

SUPPLEMENTAL PACKET

April 4

6:30pm

Article 21. APPROPRIATE FUNDS TO CONSTRUCT A NEW COUNCIL ON AGING AND COMMUNITY CENTER

Proposed by: Select Board

Estimated Cost: \$12,000,000.00

To determine whether the Town of Wayland ("Town") will vote to:

- 1) raise and appropriate, or borrow the sum of twelve million dollars (\$12,000,000.00) for the design, engineering, construction, equipping, and furnishing of a new Wayland Council of Aging Community Center ("CoA/CC") to be located at the Municipal Parcel and adjacent parcels of land located on and off Boston Post Road and Andrew Avenue in Wayland, Massachusetts shown as Lot 4-1, Lot 8-1, Lot 9-1B, Parcel R-20-1, among others, shown on a plan prepared by the Town Surveyor entitled "Plan of Land Wayland, Massachusetts Showing Proposed Municipal Parcels" dated July 21, 2015, and recorded at the Middlesex South Registry of Deeds as Plan 616 of 2015, a copy of which plan is on file in the Office of the Town Clerk, and any and all incidental and related costs, including but not limited to, site evaluation, engineering and schematic and final design services, and project management services for the design, bidding and construction, site preparation, paving, and landscaping, and to authorize the Select Board to expend these funds, without further appropriation, but with the approval of the Permanent Municipal Building Committee;
- 2) determine whether such appropriation shall be funded by taxation, by transfer from unappropriated funds, transfer from available funds already appropriated for another purpose, by borrowing under Massachusetts General Law Chapter 44 or other enabling authority, or otherwise;
- 3) authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to G.L. c. 44, sections 7 or 8, or any other enabling authority, and issue bonds or notes of the Town therefor;
- 4) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with G.L. c. 44, section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs;
- 5) authorize the Town Manager to take any action necessary to carry out this program;
- 6) provided, however, that no construction funds appropriated under this article be expended until the Town of Wayland acquires control of the named parcels.

PROPOSERS' COMMENTS: Town Meeting has twice appropriated funds for a CoA/CC to be built at Town Center. At the 2020 Annual Town Meeting residents voted to permit monies previously allocated for feasibility, design, construction and bid documents for a multi-use Council on Aging/Community Center to be used for a facility located at an appropriate location within the Town of Wayland. The Select Board has negotiated an agreement with the current owners of the municipal parcels. This article seeks Town Meeting to appropriate monies to construct a much-needed CoA/CC on the municipal parcels.

FINANCE COMMITTEE COMMENTS: A Council on Aging/Community Center ("CoA/CC") has been a Town priority for many years. The Council of Aging/Community Center Advisory Committee ("CoA/CCAC") worked on a proposed project at the Wayland Town Center ("Town Center") as far back as May 2015. Town meeting has twice appropriated funds for a CoA/CC to be built at Town Center. The project at the Town Center initially involved using the existing approximately 12,332 square foot building on the so-called "Municipal Parcel" and use of adjacent parcels. This area is at the westernmost portion of Town Center. (APPENDIX XXX). The Town has negotiated acquisition of the Municipal Parcel and other adjacent parcels, which are needed to build/renovate an adequate facility. The Council on Aging ("CoA") sought consideration of other locations within the Town to build a CoA/CC. Most recently, at the 2021 Annual Town Meeting, at the urging of the CoA, residents voted to authorize the Select Board to acquire

land behind the current X-Golf business at Town Center for the eventual construction of a CoACC. Those negotiations have been unsuccessful, and no agreement is expected.

Passage of this article will authorize the appropriation of \$12,000,000 to build a new CoA/CC at the municipal parcels, located on the western most portion of the Wayland Town Center. The cost of the project is expected to be no more than \$12,000,000.

The proposed CoA/CC will be a 13,000 square foot building after adding Code required vestibules.

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

CoA Needs: There are many Town needs unmet today due to a lack of space, including offices requiring private meeting and record storage space. The CoA has no small room meeting space for the many different types of confidential counseling, in which they engage, such as offering personal health counseling or professional tax-related advice, Medicare enrollment and fuel assistance, among other things. Consequently, Wayland residents are sent to other communities for these services or hold confidential meetings in unheated closet sized rooms. Indoor fitness and senior activities are scattered throughout the Town. Many activities are unable to be scheduled at all as a result of a lack of space. For example, the Wayland Arts Center was closed to make room for the fire department expansion at Fire Station 2, in Cochituate Village, that resulted in the cancellation of all arts-related activities there.

Recreation Department Needs: The CoA/CCAC coordinated with the Recreation Department, the CoA, and other departments in order to determine the number and sizes of various multi-purpose rooms that may be used by a variety of participants throughout a typical day. Two art rooms will be available to replace the Art Center that was closed at Station 2.

Other indoor recreational activities are currently scattered throughout the Town building as space becomes available. Many other programs that are offered in peer communities simply cannot be offered due to lack of available space.

General Community Use: The Town also needs more space for organized group activities that continue to rise, especially among younger residents and children. Some examples are the Girl and Boy Scouts, veterans, various athletic groups, and the Wayland Children and Parents Association (WCPA). All Wayland residents and groups will be able to use the Community Center for a nominal fee to cover costs of the utilities, supervision and maintenance on a pro rata basis. New policies and procedures related to the booking of the facility will be similar to the booking of other Town space and part of the Town calendar.

Alternative Site Studies: The Council on Aging/Community Center Advisory Committee (CoA/CCAC) retained an independent consultant to conduct an Alternative Site Analysis of the appropriate town-owned parcels that could be used for a community center, including the existing Wayland Town Building, Alpine Road, Orchard Lane, the high school, Claypit Hill School, the Paine Estate, and the former Department of Public Works site at the Middle School. The report revealed appreciable challenges with each of these other alternative sites. The report and can be reviewed at [//www.wayland.ma.us/council-aging-board](http://www.wayland.ma.us/council-aging-board).

Temporarily leasing space at the Town Center for a CoA/CC was considered and discussed by Town officials and the CoA Committee. However, it was decided that the space does not address the long-term needs of the town and would merely increase the cost of the overall project and possibly delay it even further. Because the space needs of a community center and the CoA are not simply generic, but rather

unique to that use, interior build-out of any leased space will be required. This will add to the cost and delay the eventual occupancy of a permanent structure. Further, the cost to build out and lease, according to the CoA, could very well equal the cost of owning the proposed structure at the Municipal Parcels over the term of a 20-year lease.

The need for space for the CoA is acute and growing. Wayland's senior population is expected to continue to grow until 2030. Already more than twenty-seven percent of Wayland residents are 60+ years old and eligible for local, state, and federal programs and services. Residents also use the CoA to understand and seek services for their aging parents. State guidelines recommend provision of 5-6 sq. ft. per senior, while Wayland's underserved seniors are squeezed into 2,800 sq. ft. in the Wayland Town Building, plus a patchwork of other spaces. The CoA is actually made up of 2,128 sq. ft. of hallway and 772 sq. ft. of offices. This gives the Town .74 sq. ft. per senior. Many of our surrounding peer towns have new or are planning expansions to their centers to better meet state guidelines.

