

PACKET

AUG 29

7:00 PM



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

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

SELECT BOARD

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

SELECT BOARD Monday, August 29, 2022

7:00 p.m.

ZOOM

Wayland Town Building, ZOOM
41 Cochituate Road, Wayland, MA

Agenda

Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. All topics may be subject to deliberation and vote

One may watch or may participate remotely with the meeting link that can be found at <https://www.wayland.ma.us/public-body-meeting-information-virtual-inperson-and-hybrid>.

Pursuant to Chapter 107 of the Acts of 2022, this meeting will be conducted via remote participation. No in person attendance by members of the public will be permitted. This meeting may be recorded which will be made available to the public on WayCAM as soon after the meeting as is practicable.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. We request public comment be limited to two minutes per person.

- | | |
|---------|---|
| 7:00 pm | 1. Call to Order; Review Agenda for Public |
| 7:02 pm | 2. Announcements and Public Comment |
| 7:10 pm | 3. 2023 Annual Town Meeting (ATM): review and select date for election and start of ATM |
| 7:30 pm | 4. Town Manager Search: <ul style="list-style-type: none"> • Review Board inputs to community and employee draft surveys; approve final surveys for distribution. • Review process for selecting Screening Committee members; select members. • Discuss protocols for Community Forum on September 7. • Discuss timing to review community and candidate profiles. • Update on Town Manager Search webpage. • Understand Board impacts to draft timeline for hiring a Town Manager. |
| 9:00pm | 5. Appointments to Committees: Vote to confirm appointment of the following volunteers: |

2022 AUG 25 PM 8:52
WAYLAND TOWN CLERK

SELECT BOARD
Monday, August 29, 2022
7:00 p.m.
Wayland Town Building, ZOOM
41 Cochituate Road, Wayland, MA

<u>Appointing Board</u>	<u>Committee:</u>	<u>Potential Appointee:</u>	<u>Term End Date:</u>
School Committee	Audit Committee	Samantha Shullo	6/30/25
Finance Committee	Senior Tax Relief Committee	Anne Gilbert	6/30/25

- 9:05 pm 6. Minutes: review and approve the minutes of August 8, 2022 and August 15, 2022
- 9:10 pm 7. Consent Calendar: review and approve
- 9:15 pm 8. Review Correspondence
- 9:20 pm 9. Select Board Members' Reports and Concerns
- 9:25 pm 10. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance, if any
- 9:30 pm 11. Executive Session
- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of August 15, 2022.
- Approve and Hold: Executive Session minutes of August 15, 2022.
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7), to review and consider for potential release the following executive session minutes related to discussing strategy with respect to David Bernstein v. Planning Board of Wayland et al: July 8, 2008; July 2, 2008; June 23, 2008; June 16, 2008; June 9, 2008; June 2, 2008; May 5, 2008; April 28, 2008; March 17, 2008; February 25, 2008; February 19, 2008; February 11, 2008; March 23, 2009; January 19, 2010; January 12, 2015; February 10, 2015; March 16, 2015; April 13, 2015; May 18, 2015; June 24, 2015; July 13, 2015; September 8, 2015; September 11, 2015; October 5, 2015; February 1, 2016; March 21, 2016; May 23, 2016; August 3, 2016; July 24, 2017; September 18, 2017; April 30, 2018; February 4, 2019; March 25, 2019; July 15, 2019; September 2, 2021; November 8, 2021; January 10, 2022; January 18, 2022; January 24, 2022; February 9, 2022; February 28, 2022, and May 23, 2022.
- III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation Duane Galbi v. Wayland Zoning Board of Appeals and CELLCO Partnership d/b/a Verizon Wireless
- 10:30 pm 12. Adjourn

SELECT BOARD
Monday, August 29, 2022
7:00 p.m.
Wayland Town Building, ZOOM
41 Cochituate Road, Wayland, MA

CONSENT CALENDAR

1. Confirm Cherry Karlson signing the Launcher Way bid item Municipal Articles of Incorporation
2. Vote the question of approving a One-day All Alcohol Liquor License to Eliza Wall for an event (Love Lane Special Needs Horseback Riding Program) at Duck Puddle Farm, 48 Lincoln Road on September 24, 2022 from 4:00pm to 9:30pm.
3. Vote the question of approving an Entertainment License to Eliza Wall for an event (Love Lane Special Needs Horseback Riding Program) at Duck Puddle Farm, 48 Lincoln Road on September 24, 2022 from 4:00pm to 9:30pm
4. Vote the Question of approving Contract NO. 21-2025, Change Order #3 for construction services related to the River's Edge Sewer Connection Project in the amount of \$232,535.75 with RJV Construction Corporation.
5. Vote the question of approving the application form for financial assistance from the Massachusetts Clean Water Trust's Drinking Water State Revolving Fund in the amount of \$139,200.00.
6. Vote the question of approving Contract No. 18-2005, Task Order No. 21 for the River Road Water Main Design, Permitting and Bidding project in the amount of \$110,000.00 with Tata & Howard.
7. Vote the question of approving Contract No. 22-2003, Task Order No. 2 for Lead Service line Inventory in the amount of \$139,000.00 with Kleinfelder Northeast Inc.
8. Vote the question of approving the Memorandum of Agreement between the Town of Wayland and AFSCME Local 690 Wayland 1 & 2. The agreement amends Appendix A of the current CBA to include a Shift Differential Increase: Evening shift increase from 5% to 6% and night shift increase from 6% to 7%.
9. Vote the question of accepting a donation of the remaining balance of the performance bond from 5 Erwin Road in the amount \$1012.00 for the Conservation Commission from Erik Ramanthan.
10. Vote the question of approving the contract with Koch Separation Solutions Inc. for the purchase of water filtration cartridges in the amount of \$176,000.00.
11. Vote the question of approving the contract with Ellingwood Construction Inc. for the Aqueduct Crossing Construction Project in the amount of \$100,145.00.



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

MEMORANDUM

To: Select Board
From: Chris Costello, Management Analyst
Cc: Stephen Crane, Acting Town Manager
Date: August 10, 2022
Re: 2023 Annual Town Meeting Proposed Dates

This memorandum outlines the possible dates for 2023 Annual Town Meeting and summarizes the input received thus far regarding the dates.

The following dates were identified for both the Annual Town Election and Town Meeting:

Primary Choices (Sunday Start and Weekday Only)

- Choice 1 (Sunday Start): Election March 28, 2023; Potential Town Meeting Dates: April 2, 3 and 4
- Choice 2 (Sunday Start): Election April 25, 2023; Potential Town Meeting Dates: April 30, May 1 and 2
- Choice 3 (Sunday Start): Election May 2, 2023; Potential Town Meeting Dates: May 7, 8 and 9.
- Choice 4 (weekday only) Election March 28, 2023; Potential Town Meeting Dates: April 3, 4 and 5.
- Choice 5 (weekday only): Election April 25, 2023; Potential Town Meeting Dates: May 1, 2, and 3.
- Choice 6 (weekday only): Election May 2, 2023; Potential Town Meeting Dates: May 8, 9 and 10.

