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

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

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

DRAFT Meeting Minutes **BOARD OF SELECTMEN**

December 16, 2021

11:00 a.m.

ALL REMOTE

Wayland Town Building
41 Cochituate Road, Wayland, MA

Attendance: Thomas J. Fay, Cherry C. Karlson, Carol B. Martin, David V. Watkins, Adam G. Gutbezah

Absent: None

Also Present: Louise Miller, Town Administrator

A1. Call to Order by Chair, Review the Agenda for Public: At 11:03 a.m., T. Fay called the meeting of the Board of Selectmen to order when a quorum was present. T. Fay announced that the meeting would be conducted in an all remote format and that no in person attendance by members of the public was permitted. T. Fay announced each member by full name, noted that he and L. Miller were in the Town Building, and reviewed the agenda.

A2. Executive Session: I. 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). At 11:04 a.m., Chair T. Fay moved, seconded by A. Gutbezah, that the Board of Selectmen enter into Executive Session 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).

T. Fay declared that a public discussion of these matters may have a detrimental effect on the litigating, negotiating, or bargaining position of the Town. Roll Call Vote: YEA: A. Gutbezah, C. Karlson, C. Martin, D. Watkins, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Chair T. Fay announced that the Board would be joined by Town Administrator Louise Miller and would return to open session. He did not have an estimated time for return.

At 11:56 a.m., the Board returned to open session.

A4. Adjourn: T. Fay announced that there was no further business before the Board. D. Watkins moved, seconded by C. Karlson, that the Board adjourn the meeting at 11:57 a.m. C. Karlson noted that C. Martin and A. Gutbezah had to leave the meeting before the Board returned to open session. Roll Call Vote: YEA: D. Watkins, C. Karlson, T. Fay. NAY: none. ABSENT: A. Gutbezah, C. Martin. ABSTAIN: none. Adopted 3-0.

Items included in the packet during the Board of Selectmen Meeting of December 16, 2021: None.