



TOWN OF WAYLAND Annual Reports



***Two Hundred and Twenty-ninth Year
July 1, 2008 Through June 30, 2009***

COVER PHOTO

GROUT-HEARD HOUSE MUSEUM

The Grout-Heard House at 12 Cochituate Road is the present home of the Wayland Historical Society. Named after two prominent Wayland families, it is a treasure in our town because of the rich information it offers us about the history of Wayland, both inside and outside the house.

**For more information, go to
www.waylandhistoricalsociety.org**

Photograph by Paula Dettorre



ANNUAL REPORTS FOR THE TOWN OF WAYLAND

FOR ITS TWO HUNDRED AND
TWENTY- NINTH MUNICIPAL YEAR

JULY 1, 2008 TO JUNE 30, 2009

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BOARD OF SELECTMEN

Accomplishments during the fiscal year ended June 30, 2009 under the leadership of Chairman Michael Tichnor included: the oversight of the consolidation of several departments into the first Department of Public Works; the establishment of a supplemental advanced life support (ALS) service; the initiation of the closure of the Septage facility; and maintenance of municipal services within the financial constraints of Proposition 2 ½ and in light of the worst economic crisis since the Great Depression.

The Selectmen, Finance Committee, and School Committee worked diligently to maintain the overall financial health of the Town. Anticipating a similar structural budget problem in FY10 as the Town experienced in recent years, the Board of Selectmen, School Committee and Finance Committee continued a coordinated effort to implement the key elements of the Town's financial plan – negotiating equitable collective bargaining agreements with all employee groups to control the growth of fringe benefit costs; collaborating on certain services with Sudbury (shared recreation director position vote in April 2009) and other neighboring towns; consolidating certain town and school operations; and following proven debt management and capital planning processes. The Board actively participated in lobbying efforts in support of a broad range of reforms of purchasing and procurement laws, flexibility to form intermunicipal agreements, taking health insurance plan design out of collective bargaining for municipal employees, and offering local option taxes for hotels and meals.

After considerable public input and hours of thoughtful discussion, the boards forwarded a proposed budget for FY 09 that did not require an operational Proposition 2 ½ override. The proposed budget was overwhelmingly approved at the Annual Town Meeting. It included funds for a pioneering advanced life support (ALS) service comprised of part-time workers based in the Fire Department designed to supplement the current service network. Lastly, a formalized capital improvement planning process proposed by the Finance Committee the prior fiscal year resulted in the adoption of a five-year capital improvement program.

The five-member transitional Board of Public Works was put into place in the fall of 2008 to represent the services now provided by separate highway, water, landfill, cemetery and parks departments. The transitional board provided input into the FY2010

consolidated budget and participated in interviews for the first Director of Public Works. The Department of Public Works became effective July 1, 2009. Donald Ouellette was named the first director.

The Board, together with the Town Administrator, spent considerable time monitoring and coordinating the permitting process to enable the development of the Wayland Town Center retail/office/housing project. Selectmen also reviewed potential uses of gift funds paid by the developer and worked with community groups interested in establishing civic amenities at the Town Center such as public skating, boat launch, bicycle trail, and environmental learning exhibit. The Board resolved a suit brought by thirteen residents of Glezen Lane by agreeing to a series of traffic mitigation measures to be implemented based on actual traffic counts following the construction and opening of Town Center. The development team worked through permit processes for the Conservation Commission and Historic District Commission during the fiscal year. The Board worked with the Wastewater Management District Commission to resolve appeals of the Federal NPDES permit.

The Town completed repairs to the building envelope of the Public Safety Building while pursuing litigation against the architect and engineer for design and structural defects to hold each accountable for the cost of repairs and litigation. In February 2009, a temporary Energy Initiatives Advisory Committee was formed to review conservation initiatives begun by the Town in the prior two years, consider the feasibility of capturing methane gas from the closed landfill and locating photovoltaic cells on the capped landfill, and working on measures recommended as part of the state's Green Communities Initiative.

The Nike Site Reuse Advisory Committee worked with a development team to secure state funding and grants to construct sixteen units of affordable housing on Oxbow Drive. Community Preservation Act funding further subsidized the units to maintain an all-affordable project. All sixteen units were sold and occupied and the project was widely-celebrated for high quality of materials, pleasing and efficient design, and state-of-the-art environmental elements. The committee also continued work on a park improvement plan for the open space portion of the site that will be constructed in the fall of 2009 and the spring of 2010.