Secondary Choices (Saturday and Sunday)

- Choice 1: Election March 28 2023; Potential Town Meeting Dates: April 1, 2 and evening of April 3
- Choice 2: Election April 25, 2023; Potential Town Meeting Dates: April 29, April 30, and evening of May 1 if needed
- Choice 3: Election May 2, 2023; Potential Town Meeting Dates: May 6, 7 and evening of May 8 if needed

Wayland Public Schools:

AP Exams:

It is anticipated that the field house will be utilized for AP Exams on May 3, 4, 5 and 8. For AP exams, there is usually 40-60 desks and chairs set up in the field house. Choices 1, 2 and 4 would be ideal for the high school.

Athletics:

All of the proposed dates fall within the spring athletics season. During the spring season both the field house and turf will be utilized. The weekend has more flexibility to schedule events. Events can be scheduled away from Wayland on Town Meeting dates with advanced notice.

Fine Arts:

No conflicts at this time.

WILA:

In regards to choice 1 and 4, Passover begins in the evening on Thursday April 6th and having Town Meeting so close to the start date might be an inconvenience to some. WILA also noted that starting Town Meeting on a Saturday at noon will conflict with the Sabbath, and thus advocated for a weekday Town Meeting.

Town Moderator:

The Moderator appreciated the courtesy of being able to provide input, but deferred to the Board to make the choice for Town Meeting dates. He will be available for any date the Select Board determines. The Moderator suggested that the Select Board continue on with having Town Meeting on Saturday and Sunday, as it has worked well. He also expressed a preference for Town Meeting to be held in late April or early May (choices 2, 3, 5, or 6) to give articles more time to be developed and refined.

Town Clerk:

The Clerk's office said that the election should be held on a Tuesday. The office also felt that having an election on March 29 may be challenging to prepare for. An election in late April or early May would allow for more time to prepare.

Electronic Voting Service Provider:

Requires access to the venue two days prior to Town Meeting for physical setup and system test. Starting town meeting within two days after a holiday is not possible.

*more feedback from various stakeholders, including the School Department, is expected in the near future

Wayland Code Requirements (section 36-1 and 36-3)

1. Last day to close ATM Warrant is January 15
2. Town Meeting must start between April 1 – May 15
3. Annual Town Election must be held 2-7 days before the start of ATM

Assumptions

1. Town Clerk: Elections should be held on a Tuesday
2. Facilities begins set up of the fieldhouse on the Friday before a Monday or Sunday start. If starting on a Saturday, Facilities would need to start setting up on Thursday which potentially impacts High School programs.

DARK GREEN: Potential Election Date LIGHT GREEN: Potential ATM Dates

April 2023						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		28 Annual Election				1
2	3	4	5	6 Holy Thursday Passover Begins	7 Good Friday Passover	8 Passover
9 Easter Passover	10 Passover	11 Passover	12 Passover	13 Passover Ends	14 Orthodox Good Friday	15 Spring Recess
16 Spring Recess Orthodox Easter	17 Spring Recess	18 Spring Recess	19 Spring Recess	20 Spring Recess	21 -Spring Recess -Eid al-Fitr -Ramadan ends	22 Spring Recess
23 Spring Recess	24	25 Annual Election	26	27	28	29

May 2023						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	1 AP Exams	2 Annual Election Twelfth Day of Ridván AP Exams	3 AP Exams	4 AP Exams	5 AP Exams	6
7	8 AP Exams	9 AP Exams	10 AP Exams	11 AP Exams	12 AP Exams	13

May 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
14 Mother's Day	15	16	17	18 Ascension Day	19	20
21	22	23	24 Declaration of the Báb	25 Eastern Orthodox Ascension Day Shavuot	26 Shavuot	27 Shavuot
28 Memorial Day	29	30	31			

Wayland Town Manager – Position Profile Survey – Residents

DRAFT

The Select Board seeks your input as it commences the Town Manager search. The Select Board believes it is important to solicit feedback from the Town residents regarding the characteristic and traits the new Town Manager should possess as well as the opportunities and challenges he, she or they may be faced with when assuming the position. Please provide responses to the following questions by September 6, 2022. Thank you for your participation in the survey.

1. Which three of the following leadership traits abilities do you believe are most essential to perform the work of Town Manager?
 - a. Inspirational
 - b. Approachable
 - c. Visionary
 - d. Courageous
 - e. Empathetic
 - f. Ethical
 - g. Communicative
 - h. Other _____

2. Which three of the following management style skills do you believe are most essential to perform the work of Town Manager?
 - a. Strategic
 - b. Decisive
 - c. Collaborative
 - d. Coaching
 - e. Proactive
 - f. Innovative
 - g. Anticipatory
 - h. Other _____

3. Which three of the following abilities and skills do you believe are most essential to perform the work of the Town Manager?
 - a. Ability to interact regularly with a wide variety of stakeholders
 - b. Skill in municipal finance
 - c. Skill in collective bargaining
 - d. Ability to work with a multi-member board
 - e. Ability to supervise staff, some of whom work in different locations
 - f. Skill in making oral presentations
 - g. Skill in communicating with diverse groups and stakeholders
 - h. Other _____

4. Do you think it is necessary for the new Town Manager to have had previous experience as a manager of a local government?
 - a. Yes
 - b. No

5. Do you have any other comments related to the recruitment?

Wayland Town Manager – Position Profile Survey – Residents

DRAFT

The Select Board requests your feedback regarding the position of Town Manager. The Select Board believes it is important to solicit feedback from the Town residents regarding the characteristic and traits the new Town Manager should possess as well as the opportunities and challenges he, she or they may be faced with when assuming the position. Please provide responses to the following questions by September 6, 2022. Thank you for your participation in the survey.

1. Which three of the following behavioral practices you believe are most essential to perform the work of Town Manager?

- a. Ethics/Values
- b. Management Focus
- c. Builds Success Teams
- d. Delegates/Share Responsibility
- e. Models Role Behavior
- f. Strategic Decision-Making
- g. Builds Trust
- h. Achieves Results
- i. Business / Financial Acumen
- j. Dependable / Follow-Through
- k. Composure -Stress
- l. Self-Confidence / Courage
- m. Effective Communications
- n. Creativity & Innovation
- o. Manages Conflict Inspirational
- p. Other _____

2. Which three of the following management style skills do you believe are most essential to perform the work of Town Manager?

