



ARTICLES SUBMITTED FOR INCLUSION IN THE WARRANT FOR ANNUAL TOWN MEETING

MAY 10, 2010

The following articles were submitted for insertion in the Warrant for the Wayland Annual Town Meeting to begin on Monday, May 10, 2010. Please note that the Board of Selectmen has not determined the articles that will be inserted or the order in which the articles will appear. Articles are subject to nonsubstantive revisions before the Warrant is finalized.

General Information

1. Petitioner's articles, by state law, must be inserted in the Warrant. The Board of Selectmen determines all other articles that will be inserted and the order in which the articles will appear in the Warrant.
2. Following the Finance Committee ATM Warrant Hearing, the Board of Selectmen will conduct the petitioner's workshop and meet with the Planning Board to review zoning articles submitted for inclusion. Given the recent practice to segregate financial articles in the spring and zoning articles (unless time sensitive) in the fall, expect some discussion as to whether certain articles will be deferred. Because of the large number of articles submitted, selectmen will attempt to identify those to be included in the Warrant early in the process to minimize unnecessary work by assignees, as well as sponsoring boards. Both committees are expected to choose assignees on February 8. The Planning Board will likely hold public hearings on zoning articles on February 23 or March 2 so it can file reports by March 31 to be printed in the Warrant.
3. There are three petitioner's articles seeking to modify in some manner procedures or the format of town meeting (see Articles #20, #22 and #29). It is expected that the new temporary advisory Town Meeting Procedures Review Committee will provide a recommendation on these specific articles prior to ATM, in addition to those of the Finance Committee as required by law.
4. The later date of town meeting (May 10) affords parties the opportunity to vet articles and secure information pertinent to each article. Because the Finance Committee has chosen to complete work on the budget by mid-February, there are approximately two months available until the Warrant goes to press. Working with the sponsoring board or petitioners, assigned selectmen and Finance Committee members will identify specific information to be secured in advance of the printing of the Warrant, including questions raised by citizens at public meetings.
5. Town Counsel will put the articles into final form, including clarifications of intent, correction of defects, and assure proper land descriptions, provided the changes are within the scope of the original article submission. He will provide a legal opinion as to whether the proposed article complies with Federal and state law and identify the quantum of vote required to approve each article.
6. Specific information for many standard articles will be collected and included in the final printed version of the Warrant (i.e. #2 – boards providing reports; #3 – town officers to be chosen; #4 – specific accounts and amounts to be transferred, if necessary; #7 – any bills due and owing for a prior fiscal year; #8 – listing of vehicles and equipment to be sold; and #9 – gifts of land to be accepted).
7. Descriptions for all property to be sold, acquired or subjected to use restrictions will be prepared and included in the final text of the articles using (a) metes and bounds language or (b) reference to registered maps (see especially Article #15 – Routes 30 & 27 intersection; #17 – Acquire Sudbury's interest in Septic Facility; #23 – Transfer and Restrict Certain Town-Owned Land for Septic and Conservation Purposes; #24 – Transfer Parcel on Stonebridge Road for Affordable Housing Purposes; and #32 – Acceptance of Alice Drive, Hidden Springs Road and Lee Road as Town Ways).

8. Some key dates ahead: deadline for final petitioner’s comments (up to 150 words) - March 10; deadline for Finance Committee comments and Planning Board reports - March 31; final adjustments to Warrant - April 14; postal delivery of the Warrant - April 27; Town election - May 4; and ATM begins - May 10, continuing on May 12 and 13.

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ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN

Proposed by: Board of Selectmen

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

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2010, subject to a minimum of 20 years of service;
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2009 Annual Town Meeting.

A list of individuals qualifying for recognition shall be prepared prior to the printing of and so listed in the Warrant.

ARTICLE 2: HEAR REPORTS

Proposed by: Board of Selectmen

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

ARTICLE 3: CHOOSE TOWN OFFICERS

Proposed by: Board of Selectmen

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot.

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ARTICLE 4: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee

Estimated Cost:

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

ARTICLE 5: FY 2011 OMNIBUS BUDGET

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FISCAL YEAR 2011 BUDGET		EXPENDED FY 2009	APPROPRIATED FY 2010	REQUESTED FY 2011
	SELECTMEN			
	PURCHASE OF SERVICES	\$19,861	\$24,500	\$20,400
	SUPPLIES	\$10,256	\$12,800	\$7,800
1	TOTAL EXPENSES	\$30,117	\$37,300	\$28,200
	TOTAL SELECTMEN	\$30,117	\$37,300	\$28,200
	TOWN OFFICE			
	SALARIES	\$343,358	\$356,500	\$358,700
2	TOTAL PERSONNEL SERVICES	\$343,358	\$356,500	\$358,700
	PURCHASE OF SERVICES	\$17,897	\$17,000	\$17,000
	SUPPLIES	\$53,606	\$58,800	\$58,800
3	TOTAL EXPENSES	\$71,503	\$75,800	\$75,800
	TOTAL TOWN OFFICE	\$414,861	\$432,300	\$434,500
	PERSONNEL BOARD			
	SALARIES	\$0	\$6,750	\$6,750
4	TOTAL PERSONNEL SERVICES	\$0	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$5,328	\$10,000	\$10,000
5	TOTAL EXPENSES	\$5,328	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$5,328	\$16,750	\$16,750
	FINANCE COMMITTEE			
	PURCHASE OF SERVICES	\$0	\$0	\$0
6	TOTAL EXPENSES	\$0	\$0	\$0
	TOTAL FINANCE COMMITTEE	\$0	\$0	\$0
	FINANCE			
	SALARIES	\$273,881	\$297,222	\$274,315
7	TOTAL PERSONNEL SERVICES	\$273,881	\$297,222	\$274,315
	PURCHASE OF SERVICES	\$28,845	\$31,400	\$32,400
	SUPPLIES	\$3,691	\$5,000	\$5,000
8	TOTAL EXPENSES	\$32,537	\$36,400	\$37,400

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	TOTAL FINANCE	\$306,417	\$333,622	\$311,715
	ASSESSOR			
	SALARIES	\$164,673	\$203,904	\$210,000
9	TOTAL PERSONNEL SERVICES	\$164,673	\$203,904	\$210,000
	PURCHASE OF SERVICES	\$143,316	\$125,020	\$110,020
	SUPPLIES	\$1,588	\$1,500	\$1,500
10	TOTAL EXPENSES	\$144,904	\$126,520	\$111,520
	TOTAL ASSESSOR	\$309,578	\$330,424	\$321,520
	TREASURER			
	SALARIES	\$194,137	\$202,300	\$181,869
11	TOTAL PERSONNEL SERVICES	\$194,137	\$202,300	\$181,869
	PURCHASE OF SERVICES	\$24,422	\$37,230	\$37,250
	SUPPLIES	\$594	\$1,700	\$1,700
12	TOTAL EXPENSES	\$25,016	\$38,930	\$38,950
	TOTAL TREASURER	\$219,153	\$241,230	\$220,819
	TOWN COUNSEL			
	PURCHASE OF SERVICES	\$313,666	\$225,000	\$225,000
	SUPPLIES	\$1,947	\$3,000	\$3,000
13	TOTAL EXPENSES	\$315,612	\$228,000	\$228,000
	TOTAL TOWN COUNSEL	\$315,612	\$228,000	\$228,000
	INFORMATION TECHNOLOGY			
	SALARIES	\$76,902	\$80,746	\$80,746
14	TOTAL PERSONNEL SERVICES	\$76,902	\$80,746	\$80,746
	PURCHASE OF SERVICES	\$96,450	\$110,500	\$157,500
	SUPPLIES	\$36,873	\$32,500	\$32,500
15	TOTAL EXPENSES	\$133,323	\$143,000	\$190,000
	TOTAL INFORMATION TECHNOLOGY	\$210,225	\$223,746	\$270,746
	TOWN CLERK			
	SALARIES	\$111,185	\$114,744	\$114,752
16	TOTAL PERSONNEL SERVICES	\$111,185	\$114,744	\$114,752
	PURCHASE OF SERVICES	\$10,817	\$11,755	\$11,800
	SUPPLIES	\$959	\$1,600	\$1,600
17	TOTAL EXPENSES	\$11,776	\$13,355	\$13,400
	TOTAL TOWN CLERK	\$122,961	\$128,099	\$128,152
	ELECTIONS			
	SALARIES	\$24,796	\$11,700	\$22,700
	TOTAL PERSONNEL SERVICES	\$24,796	\$11,700	\$22,700
	PURCHASE OF SERVICES	\$74	\$1,000	\$1,000
	SUPPLIES	\$7,837	\$12,500	\$17,500
	TOTAL EXPENSES	\$7,911	\$13,500	\$18,500
18	TOTAL ELECTIONS	\$32,708	\$25,200	\$41,200
	REGISTRAR			
	SALARIES	\$275	\$275	\$275
19	TOTAL PERSONNEL SERVICES	\$275	\$275	\$275
	PURCHASE OF SERVICES	\$3,900	\$4,500	\$4,625
20	TOTAL EXPENSES	\$3,900	\$4,500	\$4,625
	TOTAL REGISTRAR	\$4,175	\$4,775	\$4,900
	CONSERVATION			
	SALARIES	\$110,047	\$121,608	\$123,608
21	TOTAL PERSONNEL SERVICES	\$110,047	\$121,608	\$123,608