The Wayland Real Asset Planning Committee (WRAP) reported that the Municipal parcel is centrally located to the privately-owned Town Center development, zoning is in place for municipal use, utilities are stubbed to the property line, and wastewater capacity of 3,000 gpd is available.

Site Suitability: Some residents have raised concerns about past environmental issues at this site, including chlorinated solvents. Previous environmental studies determined that there were PCB levels at a portion of the site that were above reportable levels set forth by the Massachusetts Department of Environmental Protection ("DEP"). More recent testing in 2015 determined that PCB levels were below DEP reportable levels. That report states:

"In other words, the identified concentration of PCBs in soil would not pose a significant risk of harm to human health, public welfare, safety, or the environment under any current or reasonable foreseeable future scenario of unrestricted use (including recreational, day care, or gardening use of the Site.)"

Some residents have expressed concern with the proximity of the building to the Sudbury River. This project will proceed through the standard permitting with town boards. The CoA/CC working group will work with the Conservation Commission to ensure that future improvements to the property are in compliance with wetlands and riverfront setback requirements. The site design includes adding trails with the guidance and approval of the Conservation Commission to connect the municipal pad to the river, the Rail trail, and existing trails to the north, completing the concept of an "emerald bracelet" on Wayland's riverfront.

The CoA/CCAC also coordinated with the Recreation Department, the CoA, and other departments, and submitted a final report proposing an affordable, flexible, and efficient facility. In 2015, their final report concluded that the Town Center location was the optimal site for this project.

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

Financing: The Town has appropriated \$890,000 at prior Town Meetings (\$150K + \$740K) and has spent \$74,567 to date to secure a site and develop bid documents for a Community Center at the Town Center. The current architects and designers have not submitted invoices for their current work as of this writing.

The Finance Committee recommends funding this project in a debt exclusion. Under Proposition 2½, the town’s taxes cannot exceed the levy limit. A debt exclusion allows raising funds beyond the levy limit to pay for bonds associated with a project. The ability to raise the extra levy expires when the debt associated with the project is paid off.

The cost to service the debt for the CoA/CC construction will cause the average tax bill to increase in the year 2024 by \$265, or 33 cents per \$1000 of home valuation. The average tax rate impact over time will go down as principal and debt service is reduced. This assumes the Town retaining a 20-year bonding at an effective interest rate of 4.5%.

Summary of the projected construction cost: The construction cost numbers include building costs projected to the construction period ending in November of 2023, including site development costs for a new parking lot for 90-100 cars. The following is a more detailed summary of costs that may be anticipated for the bidding, design and construction of the renovation of an existing building for a CoA Community Center in Wayland.

Once an agreement with Twenty Wayland, LLC was announced regarding transfer of ownership of the Town Center municipal parcels to the Town of Wayland, in January 2022, the Town Administrator formed a CoA/CC working group to review the building and site concepts that were prepared by the former CoA/CC Advisory Committee. The Wayland Energy and Climate Committee has also recommended implementing Net Zero Energy goals for any CoA/CC to be renovated or built, based on a passed Town Meeting resolution.

So, again, the working group has recommended renovating the current building located at the western end of the Wayland Town Center. As of this writing, the total building and site costs, including overhead, profit, mark-up, and contingencies, are estimated by the architect to be:

- General Conditions, Site Work, including Selective Demolition \$2,215,000
- Building Renovations, including Concrete and Steel \$2,099,000
- Mechanical, Electrical, Plumbing and Fire Protection \$1,600,000
- General Contractor Fee, Inflation and Contingencies \$2,305,036
- **Subtotal** **\$8,279,036**

However, adding a factor of 1.45 for added project development and other costs that may be anticipated for the bidding, design and construction of the new Community Center is prudent. Thus, the total building and site cost is expected not to exceed **\$12,000,000**.

The Town’s Permanent Municipal Building Committee has considered the architect’s and the working group’s work to date. That committee will have an opportunity to provide its view of the project’s cost, and other related topics, prior to the 2022 Annual Town Meeting.

The new building will require increased custodial care at an anticipated annual cost of one salaried staff person once the building is finished. Total operating expenses, including utilities and maintenance associated with the new building, are estimated to be \$170,000 per year. This is a conservative estimate because while it does not include actual inflation/escalation it also does not take into account the savings from the increased insulation and solar panels. No other staff hires are expected due the building’s construction. Any revenue obtained by renting out the facility will only be used to offset maintenance costs associated with the rental.

The Select Board deferred recommendation until Town Meeting. Vote: 5-0-0

ARGUMENTS IN FAVOR: The Council on Aging (CoA) has been requesting additional space for their operations for many years and it has been shown that the facilities currently available to them are significantly less than other towns of comparable size to Wayland.

The need for more space for the CoA is acute and growing. Wayland's senior population continues to grow, which entails many programs that just cannot be supported today. The Town should address the needs as soon as possible.

Many residents in Wayland have actively pursued a Community Center in Wayland and have held events to demonstrate such support for a facility that is available in many of Wayland's peer towns.

This use would be consistent with the goals of the Town in acquiring the Town Center municipal parcel.

The existing building at the municipal pad represents a unique opportunity for the Town to take advantage of an existing building that studies have shown is in relatively good condition and can be renovated at a cost that is significantly less than the cost of constructing a new building on that part of the site.

This facility can be designed as flexible space that will serve citizens of all ages by managing program schedules. Close coordination of shared space and resources, so that the rooms and spaces are used to their full potential, can be coordinated between the CoA and the Recreation Department, thereby creating operating efficiencies for the Town.

New indoor recreation space will create play space for young children sought by the Wayland Children and Parents Association and a number of other sports organizations.

Constructing a Council on Aging Community Center facility at the Town Center Municipal pad is consistent with the Town's plan for a mixed-use intergenerational environment at Town Center.

ARGUMENTS OPPOSED: Opponents have opined that putting the CoA/Community center is not the best use of this parcel of land.

The Town cannot afford to spend money on a significant new facility at a time when our debt service is at the top of the Finance Committee's recommended maximum debt service level (10% of Total Spending).

Some may argue that the CoA has ample space to conduct its programs in its current space. In addition, providing better indoor facilities for recreation is not a priority at this time.

It has been suggested that we should not renovate an old building but build a new facility.

Opponents suggest that the Town should not be undertaking new projects at this time but focus on the ones already in the works.

Some fear that the site selected may still have environmental issues or be too close to the Sudbury River, or infringe on riverfront setbacks.