- a. Stability
- b. Organizing
- c. Entertaining
- d. Creating
- e. Excelling
- f. Enduring
- g. Expressing
- h. Recognition
- i. Analyzing
- j. Opportunism
- k. Other _____

3. Which three of the following abilities and skills do you believe are most essential to perform the work of the Town Manager?
 - a. Town Managers are expected to meet with many different groups of people convey their thoughts clearly, provide clear instructions, coordinate between departments and successfully push for a preferred course of action and needs to be an effective communicator both in person and in writing.
 - b. Town managers need to be skilled at tactfully handling disagreements between groups, are able to objectively listen to all sides of an issue, mediate and negotiate resolutions between opposing factions and justify decisions to ensure every party understands why.
 - c. Town Managers lead and inspire others and help them perform at their best, and inspire others working for them to perform and stay focused on goals.
 - d. Ability to maintain a budget and decision making to use the available budget as efficiently as possible.
 - e. Ability to oversee a large project, set goals and timelines, monitor progress and make decisions to ensure the project is completed on time and within budget.
 - f. Board relations capabilities
 - g. Labor relations and personnel experience
 - h. Other _____

4. Do you think it is necessary for the new Town Manager to have had previous experience as a manager of a local government?
 - a. Yes
 - b. No

5. Do you have any other comments related to the recruitment?

Wayland Town Manager – Position Profile Survey – Town Employees

DRAFT

The Select Board seeks your input as it commences the Town Manager search. The Select Board believes it is important to solicit feedback from the Town staff regarding the characteristic and traits the new Town Manager should possess as well as the opportunities and challenges he, she or they may be faced with when assuming the position. Please provide responses to the following questions by September 6, 2022. Thank you for your participation in the survey.

1. In what department do you work?
 - a. _____

2. Which three of the following leadership traits abilities do you believe are most essential to perform the work of Town Manager?
 - a. Inspirational
 - b. Approachable
 - c. Visionary
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 - d. Ability to work with a multi-member board
 - e. Ability to supervise staff, some of whom work in different locations
 - f. Skill in making oral presentations

- g. Skill in communicating with diverse groups and stakeholders
- h. Other _____

5. Do you think it is necessary for the new Town Manager to have had previous experience as a manager of a local government?

- a. Yes
- b. No

6. Do you have any other comments related to the recruitment?

Wayland Town Manager – Position Profile Survey – Town Employees

DRAFT

The Select Board requests your feedback regarding the position of Town Manager. The Select Board believes it is important to solicit feedback from the Town staff regarding the characteristic and traits the new Town Manager should possess as well as the opportunities and challenges he, she or they may be faced with when assuming the position. Please provide responses to the following questions by September 6, 2022. Thank you for your participation in the survey.

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 - d. Ability to maintain a budget and decision making to use the available budget as efficiently as possible.
 - e. Ability to oversee a large project, set goals and timelines, monitor progress and make decisions to ensure the project is completed on time and within budget.
 - f. Board relations capabilities
 - g. Labor relations and personnel experience
 - h. Other _____
5. Do you think it is necessary for the new Town Manager to have had previous experience as a manager of a local government?
- a. Yes
 - b. No
6. Do you have any other comments related to the recruitment?

Town Manager Screening Committee Applicants

	Last Name	First Name	Address	Precinct	Date Rec'd	Years in Wayland	Resume/Background Info	Status	Follow Up Email	Requested R & C
1										
2	Pope	Susan		1	5/26/2022	52	Yes	Interested		
3	King	Dovie		1	5/26/2022		Yes	No Response	8.26.2022	
4	Correia	Steve		1	5/26/2022		Yes	No Response	8.26.2022	
5	Wynne	Steven		3	5/25/2022		No	Interested		8.26.2022
6	Anderson	Lea		1	5/31/2022		Yes	Interested		
7	Levine	Jeffrey		2	5/31/2022	23	Yes	Interested		
8										
9	O'Herlihy	Brian		4	6/10/2022	39	Yes	Interested		
10	Tohn	Ellen		4	6/7/2022		Yes	No Response	8.26.2022	
11	Leard	Doug		2	5/23/2022	38	Yes	Interested		
12	Kurtz	Jeff		4	6/6/2022		No	Interested		8.26.2022
13	Whitney	Bill		4	6/6/2022		Yes	Interested		
14	Huss	Bill		1	6/5/2022		No	Interested		8.26.2022
15	Steel	Jennifer		2	6/5/2022		Yes	Interested		
16	Goodman	Adam		2	6/1/2022	2	No	No Response	8.26.2022	
17										
18	Reid	Jerry		4	6/3/2022	7	Yes	Interested		
19	Hetzner	Candace		3	6/3/2022	20	Yes	Interested		
20	Pena	Jose		3	6/2/2022		No	No Response	8.26.2022	
21	Klem	Tom		2	5/26/2022		Yes	Interested		
22	Bernstein	Dave		1	5/27/2022	25	Yes	Interested		
23	Gordon	Ann		4	5/26/2022	26	Yes	Interested		
24	Schuler	Gretchen		4	5/26/2022	46	Yes	Interested		
25	Gardner	Ginny		1	6/2/2022		No	No Response	8.26.2022	
26	Antes	Mary		2	5/26/2022		No	Interested		8.26.2022
27	Levine	Doug		1	6/6/2022		Yes	Interested		



Town of Wayland – Town Manager

Proposed Recruitment Timeline – Updated August 25, 2022

August 15 and August 29	Consultant discusses proposed timeline, and recruitment process with Select Board.
August 15 - September 16	Consultant works with Town to gather information to develop the recruitment profile and professional announcement. Community Forum date – September 7.
Week of September 19	Consultant sends professional advertisement, position profile, and ad sources to Town for review and approval.
Week of September 26	GovHR develops position brochure.
Week of September 26	Consultant places ads for position and starts recruiting candidates.
October 28	Deadline for resumes.
October 28 to November 23	Consultant reviews resumes, interviews candidates via Zoom, conducts background reviews, due diligence, etc. Consultant narrows field to 8-10 candidates for further consideration.
Week of December 5	Consultant submits Recruitment Report to Town.
By December 16	Consultant meets with the Screening Committee, to review candidates and select candidates for the interview process.
Late December or January	Town conducts interview process.
February or March 2023	New Town Manager commences employment.



STEPHEN CRANE
ACTING TOWN MANAGER
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SELECT BOARD

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

DRAFT Meeting Minutes **Select Board**

Monday, August 8, 2022
7:00 p.m.

Remote Meeting / Town Building **41 Cochituate Road, Wayland, MA**

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

Also Present, participating remotely: Acting Town Manager Stephen Crane, Assistant Town Manager John Bugbee

A1. Call to Order, Review the Agenda for Public: At 7:01 p.m., Chair, C. Karlson called the meeting of the Select Board to order when a quorum was present and announced that the meeting would be held remotely and recorded for re-broadcast. C. Karlson announced each member by full name and that all members would participate remotely. C. Karlson reviewed the agenda.

A2. Announcements and Public Comment: C. Karlson announced that the Board and Town Counsel would hold a community forum on the recent Glezen Lane Traffic Mitigation Settlement Agreement resulting from the Bernstein, et al. v. Wayland Planning Board, et al lawsuit on September 12, 2022.

George Harris, Holiday Road, joined via teleconference and questioned why the Select Board had not yet hired a Town Manager, and asked who was responsible for hiring a Town Manager.

Carole Plumb, Bald Rock Road, joined by teleconference and questioned who was managing the State Primary Election and the bus parking issue.