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	PURCHASE OF SERVICES	\$5,441	\$12,500	\$12,500
	SUPPLIES	\$6,782	\$9,600	\$9,600
22	TOTAL EXPENSES	\$12,223	\$22,100	\$22,100
	TOTAL CONSERVATION	\$122,271	\$143,708	\$145,708
	PLANNING			
	SALARIES	\$92,682	\$113,534	\$109,586
23	TOTAL PERSONNEL SERVICES	\$92,682	\$113,534	\$109,586
	PURCHASE OF SERVICES	\$1,578	\$4,000	\$4,000
	SUPPLIES	\$294	\$2,000	\$2,000
24	TOTAL EXPENSES	\$1,873	\$6,000	\$6,000
	TOTAL PLANNING	\$94,555	\$119,534	\$115,586
	SURVEYOR			
	SALARIES	\$140,024	\$145,806	\$147,844
25	TOTAL PERSONNEL SERVICES	\$140,024	\$145,806	\$147,844
	PURCHASE OF SERVICES	\$25,023	\$11,800	\$11,800
	SUPPLIES	\$2,208	\$5,150	\$5,150
26	TOTAL EXPENSES	\$27,231	\$16,950	\$16,950
	TOTAL SURVEYOR	\$167,256	\$162,756	\$164,794
	FACILITIES			
	SALARIES	\$181,380	\$270,504	\$273,504
27	TOTAL PERSONNEL SERVICES	\$181,380	\$270,504	\$273,504
	PURCHASE OF SERVICES	\$33,956	\$135,100	\$131,400
	UTILITIES	\$225,232	\$718,980	\$772,000
	SUPPLIES	\$12,049	\$24,200	\$21,200
28	TOTAL EXPENSES	\$271,237	\$878,280	\$924,600
	TOTAL FACILITIES	\$452,617	\$1,148,784	\$1,198,104
	HISTORICAL COMMISSION			
	PURCHASE OF SERVICES	\$90	\$200	\$200
29	TOTAL EXPENSES	\$90	\$200	\$200
	TOTAL HISTORICAL COMMISSION	\$90	\$200	\$200
	SURFACE WATER QUALITY COMMISSION			
	PURCHASE OF SERVICES	\$35,353	\$40,000	\$43,500
30	TOTAL EXPENSES	\$35,353	\$40,000	\$43,500
	TOTAL SURFACE WATER QUALITY COMM	\$35,353	\$40,000	\$43,500
	HISTORIC DISTRICT COMMISSION			
	PURCHASE OF SERVICES	\$0	\$275	\$275
31	TOTAL EXPENSES	\$0	\$275	\$275
	TOTAL HISTORIC DISTRICT COMMISSION	\$0	\$275	\$275
	PUBLIC CEREMONIES			
	PURCHASE OF SERVICES	\$1,433	\$2,500	\$2,500
32	TOTAL EXPENSES	\$1,433	\$2,500	\$2,500
	TOTAL PUBLIC CEREMONIES	\$1,433	\$2,500	\$2,500
	POLICE			
	SALARIES	\$1,948,197	\$2,123,500	\$2,087,989
33	TOTAL PERSONNEL SERVICES	\$1,948,197	\$2,123,500	\$2,087,989
	PURCHASE OF SERVICES	\$133,459	\$116,300	\$125,550
	SUPPLIES	\$139,898	\$184,200	\$173,800
34	TOTAL EXPENSES	\$273,357	\$300,500	\$299,350
	TOTAL POLICE	\$2,221,554	\$2,424,000	\$2,387,339

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	JOINT COMMUNICATIONS			
	SALARIES	\$432,439	\$476,100	\$478,000
35	TOTAL PERSONNEL SERVICES	\$432,439	\$476,100	\$478,000
	PURCHASE OF SERVICES	\$48,406	\$15,100	\$15,100
	UTILITIES	\$134,662	\$12,500	\$12,500
	SUPPLIES	\$7,169	\$8,300	\$6,300
36	TOTAL EXPENSES	\$190,237	\$35,900	\$33,900
	TOTAL JOINT COMMUNICATIONS	\$622,676	\$512,000	\$511,900
	EMERGENCY MANAGEMENT			
	PURCHASE OF SERVICES	\$12,709	\$14,800	\$14,800
	SUPPLIES	\$29,475	\$10,000	\$7,000
37	TOTAL EXPENSES	\$42,184	\$24,800	\$21,800
	TOTAL EMERGENCY MANAGEMENT	\$42,184	\$24,800	\$21,800
	DOG OFFICER			
	PURCHASE OF SERVICES	\$19,696	\$21,000	\$21,000
	SUPPLIES	\$2,851	\$3,000	\$3,000
38	TOTAL EXPENSES	\$22,546	\$24,000	\$24,000
	TOTAL DOG OFFICER	\$22,546	\$24,000	\$24,000
	FIRE			
	SALARIES	\$1,881,382	\$2,084,913	\$2,090,092
39	TOTAL PERSONNEL SERVICES	\$1,881,382	\$2,084,913	\$2,090,092
	PURCHASE OF SERVICES	\$26,095	\$65,700	\$55,700
	SUPPLIES	\$93,722	\$104,000	\$105,000
40	TOTAL EXPENSES	\$119,817	\$169,700	\$160,700
	TOTAL FIRE	\$2,001,199	\$2,254,613	\$2,250,792
	COCHITUATE BLDG-STATION 2			
	PURCHASE OF SERVICES	\$5,180	\$0	\$0
	UTILITIES	\$16,637	\$0	\$0
	SUPPLIES	\$1,536	\$0	\$0
41	TOTAL EXPENSES	\$23,353	\$0	\$0
	TOTAL COCHITUATE BLDG-STATION 2	\$23,353	\$0	\$0
	BUILDING & ZONING			
	SALARIES	\$266,745	\$297,246	\$269,609
42	TOTAL PERSONNEL SERVICES	\$266,745	\$297,246	\$269,609
	PURCHASE OF SERVICES	\$13,010	\$15,160	\$15,160
	SUPPLIES	\$7,883	\$7,000	\$7,000
43	TOTAL EXPENSES	\$20,892	\$22,160	\$22,160
	TOTAL BUILDING & ZONING	\$287,637	\$319,406	\$291,769
	TOTAL PUBLIC SAFETY	\$5,221,149	\$5,558,819	\$5,487,600
44	SCHOOLS	\$30,249,268	\$31,111,713	\$30,596,713
45	REGIONAL VOCATIONAL SCHOOLS	\$428,770	\$421,426	\$390,000
	DPW			
	SALARIES	\$1,596,300	\$1,530,148	\$1,546,891
	TOTAL PERSONNEL SERVICES	\$1,596,300	\$1,530,148	\$1,546,891
	PURCHASE OF SERVICES	\$875,413	\$847,400	\$773,400
	UTILITIES	\$74,323	\$0	\$0
	SUPPLIES	\$510,165	\$364,700	\$380,800
	DEBT	\$0	\$0	\$0
	TOTAL EXPENSES	\$1,459,901	\$1,212,100	\$1,154,200
46	TOTAL DPW	\$3,056,201	\$2,742,248	\$2,701,091