RECOMMENDATION: The Finance Committee deferred recommendation until Town Meeting. Vote: 6-0-0

QUANTUM OF VOTE: Two-thirds – see G.L. Chapter 44, Sections 2, 7 and 8.

For more information about this article, contact Acting Town Administrator Stephen Crane at scrane@wayland.ma.us



American Recovery Plan Act (ARPA)
Coronavirus Local Fiscal Recovery Fund
Final Rule Summary

Town of Wayland

April 4, 2022

Available Funds:
\$4,135,376

Funds must be obligated by December 31,
2024 and spent by December 31, 2026

Eligible Use Categories

1

Public Sector Revenues

2

Public Health & Economic Response

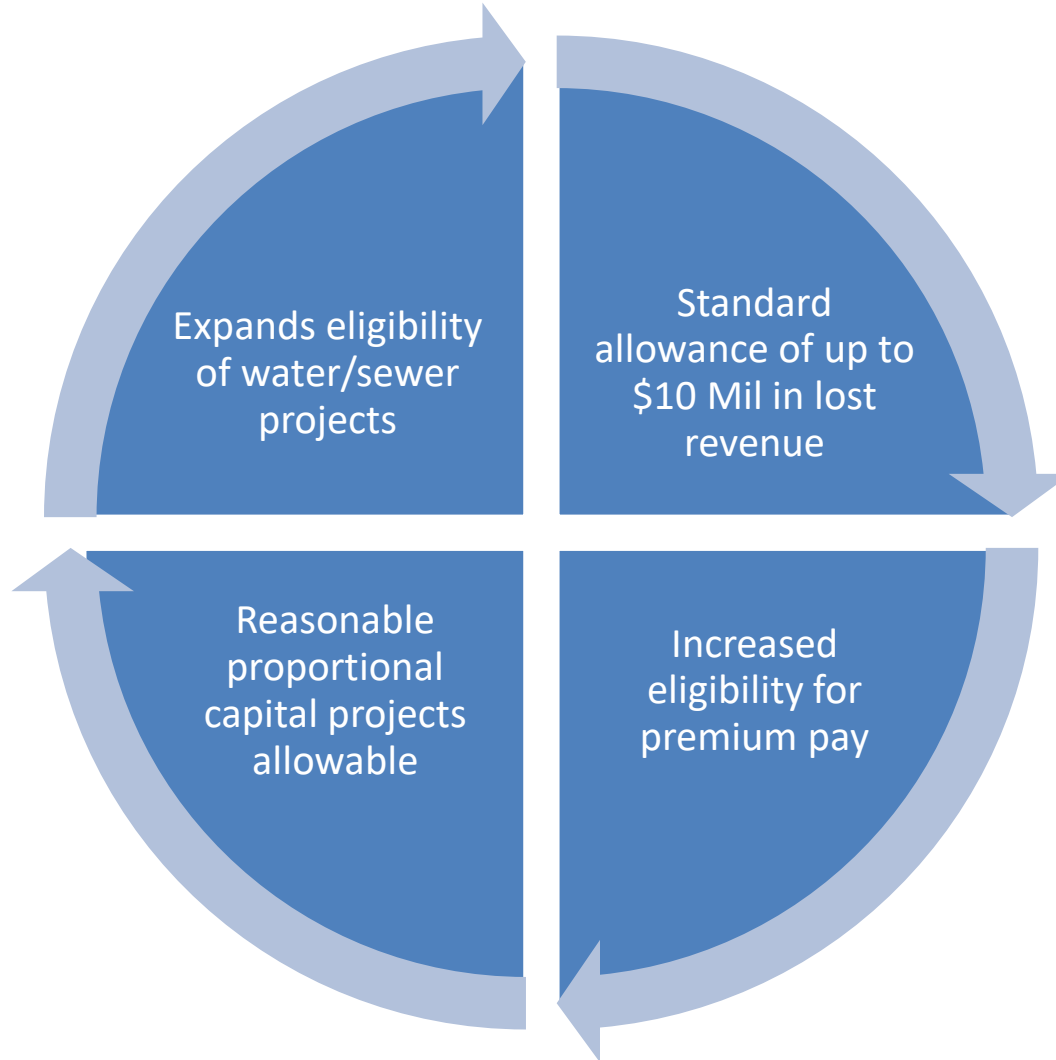
3

Premium Pay for Essential Workers

4

Water, Sewer, & Broadband Infrastructure

Key New Features in Final Rule



Summary of Uses

- Replace Public Sector Revenues
 - Any municipal purpose
- Public Health and Economic Impacts
 - Mitigation and containments; medical expenses; behavioral healthcare; preventing and responding to violence
 - Economic assistance to impacted and disproportionately impacted households, nonprofits, and businesses

Summary of Uses

- Premium Pay for Essential Workers
 - Up to \$13/hour or lump sums for nonexempt employees at less than 150% of state average
 - Workers in critical infrastructure sectors
- Water, Sewer, Broadband Infrastructure
 - EPA State Revolving Fund projects
 - Lead remediation, stormwater management, residential wells, certain dam and reservoir rehabilitation
 - Modernization of cybersecurity

COVID-19 Revenue Losses (Actual)

Date Purchased	Description	Total Cost	Service
Fiscal 2021	Ambulance Receipts-FY 21	\$113,000	Loss of Ambulance Revenue - Loss compared to 5-year Avg.
Fiscal 2020	Meals Tax-FY 20.	\$34,000	Loss of Revenue FY-20 - Loss compared to 4-year Avg.
Fiscal 2021	Meals Tax-FY 21	\$78,000	Loss of Revenue FY-21 - Loss compared to 4-year Avg.
Fiscal 2021	Recreation Revolvng-FY 20	\$64,000	Actual Revenues less than Expenses
Fiscal 2021	Motor Vehicle Excise- FY 20 / 21	\$0	No loss of revenue in Fiscal 2021
Fiscal 2021	Recreation Revolvng-FY 21	\$0	No loss of revenue in Fiscal 2021
Fiscal 2021	Water Fund- FY 20 / FY 21	\$0	No loss of revenue in Fiscal 2021
	TOTAL	\$289,000	

DRAFT ARPA/CLRF Priorities

- **Priority 1: DON'T SPEND \$\$ ON REGULARLY RECURRING EXPENSES**
- Priority 2: Reimburse funds already expended
 - Health Department= \$62,000
 - School Department= \$270,000
 - Library= \$53,000
- Priority 3: Offset near-term planned eligible expenditures
 - Ambulance purchase= \$450,000
 - Replace AEDs Town-wide= \$74,000
 - Health Department Costs= \$188,000
- Priority 4: Plan projects/expenses for FY24 execution
 - Initiate design, permitting, etc. for infrastructure work
 - Support continued Health Department efforts
 - Monitor emerging mental health needs