C. Karlson reported that communication had gone out to all applicants for the Town Manager screening committee were contacted regarding the status of the search.

A3. Consent Calendar: review and vote to approve:

1. Vote the question of approving Change Order NO. 5 for the Loker Elementary School Roof Replacement Project in the amount of \$215,709.81 with Contractor Tower Construction Corp. and engineer Tighe Bond. This Change Order will include "required scope for the electrical and HVAC improvements noted in RFP #2 and Change Order #4." The appropriation number is 41407948, the line item is 55480, and the project number is 3879.
2. Vote to ratify the contract with SHI International Corp. in the amount of \$106,323.01 to purchase public safety software called IMC for the Wayland Police Department.

A. Gutbezahl moved, seconded by C. Martin, to approve the Consent Calendar. In discussion, S. Crane provided more detail on Item #1 and that the funding was in place. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A4. National Grid Grant of Location Hearing: 40-60 Sherman's Bridge Road a. Petitioners request permission to install approximately 1,840 feet of 4 inch plastic from 40 to 66 Sherman's Bridge Road Wayland. Tie-in to existing 4-inch-plastic from the intersection of Sherman's Bridge Road and Oxbow Roads to approximately 66 Sherman's Bridge Road near the Wayland/Sudbury town-line. Relay services off Sherman's Bridge Road with plastic services (5 anticipated: 40, 45, 47, 51, 66):

At 7:15 p.m., C. Karlson opened the public hearing, and read the legal notice for the hearing as shown in the packet and posted. National Grid petitioner Mary Mulrone joined the meeting video-teleconference to describe the application before the Board. C. Karlson opened the hearing for Public Comment:

Susan Koffman, Sherman’s Bridge Road, joined via video-teleconference and noted discrepancies in the application that would result in tearing up about thirty feet of her driveway and described the communication with neighbors as inadequate. At 7:31 p.m., C. Karlson closed the hearing.

C. Martin moved, seconded by T. Fay, to approve the application to install approximately 1,840 feet of 4 inch plastic from 40 to 66 Sherman’s Bridge Road Wayland. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A5. Community Choice Aggregation of Electricity: presentation by Energy & Climate Committee (ECC) and consultant Peregrine Energy; Board discussion and decisions on program name, categories for energy supply and name, operational adder:

At 7:35 p.m., E. Tohn called a meeting of the Energy & Climate Committee (ECC) to order and announced ECC members who were present and participating remotely by full name: herself, Anne Harris, Tom Sciacca, and associate member John Harper. E. Tohn welcomed Paul Gromer and Marlana Patton from consultant Peregrine Energy Group who were also participating remotely. E. Tohn screen-shared a slide deck and P. Gromer presented on the Community Choice Aggregation (CCA) of Electricity and reviewed the decisions points for the Board. The Board discussed the energy programs and the operational adder. S. Crane recommended the adder on all three options.

A. Gutbezahl moved, seconded by T. Fay, to endorse and adopt the Energy & Climate Committees’ recommendations as set forth in slide 10 of the presentation and page 26 of the packet. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

At 8:11 p.m., the EEC adjourned its meeting by unanimous vote.

A6. Appointments to Committee: Vote to confirm appointment of the following volunteers:

Committee	Potential Appointee	Term End Date
Youth Advisory Committee	Brenda Ross	06/30/2025

C. Martin moved, seconded by D. Watkins, that the Board re-appoint B. Ross to the Youth Advisory Committee for a term ending June 30, 2025. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

Appointments to Committee: Interview, Discuss and potential vote to appoint:

Committee	Role	Potential Appointee	Term End
Zoning Board of Appeals (3 vacancies)	1 Associate Member	James Grumbach	June 30, 2024
	1 Associate Member	Thomas White	June 30, 2025
	1 Full Member	Duane Galbi	June 30, 2025
		Doug Levine	

The Board interviewed four potential appointees to the Zoning Board of Appeals (ZBA) for three open seats: J. Grumbach, T. White, D. Galbi and D. Levine all joined via teleconference. Each reviewed his/her/their intent to join the Zoning Board of Appeals and related qualifications. The Board interviewed the candidates. There was a discussion about the current challenges of the ZBA and the number of members of the ZBA.

C. Martin moved, seconded by T. Fay, that the Board re-appoint J. Grumbach as an associate member to the Zoning Board of Appeals for a term ending June 30, 2024, and T. White as a full member to the Zoning Board of Appeal with a term ending June 30, 2025. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

T. Fay expressed that there were two open lawsuits involving D. Galbi and the ZBA, which may pose a problem and expressed the support the appointment of D. Levine. A. Gutbezahl also expressed support for the appointment of D. Levine.

T. Fay moved, seconded by A. Gutbezahl, that the Board appoint D. Levine as an associate member to the Zoning Board of Appeals for a term ending June 30, 2025. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A7. 2022 Massachusetts State Primary & General Election Polling places: discussion and potential designation of the Town Building (Precincts 1 & 4) and the Middle School (Precincts 2 & 3) as the two polling locations:

C. Martin moved, seconded by T. Fay, that the Board designate the Town Building as the polling location for Precincts 1 & 4 and the Wayland Middle School as the polling location for Precincts 2 & 3, as presented in the packet. In discussion, there Board discussed the need to review the locations with the School Department. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A8. VOTES (Voting Opportunities, Trust, Equity, and Security) Act: Discussion and decision to assign police detail at polling locations, per new law:

C. Martin moved, seconded by D. Watkins, that the Board authorize the Acting Town Manager and Acting Police Chief to assign a police detail to the Town Building polling location for Precincts 1 & 4 and the Wayland Middle School polling location for Precincts 2 & 3. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A9. Preservation Act Grant for 89 Oxbow: discussion and potential approval of agreement: The Board noted that funds were approved at 2022 Annual Town Meeting, and the Board would need to authorize the agreement with the Residences at 89 Oxbow Condominium Trust.

C. Martin moved, seconded by D. Watkins, that the Board approve the Preservation Act Grant agreement for 89 Oxbow. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A10. Fence Viewing Report: discussion and next steps: This topic was tabled until September 19, 2022.

C. Martin left the meeting for two minutes at 8:59 p.m.

A11. Annual Town Meeting 2023: process to select dates, discussion of weekend vs. weeknight scheduling: At 9:01 p.m., C, Martin returned to the meeting. The Board discussed the process for selecting a date for the next Annual Town Meeting. T. Fay and A. Gutbezahl recommended that a weeknight meeting may allow more voters to participate. C. Martin suggested a Sunday afternoon and/or a weeknight. The sense of the Board was to recommend a weeknight meeting for discussion at the next meeting.

A12. Select Board Policies: discussion of plan to update, creation of financial policies: The Board discussed the process of reviewing its policies and agreed that the Board should review the policies to align with the Town Manager Act and then develop a process to review the policies regularly. S. Crane recommended that there was also an administrative need to review the Town's personnel policies.