Citizens elected Thomas J. Fay and Susan W. Pope to three-year terms as selectmen in the April 2009 election.

The Board voted to seek membership in the MetroWest HOME Consortium, a collaborative of area towns working to receive Federal affordable housing funds to be allocated among member towns.

In May 2009, at a joint meeting of the Sudbury and Wayland Boards of Selectmen, the Boards heard the recommendation of the Septage Committee to close the facility due to the cost of capital improvements necessary to maintain permit standards exceeding potential revenues given the cap on volume that can be treated and discharged. The implementation plan approved by the boards will lead to closure by December 2009.

In June 2009, the Board heard the report of the Electronic Communication Committee, a citizen

panel empowered by Town Meeting to make recommendations on improving the Town website and consider opportunities for enhancing communication with residents. Many of the committee recommendations will be incorporated into the strategic technology plan being prepared in the fall of 2009. Earlier in the year, the Board approved a memorandum of agreement with WayCAM, setting forth the mutual understandings related to the designation of the non-profit corporation as the town's public access provider. The Board also commenced negotiations for a successor cable franchise agreement with Comcast.

In closing, the Board wishes to acknowledge and thank the many citizens of Wayland who volunteer countless hours of community service as members of appointed boards and commissions.



HOUSING AT THE NIKE SITE, OXBOW ROAD



General Information

Form of Government	Open Town Meeting												
Town Website	www.wayland.ma.us												
Population (January 2009)	13,954												
Number of Households	4,981												
Polling Hours	7:00 A.M. – 8:00 P.M.												
Polling Locations	Wayland Town Building (Precincts 1 and 4) Wayland Middle School (Precincts 2 and 3)												
Current Tax Rate	\$16.37												
School Enrollment	<table> <tbody> <tr> <td>Claypit Hill Elementary</td> <td>613</td> </tr> <tr> <td>Happy Hollow Elementary</td> <td>419</td> </tr> <tr> <td>Loker Elementary</td> <td>183</td> </tr> <tr> <td>Wayland Middle School</td> <td>666</td> </tr> <tr> <td>Wayland High School</td> <td>888</td> </tr> <tr> <td>TOTAL ENROLLMENT</td> <td>2,769 (June 2009)</td> </tr> </tbody> </table>	Claypit Hill Elementary	613	Happy Hollow Elementary	419	Loker Elementary	183	Wayland Middle School	666	Wayland High School	888	TOTAL ENROLLMENT	2,769 (June 2009)
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Happy Hollow Elementary	419												
Loker Elementary	183												
Wayland Middle School	666												
Wayland High School	888												
TOTAL ENROLLMENT	2,769 (June 2009)												
Land Area - Town of Wayland	15.28 Square Miles												
Transfer Station Hours: (Except Holidays)	<table> <tbody> <tr> <td>Tuesday</td> <td>8:00 am – 4:00 pm</td> </tr> <tr> <td>Thursday</td> <td>7:00 am – 4:00 pm</td> </tr> <tr> <td>Saturday</td> <td>7:00 am – 4:00 pm</td> </tr> </tbody> </table>	Tuesday	8:00 am – 4:00 pm	Thursday	7:00 am – 4:00 pm	Saturday	7:00 am – 4:00 pm						
Tuesday	8:00 am – 4:00 pm												
Thursday	7:00 am – 4:00 pm												
Saturday	7:00 am – 4:00 pm												
Library Hours: (School Year)	<table> <tbody> <tr> <td>Monday – Thursday</td> <td>9:00 am – 9:00 pm</td> </tr> <tr> <td>Friday</td> <td>9:00 am – 6:00 pm</td> </tr> <tr> <td>Saturday</td> <td>10:00 am – 5:00 pm</td> </tr> <tr> <td>Sunday</td> <td>2:00 pm – 5:00 pm</td> </tr> </tbody> </table>	Monday – Thursday	9:00 am – 9:00 pm	Friday	9:00 am – 6:00 pm	Saturday	10:00 am – 5:00 pm	Sunday	2:00 pm – 5:00 pm				
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Town Building Office Hours:	<table> <tbody> <tr> <td>Monday</td> <td>8:00 am – 7:00 pm</td> </tr> <tr> <td>Tuesday – Friday</td> <td>8:00 am – 4:30 pm</td> </tr> </tbody> </table>	Monday	8:00 am – 7:00 pm	Tuesday – Friday	8:00 am – 4:30 pm								
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Tuesday – Friday	8:00 am – 4:30 pm												

(Please check with individual departments as the hours may vary.)