Fire Department Requests

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>	<u>Total</u>	<u>Comments</u>
Automatic External Defibrulator (AED)	32	\$ 2,300	\$73,600	Replace AEDs in town
Lucas Compression device	1	\$ 2,200	\$2,200	Buy chest compression device for ambulance used in the event of a cardiac arrest
Lifepak Cardiac monitor	1	\$ 45,000	\$45,000	Cardiac monitor for ambulance (in capital budget FY23)
FIT testing machine	1	\$ 28,000	\$ 28,000	Device used to test the Fit of N95 and SCBA masks for Fire/medical personnel
Permeant backup generator Station #2	1	\$ 200,000	\$200,000	Station #2 building project has insufficient funds for a back-up generator
Purchase of ambulance	1	\$ 436,700	\$436,700	This includes the cost of the ambulance \$365,000, and cost of new stretcher and stretcher lifting system \$75,000 (\$400,000 has been funded at FY 22 town meeting)
		TOTAL	\$785,500	

Library Requests

Description	Quantity	Available for loan?	cost per unit	Total Cost	Service
HotSpot	6*	Yes	\$15	\$90	Provide residents working/studying remotely with internet access
External Charger	1	Yes	\$37	\$37	Provide residents working/studying remotely with a portable power source
ChromeBook	5	Yes	\$271	\$1355	Provide residents working/studying from home with laptop computers
Owl	1	No	\$959	\$959	Allow residents to participate in library programs remotely
Portable Scanner	1	Yes	\$239	\$239	Provide residents working/studying remotely with the ability to scan documents.
Mobile Shelving Units for Children's Room		No		\$49,378	Enable Staff to relocate most of our Children's collection in the event of partial building closure.
*6 were recently acquired (11 total)				\$52,058	

Health Department Requests

Health Department expenses	Number of staff	Hours 9/1-3/15	Cost already incurred 9/1/22 to current FY22-ARPA funding needed	FY22 work hours projection thru 6/30/22	FY22 total cost projection thru 6/30/22	FY23 work hours projection	FY23 total cost projection	FY24 work hours projection	FY24 total cost projection
Contact tracing/case management supporting schools and town	9	636	\$25,300	200	\$11,580	517	\$30,000	517	\$30,000
FY22 Funding already reimbursed through Cares Act			-\$1,142						
Subtotal Funds already incurred			\$24,158						
Contact tracing/case management supporting town and schools (contractor)	1	426	\$25,727	121	\$5,000	487	\$20,000	487	\$20,000
FY22 Funding already reimbursed through Cares Act			-\$4,466						
Subtotal Funds already incurred			\$21,261						
Unknown Covid 19 costs to support the town							\$44,000		\$44,000
Totals		1062	\$45,419	321	\$16,580	1004	\$94,000	1004	\$94,000

DPW Requests

Project	Description	Cost	Status
MWRA Connection	Infrastructure construction to convert to MWRA Water Supply	\$19,300,000.00	Connection Evaluation Underway
Stormwater Construction	Deteriorated & Inadequate drainage infrastructure repairs	\$600,000.00	Ready to Bid
Wastewater Treatment Plant at High School	Complete retrofit of wastewater treatment technology & equipment	\$1,200,000.00	Preparing to begin design effort
River Road Water Main Replacement	Replace aged water main pipe as recommended in Capital Efficiency Plan	\$1,400,000.00	Preparing to begin design effort
Water Storage Tank Repair	Make internal repairs to the Reeve's Hill Storage Tank	\$350,000.00	Ready to Bid
Water Booster Station Rehabilitation	Replace pumps & instrumentation at Reeve's Hill Booster Station	\$350,000.00	Ready to Bid
Replace Wastewater Treatment Membranes	Original Membranes at Town Center Treatment Plant need to be replaced	\$300,000.00	Ready to Procure
Replace Water Treatment Membranes	Original Membranes at Baldwin Pond Treatment Plant need replacing	\$200,000.00	Ready to Procure
	TOTAL	\$23,700,000.00	

School Requests (Current Expenses)

PO DATE	DESCRIPTION	TOTAL COST	REASON	SERVICE
8/9/2021	Tent Rentals	42,427	Social distancing for COVID-19 mitigation	Provide schools with additional space for lunches, mask breaks and instruction.
8/18/2021	Air Purifiers	5,176	COVID-19 mitigation	Additional air exchanges and air purification for interior instructional and work spaces.
8/18/2021	Masks & Disinfecting Wipes	7,506	COVID-19 mitigation	Masks for staff and students and disinfecting wipes for cafeteria tables, desks and classroom use.
8/18/2021	Disinfecting Wipes	5,080	COVID-19 mitigation	Disinfecting wipes for cafeteria tables, desks and classroom use.
8/18/2021	Hand Sanitizer	5,719	COVID-19 mitigation	Hand sanitizer for student and staff use.
8/19/2021	Hand Sanitizer	905	COVID-19 mitigation	Hand sanitizer for hand sanitizer stations for student and staff use.
9/2/2021	Tent Seating for Students	1,242	Social distancing for COVID-19 mitigation	Individual student seating for tents. This provides students with designated, socially distant seating
10/6/2021	PPE For Special Education	122	COVID-19 mitigation	Specialized masks for use by Special Education.
10/6/2021	Floor Markings	1,003	Social distancing for COVID-19 mitigation	Floor markers and arrows for social distancing to mitigate COVID-19
11/10/2021	Janitorial Cleaning Services	200,016	COVID-19 mitigation	Cafeteria table cleaning after each lunch service, additional restroom and touch point cleaning
	TOTAL	269,196		

MOTION:

That the Town votes to:

Appropriate twelve million dollars (\$12,000,000) for the design, engineering, construction, equipping, and furnishing of a new Wayland Council of Aging Community Center to be located at the Municipal Parcel and adjacent parcels of land located on and off Boston Post Road and Andrew Avenue in Wayland, Massachusetts shown as Lot 4-1, Lot 8-1, Lot 9-1B, Parcel R-20-1, among others, shown on a plan prepared by the Town Surveyor entitled "Plan of Land Wayland, Massachusetts Showing Proposed Municipal Parcels" dated July 21, 2015, and recorded at the Middlesex South Registry of Deeds as Plan 616 of 2015, a copy of which plan is on file in the Office of the Town Clerk, and any and all incidental and related costs, including but not limited to, site evaluation, engineering and schematic and final design services, and project management services for the design, bidding and construction, site preparation, paving, and landscaping, and to authorize the Board of Selectmen to expend these funds, without further appropriation, but with the approval of the Permanent Municipal Building Committee;

That to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to G.L. c. 44, sections 7 or 8, or any other enabling authority, and issue bonds or notes of the Town therefor, and

That the Town Administrator/Town Manager is authorized to take any action necessary to carry out this program; provided, however, that no amounts shall be borrowed or expended hereunder unless the Town shall have voted to exclude the amounts required to repay any borrowing authorized by this vote from the property tax levy limitations contained in G.L. c. 59, §21C (also known as Proposition 2½), and, provided, further, that no construction funds appropriated by this vote shall be expended until the Town acquires control of the named parcels.