A13. Acting Town Manager Report: a. 195 Main Street-update on PMBC report b. Bus parking-update on Planning Board meeting, next step c. Hiring Update d. Personnel policies and employee handbook e. Private road snow plow appeal f. Work of Public Relations firm:

A13.a. 195 Main Street-update on PMBC report: B. Keefe, Public Buildings Director, joined the meeting via teleconference and provided an update on the feasibility study of 195 Main Street. B. Keefe reviewed the results of Phase I Environmental Site Assessment, which provided a recommendation to conduct a subsurface Phase II Assessment, for which the test results were expected within eight weeks.

A13.b. Bus parking-update on Planning Board meeting, next step: S. Crane reported that the special permit was being reviewed by the Planning Board, the Town and Planning Board discussed the concerns of the ZBA and ultimately decided to recommend approval with a time limit.. S. Crane reviewed the process for considering electric buses.

A13.c. Hiring Update: S. Crane reported that Town Clerk role remained vacant, the Town Planner was near being filled; and Treasurer position remained filled by a firm. Human Resources Manager, Kate Ryan joined the meeting via teleconference and noted that there were currently 19 vacant positions, five of which were soon to be filled. K. Ryan reported that almost one-hundred seasonal staff had been on-boarded since May. S. Crane noted that the number of applicants for the posted vacant roles remained low.

A13.d. Personnel policies and employee handbook: S. Crane reported that there was a need to have a professional review the handbook, regularly.

A13.e. Private road snow plow appeal: S. Crane reported that annual private road appeal process had begun, notices were mailed and information posted to the Town website.

A13.f. Work of Public Relations firm: S. Crane reported that the new Public Relations firm had been preparing press releases and would support updates to the website.

A14. Creation of Select Board Sub-Committees:

A14.a. Finance Committee Appointment Study Group Sub-Committee: review and approve charge; appoint two Select Board members: T. Fay and A. Gutbezahl expressed willingness to serve.

C. Martin moved, seconded by D. Watkins, to approve the charge and appoint T. Fay and A. Gutbezahl to a Finance Committee Appointment Study Group Sub-Committee. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A14.b. Capital Asset Planning Sub-Committee: review and approve charge; appoint members: There was a discussion about the difference between policy and strategy in the charge; and also a discussion regarding the role of the Town Manager to prepare the Capital Plan. A. Gutbezahl suggested the Board strike the word “strategy” from the charge and suggested that the subcommittee be charged to research the long-term capital planning process in Massachusetts municipalities and present a proposed draft policy consistent with the Town Manager Act for eventual review and approval by the Select Board. D. Watkins and C. Karlson expressed willingness to serve on the Capital Asset Planning Sub-Committee.

D. Watkins moved, seconded by A. Gutbezahl, to accept the charge to create a Capital Asset Planning Sub-Committee, as revised. 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, to appoint D. Watkins and C. Karlson to a Finance Committee Appointment Study Group Sub-Committee to a term ending February 28, 2023. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A15. Open Meeting Law: George Harris request for un-redacted executive session minutes related to Duane Galbi v. Town of Wayland: C. Karlson reported that no action was required at the meeting in regard to the Open Meeting Law complaint, and Town Counsel would review the matter before the next meeting.

A16. 51 Knollwood Lane: discussion and authorize the Acting Town Manager to sign license agreement; discussion of potential ATM article to relinquish or abandon: S. Crane reviewed the agreement for 51 Knollwood Lane and screen-shared a schematic of the property. The Board reviewed the agreement and discussed the request and potential for an ATM warrant article.

C. Martin moved, seconded by D. Watkins, that the Board approve the license agreement pertaining to 51 Knollwood Lane. In discussion, T. Fay expressed opposition to the motion because municipal access to Dudley Pond could be advantageous in the future. There was a discussion about the subsequent necessary Town Meeting action that would protect municipal access. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A17. Scenic Road Application; 202 Glezen Road: discussion and provide comments on application, if any: C. Karlson asked for comments on the matter to share with the Planning Board, there were none.

A18. Minutes: a. Review and vote to approve the regular session minutes of July 18, 2022 b. Executive Session Minutes: vote to release with redactions the executive session minutes related to discussing strategy with respect to the Public Employee Committee (PEC) agreement: April 26, 2021, June 14, 2021, September 2, 2021, October 4, 2021, October 18, 2021, December 13, 2021, December 20, 2021, January 3, 2022, January 10, 2022, January 18, 2022 and March 14, 2022:

A. Gutbezahl moved, seconded by D. Watkins, that the Board approve and release with redactions the executive session minutes related to Public Employee Committee (PEC) agreement as listed on the agenda: April 26, 2021, June 14, 2021, September 2, 2021, October 4, 2021, October 18, 2021, December 13, 2021, December 20, 2021, January 3, 2022, January 10, 2022, January 18, 2022 and 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.

The Board made suggested revisions to the regular session of July 18, 2022. A. Gutbezahl moved, seconded by C. Martin, that the Board approve the minutes of July 18, 2022, 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.

A19. Review Correspondence: The Board reviewed the correspondence in the packet. C. Martin noted that the Board of Public Works would discuss the water source vulnerabilities at the Board's next meeting. A. Gutbezahl thanked E. Huber for his service to the Town.

A20. Select Board's Reports and Concerns: C. Karlson reported that J. Bugbee had finalized the contract with HRGov for a Town Manager search, which she would sign as authorized by the Board. C. Karlson noted that there was a recent study that reported PFAS found in rain water above the federal maximum contaminant levels. D. Watkins provided an update from state representatives regarding the bill to allow remote participation at Town Meetings. D. Watkins reported that the Recreation Commission expressed intent to have a townwide fall event at Town Center. T. Fay acknowledged, in response to a public comment, that the Town Manager search process would be lengthy and asked for patience as the current vendors' process could take up to 18 months to secure a Town Manager. T. Fay reminded the Board that under M.G.L. Chapter 272 §99C, Board members should not record any meeting without the express consent of all Board members, as happened in a previous executive session. C. Martin suggested a correction related to semantics on the agenda. A. Gutbezahl thanked C. Karlson for including the subcommittees on the agenda, and acknowledged that a large number of residents have expressed interest in serving on the Town Manager search committee and suggested the Board discuss the process for appointing such a committee. A. Gutbezahl recommended that the residents who volunteered to serve on the search committee be contacted. C. Karlson read the email regarding the Town Manager search process sent from J. Bugbee to the volunteers, sent on July 28, 2022.