FEDERAL AND STATE OFFICIALS REPRESENTING WAYLAND

United States Senators in Congress:	Edward M. Kennedy - D 2400 John F. Kennedy Federal Building Boston, MA 02203(617) 565-3170 E-mail: senator@kennedy.senate.gov	John F. Kerry – D 1 Bowdoin Square 10 th Floor Boston, MA 02114 (617) 565-8519 E-mail: john_kerry@kerry.senate.gov
Representative in Congress, Precinct 2 7th Congressional District:	Edward J. Markey – D 188 Concord Street Framingham MA 01702 (508) 875-2900	
Representative in Congress, Precincts 1, 3 and 4, 5th Congressional District:	Nicola S. Tsongas – D 11 Kearney Square, Third Floor Lowell, MA 01852 (978) 459-0101 FAX (978) 459-1907 Website: www.house.gov/tsongas	
State Senator, 5th Middlesex District:	Scott P. Brown - R State House Room 520 Boston, MA 02133 (617) 722-1555 E-mail: Sbrown@senate.state.ma.us	
Representative in General Court, 13th Middlesex District:	Thomas P. Conroy - D State House Room 443 Boston, MA 02133 (617) 722-2460 E-mail: Rep.ThomasConroy@hou.state.ma.us	

ELECTED TOWN OFFICIALS	NAME	TERM EXPIRES
MODERATOR	C. Peter R. Gossels	2011
TOWN CLERK	Lois M. Toombs	2010
SELECTMEN	Steven J. Correia	2011
	Thomas J. Fay	2012
	Joseph F. Nolan	2011
	Susan W. Pope	2012
	Michael L. Tichnor	2010
SCHOOL COMMITTEE	Barbara J. Fletcher	2011
	Malcolm L. Astley	2012
	Jeffrey Dieffenbach	2012
	Louis M. Jurist	2011
	Deborah Sue Cohen	2010
ASSESSORS	Jayson S. Brodie	2011
	Susan M. Rufo	2010
	Mary R. Upton	2012
	Zachariah L. Ventress	2012
	Bruce Cummings	2011

ROAD COMMISSIONERS	Alan Jay Shubin	2010
	Eric E. Knapp	2010
	Mark A. Santangelo	2011
	Shawn P. Fennelly	2009
	Anette S. Lewis	2009
PLANNING BOARD	Albert I. Montague, Jr.	2013
	Daniel B. Mesnick	2011
	Kevin Francis Murphy	2012
	Kent Donald Greenawalt	2014
	Lynne A. Dunbrack	2010
PLANNING BOARD Associate Member	Colleen M. Sheehan	2014
WATER COMMISSIONERS	Joel Goodmonson	2010
	Michael W. Keegan	2009
	W. Edward Lewis	2011
BOARD OF HEALTH	Anna M. Ludwig	2011
	Michael B. Wegerbauer	2011
	Michael James Bean	2012
	Mark I. Neuman	2012
	Arnold R. Soslow	2010
TRUST FUND COMMISSIONERS	Jerrold I.W. Mitchell	2010
	John B. Wilson	2011
	Michael Patterson	2012
LIBRARY TRUSTEES	Thaddeus Thompson	2010
	Sally Cartwright	2012
	Nancy J. Jahnke	2012
	Anne B. Heller	2010
	Aida A. Gennis	2011
	Lynne J. Lipcon	2011
PARK & RECREATION COMMISSION	Stas Gayshan	2012
	Thruston Wright III	2012
	Anna Meliones	2011
	Phyllis R. Thomason	2010
	Robert Virzi	2010
HOUSING AUTHORITY	Bret J. Francis	2013
	Mary M. Antes	2012
	Susan Weinstein	2010
	Charles Raskin	2014
	Russell Aaron Ashton	2013