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	BOARD OF HEALTH			
	SALARIES	\$501,558	\$523,368	\$536,021
47	TOTAL PERSONNEL SERVICES	\$501,558	\$523,368	\$536,021
	PURCHASE OF SERVICES	\$115,814	\$113,480	\$112,480
	SUPPLIES	\$12,235	\$14,750	\$14,750
48	TOTAL EXPENSES	\$128,049	\$128,230	\$127,230
	TOTAL BOARD OF HEALTH	\$629,608	\$651,598	\$663,251
	VETERANS SERVICES			
	SALARIES	\$3,663	\$3,850	\$3,850
49	TOTAL PERSONNEL SERVICES	\$3,663	\$3,850	\$3,850
	PURCHASE OF SERVICES	\$6,487	\$7,500	\$7,500
	SUPPLIES	\$3,519	\$6,000	\$6,000
50	TOTAL EXPENSES	\$10,006	\$13,500	\$13,500
	TOTAL VETERANS SERVICES	\$13,669	\$17,350	\$17,350
	COUNCIL ON AGING			
	SALARIES	\$149,985	\$158,738	\$156,782
51	TOTAL PERSONNEL SERVICES	\$149,985	\$158,738	\$156,782
	PURCHASE OF SERVICES	\$55,712	\$65,900	\$47,700
	SUPPLIES	\$7,298	\$7,300	\$7,300
52	TOTAL EXPENSES	\$63,010	\$73,200	\$55,000
	TOTAL COUNCIL ON AGING	\$212,995	\$231,938	\$211,782
	YOUTH SERVICES			
	SALARIES	\$126,251	\$140,542	\$140,750
53	TOTAL PERSONNEL SERVICES	\$126,251	\$140,542	\$140,750
	PURCHASE OF SERVICES	\$3,318	\$3,850	\$3,850
	SUPPLIES	\$495	\$975	\$975
54	TOTAL EXPENSES	\$3,813	\$4,825	\$4,825
	TOTAL YOUTH SERVICES	\$130,065	\$145,367	\$145,575
	LIBRARY			
	SALARIES	\$715,109	\$718,376	\$719,470
55	TOTAL PERSONNEL SERVICES	\$715,109	\$718,376	\$719,470
	PURCHASE OF SERVICES	\$52,444	\$44,430	\$44,300
	UTILITIES	\$38,834	\$0	\$0
	SUPPLIES	\$175,912	\$181,500	\$163,660
56	TOTAL EXPENSES	\$267,190	\$225,930	\$207,960
	TOTAL LIBRARY	\$982,299	\$944,306	\$927,430
	POOL			
	SALARIES	\$21,603	\$36,900	\$0
	TOTAL PERSONNEL SERVICES	\$21,603	\$36,900	\$0
	PURCHASE OF SERVICES	\$2,085	\$0	\$0
	UTILITIES	\$64,385	\$0	\$0
	SUPPLIES	\$11,772	\$19,000	\$0
57	TOTAL EXPENSES	\$78,242	\$19,000	\$0
	TOTAL POOL	\$99,845	\$55,900	\$0
	DEBT AND INTEREST			
	DEBT SERVICE	\$3,945,432	\$4,306,298	\$5,038,995
58	TOTAL EXPENSES	\$3,945,432	\$4,306,298	\$5,038,995
	TOTAL DEBT AND INTEREST	\$3,945,432	\$4,306,298	\$5,038,995
	UNCLASSIFIED			
	INSURANCE GENERAL	\$607,051	\$670,000	\$670,000

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	INSURANCE 32B	\$6,106,341	\$7,145,000	\$7,466,000
	MEDICARE	\$469,740	\$580,000	\$590,000
	UNEMPLOYMENT	\$39,968	\$80,000	\$130,000
	NON CONTRIBUTORY RETIREMENT	\$16,731	\$18,000	\$18,000
	POLICE/FIRE DISABILITY	\$1,910	\$15,000	\$15,000
	RESERVE FOR SAL ADJ	\$0	\$75,000	\$75,000
	OCCUPATIONAL HEALTH	\$1,067	\$8,000	\$8,000
	EMPLOYEE ASSISTANCE PROGRAM	\$0	\$5,000	\$0
	TOWN MEETING	\$18,109	\$40,000	\$40,000
	STREET LIGHTING	\$108,624	\$160,000	\$140,000
	RESERVE FUND	\$0	\$215,000	\$225,000
59	TOTAL UNCLASSIFIED	\$7,369,542	\$9,011,000	\$9,377,000
	TOTAL GENERAL FUND BUDGET	\$55,183,551	\$58,817,166	\$59,233,956
	WATER FUND			
	SALARIES	\$652,144	\$921,667	\$974,604
	TOTAL PERSONNEL SERVICES	\$652,144	\$921,667	\$974,604
	PURCHASE OF SERVICES	\$393,834	\$450,000	\$462,000
	UTILITIES	\$231,439	\$335,000	\$375,000
	SUPPLIES	\$408,551	\$352,000	\$353,250
	DEBT SERVICE	\$1,037,028	\$1,144,004	\$1,203,543
	TOTAL EXPENSES	\$2,070,851	\$2,281,004	\$2,393,793
60	TOTAL WATER DEPARTMENT	\$2,722,995	\$3,202,671	\$3,368,397
	SEPTAGE FUND			
	SALARIES	\$49,691	\$50,704	\$52,990
	TOTAL PERSONNEL SERVICES	\$49,691	\$50,704	\$52,990
	PURCHASE OF SERVICES	\$530,935	\$507,266	\$0
	UTILITIES	\$73,485	\$84,605	\$0
	SUPPLIES	\$30,810	\$123,733	\$0
	DEBT SERVICE	\$0	\$0	\$0
	TOTAL EXPENSES	\$635,230	\$715,604	\$0
61	TOTAL SEPTAGE DEPARTMENT	\$684,921	\$766,308	\$52,990
	WASTEWATER MGMT DISTRICT COMM			
	PURCHASE OF SERVICES	\$187,195	\$188,115	\$148,000
	CAPITAL	\$10,425	\$0	\$0
	DEBT SERVICE	\$29,858	\$79,330	\$130,340
	TOTAL EXPENSES	\$227,478	\$267,445	\$278,340
62	TOTAL WASTEWATER MGMT COMM	\$227,478	\$267,445	\$278,340
	GRAND TOTAL OMNIBUS BUDGET	\$58,818,945	\$63,053,590	\$62,933,683

NOTE: The requested budget is shown as submitted by departments and committees of the Town to the Finance Committee. The requested budget is subject to revision by the Finance Committee in determining the recommended budget that will appear in the Warrant for Town Meeting consideration and action.

ARTICLE 6: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission

To determine whether the Town will vote to appropriate a sum of money to be expended by the Wastewater Management District Commission (WWMDC) for the annual operating expenses of the

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Wayland Wastewater Management District; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds appropriated for another purpose, by borrowing or otherwise.

NOTE: The Finance Committee will recommend to the Board of Selectmen whether to include the budget of the Wastewater Management District Commission within Article 5 – FY2011 Omnibus Budget (see line 62 of the budget on page 9 of this document) or retain the budget as a separate article.

ARTICLE 7: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen

Estimated Cost: Unknown

To determine whether the Town will vote to:

- (a) pay the bills of the prior fiscal years,
- (b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and
- (c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

ARTICLE 8: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of the following surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

<u>Department</u>	<u>Vehicle/Equipment</u>	<u>Year</u>
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ARTICLE 9: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

ARTICLE 10: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

Proposed by: Community Preservation Committee

Estimated Cost: \$180,000

To determine whether the Town will vote to set aside for later spending \$60,000.00 on open space, but not including land for recreational use, \$60,000.00 for historic resources, and \$60,000.00 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6.

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ARTICLE 11: PERSONNEL BYLAWS AND WAGE AND CLASSIFICATION PLAN

Proposed by: Personnel Board

To determine whether the town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix will be attached) previously adopted by the Town.

ARTICLE 12: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2011.

ARTICLE 13: COMPENSATION FOR TOWN CLERK

Proposed by: Board of Selectmen

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2010, which salary and compensation is printed below.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2010</u>	<u>FY 2011</u>
Town Clerk	\$ 66,112	\$ 66,112

ARTICLE 14: ESTABLISH MUNICIPAL AFFORDABLE HOUSING TRUST FUND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C to establish a trust to be known as the Municipal Affordable Housing Trust Fund.