A21. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A22. Adjourn: At 11:00 p.m., T. Fay 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 August 8, 2022:

1. Public Hearing Notice: National Grid Grant of Location, 40-66 Sherman's Bridge Road
2. Petition: National Grid for Gas Main Locations with attachments and maps
3. Slide deck: Community Choice Aggregation presented by ECC, August 8, 2022
4. Town of Wayland Board/Committee Appointments, Status as of July 29, 2022
5. Zoning Board of Appeals Application: James Grumbach
6. Zoning Board of Appeals Application: Duane Galbi
7. Zoning Board of Appeals Application: Doug Levine
8. Memorandum: To: Select Board From: Interim Town Clerk: Re: Polling Locations dated: July 27, 2022, with State Primary Warrant and specimen ballots attached

9. Email: From: Interim Town Clerk To: Select Board Members Cc: Crane, S., Costello, C. , Pessimato, J.
Re: The VOTES Act, New Election Requirements (Police Detail)
10. Election Advisory #22-01 Changes to State Election Laws dated June 23, 2022
11. Community Preservation Act Grant Agreement: 89 Oxbow Condominium Trust, dated July 19, 2022
12. M.G.L. Part I Title VII Chapter 49: Fence Viewers, etc. Section 1: Fence Viewers; Appointment; Tenure
13. Memorandum To: Select Board From: C. Costello, Management Analyst Cc: S. Crane, Acting Town
Manager Date: August 4, 2022 Re: 2023 Annual Town Meeting Proposed Dates with attached calendars
14. Town of Wayland Board of Selectmen Policies and Procedures
15. Memorandum: From S. Crane to Wayland Residents RE: Private road plowing: Select Board's process to
appeal a decision not to provide snow plowing service;
16. Residential Private Road Snow & Ice Policy: Appeal Application
17. Residential Private Road Snow & Ice Policy: Accepted by Board of Public Works October 10, 2017
Accepted by Board of Selectmen May 16, 2018 Policy Effective November 1, 2018 Final Version Voted
5-16-2018, with guidance to the Select Board: From K.P. Law P.C., regarding Public Use of Roads
18. Draft: Charge for Finance Committee Appointment Study Group Sub-Committee
19. Draft: Capital Planning Sub-Committee Information: August 4, 2022
20. Open Meeting Law Complaint: via email: From: George Harris Date: July 28, 2022 To: Karlson, C. Cc:
Town Clerk , Select Board Members Subject: New OML Complaint with attachments and exhibits
21. Executive Session Minutes: Released with Redactions: February 1, 2021 5:30 p.m.
22. Executive Session Minutes: Released with Redactions: July 26, 2021 7:00 p.m.
23. Executive Session Minutes: Released with Redactions: October 4, 2021 7:00 p.m.
24. Executive Session Minutes: Released with Redactions: December 13, 2021 7:00 p.m.
25. Settlement Agreement and Release re: Duane Galbi v. Town of Wayland, dated November 24, 2021
26. License Agreement: Re: Access Easement at 51 Knollwood Lane with Exhibit A: Plan
27. Letter: To: C. Karlson, Select Board Chair; S. Fair, Conservation Chair; K. Gardner-Westcott, Historical
Commission Chair; T. Lashmit, Town Surveyor; Tree Warden, C. Lewis; Board of Public Works Chair
cc: Department of Public Works From: A. Lewis, Planning Board Chair; Date: July 27, 2022 RE: Scenic
Road Application – Removal of Portion of Stone Wall at 202 Glezen Lane with attached letter from
GPR Engineering, with attached photos and Public Notice, dated June 14, 2022
28. Draft: Meeting Minutes of the Board of Selectmen: July 18, 2022 7:00 p.m.

Items Distributed For Information and Use By the Board during the Meeting of July 18, 2022 Otherwise Not Included In The Packet (Handouts):

1. Screen share: Slide deck: Community Choice Aggregation presented by ECC, August 8, 2022

Correspondence:

1. Correspondence from Christina McKenna Lok dated July 18, 2022 re: Local Initiative Projects.
2. Correspondence from Molly Upton dated July 15, 2022 re: J. Zukerman, Personnel Board.
3. Correspondence from Michael Gitten (with attachment) to Select Board dated July 18, 2022 re:
ARPA funds to support the facility membrane replacement.
4. Correspondence from George Harris dated July 20, 2022 re: OML Complaint 03/04/2022.
5. Correspondence from Carmine Gentile (with attachment) to Select Board dated July 20, 2022 re:
testimony in support of authorizing remote participation at Town Meetings.
6. Correspondence from Dave Bernstein dated July 18, 2022 re: remote participation at Town Meetings.
7. Correspondence from Michael Staiti of Keystone Development dated July 21, 2022 re: compliments
for L. Hansen and the performance of the Conservation Department.
8. Correspondence from S. Pope dated July 21, 2022 re: Glezen Lane Settlement.
9. Correspondence from C. Murray of Burns Levinson dated July 21, 2022 re: Traditions of Wayland.
10. Correspondence from C. Racer of Department of Housing and Community Development to Select
Board dated July 21, 2022 re: Local Initiative Program LAU approval for 81 W. Plain St.
11. Correspondence from Susie & Howard Abel dated July 22, 2022 re: Glezen Lane turn restrictions.
12. Correspondence from B. McLendon dated July 28, 2022 re: Glezen Lane.

13. Correspondence from E. Huber (with attachment) dated July 27, 2022 re: resignation form ZBA.
14. Correspondence from J. Junghanns dated August 2, 2022 re: Lift of Public Health Advisory for North Pond press release.
15. Correspondence from T. Holder, dated July 25, 2022 re: failure of PFAS treatment system notice.

DRAFT



STEPHEN CRANE
ACTING TOWN MANAGER
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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, August 15, 2022
7:00 p.m.

Remote Meeting / Town Building
41 Cochituate Road, Wayland, MA

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

Also Present, participating remotely: Acting Town Manager Stephen Crane, Assistant Town Manager John Bugbee

A1. Call to Order, Review the Agenda for Public: At 7:00 p.m., Chair, C. Karlson called the meeting of the Select Board to order when a quorum was present and announced that the meeting would be held remotely and recorded for re-broadcast. C. Karlson announced each member by full name and that all members would participate remotely. C. Karlson reviewed the agenda for the public.

A2. Executive Session:

- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) 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: September 21, 2020; February 1, 2021; July 26, 2021; October 4, 2021; and December 13, 2021.
- II. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, Open Meeting Law, G.L. c. 30A, §§ 23, pursuant to G.L. c. 30A, §21(a)(7) - Open Meeting Law complaint, George Harris, dated July 28, 2022; review of complaint and discussion.

At 7:05 p.m., Chair C. Karlson moved, seconded by A. Gutbezahl, that the Select Board enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) 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: September 21, 2020; February 1, 2021; July 26, 2021; October 4, 2021; and December 13, 2021; and to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, Open Meeting Law, G.L. c. 30A, §23, pursuant to G.L. c. 30A, §21(a)(7) - Open Meeting Law complaint, George Harris, dated July 28, 2022; review of the complaint and discussion.

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

Chair, C. Karlson invited attendance by Acting Town Manager S. Crane and Assistant Town Manager, J. Bugbee and Town Counsel B. Riley. C. Karlson announced that the Board would return to open session in twenty minutes.

A3. Announcements and Public Comment: The Board resumed in open session at 7:24 p.m. C. Karlson announced that the Board and Town Counsel would hold a community forum on the recent Glezen Lane Traffic Mitigation Settlement Agreement resulting from the Bernstein, et al. v. Wayland Planning Board, et al lawsuit on September 12, 2022 at 7:15 p.m. S. Crane reported that there would be water main work on Route 30.