BALLOT QUESTION

Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of the design, engineering, construction, equipping, and furnishing of a new Wayland Council of Aging Community Center to be located at the Municipal Parcel and adjacent parcels of land located on and off Boston Post Road and Andrew Avenue, and any and all incidental and related costs, including but not limited to, site evaluation, engineering and schematic and final design services, and project management services for the design, bidding and construction, site preparation, paving, and landscaping?

MOTION: That the Town votes to:

- a) Appropriate \$3,000,000 to be expended under the direction of the Permanent Municipal Building Committee for designing, permitting, engineering and constructing a multi-purpose natural grass athletic playing field at the Loker Conservation & Recreation Area including playing surfaces, lighting, drainage, landscaping, recreational amenities, access and parking areas; and any and all other costs incidental or related thereto;
- b) Provide for said appropriation by: (i) transferring \$189,160.59 from the Recreation Stabilization Fund and (ii) authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow \$2,810,839.41 under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no amounts shall be borrowed or expended pursuant to this vote unless the Town shall have voted to exclude the amounts required to repay any borrowing authorized by this vote from the property tax levy limitations contained in G.L. c. 59, §21C (also known as Proposition 2½).

BALLOT QUESTION

Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of designing, permitting, engineering and constructing a multi-purpose natural grass athletic playing field at the Loker Conservation & Recreation Area including playing surfaces, lighting, drainage, landscaping, recreational amenities, access and parking areas; and any and all other costs incidental or related thereto?



STEPHEN CRANE
ACTING TOWN ADMINISTRATOR
TEL. (508) 358-3620
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

DRAFT Meeting Minutes **Select Board**

Monday, March 21, 2022
6:30 p.m.

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

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

Also Present: Acting Town Administrator Stephen Crane, Assistant Town Administrator John Bugbee, HR Manager Kate Ryan

A1. Call to Order, Review the Agenda for Public: At 6:30 p.m., Chair, T. Fay called to order the meeting of the Board of Selectmen when a quorum was present and reviewed the agenda for the public. T. Fay noted the meeting would be recorded for re-broadcast and the ways in which the public could view and participate. T. Fay announced each member by full name and that A. Gutbezahl would arrive late.

A2. Announcements and Public Comment: T. Fay announced an upcoming event presented by One Wayland, Re-Envision Consulting, the First Parish Church United of Westford, Wayland's Interfaith Leaders Association and the Human Rights, Diversity, Equity and Inclusions Committee (HRDEIC). The event, a Diversity Town Hall focused on building cultural competency and belonging, as well as processing the harms created by racism in communities would be held on March 29, 2022 from 7:00 p.m. to 9:00 p.m. at the First Parish Church in Wayland.

Frank Kennedy, Old Sudbury Road, joined the meeting in person to update the Select Board on the progress of the COA/Community Center working group.

A3. Discussion and potential vote to name Stephen Crane as Acting Town Manager when the Special Act is enacted: T. Fay announced that Governor Baker had recently signed and enacted a Special Act [HB 4315] which established the Select Board and granted it the authority to an Acting Town Manager. There was a discussion regarding the technical aspects of the appointment of S. Crane and contractual obligations.

D. Watkins moved, seconded by C. Martin, to name Stephen Crane as Acting Town Manager coterminous with his current contract date. In discussion, C. Karlson noted that the motion was missing the technical components discussed.

C. Karlson moved, seconded by C. Martin, that the Board appoint Stephen Crane, Acting Town Manager effective at 5:00 p.m. on March 16, 2022, and that the Board retroactively ratify all ministerial activities that have been completed since then, subject to negotiation of a successor.

D. Watkins amended his initial motion, and moved that the Board name Stephen Crane, Acting Town Manager effective at 5:00 p.m. on March 16, 2022, and that the Board retroactively ratify all ministerial activities that have been completed since then, subject to negotiation of a successor with an end date. There was a discussion about including an end date. D. Watkins moved, to name Stephen Crane Acting Town Manager, coterminous with his current contract, June 30, 2022. D. Watkins withdrew the motion.

C. Karlson moved, seconded by C. Martin, that the Board appoint Stephen Crane as Acting Town Manager, retroactive to 5:00 p.m. on March 16, 2022, and that the Board ratify any and all ministerial actions taken since then, with an end date of the appointment to be coterminous with his existing contract. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: A. Gutbezahl. ABSTAIN: None. Adopted 4-0.

C. Karlson asked the Chair to work with Town Counsel so that the Board would be prepared to discuss an Acting Town Manager contract at a future Executive Session. The Board acknowledged and welcomed newly hired HR Manager, Kate Ryan.

A4. 2022 Annual Town Meeting a. Discuss and Potential Vote to Insert and take a Position on Warrant Articles; refer to the list of articles in the Board's packet b. Review ATM calendar for next steps c. Determine location of Annual Town Meeting d. Discuss including Gossels Good Government Award materials in the Warrant Appendix e. Determine Articles for Abbreviated Presentation Procedure f. Discuss and vote order of articles:

A4.a. Discuss and Potential Vote to Insert and take a Position on Warrant Articles; refer to the list of articles in the Board's packet: D. Watkins reviewed Article CC. Capital Stabilization Funding, which proposed to move non-taxable funds from the General Fund to a Capital Stabilization Fund. D. Watkins summarized that in 2020 certified free cash was about \$8.3 million, and that the 2021 estimates were approximately \$9.3 million and further added that the Town did not spend \$1 million dollars more than what it intended to spend, and therefore the funds fell to free cash. He added that there was approximately \$540,386, in the FY2023 debt appropriation budget, and that was intended to level set the debt service. C. Karlson asked Finance Director, B. Keveny to review the history of free cash and how it relates to the total reserve amount that the Town anticipated to get to from Moody's. B. Keveny indicated that the total reserve fund balance as a percentage of revenue was approximately 18% to 19%, and that free cash had remained stable over many years. B. Keveny reviewed the process of appropriating the \$500,000 of free cash to be certified as of June 30 2021, and the amount known to be surplus into the next year, resulting in a simple appropriation of \$1 million dollars to the Capital Stabilization Fund. B. Keveny recommended the \$1 million dollar appropriation as it would strengthen the Town's financial position. C. Karlson recommended that the details be explained to voters in the warrant article write up. C. Martin expressed support for the proposal. A. Gutbezahl arrived in-person to the meeting 7:20 p.m.

D. Watkins moved, seconded by C. Karlson, to insert and support Article CC. Capital Stabilization Funding for \$1 million dollars, as amended. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0. B. Keveny left the meeting.