ARTICLE 15: ROUTES 30 AND 27 INTERSECTION LAND ACQUISITION

Proposed by: Board of Public Works and Planning Board

To determine whether the Town will vote to:

- a.) Authorize the Board of Selectmen, with approval of Town Counsel as to form, acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the parcels of land located at the northeast, northwest, southeast and southwest corners of the Route 30-27 Intersection containing 1000 square feet each more or less. The northeast corner of Route 30-27 being part of land described in a deed recorded with the Middlesex South Registry of Deeds in Book 48964, Page 201 and shown as “Proposed Lot B” on a plan entitled “Plan of Land in the Town of Wayland, Massachusetts”, dated July 17, 2009 prepared by Control Point Associates Inc., a copy of which plan is on file in the Office

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of the Town Clerk; The other corners are shown as follows: Northwest assessors Map 51 D Lot 29, southwest assessors map 51 D Lot 24 and southeast assessors map 51D Lot 21.

- b.) appropriate \$4.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land; and
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

NOTE: The Board of Selectmen has yet to determine whether it will include this article in the Warrant. It is identical to the article that was passed over at the Special Town Meeting in November 2009 that was proposed to receive the proceeds from the sale of residential units at Town Center to be paid to the town for affordable housing purposes under the development agreement with Twenty Wayland, LLC. A petitioner’s article establishing a different funding vehicle (private, not-for-profit corporation) has been proposed (see Article 37).

ARTICLE 16: AMEND ZONING BYLAWS RE: RENEWABLE OR ALTERNATIVE ENERGY RESEARCH AND DEVELOPMENT ACTIVITIES

Sponsored by: Planning Board

Estimated Cost: Nominal

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Zoning Bylaw of the Town, by making the following amendments thereto:

1. Insert the following new definition in §198-803.4. “Renewable or Alternative Energy Research and Development Facilities: Facilities used primarily for research, development and/or testing of innovative renewable or alternative energy information, concepts, methods, process, materials or products. This can include the design, development, and testing of biological resources from land, forest and aquatic environments, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes or specialized machinery and devices integral to research or testing may be associated with these uses.”; and
2. Insert the following new section in Table of Permitted Principal Uses by Districts:

Uses	Single Residence	Roadside Business	Business A	Business B	Light Manufacturing	Limited Commercial	Site Plan Approval
42A. Renewable or Alternative Energy Research and Development Facilities not exceeding 15,000 square feet	No	No	No	No	Yes	Yes	Yes

ARTICLE 17: ACQUIRE TOWN OF SUDBURY’S INTEREST IN SEPTAGE FACILITY

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase or otherwise, all of the Town of Sudbury’s right, title and interest in and to the Septage Treatment Facility and the parcel of land upon which it is situated known and numbered 490 Boston Post Road, Wayland, Massachusetts, containing 7.63 acres, more or less, as described in an order of

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taking dated January __, 1971 and recorded with the Middlesex South Registry of Deeds in Book 11943, Page 420;

- b.) appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of the Town of Sudbury's right, title and interest in said facility and parcel of land;
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise; and
- d.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to enter into and execute all necessary and appropriate instruments and agreements, including, without limitation, intermunicipal agreements, in connection with said acquisition.

ARTICLE 18: CAPITAL EQUIPMENT PURCHASE – SCHOOL TECHNOLOGY

Proposed by: School Committee

Estimated Cost: \$750,000

To determine whether the Town will vote to appropriate the sum of money to be expended by the School Committee for the purchase of technology, including hardware, software, and related networking services and equipment; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

NOTE: The Finance Committee will recommend whether to include this article within Article #5 – FY2011 Omnibus Budget with remainder of capital equipment and projects.

ARTICLE 19: AMEND TOWN CODE RE: DEPARTMENT OF PUBLIC WORKS

Proposed by: Board of Selectmen

To determine whether the Town will vote amend the Code of the Town of Wayland by making the revisions thereto as set forth below, which revisions are necessitated by the creation and organization of a Department of Public Works:

[Key to revisions; underlining = additions; ~~striketrough~~ = deletions]

1.) §2-2 Noncriminal disposition of violations; enforcement.

I. Chapter 191 of the Code of the Town of Wayland - Lawn Irrigation Systems.

(1) Penalty:

- (a) A fine of \$250 per day for the first offense.
- (b) Termination of water services for a subsequent offense.

(2) Enforcing persons: the Director of Public Works ~~Water Superintendent~~ or other person(s) designated in writing by the ~~Board of Water Commissioners~~ Director of Public Works;

2.) Chapter 75 - Community Preservation Committee

§75-1 Creation of Committee; composition; term.

There is hereby established a Community Preservation Committee, consisting of seven members, including: one member of the Conservation Commission as designated by the Conservation Commission;

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one member of the Historical Commission as designated by the Historical Commission; one member of the Planning Board as designated by the Planning Board; one member of the ~~Park and Recreation Commission~~ Board of Public Works as designated by the ~~Park and Recreation Commission~~ Board of Public Works; one member of the Housing Authority Board of Commissioners as designated by the Housing Authority Board of Commissioners; and two members appointed by the Board of Selectmen. ~~Members shall serve the following initial terms: Conservation Commission and Housing Authority designees, one year; Park and Recreation Commission designee and one appointee of the Board of Selectmen, two years; and Historical Commission and Planning Board designees, and remaining appointee of the Board of Selectmen, three years. Following the initial appointments, a~~Appointees shall serve three-year terms. There shall be no limit on the number of terms served by any individual.

...

§75-3 Committee to undertake study.

The Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with the Conservation Commission, Board of Public Works, Historical Commission, Planning Board, ~~Park and Recreation Commission~~ and Housing Authority Board of Commissioners in conducting such study. The Committee may consult with other town boards, committees, and commissions, and may utilize previous studies, findings, and other materials from other town boards, committees, and commissions. The Committee shall hold at least one public informational hearing each year on the needs, possibilities, and resources of the town regarding community preservation, for which it will publicly post notice in the Town Building as designated by the Town Clerk and publish such notice in a newspaper of general circulation in the town for each of two weeks preceding the hearing.;

...

3.) Chapter 158 – Streets and Sidewalks

§158-2 Liability of vehicle owner.

The owner of any such vehicle so removed shall be liable for the reasonable cost of such removal and storage, and delivery of the vehicle to said owner may be withheld by the Board of Public Works ~~Superintendent of Streets~~ or other officer having charge of the ways in the Town until such reasonable costs shall be paid.

...

§158-15 Penalties for violations.

Violations of the terms of this bylaw provision shall be punishable by a penalty of \$100 per pole for each pole for each day of violation. This section of the bylaws may be enforced by a noncriminal citation pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 21D, by any police officer of the Town, the Building Commissioner or the ~~Director of Highway Operations~~ Director of Public Works or other person(s) designated in writing by the Director of Public Works.;

4.) Chapter 190 – Water

§190-9 Violations and penalties.

A. Any person violating this article shall be subject to the following:

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- (1) First offense: written reprimand by ~~Water Superintendent or the Board of Public Works~~ Director of Public Works or other person(s) designated in writing by the Director of Public Works. Written reprimand shall include a copy of this article, Chapter 190.

...

B. Fines shall be recovered by indictment or on complaint before the District Court or by noncriminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. After favorable disposition to the Town of Wayland, any outstanding unpaid fines shall be placed on the water customer's water bill. The enforcing person shall be the ~~Water Superintendent~~ Director of Public Works or his/her designee. Each day of violation during the same calendar year shall constitute a separate offense.

5.) Chapter 191 – Lawn Irrigation Systems

§191-7 System requirements.

A. All systems installed or expanded under this bylaw shall be installed or expanded pursuant to all local and state laws and regulations and shall include a backflow device (approved by the ~~Wayland Water Department~~ of Public Works), a rain gauge, a moisture detector, a programmable automatic timer and a shut-off valve.

...

C. All systems installed or expanded under this bylaw shall be maintained pursuant to the regulations of the ~~Wayland Water Department~~ Board of Public Works.

§191-8 Approval process.

...

C. The ~~Water Superintendent~~ Director of Public Works or his/her designee shall approve the short-form application if s/he ~~the Water Superintendent or designee~~ determines that said system covers a land area of 5,000 square feet or less and complies with the provisions of this bylaw.

§191-10 Violation and penalties.