David Bernstein, Glezen Lane, joined by teleconference and suggested some recruitment strategies related to the upcoming Town Manager search.

A4. Verizon Grant of Location Hearing: 295 Concord Road Existing - existing utility pole #15 located near 295 Concord Road: Petitioners request permission to attach, maintain and operate small cell communications equipment on a utility pole located in the public right-of-way (the “Petition”). The proposed small cell equipment installation included with this petition is to be located on existing utility pole #15 located near 295 Concord Road:

At 7:25 p.m., C. Karlson opened the public hearing, and read the legal notice for the hearing as shown in the packet. Verizon petitioners Alejandro Restrepo, Farhan Chaudery, Derek Maheux, Sean Conway and Paula Foley joined the meeting via teleconference to describe the request that was before the Board. P. Foley noted that using a small cell approach would be the most effective approach to improve coverage. The Board reviewed the request. C. Karlson opened the hearing for Public Comment:

Peggy Patton, Plain Road, joined via teleconference and expressed concern that the Verizon request violated local bylaws Section 198.1503; a bylaw intended to protect the community, she noted the Town bylaws required a 900 foot setback in the wireless district and Town Counsel should review the matter. P. Foley noted that the local bylaw was not applicable for this application because the pole was located outside the Wireless Overlay District and in the Town’s right-of-way.

Corey MacGregor, Concord Road, joined by teleconference to express opposition to Verizons’ petition and requested the Board deny the request and take time to ensure there was not a better location. C. MacGregor also requested the Board seek a legal opinion related to state and local bylaws. P. Foley cited M.G.L. Chapter 166 Section 22 and F. Chaudery and D. Maheux described the site selection process and screen-shared an aerial view of the poles in the area that were considered.

Gregory Barchard, Marshall Terrace, joined by teleconference and expressed opposition to the petition.

David Bernstein, Glezen Lane, joined by teleconference and advised that the wireless dead zones presented a greater risk to residents than the small cell equipment, which had no known human health risks.

Richard Turner, Nob Hill Road, joined by teleconference and asked if the Verizon had considered a South Wayland location.

Edward Collins, Plain Road, joined by teleconference and suggested that the application did not comply with Federal Communications Commission (FCC) regulations. P. Foley noted that the application request complied with the FCC regulations.

Stan Robinson, Wheelock Road, joined via teleconference and described the application as disingenuous and cited M.G.L. Chapter 166 Section 22 to oppose the request.

Gregory Barchard, Marshall Terrace, joined by teleconference and expressed opposition to the petition as it was at odds with the will of the voters who approved the 1998 STM warrant article which established the Wireless Overlay District.

D. Watkins requested more information before the Board took action. A. Gutbezahl recommended the Board have a plan to review any data that was being requested. C. Karlson closed the hearing.

T. Fay moved, seconded by A. Gutbezahl, to approve the application to attach, maintain and operate small cell communications equipment on a utility pole located in the public right-of-way located on existing utility pole #15 located near 295 Concord Road as set forth in its petition. In discussion, the Board discussed the comments and the petition. A. Gutbezahl confirmed that Wayland zoning bylaw Chapter 198-1503.2.13 applied to wireless communications within the overlay district, and that the bylaw does not apply to the poles in question because they are not within the overlay district. D. Watkins noted that there was a need for better data. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin. NAY: D. Watkins. ABSENT: None. ABSTAIN: None. Adopted 4-1-0.

A5. Appointments to Committee: Vote to confirm appointment of the following volunteer(s):

Committee	Appointing Board	Potential Appointee	Term End Date
Community Preservation Committee	Historical Commission	Katherine Gardner-Westcott	06/30/2025

C. Martin moved, seconded by T. Fay, that the Board confirm the appointment of K. Gardner-Westcott to the Community Preservation Committee for a term ending June 30, 2025. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A11. Minutes: a. Review and vote to approve the regular session minutes of August 8, 2022 b. Executive Session Minutes: 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: September 21, 2020; February 1, 2021; July 26, 2021; October 4, 2021; and December 13, 2021: C. Karlson noted the regular session minutes of August 8, 2022 would be reviewed at the next meeting.

C. Martin moved, seconded by D. Watkins, that the Board approve and release with redactions the executive session minutes: December 13, 2021. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A6. Town Manager Search Process: meet with search consultant GovHR to discuss expectations, timeframe for search, and next steps; set date for community forum: Joellen Cademartori of GovHR USA joined the meeting via video-teleconference and reviewed the process for the Town Manager search, and that Michael Jaillet would be the primary contact. J. Cademartori screen shared the search timeline and reviewed the materials related to the Town Manager search. The Board discussed the recruitment process with J. Cademartori and also the role of a screening committee and Personnel Board in the search process. The Board agreed to hold a community forum in September and to the process presented.

A7. Update on Water Topics: meet with the DPW Director and Chair of the Board of Public Works to discuss PFAS and potential water sources; discuss timeline for decisions and implementation: Tom Holder, Director of the Department of Public Works (DPW) and Cliff Lewis, Chair of the Board of Public Works (BoPW) joined the meeting via video-teleconference to update the Board on the PFAS remediation efforts in Wayland's drinking water. C. Lewis and T. Holder presented a slide deck regarding the current state and the future of the public water supply in Wayland. T. Holder reported that an emergency connection with the Hultman aqueduct could be engineered, and described how MWRA water could be an option if a new pumping unit and pipeline were to be added from Framingham. The Board discussed the option to connect to the Massachusetts Water Resources Authority (MWRA) water supply, and the need to consult with Framingham and Natick. S. Crane suggested to begin with an Inter-Municipal Agreement (IMA) for water infrastructure.

A8. 2023 Annual Town Meeting (ATM): review and select date for election and start of ATM: The Board tabled this topic while it waited for feedback from the School Department.

A9. Launcher Way: authorize the Acting Town Manager to sign the Certificate of Municipality Bidder on behalf of the Select Board:

C. Martin moved, seconded by A. Gutbezah, that the Board authorize the Acting Town Manager to sign the Certificate of Municipality Bidder and on behalf of the Select Board and other documents related to the bid. Roll Call Vote: YEA: T. Fay, A. Gutbezah, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A10. Acting Town Manager Report: a. Capital Project Update including but not limited to Loker Roof, Loker Field, Council on Aging/Community Center, PFAS treatment b. Alta Oxbow update c. Route 20 Beta consulting agreement d. RHSO quarterly report

A10.a. Capital Project Update including but not limited to Loker Roof, Loker Field, Council on Aging/Community Center, PFAS treatment: S. Crane updated the Board on the recent PFAS treatment

system failure and the work to resolve the issue. S. Crane reported that there was some clearing of the property around the Council on Aging/Community Center building to allow some of the survey work to begin. S. Crane reported that Weston & Sampson was preparing on a soil management plan for the Loker Field project to be filed with MassDEP, due to PFAS in the soil. The Town awaits response from MassDEP. S. Crane reported that the Loker Roof project was nearing completion and teachers would soon have access to the building.