C. Karlson moved, seconded by D. Watkins, that the Board withdraw Article G. Compensation for Town Clerk. In discussion, C. Karlson noted that the salary for the Town Clerk originally in the budget, but because the recently enacted Special Act moved the Town Clerk role to an appointed position, the article was no longer needed. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

At 7:22 p.m., A. Gutbezahl recused himself from discussion of Article Q. Transfer of 212 Cochituate Rd as his employer had represented an individual who had expressed an interest in the property, although he was not directly engaged in that representation he recused himself to avoid any appearance of a conflict of interest.

C. Karlson summarized a recent consultation with Town Counsel who advised that there were alternatives to Article Q and that more research was needed to bring the alternatives forward. She indicated that the Board not bring the article to Town meeting unless the Board knew exactly what they were doing or the treasurer were to take it upon themselves to auction the property. C. Karlson discussed that the Board could auction the property with restrictions. Town Counsel had indicated that if the Town were to bring the property to Town Meeting and request that the Select Board be given control fo the land for general municipal purposes that time was needed for community discussion. S. Crane said not doing this helps the town retain greater flexibility for now. D. Watkins asked if C. Karlson documented the conversation with legal to help the Board better understand. C. Karlson indicated no. He reviewed that when the board first discussed the Article, the Board was told that any study, analysis or discussion was dependent upon the Town gaining control of the land. C. Karlson said that if Town meeting were to approve the Article the Town would not be able to sell

the land and recognized that the majority of the Board wanted to use the land for affordable housing. C. marting concurred and wanted the land to be used for affordable housing.

C. Karlson moved, seconded by D. Watkins, to withdraw Article Q. Transfer of 212 Cochituate Rd from the Warrant. In discussion, D. Watkins and C. Martin expressed preference for the property to be used for affordable housing. Roll Call Vote: YEA: T. Fay, C. Karlson, C. Martin. NAY: D. Watkins. ABSENT: A. Gutbezah. ABSTAIN: None. Adopted 3-1.

T. Fay announced the Board would move on to agenda item regarding appointments, but intended to return to the current Town Meeting agenda topic. At 7:39 p.m. A. Gutbezah rejoined the meeting.

A5.1. Appointments: Joint meeting with the Board of Health to interview candidate(s) and vote to appoint to fill vacancy on the Board of Health with a term ending with the conclusion of 2022 Annual Town Meeting:

Board	Potential Appointee	Term End Date
Board of Health	Genevieve Anand	2022 Annual Town Meeting
Board of Health	Robert Eyre	2022 Annual Town Meeting

At 7:40 p.m., Chair of the Board of Health, Robert Defrancesco called to order a meeting of the Board of Health when a quorum was available and announced its members by full name: present in the room were Robert Defrancesco, John G. Schuler, participating remotely were Arnie Soslow and Susan Green. Also present in the room was Public Health Director, Julia Junghanns. T. Fay welcomed candidates G. Anand, Forty Acres Drive and R. Eyre, Claypit Hill Road. The Board interviewed both candidates and reviewed their related background. A. Soslow expressed that both candidates were qualified and would prefer G. Anand to contribute to diversity on the Board.

D. Watkins moved, seconded by A. Gutbezah, that the Select Board vote to appoint R. Eyre to the Board of Health for a six-week term ending with the conclusion of the 2022 Annual Town Meeting to fill the unexpired term of Susan Green. In discussion, C. Karlson concurred with A. Soslow and noted the Board's commitment to diversity. D. Watkins withdrew the motion, A. Gutbezah withdrew his second to the motion.

A. Gutbezah moved, seconded by C. Martin, that the Select Board recommend appointment of G. Anand to fill the vacancy of Susan Green's term set to expire at the close of 2022 Annual Town Meeting. In discussion, the sense of the Board was supportive of Dr. Eyre to join the Board of Health when able to do so. Roll Call Vote: YEA: S. Green, A. Soslow, T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: R. Defrancesco, J. Schuler. ABSENT: B. McNamara. ABSTAIN: None. Adopted 7-2. The Board of Health adjourned its meeting unanimously by roll call vote.

At 8:03 p.m. C. Martin left the meeting for two minutes, and returned at 8:05 p.m.

A6. Proposition 2 ½ Debt Exclusion Ballot Questions(s): a. Accept Public Comment on potential ballot questions b. Discussion and vote on placing Debt Exclusion questions(s) on the May 2022 Ballot:

A. Gutbezah moved, seconded by C. Martin, that the Select Board place a proposition 2 ½ ballot question on the ballot with respect to the Council on Aging / Community Center project for purposes of a debt exclusion override. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A. Gutbezah moved, seconded by C. Martin, that the Select Board place a proposition 2 ½ ballot question on the ballot with respect to the Loker multi-purpose Grass Field project for purposes of a debt exclusion override. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A4. 2022 Annual Town Meeting a. Discuss and Potential Vote to Insert and take a Position on Warrant Articles; refer to the list of articles in the Board's packet b. Review ATM calendar for next

steps c. Determine location of Annual Town Meeting d. Discuss including Gossels Good Government Award materials in the Warrant Appendix e. Determine Articles for Abbreviated Presentation Procedure f. Discuss and vote order of articles: (Revisited)

A4.a. Discuss and Potential Vote to Insert and take a Position on Warrant Articles; refer to the list of articles in the Board's packet. (Revisited)

D. Watkins reported that the Finance Committee comments for Article DD. Oxbow Meadow Funding, had been revised by the Finance Committee. A. Gutbezahl reviewed the changes to the revenue lines for Article E. Enterprise Fund Budget, as shown in the red line version in the packet and suggested by DPW Director, Tom Holder. A. Gutbezahl noted the total amount remained the same but there was an addition of a line for Water Certified Retained Earnings.

C. Karlson provided an update on Article A. Recognize Citizens & Employees for Particular Service to Town and that Article H Personnel Bylaws and Wage & Classification Plan would need to be discussed in Executive Session. C. Karlson updated the Board on the recent privilege fee for Article U. Wastewater Capital Budget Request. C. Karlson updated the Board on Article II. Housing: Launcher Way Acquisition, reporting that the Community Preservation Committee voted to take no more than \$100,000 from uncommitted funds, and that would help cover any closing costs, and up to \$4 million in borrowing in the future.

A4.b. Review ATM calendar for next steps: There was a discussion about proof-reading the Warrant before it goes to the printer. T. Fay noted there would be a public forum on April 12, 2022 for Article N. Appropriate funds to construct a new Council of Aging / Community Center.

A4.c. Determine location of Annual Town Meeting: T. Fay noted that the staff planning for the Annual Town Meeting recommended that 2022 Annual Town Meeting be held indoors at the Field House. D. Watkins expressed preference for an outdoor meeting. S. Crane reviewed the staff recommendation for an indoor location and outlined the financial, logistical, staff and community benefits to hold the meeting indoors. A. Gutbezahl expressed his preference for an outdoor meeting because voters with unvaccinated children would not likely attend an indoor meeting.