Any person violating this bylaw shall be subject to the following:

A. Written notification of a violation by the ~~Water Superintendent~~ Director of Public Works or his/her designee ~~the Board of Public Works~~. Said notification shall include a demand that said system comply with the bylaw within 30 days receipt of the notification or that said system be removed.

...

D. Fines shall be recovered by indictment or on complaint before the District Court or by noncriminal disposition in accordance with MGL c. 40, § 21D. After disposition favorable to the Town of Wayland, any outstanding unpaid civil fines shall be placed on the water customer's water bill. The enforcing person shall be the ~~Water Superintendent~~ Director of Public Works or his/her designee.

NOTE: This article is a "housekeeping" article which identifies those remaining references to former positions, departments and committees and changes to conform to the structure of the DPW (i.e. job titles, assignment of duties and authority).

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ARTICLE 20: ELECTRONIC VOTING AT TOWN MEETING

Proposed by: Petitioners

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the procurement of a system, including all software and hardware, to enable electronic voting by individuals using wireless handheld mobile devices at future town meetings, beginning with the 2011 annual town meeting; and to determine whether such appropriation shall be provided by taxation, by transfer from un-appropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth of Massachusetts or Federal Government, by borrowing or otherwise.

ARTICLE 21: AMEND AND EXPAND REFUSE DISPOSAL DISTRICT

Proposed by: Board of Public Works and Planning Board

To determine whether the Town will vote to amend its Zoning Bylaw, Chapter 198 of the Code of the Town of Wayland, by:

- a.) revising the Town of Wayland Zoning Map referenced in § 198-301.2 thereof by adding to and including in the Refuse Disposal District shown on said map and referenced in § 198-301.1.8 the parcels of land shown as 22-5, 22-6, and 22-7 on Town of Wayland Atlas Map 22; and
- b.) adding to Article 12 (Refuse Disposal District), § 198-1201 (Permitted Uses) thereof the following new subsections:
“1201.2.5. A Town-owned public works facility.
1201.1.6 The parking and storage of buses, automobiles, and comfort trailers used for transportation purposes by the Wayland Public Schools.”

ARTICLE 22: CHANGE THE FORMAT OF TOWN MEETING

Proposed by: Petitioners

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing for the Town of Wayland to modify the format of its Town Meeting as follows:

- i) Annual and Special Town Meetings would be split into two separate sessions: Session 1 - Deliberation, to allow for debate and discussion of all Articles, and Session 2 - Voting, to allow for a ballot vote to be administered for all Articles.
- ii) Session 1 - Deliberation would be conducted in a manner similar to the current Town Meeting format, with the following exceptions: 1.) no votes will be taken on any Articles and 2.) no amendments will be allowed to the Articles published in the Warrant. Votes on procedural matters could continue under the Moderator’s rules for Town Meeting.
- iii) Session 2 - Voting will be scheduled to occur on a date chosen by the Selectmen between 2 and 14 days after the conclusion of Session 1 - Deliberation. Session 2 - Voting will be administered using a ballot containing all Articles published in the Warrant and will be conducted from 7:00 a.m. to 8:00 p.m. following the same balloting guidelines used for general town elections.

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ARTICLE 23: TRANSFER AND RESTRICT USE OF CERTAIN TOWN-OWNED LAND FOR SEPTIC PURPOSES AND CONSERVATION PURPOSES

Proposed by: Petitioners

To determine whether the Town will vote to:

- a.) Authorize the Board of Selectmen and the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels 47A-035, 47A-037,47A-037A, 47A-037B, 47A-037C,47A-037D, 47B-055H, 47B-055G, 47B-055F, 47B-055E, 47B-055D,47B-055C, 47B-055B, 47B-055A, 47B-055,47A-027A, 47A-027,47A-026,47B056G, 47B-056A, 47A-027E, 47B-057A, 47C-002, 47C-001, 47D-027 of land on Doran Road, Curtis Road, Pond Drive and Cross Street located in Wayland, Massachusetts, known as Dudley Woods, and shown on the plan entitled “Plan of Land in Wayland, Massachusetts Prepared for the Wayland Board of Selectman, Doran Road - Town Parcels” dated August 14, 2006, prepared by the Town of Wayland, Town Surveyors Office which property is more fully described as follows: {metes and bounds description to be prepared and submitted for inclusion in the printed Warrant} to the Conservation Commission.
- b.) Authorize the Board of Selectmen and the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of parcels 47B-056F, 47B-056E, 47B-056D, 47B-056C, 47B-056B, 47B-057E, 47B-057D, and 47B-057B of land on Doran Road, Curtis Road, Pond Drive and Cross Street located in Wayland, Massachusetts, known as Dudley Woods, and shown on the plan entitled “Plan of Land in Wayland, Massachusetts Prepared for the Wayland Board of Selectman, Doran Road - Town Parcels” dated August 14, 2006, prepared by the Town of Wayland, Town Surveyors Office which property is more fully described as follows: {metes and bounds description to be prepared and submitted for inclusion in the printed Warrant) to the Wastewater Management District Commission.
- c.) Rescind the votes of the 1975 Annual Town Meeting under Article 27 and the vote of the January 19, 1977 Special Town Meeting under Article 2 authorizing the Board of Selectmen to convey said land to the Wayland Housing Authority to construct elderly congregate housing.

ARTICLE 24: TRANSFER OF PARCEL ON STONEBRIDGE ROAD FOR AFFORDABLE HOUSING

Proposed by: Board of Public Works and Planning Board

To determine whether the Town will vote to:

- 1.) authorize the Department of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management, and control of a portion of a parcel of land on Stonebridge Road, containing 22 acres more or less and up to 2.5 acres described in a deed recorded with the Middlesex South Registry of Deeds, in Book 6108, Page 412, to the Board of Selectmen for the purposes set forth in Paragraph 2 below;
- 2.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell, or otherwise dispose of said land to Habitat for Humanity – MetroWest/Greater Worcester (HFH

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– MW/GW) for consideration of \$1.00 for the purpose of building affordable housing on said land; and

- 3.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to place a restrictive covenant on a 1.1 acre parcel of land on Riverview Circle, described as Lot 36C-51B, shown on Plan entitled Habitat for Humanity, Article 24, Annual Town Meeting 2010, which parcel of land is currently under the jurisdiction of the Recreation Commission, upon approval of a Nitrogen Aggregation Loading Plan by the Massachusetts Department of Environmental Protection relative to the affordable housing to be constructed on the land described in Paragraph 1 above.

ARTICLE 25: ACQUISITION OF CHAPTER 61B LAND - 41 RIVER ROAD

Proposed by: Conservation Commission

To determine whether the Town will vote to:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, the fee or any lesser interest in the parcel of land located on River Road known and numbered as 41 River Road, Wayland, Massachusetts, containing thirteen acres, more or less, as described in deed dated October 24, 2007 and recorded with the Middlesex South Registry of Deeds in Book 50265, Page 16, for open space purposes, provided that no acquisition of said parcel of land for more than \$1.00 shall be consummated unless additional funds have been appropriated by a subsequent vote of town meeting.
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land; and
- c.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

ARTICLE 26: APPROPRIATE CPA FUNDS FOR DESIGN SERVICES FOR RAIL-TO-TRAIL

Proposed by: Community Preservation Committee and Planning Board

To determine whether the town will vote to appropriate an amount up to \$25,000 from the open space account of the CPA fund for the purpose of engaging a professional engineering firm to provide a feasibility study for a Wayland Rail Trail extending for approximately three miles from the Weston line to the Sudbury line. Such feasibility study to evaluate, among other things, environmental and engineering issues relating to the proposed rail trail. This funding shall be expressly subject to the Town receiving confirmation of a lease of the MBTA railroad line to the Massachusetts Division of Conservation and Recreation (DCR) and written confirmation that it concurs with the planned use of the DCR leased land for a Wayland rail trail.