A10.b. Alta Oxbow update: S. Crane reported that the Alta Oxbow developer received certificate of occupancy for Building 1, and added that the Licensed Site Professional (LSP) filed an Release Tracking Number (RTN) for PFAS in the groundwater around the site, which was being managed by MassDEP, he added that the work satisfied the ZBA's conditions. S. Crane reported a ribbon-cutting would be planned.

A10.c. Route 20 BETA consulting agreement: S. Crane reported that the Board had received a memorandum from the Planning Board and added that the project was being managed by the Town Managers office and the Planning Department.

A10.d. Regional Housing Services Office (RHSO) quarterly report: S. Crane reported that RHSO quarterly report was in the packet.

A12. Open Meeting Law Complaint: review and approve response to George Harris' complaint of July 28, 2022 regarding a request for un-redacted executive session minutes related to Duane Galbi v. Town of Wayland: C. Karlson reported that a response from the Board was required to the Open Meeting Law complaint and that Town Counsel would review the matter before the next meeting.

A. Gutbezahl moved, seconded by C. Martin, that the Board approve the OML response as drafted by Town Counsel and authorize Town Counsel to submit the response. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A13. Warrant for 2022 State Primary Election: review and vote to sign:

C. Martin moved, seconded by A. Gutbezahl, that the Board approve the warrant for the 2022 State Primary Election, as printed in the packet. Roll Call Vote: YEA: T. Fay, A. Gutbezahl, C. Karlson, C. Martin, D. Watkins. NAY: None. ABSENT: None. ABSTAIN: None. Adopted 5-0.

A14. Review Correspondence: The Board reviewed the correspondence in the packet.

A15. Select Board's Reports and Concerns: C. Martin requested that new Town Department managers be invited to attend a future Board meeting so the Board could be familiar with the staff. C. Martin requested that the Housing Production Plan and affordable housing options be added to a future agenda. C. Karlson acknowledged a resident request to change the contact information on the website.

A16. Topics Not Reasonably Anticipated by the Chair 48 Hours In Advance, If Any: There were none.

A7. Executive Session:

- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of July 18, 2022. Approve and Hold: Executive Session minutes of July 18, 2022:
- II. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7), to review and consider for potential release the following executive session minutes related to discussing strategy with respect to David Bernstein v. Planning Board of Wayland et al: July 8, 2008; July 2, 2008; June 23, 2008; June 16, 2008; June 9, 2008; June 2, 2008; May 5, 2008; April 28, 2008; March 17, 2008; February 25, 2008; February 19, 2008; February 11, 2008; March 23, 2009; January 19, 2010; January 12, 2015; February 10, 2015; March 16, 2015; April 13, 2015; May 18, 2015; June 24, 2015; July 13, 2015; September 8, 2015; September 11, 2015; October 5, 2015; February 1, 2016; March 21, 2016; May 23, 2016; August 3, 2016; July 24, 2017; September 18, 2017; April 30, 2018; February 4, 2019; March 25, 2019; July 15, 2019; September 2, 2021; November 8, 2021; January 10, 2022; January 18, 2022; January 24, 2022; February 9, 2022; February 28, 2022, and May 23, 2022:

III. Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (6) to consider the purchase, exchange, taking, lease, or value of real estate in regard to the purchase of Launcher Way:

At 10:35 p.m., Chair C. Karlson moved, seconded by D. Watkins, that the Board of Selectmen enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (7) to review and approve the executive session minutes of July 18, 2022 with the intent to approve and hold said minutes; and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (6) to consider the purchase, exchange, taking, lease, or value of real estate in regard to the purchase of Launcher Way:

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

Chair, C. Karlson invited attendance by Acting Town Manager S. Crane and Assistant Town Manager, J. Bugbee. C. Karlson announced that the Board would adjourn from the executive session and not return to open session.

A18. Adjourn: At 10:36 p.m., the Board entered Executive session.

Items included in the packet and updated during the Board of Selectmen Meeting of August 15, 2022:

1. Public Hearing Notice: Verizon Grant of Location, –Existing utility pole #15 near 295 Concord Road
2. Petition: Celco Partnership d/b/a Verizon Wireless (“Verizon”) for Pole Attachment of Small Cell Communications Equipment: LINCOLN_SC11_MA, 295 Concord Road, Pole #15, dated July 25, 2022 with attachments, public comment and maps
3. Public Comment: Email from Corey and Steve MacGregor to Select Board dated August 10, 2022
4. Public Comment: Email from Corey and Steve MacGregor to Select Board dated August 11, 2022
5. Public Comment: Email From Stan Robinson (with attachments) to Select Board dated August 11, 2022
6. Slide deck: Wayland Town Water, BoPW, August 12, 2022, Version 1
7. Memorandum To: Select Board From: C. Costello, Management Analyst Cc: S. Crane, Acting Town Manager Date: August 10, 2022 Re: 2023 Annual Town Meeting Proposed Dates with attached calendars
8. Certificate of Municipality Bidder: Launcher Way:
9. Memorandum: To: Stephen Crane, John Bugbee, et al From: Elizabeth Rust RE: Regional Housing Services Office – FY22 Q4, Status Report
10. Open Meeting Law Complaint: From: George Harris Date: July 13, 2022 To: Karlson, C. Cc: Town Clerk , Select Board Members Subject: New OML Complaint with attachments and exhibits
11. Executive Session Minutes: Released with Redactions: July 26, 2021 7:00 p.m.
12. Executive Session Minutes: Released with Redactions: October 4, 2021 7:00 p.m.
13. Executive Session Minutes: Released with Redactions: December 13, 2021 7:00 p.m.
14. Settlement Agreement and Release re: Duane Galbi v. Town of Wayland, dated November 24, 2021
15. Memorandum: 2022 State Primary Warrant

**Items Distributed For Information and Use By the Board during the Meeting of August 15, 2022
Otherwise Not Included In The Packet (Handouts):**

1. Revised Agenda: Select Board Meeting August 15, 2022 at 7:00 p.m. revised 8/12/22 at 12:16 p.m.
2. GovHR Town Manager Search materials: Proposed Recruitment Timeline, Draft Position Profile Survey, Recruitment Brochure Discussion Outline
3. Slide deck: Wayland Town Water, BoPW, August 12, 2022 Rev 2

Correspondence:

1. Correspondence from Christine McKenna Lok to Select Board dated August 7, 2022 re: suggested edits for the July 18 minutes.
2. Correspondence from Brian O’Herlihy to Select Board dated August 9, 2022 re: resignation from the Municipal Affordable Housing Trust.
3. Correspondence from Cherry Karlson to Anette Lewis dated August 9, 2022 re: 202 Glezen Road Scenic Application.
4. Correspondence from Christine McKenna Lok to Select Board dated July 27, 2022 re: Volunteering to vet Mill Creek Residential.

DRAFT