A. Gutbezahl moved, seconded by D. Watkins, that Town Meeting commence at 12:30 p.m. on May 14, 2022 at Wayland High School Athletic Field. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A4.d. Discuss including Gossels Good Government Award materials in the Warrant Appendix: C. Karlson reported that the Chair of the Public Ceremonies Committee, Richard Turner requested that the warrant include an explanation of the Gossels Good Government Award in the appendix of the warrant, and that the Town Moderator would allow the award to be presented at ATM before the budget article.

A4.e. Determine Articles for Abbreviated Presentation Procedure: A4.f. Discuss and vote order of articles: The Board reviewed the articles for Abbreviated Presentation Procedure and the order of the articles as proposed in the packet.

C. Karlson moved, seconded by A. Gutbezahl, that the Board approve the order of articles as shown in the supplemental packet, understanding that Article 7 and Article 14 are being withdrawn; including the abbreviated procedure notations. In discussion, C. Martin suggested some revisions to the order of articles and asked C. Karlson to withdraw the motion to wait until after Executive Session. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, D. Watkins. NAY: C. Martin. ABSENT: None. ABSTAIN: None. Adopted 4-1.

A5.2. Human Rights, Diversity, Equity and Inclusion (HRDEI) Committee: discussion and potential vote to revise charge to make all appointees voting members: A. Gutbezahl recommended the Board pass over the item and wait until after a new HRDEI Chair was appointed, and a time after the HRDEIC was able to discuss the topic more substantively.

A11. Executive Session:

- I. Pursuant to Massachusetts general Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with:
 - a. Local 690 Wayland-1 American Federation of State, County, and Municipal Employees (AFSCME 690 Wayland-1)
 - b. Local 690 Wayland-2 American Federation of State, County, and Municipal Employees (AFSCME 690 Wayland -2)
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and consider for potentially release the following executive session minutes related to discussing strategy with respect to litigation Duane Galbi v. Town of Wayland et al: October 28, 2019; September 21, 2020; February 1, 2021; July 26, 2021; October 4, 2021; and December 13, 2021
- III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(2), (3), and (6) to review and approve the executive session minutes of March 14, 2022; Approve and Hold: Executive Session minutes of March 14, 202:

At 8:57 p.m., Chair T. Fay moved, seconded by C. Karlson, that the Board of Selectmen enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining with: Local 690 Wayland-1 American Federation of State County and Municipal Employees (AFSCME 690 Wayland-1) and Local 690 Wayland-2 American Federation of State County and Municipal Employees (AFSCME 690-2); and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and consider for potentially release the following executive session minutes related to discussing strategy with respect to litigation Duane Galbi v. Town of Wayland et al: October 28, 2019; September 21, 2020; February 1, 2021; July 26, 2021; October 4, 2021; and December 13, 2021; and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of March 14, 2022; with the intent to approve and hold the Executive Session minutes of March 14, 2022.

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: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

Chair, T. Fay invited attendance by Acting Town Administrator Stephen Crane, Assistant Town Administrator John Bugbee and HR Manager Kate Ryan. T. Fay noted that the Board would return from the executive session to resume the meeting in open session after approximately thirty minutes. At 9:45 p.m., the Board returned to open session.

A5.3. Acting Town Administrator update a. River's Edge b. RFP c. PFAS d. Loker Roof e. COA/CC f. BoPW Letter g. Eversource Vegetation Plan h. Wayland Little League Parade i. HRDEI phone portal

A5.3.a. River's Edge: S. Crane reported that the Town had received a performance payment and another larger payment for escrow was being requested.

A5.3.b. RFP: Request for Proposal: J. Bugbee informed the Board that he would soon provide a draft document for its review regarding an RFP for the Town Manager Search.

A5.3.c PFAS: Per- and Polyfluoroalkyl Substances (PFAS6): S. Crane reported that there would soon be a press release regarding the new system at Happy Hollow which had been pressure tested for which the Town awaited results. He added that without the resin the test results have been under the Maximum Contaminant Level (MCL). S. Crane reported that he expected the EPA to allow the Town to resume water service and once the confirmatory tests results were back the Town would discontinue the bottled water rebate.

A5.3.d. Loker Roof: S. Crane reported that there was a recent change order approved by the Permanent Municipal Building Committee, but the change did not impact the timeline.

A5.3.e. COA/CC: Council on Aging/ Community Center (COA/CC): S. Crane reported that the Town would hold a public forum to provide an update to the public on the project, and that the workgroup is working with the architectural firm on the schematic design and final cost estimates.

A5.3.f. Letter: Board of Public Works (BoPW): A5.3.g. Eversource Vegetation Plan: S. Crane reported that the Board of Public Works sent a letter to Eversource, which was included in the Board's packet. The letter was in response to the recent notice of Eversource's Vegetation Management Plan. T. Fay expressed the importance of such communications to pass through the Select Board/Acting Town Manager office before they are sent.

A5.3.h. Wayland Little League Parade: S. Crane informed the Board that Wayland Little League intended to resume its annual parade on April 30, 2022.

A5.3.i. Human Rights, Diversity, Equity and Inclusion Committee (HRDEI) phone portal: S. Crane reported that the Town had established a phone line and that the next step was to work with a representative from the HRDEIC to develop simple response procedures before the phone line went live.

A9. Selectmen's Reports and Concerns: D. Watkins asked S. Crane about the status of the American Rescue Plan Act (ARPA) funds, which had a deadline approaching in April. S. Crane asked the Board if it wanted to have a community forum regarding the funds or discuss it among the Board. A. Gutbezahl recommended the Board add the topic to an agenda in April.

A7. Consent: Review and Vote to Approve:

1. Vote the question of designating and approving signing authority to Stephen Crane, Acting 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 the Anderson Kreiger legal invoices in the amount of \$1,179.60 regarding River's Edge Special Counsel.
4. Vote the question of approving sandwich board requests by the Wayland Youth Fishing Derby during the dates of Saturday, April 23, 2022 to Saturday, April 30, 2022 at the Fire Station Two in Cochituate, Old Connecticut Path and Cochituate Road (five paths) Route 20/Old Connecticut Path by Coach Grill, and Town Center (Route 20 & 27).
5. Vote the question of approving sandwich board requests by the CAPA high school acapella fundraising project during the dates of Sunday, March 27 to Friday, April 8, 2022 at the Fire Station Two in Cochituate, Old Connecticut Path and Cochituate Road (five paths).
6. Vote the question of approving the mini-grant from the Lauren Dunne Astley Memorial Fund to the Human Rights, Diversity, Equity and Inclusion Committee
7. Vote the question of authorizing the Acting Town Administrator to sign a letter of attestation agreeing to participate with Holbrook Regional Emergency Communications Center as a partner in studying the planning of a regional communication center as set forth in the application for State 911 Department Grant funding submitted by Wayland Police and Wayland Fire Departments.
8. Vote the question of approving sandwich board requests by the Wayland Public Schools Foundation for their Annual Spelling Bee during the dates of Monday, March 21, 2022 to Sunday, March 27, 2022 at the Old Connecticut Path and Cochituate Road (five paths), and Town Center (corner of Routes 20 & 27).