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ARTICLE 27: TRANSFER AND LEASE THE RECREATION PORTION OF THE LOKER CONSERVATION AND RECREATION AREA

Proposed by: Petitioners

To determine whether the Town will vote to:

- a.) authorize the Recreation Commission, with the approval of Town Counsel as to form to transfer the care, custody, management and control of the area of land located on Commonwealth Road (Route 30) and Rice Road in Wayland, Massachusetts, shown as "Recreation Area" on the plan entitled "Plan of Land in Wayland, Massachusetts Loker Conservation and Recreation Area" dated April 1, 2004, prepared by the Town of Wayland Town Surveyor's Office which property is described in a deed dated May 2, 2000 and recorded with the Middlesex South Registry of Deeds in Book 31387 Page 169 and in Certificate of Title No. 218188 registered in Land Registration Office at said Registry of Deeds in Registration Book 1221 Page 38 to the Board of Selectman for the purposes set forth in Paragraph b.) below;
- b.) authorize the Board of Selectmen, together with the advice of the Recreation Commission, and the approval of Town Counsel as to form, to transfer, sell, convey or otherwise dispose of the fee or any lesser interest in all or any portion of said area of land, subject to a restriction that a recreational facility shall be constructed on said land and leased back to the Town, for recreational purposes, and
- c.) authorize the Board of Selectmen, together with the advice of the Recreation Commission, and the approval of Town Counsel as to form, to lease, as lessee, said land, with said new improvements thereon, for recreational purposes, upon such terms and conditions as the Selectman deem appropriate.

ARTICLE 28: AMEND ZONING BYLAW – AQUIFER PROTECTION DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the Code of the Town of Wayland, the Town's Zoning Bylaw, by making the revisions to Article 16 thereof relative to the Aquifer Protection District as set forth below:

[Key to revisions: underlining = additions; ~~strikethrough~~ = deletions].

- 1.) By adding the following sentence to §198-1601.3:

1601.3 Scope of Authority

The Aquifer Protection District is an overlay district superimposed on the zoning districts. As described in §198302.1.4, the Aquifer Protection District is shown on a map on file with the Town Clerk entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated December 5, 2003. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities or uses in a portion of one of the underlying zoning districts which fall within the Aquifer Protection District must additionally comply with the requirements of this district. Uses that are prohibited in the underlying zoning districts shall not be permitted in the Aquifer Protection District.;

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2.) By adding the following words to §198-1603.2.11:

1603.2.11

Storage of liquid petroleum products and liquid hazardous waste, except the following:

- a) Normal household use, outdoor maintenance, and heating of a structure;
- b) Waste oil retention facilities required by statute, rule, or regulation;
- c) Emergency generators required by statute, rule, or regulation; and
- d) Treatment works approved under 314 CMR 5.00 for treatment of ground and surface waters;

provided that such storage, listed in items a) through d) above, meets the requirements of § 198-1603.3.10.

3.) By making the following revision to §198-1603.2.14:

1603.2.14

Any other use that includes the generation, the manufacture, use, transportation or disposal of toxic or hazardous ~~waste materials~~, except for the following:

- a) very small quantity generators as defined under 310 CMR 30.000;
- b) Household hazardous waste centers or events operated pursuant to 310 CMR 30.390;
- c) Waste oil retention facilities required by MGL c. 21. § 52A; and
- d) Treatment works approved by DEP designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters.

ARTICLE 29: CREATE TOWN MEETING DEBATE WEBSITE

Proposed by: Petitioners

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the procurement of a system, including all software and hardware, to enable posting of pro and con video, audio or text files for each warrant article to a town website by Wayland citizens prior to future town meetings; each citizen may review all said posts and indicate just one as best, the counts thereof being displayed next to each item and used to order presentation on the website; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth of Massachusetts or Federal Government, or otherwise.

ARTICLE 30: AMENDMENT OF ZONING BYLAW SECTION 198-1102.1.4.1.4 RE: AUTO SERVICE STATIONS

Proposed by: Petitioners

To determine whether the Town will vote to amend Chapter 198 of the Code the Town of Wayland, the Zoning Bylaw of the Town, by making the following amendments:

Delete existing Section 198-1102.1.4.1.4 governing Auto service stations:

No services or merchandise other than accessory, portable automotive merchandise may b(g):- displayed

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or sold on the premises. Insert one of two alternative versions of a new Section 198-1102.1.4.1.4:

First Option

Merchandise that is customary and incidental to auto service stations, including (i) accessory, portable automotive merchandise, and (ii) beverages, prepackaged snack food items and related sundries, may be displayed and sold on the premises within an area not exceeding fifteen percent (15%) of gross floor area thereof, excluding the areas where automobiles are serviced and repaired, rest rooms and mechanical spaces regardless of whether the auto service station exists or was commenced by right, permit, special permit or variance, with or without site plan approval.

Second Option

No services or merchandise other than accessory, portable automotive merchandise may be displayed or sold on the premises; provided, however, that upon the issuance of a special permit from the Zoning Board of Appeals, beverages, prepackaged snack food items and related sundries, may be displayed and sold on the premises within an area not exceeding fifteen percent (15%) of gross floor area thereof, excluding the areas where automobiles are serviced and repaired, rest rooms and mechanical spaces regardless of whether the auto service station exists or was commenced by right, permit, special permit or variance, with or without site plan approval.

ARTICLE 31: LEASE DPW LAND FOR PRIVATE CONSTRUCTION OF A COMMUNITY POOL

Proposed by: Petitioners

To determine whether the Town will vote to:

- 1.) authorize the Board of Public Works, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcel of land, on Old Connecticut Path in Wayland, Massachusetts shown as 2,445± on a plan entitled “Plan of Land in Wayland, Mass.” dated August 31, 1966, prepared by MacCarthy Engineering Service, Inc. and recorded with the Middlesex South Registry of Deeds as Plan No.796 of 1967 in Book 11357, Page 368 to the Board of Selectmen for the purposes set forth in Paragraph (2) below; and
- 2.) authorize the Board of Selectmen, with the approval of the Board of Public Works, and the approval of Town Counsel as to form, to lease as, lessor all or any portion of said parcel of land, for a community pool provided, however, if construction of said community pool has not commenced by April 30, 2012, the actions authorized under this article shall not be taken.

ARTICLE 32: ACCEPTANCE OF ALICE DRIVE, HIDDEN SPRINGS ROAD, AND LEE ROAD AS TOWN WAYS

Proposed by: Planning Board

To determine whether the Town will vote to accept as a town ways the following streets laid out by the Board of Road Commissioners, Department of Public Works, Board of Selectmen:

Alice Drive;
Hidden Springs;
Lee Road

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ARTICLE 33: DEMOLITION DELAY BYLAW

Proposed by: Planning Board

Demolition Delay Bylaw CHAPTER 196

Section 1. Purpose and Intent

The purpose of this article is to establish a predictable process for preserving and protecting significant buildings and other structures within the Town of Wayland (the “town”) which constitute or reflect distinctive features of the cultural, political, architectural or history of the Town; to encourage owners of such buildings and other structures to seek out persons or groups of people who might be willing to purchase, preserve, rehabilitate, or restore such buildings or other structures rather than demolish them; or barring that, to create a record, including a photo/video history of such buildings or other structures; and to provide a reasonable time period for public notice and discussion by interested groups and individuals of means by which to preserve such buildings and other structures. This Bylaw applies only to the exteriors of buildings and structures.

Section 2 Definitions

For the purpose of this bylaw, the following words and phrases shall have the following meanings:

- 2.1 Applicant: The party that seeks permission to alter a regulated structure.
 - 2.2 Demolition: Any act of pulling down, destroying, or razing a structure, or any part attached portion thereof.
 - 2.3 “Significant listed building or other structure” : a building or other structure placed on the Town of Wayland Historic Cultural Resource Map. DATED
 - 2.4 “Demolition Permit” : a written approval for demolition of a building or other structure, issued by the Building Commissioner in response to an application for such a permit as required by the State Building Code.
 - 2.5 Historic District: an historic district established by the Town pursuant to Chapter 40C of the Massachusetts General Laws or special law.
 - 2.6 Building Commissioner: the official or person authorized by state law or Town Bylaw to issue a permit to demolish a structure in the Town.
 - 2.7 Historical Commission: the Wayland Historical Commission. (WHC)
 - 2.8 “6 Month Delay Period” – the 6 month period, dated from the stamped receipt by the Building Commissioner of the application for permit to demolish a structure.
- 3.3 If the Building Commissioner determines to deny the permit application to demolish a structure, the permit applicant may in a similar manner as above appeal the decision to the Zoning Board of Appeals. The Zoning Board of Appeals will handle appeals under this bylaw in the same manner in which it handles all other appeals. No permit to demolish a structure may be issued until the expiration of the appeal period. The filing of an appeal will stay the issuance of a permit to demolish a structure until final disposition of the appeal. In any case, at the end of the 6 Month Delay Period, all appeals by either the WHC or the applicant or any abutter shall be moot, and a demolition permit shall be issued if no alternative method of saving the significant listed building or other structure has been agreed upon.

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3.4 If the applicant does not choose to appeal, the 6 Month Delay Period will go into effect and no permit to demolish a structure will be issued until 6 months after the date stamp of the initial permit application to demolish a structure to the Building Commissioner.

3.5 During the 6 Month Delay Period, the applicant, the WHC and any other interested parties are encouraged to work to seek an alternative to the proposed demolition. (See Sec. 1, Purpose and Intent). The Building Commissioner will not issue a permit for any construction or alteration on the site of the significant listed building or other structure during this 6 months.

3.6 Upon notification of the 6 Month Delay Period in the issuance of the permit to demolish a structure, the applicant may request a waiver of the demolition delay bylaw by applying directly to the Wayland Historical Commission for a Demolition Plan Review.

3.7 Demolition Plan Review

- (a) After the Building Commissioner's initial determination that a permit application to demolish a structure involves the demolition of a significant listed building or other structure which is subject to the 6 Month Delay Period, the applicant for the permit to demolish a structure may submit to the WHC a Demolition Plan which shall include the following information: (i) a site plan showing the location of the building or other structure to be demolished on the property and with ??? reference to neighboring properties; (ii) a brief description of the type of building or other structure and the reason for the proposed demolition with supporting data; (iii) and optionally ??? may include a brief description of the proposed reuse of the premises upon which the building or other structure is located.
- (b) After giving public notice the WHC shall hold a public hearing within 30 days from receipt of the Demolition Plan. At the close of the hearing a vote of the majority of the WHC members shall determine whether to issue a waiver. Within 15 days from the date of the close of the public hearing the WHC shall file a written report of its decision with the Building Commissioner, which shall include the following: (i) a description of the age, architectural style, historical associations and importance of the building or other structure to be demolished; (ii) a determination as to whether the building or other structure should be preserved and remain subject to the 6 Month Demolition Delay.
- (c) Upon a determination by the WHC that any building or other structure which is the subject of a permit application to demolish a structure is a significant building or other structure which should be preserved, the WHC shall advise the applicant and the Building Commissioner that the 6 Month Delay Period remains in effect, and no permit to demolish a structure shall be issued until 6 months after the date stamp of the initial permit application to demolish a structure to the Building Commissioner.

3.8 The Building Commissioner may issue a permit to demolish a structure for a significant listed building or other structure at any time after receipt of written opinion/decision from the WHC that states either: (i) the building or other structure is determined not to warrant preservation, or (ii) the WHC is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building or other structure.

Section 4. Emergency Demolition

<p>These articles were submitted for insertion in the Warrant for the Wayland Annual Town Meeting to begin on Monday, May 10, 2010. Please note that the Board of Selectmen has not determined the articles that will be inserted or the order in which the articles will appear. Articles are subject to nonsubstantive revisions before the Warrant is finalized.</p>

4.1 Nothing in this bylaw shall restrict the Building Commissioner from immediately ordering the demolition of any building or other structure in the event of an imminent danger to the safety of the public.

Section 5. Enforcement and Remedies

5.1 The WHC and/or the Building Commissioner are each specifically authorized to request that the Town Administrator, with the approval of the Board of Selectmen, institute any and all actions and proceedings, in law or in equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof.

5.2 Anyone who demolishes a significant listed building or other structure without first obtaining and complying fully with the provisions of a demolition permit in accordance with this bylaw shall be subject to a fine as specified in Appendix A of the Regulations for the Enforcement of Town Bylaws under M.G.L. Chapter 40, §21D and the Bylaw for Non-Criminal Disposition of Violation.

5.3 No permit for a new building or other structure shall be issued with respect to any premises upon which a significant listed building or other structure has been voluntarily demolished in violation of this bylaw for a period of two (2) years after the date of the completion of the demolition. As used herein "premises" includes the parcel of land upon which the demolished significant listed building or other structure was located, and all adjoining parcels of land under common ownership or control.

5.4 Upon a permit application to demolish a structure for a significant listed building or other structure the owner shall be responsible for properly securing the building or other structure, if vacant, to the satisfaction of the Building Commissioner. Should the owner fail to secure the building or other structure, the loss of such building or other structure through fire or other cause may be considered voluntary demolition for the purposes of section 5.2 and/or section 5.3.

5.5 Nothing in this bylaw shall be deemed to exempt applicants from any requirements of the state Building Code.

Section 6. Local Historic Districts

6.0 Nothing in this bylaw shall be deemed to conflict with the provisions of Chapter 345 of the Acts of 1960 as amended (the Historic Districts Act). This bylaw shall not apply to any proposed demolition of a building or other structure which is located within a Local Historic District established under the Local Historic District Bylaw. The Historic District Commission shall have jurisdiction over any demolition proposals within a Local Historic District pursuant to all procedures, standards and requirements set forth therein.

Section 7. Severability

7.0 In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

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ARTICLE 34: AMEND ZONING BYLAW RE: ACCESSORY DWELLING UNITS

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning Bylaw Section 198-901 by making the following revisions:

901.1.3.

An accessory dwelling unit is as permitted by the Table of Accessory Uses, § 198-804, and provided that:

901.1.3.1. The lot on which the accessory unit is to be situated contains at least 20,000 square feet and at least 50% of the requirement for the district in which it is located unless the Special Permit Granting Authority determines that the lot is not detrimental to the neighborhood.

901.1.3.2. No more than one accessory unit shall exist on the lot on which it is to be situated.

~~901.1.3.3. The building or buildings in which the accessory unit and the principal residence are to be situated shall have existed for two years. [Amended 4-30-1986 ATM by At. 29]~~

...

901.1.4. [Amended 5-8-1989 ATM by Art. 18; 5-5-1999 STM by Art. 9] An accessory dwelling unit reserved, for a period not less than ~~40~~ 5 years, for occupancy by a person or family receiving rental assistance from the Wayland Housing Authority is permitted in accordance with the Table of Accessory Uses, § 198-804, and provided that:

...

901.1.4.6. The homeowner shall submit proposed documents leasing the accessory unit, for a period of not less than ~~40~~ 5 years, to the Wayland Housing Authority. Such documents shall include certification that the Wayland Housing Authority intends to accept such unit for its rental assistance programs.

NOTE: Only those section of this by-law for which deletions and additions are proposed are shown in this handout. The complete by-law, including paragraphs for which no changes are proposed, will appear in the Warrant as a reference.

ARTICLE 35: AMEND ZONING BYLAW RE: PLANNED WIRELESS COMMUNICATIONS SERVICES DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Article 15A Planned Wireless Communications Services District of Chapter 198 (Zoning) of the Code of the Town of Wayland by making the following deletions therefrom (indicated in ~~strike through lettering~~) and insertions therein (indicated in underlined lettering).

[Added 11-1-2005 STM by Art. 2; amended 5-1-2006 ATM by Art. 22;

§ 198-1552 Use restrictions.

1552.1

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One wireless communications monopole may be constructed, operated, maintained and used by ~~up to four~~ wireless carriers in the Planned Wireless Communications Services District as of right, upon the issuance of a building permit therefor, provided that the proposed facility complies with the requirements of the State Building Code, 780 CMR, as applicable, plan entitled “Town of Wayland Planned Wireless Communications Services Zoning Overlay District,” prepared by the Town of Wayland Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated August 11, 2005, a copy of which is on file in the office of the Town Clerk, and with the Design Restrictions set forth below. ~~A wireless communication facility conforming to the requirements of Article 15A may be constructed, operated, maintained and used in the Planned Wireless Communications Services District without the need for a special permit pursuant to § 198-203 and without the need for site plan approval under Article 6 of this Zoning Bylaw.~~

...

§ 198-1558 Modification of permitted facilities.