C. Karlson moved, seconded by A. Gutbezahl, to approve 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.

A8. Correspondence: The Board reviewed the correspondence in the packet.

A9. Selectmen's Reports and Concerns: (revisited) A. Gutbezahl expressed support for displaying blue and yellow lights on the Public Safety Building to show solidarity with Ukraine as requested. C. Karlson requested the Board discuss the topic more to ensure the Town recognized similar world events equitably. A. Gutbezahl renewed his previous request that the Board have a substantive discussion about the role of Board liaisons. A.

Gutbezahl reported that the Board was in receipt of correspondence regarding the Mill Creek Residential concept presentation which he felt would be best suited for the Zoning Board of Appeals to receive. He requested that the Board issue a statement regarding its role. A. Gutbezahl acknowledged the upcoming election and noted that he personally made a public affirmation to not use his seat on the Board to sway voters one way or the other. He recommended that other Board members would hold the same position and make the same public affirmation. D. Watkins requested that the Board set an action plan for the next 45 days regarding the ARPA funds. D. Watkins also asked for an update regarding remote participation for Town Meetings. D. Watkins also suggested that the Town's website be available to be translated into multiple languages.

A12. Minutes: a. Review and vote to approve the minutes of February 28, 2022, March 3, and March 7 and March 14, 2022 b. Vote to release with redactions the executive session minutes related to discussing strategy with respect to litigation Duane Galbi v. Town of Wayland et al: October 28, 2019, September 21, 2020, February 1, 2021, July 26, 2021; October 4, 2021 and December 13, 2021:

C. Karlson moved, seconded by C. Martin, that the Board vote to release with redactions the Executive Session Minutes related to discussing strategy with respect to litigation between Galbi v. Town of Wayland for the dates shown on the agenda. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A13. Open Meeting Law Complaint: discussion of complaint received on March 4, 2022 from resident George Harris; review and vote on response: C. Karlson provided some background on the topic, whereas the Board voted in December to move forward with a settlement agreement related to the Galbi v. Town of Wayland case, as shown in the minutes that were just released; the settlement agreement was signed later in January. The Board was not aware that the settlement had been completed and the documents existed. The Board knowingly did not vote to release the minutes because the Board believed the matter was pending. The Board then received a request for those minutes which were being held. The Board did not respond in time to the request which resulted in the complaint. However, since the complaint was received, the settlement and all accompanying documents were located and executed. Thereafter, the Board could release the minutes. There was a discussion regarding the Boards options to response by authorizing the Chair to draft a response ahead of the deadline, meeting ahead of the deadline or requesting an extension.

A. Gutbezahl moved, seconded by D. Watkins, to authorize the Chair in consultation with Town Counsel to provide a substantive response to the Open Meeting Law complaint submitted by complainant George Harris dated March 4, 2022, on or before March 24 2022. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A12. Minutes: a. Review and vote to approve the minutes of February 28, 2022, March 3, and March 7 and March 14, 2022: (revisited):

C. Karlson moved, seconded by A. Gutbezahl, that the Board approve the minutes of February 28, 2022, March 3, 2022 and March 7, 2022, as amended. No action was taken on the minutes of March 14, 2022. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A10. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A14. Adjourn: At 10:31 p.m., C. Karlson moved, seconded by C. Martin, that the Board 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 March 21, 2022:

1. Revised Agenda: Board of Selectmen Meeting, March 21, 2022 6:30 p.m., revised March 18 at 11:55 a.m.
2. Table: Article List 2022 Annual Town Meeting, revised March 17, 2022
3. Draft Proposed ATM 2022 Article Order, for Discussion Only, dated March 7, 2022
4. 2022 Annual Town Election/Annual Town Meeting Schedule, revised November 29, 2021

5. Draft: Article K. New Stonebridge Resolution Expenditure of Funds with attachments
6. Draft: Article N. Appropriate funds to construct a new Council of Aging / Community Center
7. Draft: Article CC. Capital Stabilization Funding, redline version
8. Draft: Article DD. Oxbow Meadow Funding, redline version
9. Draft: Article NN. Rescind Appropriation for Framingham Bridge, with attachments
10. M.G.L Part I Title VII Chapter 41 Section 11: Appointment to Fill Vacancy in Town Office
11. Town of Wayland Board/Committee Appointments Status as of March 8, 2022
12. R.C. Eyre Application materials for Board of Health vacancy
13. G. Anand Application materials for Board of Health vacancy
14. HRDEI Committee Charge and list of current members and term dates
15. Letter: From: Board of Public Works (BoPW) Member Michael Lowery To: William Hayes, Senior Supervisor Eversource Energy, Vegetation Management 247 Station Drive, SE-370 Westwood, MA 02090-9230 Subject: Re 2022 Vegetation Management Plan Wayland Wellhead Capture Zones – Sensitive Areas, dated March 8, 2022, with attached Eversource correspondence
16. Contact Form: From: K. Brown To: Crane, Stephen Subject: Wayland Little League Parade April 30, 2022, dated Friday, March 11, 2022
17. Board Policy: Policy on Proposition 2½ Ballot Questions², Adopted on November 12, 2002; revision prepared October 1, 2010
18. Draft: Board of Selectmen Meeting Minutes February 28, 2022
19. Draft: Board of Selectmen Meeting Minutes March 3, 2022
20. Draft: Board of Selectmen Meeting Minutes March 7, 2022
21. Open Meeting Law Complaint Form: filed by complainant George Harris, dated March 4, 2022 with attached exhibits

Supplemental Packet:

1. Session Laws, Acts of 2022 Chapter 33, An Act Creating Select Board-Town Manager Form of Government in the Town of Wayland, enacted March 16, 2022, 2022; HB4315
2. Draft Proposed ATM 2022 Article Order, for discussion only, dated March 21, 2022
3. Draft: Article E. Enterprise Fund Budget, redline version

**Items Distributed For Information and Use By the Board during the Meeting of March 21, 2022
Otherwise Not Included In The Packet (Handouts):**

1. Draft: Article G. Compensation for Town Clerk
2. Draft: Article Q. Transfer of 212 Cochituate Rd, redline version
3. Draft: Article A. Recognize Citizens & Employees for Particular Service to Town
4. Draft: Article H Personnel Bylaws and Wage & Classification Plan
5. Draft: Article U. Wastewater Capital Budget Request.
6. Draft: Article II. Housing: Launcher Way Acquisition