1558.2

A major modification to an existing wireless communications facility in the Planned Wireless Communications Services District shall consist of (i) a change in number of buildings or equipment cabinets located on the site compared to that shown on the Plans identified in § 198-1554.1, (ii) an increase in the height of the monopole compared to that shown on the Plans identified in § 198-1554.1, or (iii) an addition to the externally visible equipment including the number of antennas on the monopole compared to that shown on the Plans identified in § 198-1554.1. ~~Notwithstanding the provisions of (i) and (iii) above, any subsequent change that only adds collocators’ antennas, buildings, or equipment cabinets for up to a maximum of four wireless carriers shall not constitute a “major modification” and shall not require site plan approval under Article 6 of this Zoning Bylaw, whether or not the change was shown on the Plans identified in § 198-1554.1.~~

1558.3

A major modification to an existing wireless communications facility in the Planned Wireless Communications Services District shall require ~~site plan approval~~ a special permit from the Planning Board under Article 6 of the Zoning Bylaw and a building permit from the Building Commissioner.

...

§ 198-1559 Conditions for a wireless communications facility in the Planned Wireless Communications Services District.

1559.3.4.

Concealment: All equipment must be concealed behind the fencing. All antennas must be flush (closely) mounted to the outside of the monopole tower, with appropriate allowance for antenna tilting, to meet coverage objectives consistent with minimizing adverse visual impact of the antennas. The monopole tower must be constructed to ensure that no portion of the structure falls off in high winds or ice storms. ~~The monopole tower must have a galvanized finish and its color shall be a color selected by the ZBA.~~

1559.3.5.

Collocators: The tower owner must agree to provide access for FCC-licensed collocators, including space on the monopole tower and room at the base, within the chain link fencing, for related ground equipment. ~~The facilities of Cingular Wireless and three additional FCC-licensed collocators within the tower and within the fence are hereby approved. All additional collocators must file a separate application with the ZBA.~~

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...

1559.4.5.

Change in owner or lessee: If the monopole tower as a whole, or any of its components, is sold, assigned, licensed or leased to an entity other than the original applicant, the new owner or lessee must notify the ZBA Planning Board in writing, within seven business days of the sale or transfer, with its name, address, telephone, and other contact information. (See also § 198-1559.3.6 above.) The new owner or lessee shall be subject to all of the provisions of these conditions.

NOTE: Only those section of this by-law for which deletions and additions are proposed are shown in this handout. The complete by-law, including paragraphs for which no changes are proposed, will appear in the Warrant as a reference.

ARTICLE 36: SENIOR CENTER FEASIBILITY STUDY

Proposed by: Council on Aging

Estimated Cost: \$32,000

To determine whether the Town will vote to appropriate a sum of money to be expended by the Council on Aging for the purpose of funding a feasibility study of the need for a new or expanded Senior Center, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

NOTE: This article seeks capital funding not previously requested during capital budget process. The Board of Selectmen will be guided by the recommendation of the Finance Committee in determining whether this article will be included in the Warrant.

ARTICLE 37: AMEND TOWN CODE TO ESTABLISH WAYLAND HOUSING TRUST, INC.

Proposed by: Petitioners

To determine whether the town of Wayland will vote to amend the code of the town of Wayland by adding thereto the following new bylaw establishing the Wayland Housing Trust, Inc., a private nonprofit corporation established under Chapter 180 of the General Laws of Massachusetts.

Chapter _____, Wayland Housing Trust

SECTION 1 The name of this organization shall be the Wayland Housing Trust, Inc., a private nonprofit corporation established under Chapter 180 of the General Laws of Massachusetts, hereinafter referred to as “the Wayland Housing Trust” or “the Corporation.”

SECTION 2 The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Wayland for the benefit of low and moderate income households.

The Wayland Housing Trust board of trustees shall consist of one representative appointed by the Wayland Board of Selectpersons; one representative appointed by the Wayland Housing Authority; one representative appointed by Wayland Housing Partnership; and, one appointed by the Wayland Planning Board. There shall also be five at-large individuals elected by ballot at Town elections.

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The initial terms of the board of trustees shall be staggered as one (1) or two (2) year terms. All terms thereafter shall be for two (2) years.

2 (a) The powers of the board of trustees shall include the following:

- (1) to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with the provisions of the Wayland Zoning Bylaw or other bylaw, or any general or special law or any other source, or money from the Community Preservation Act, G.L. Chapter 44B.
- (2) to purchase and retain real or personal property for the purposes of the trust, including without restriction investments that yield a high rate of income or no income, and to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate.
- (3) to manage or improve real property.
- (4) to sell, lease, exchange, transfer or convey any real property for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relative to trust property as the board deems advisable, notwithstanding the length of any such lease or contract.
- (5) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust.
- (6) The Housing Trust is not authorized to incur debt unless authorized by the Finance Committee and a two-thirds affirmative vote at Town Meeting. Any debt issued by the Trust shall not be deemed to constitute a debt or liability of the Town of Wayland or a pledge of the faith and credit of the Town, but shall be payable solely from the revenues, funds and/or assets of the Trust. Any debt instrument executed by Trust shall contain on the face thereof a statement to the effect that the Town of Wayland is not obligated to pay the same or the interest thereof except from revenues, funds and/or assets of the Trust and that neither the faith and credit nor the taxing power of the Town of Wayland is pledged to the payment of the principal of or the interest on such debt. The issuance of debt by the Trust shall not directly or indirectly or contingently obligate the Town of Wayland to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

SECTION 3. (a) As a means of providing available assets for the trust, all moneys received by the Town through the following means shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust:

- (1) cash payments made by developers to the Town for purposes of creating or preserving affordable housing, under any development agreements or development approvals pursuant to the Wayland Zoning Bylaw;
 - (2) gifts, grants, donations, contributions or other cash payments to the trust for the purpose of providing low- or moderate-income housing;
- (b) general revenues appropriated into the trust become trust property, and to be expended these funds need not be further appropriated;
- (c) all moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board of trustees within one year of the date they were appropriated into the trust, shall remain trust property;

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- (d) the trust is exempt from Chapters 59 and 62 of the General Laws, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the commonwealth or any political subdivision thereof; and
- (e) the books and records of the trust shall be reviewed annually by an independent auditor in accordance with accepted accounting practices.

SECTION 4. As used in this act, the term “low or moderate income housing” shall mean “low income housing” or “moderate income housing” as defined in Section 2 of Chapter 44B of the General Laws.

SECTION 5. The Town Treasurer shall be the custodian of the fund. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund.

SECTION 6. (a) The trust is a governmental body for purposes of Sections 23A, 23B and 23C of Chapter 39 of the General Laws.

(b) The trust is a board of the city or town for purposes of G.L. Chapter 30B and Section 15A of Chapter 40); but agreements and conveyances between the trust and agencies, boards, commissions, authorities, department and public instrumentalities of the Town shall be exempt from G.L. Chapter 30B.

(c) The trust is a public employer and the members of the board are public employees for purposes of G.L. Chapter 258.

(d) The trust shall be deemed a municipal agency and trustees as special municipal employees for purposes of G.L. Chapter 268A.

ARTICLE 38: AMEND CHAPTER 6 OF TOWN CODE RE: POSTING OF BOARD POLICIES

Proposed by: Petitioners

To determine whether the Town will vote to amend Chapter 6 of the Code of the Town of Wayland, titled “Boards, Commissions and Committees” by adding the following:

§ 6-4. Publication of policies

Each board, commission and committee shall post its current policies on the town website.

ARTICLE 39: INDEPENDENT REVIEW OF TOWN AND SCHOOL BUDGET PROCESS

Proposed by: Petitioners

To determine whether the Town will vote to provide for an independent review by an external auditing firm (TBD) of the town’s budgeting process with a focus on the school budget, which receives the largest allocation of the town budget. Its purpose would be to discover inefficiencies, redundancies, etc. that could lead to cost savings for the town. The independent review would encompass managerial & operational procedures, the budgeting process itself, a review of the budget to actual expenditures and an audit of the actual expenditures. Based on the results of that review, the overseers of the review by an external auditing firm (TBD) would determine if additional procedures, such as a full audit or expansion of scope, need to be performed.

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ARTICLE 40: TOWN APPROVED AFFORDABLE HOUSING MASTER PLAN

Proposed by: Petitioners

To determine whether the Town will vote to submit an Affordable Housing Master Plan to be voted on by Wayland citizens at the next Town Meeting. The Plan is to cover the next five calendar years. All affordable housing projects during said time frame would need to be in conformance with the approved Affordable Housing Master Plan or be required to receive citizen voted approval at future Town Meetings.

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