APPOINTED TOWN OFFICIALS	NAME	TERM EXPIRES
Advanced Life Support Committee	Beth A. Zeeman	2009
	Vincent J. Smith	2009
	Douglas J. Leard	2009
	Elizabeth C. Sweitzer	2009
	Michael B. Patterson	2009
	Mark I. Neuman	2009
Trustees of the Allen Fund	Michael B. Patterson	2010
	Benjamin W. Johnson III	2010
	Sema M. Faigen	2010
Animal Inspector (Livestock)	Bruce S. Sweeney	2009
Animal Officer (Dead Animals)	David R. Poirier	2009
Assessor, Assistant	Molly K. Reed	Permanent
Assessor, Administrative	Ellen Brideau	Permanent
Assistant Town Administrator	John Senchyshyn	Permanent
Assistant Town Clerk	Kathleen Siracusa	Permanent
Building Commissioner	Daniel F. Bennett	Permanent
Local Inspector	Jay T. Abelli	Permanent
Gas Inspector	Allan Sherman	Permanent
Gas Inspector, Deputy	Ernest Ferraro	Permanent
Plumbing Inspector	Allan Sherman	Permanent
Plumbing Inspector, Deputy	William Rheaume	Permanent
Wiring Inspector	Leo P. Landry	Permanent
Wiring Inspector, Deputy	John W. Alesse	Permanent
Cable Advisory Committee	Richard P. Turner	2009
	Joseph Schwendt	2009
	Russell A. Ashton	2009
	Thomas J. Klem	2009
	Steven Allen	2009
	Phillip L. Radoff	2009
Central MA Advisory Rail Trail	David C. D'Orlando	2009
Civil Defense Director	Robert Irving	Permanent
Cochituate State Park Advisory	Harold Meyer	2010
Community Preservation Committee	Stephen Curtin	2010
	Lynne Dunbrack	2010
	Anna Meliones	2009
	Charles Raskin	2011
	John Sullivan	2011
	Betsy Connolly	2009
	Jerome Heller	2010
Conservation Administrator	Brian Monahan	Permanent

Conservation Commission	Roger A. Backman	2010
	Ellen R. Tohn	2009
	Barbara Howell	2009
	J. Andrew Irwin	2011
	John R. Sullivan	2011
	Joy D. Viola	2011
	Robert Goldsmith	2010
Constables	William E. Pickett	2010
	Louis Gaglini	2010
	Nelson H. Goldin	2011
Council on Aging	Mary M. Antes	2009
	Betsy Soule (non-voting)	2009
	Elizabeth Willard	2010
	Denise N. Yurofsky	2010
	Evelyn M. Ekmejian	2011
	Harriet H. Onello	2010
	Geoffrey E. Smith	2009
	William D. Zellen	2011
Council on Aging-Co-Directors	Julie C. Secord	Permanent
	JoAnn Kunz	Permanent
Cultural Council	Kathryn Welter	2010
	Carole M. Felz	2010
	Margret B. Krakauer	2010
	Anna Laura Rosow	2010
	Judith S. Scott	2009
	Dianne Zeskind	2009
	Ruth Golub	2011
	SeemaMysore	2011
	Amruta Mhatre	2010
	Evelyn M. Ekmejian	2010
Dog Control Appeals Board	Susan L. Wagner	2010
	Jeffrey S. Baron	2011
	Susan Koffman	2009
	Daniel Brown	2010
Dog Control Officer /Animal Inspector	Leslie E. Boardman	2009
Department of Public Works Transition Advisory Board	Michael Wegerbauer	2010
	Stas Gayshan	2010
	Eric E. Knapp	2010
	Nancy B. McCarthy	2010
	Joel B. Goodmonson	2010
Electronic Communications Committee	Kim Reichelt	2009
	Alan J. Reiss	2009
	Frank H. Fuller	2009
	Joseph H. Schwendt II	2009
	Claire Sehringer	2009
	John M. Flaherty	2009
	R. Charlyn Grujoski	2009
Emergency Planning Committee	Eric Knapp	
	Mary M. Antes	
	Michael L. Tichnor	

Emergency Planning Comm (continued)	Robert Loomer Robert Irving	
Energy Initiatives Temporary Advisory Advisory Committee	Jack Crimmins William Huss Tom Sciacca Anne Harris	2011 2011 2011 2011
Fence Viewers	Board of Selectmen	2009
Field Drivers	Constables	2009
Finance Committee (7)	John Bladon David J. Gutschenritter Robert L. Lentz Cherry C. Karlson Sam H. Peper Richard M. Stack Vacancy	2010 2011 2009 2011 2010 2009 2011
Finance Director/Town Accountant	Michael DiPietro	Permanent
Fire Chief	Robert Loomer	Permanent
Health Director	Steven Calichman	Permanent
Sanitarian, Inspector	Julia M. Junghanns	Permanent
Inspector of Milk	Steven Calichman	2009
Burial Agent	Cynthia F. Bryant	2009
Highway Operations Director	Stephen F. Kadlik, III	Permanent
High School Building Committee	Lea Anderson Josh Bekenstein Dianne Bladon Steve Breit Brian Chase James Howard, Jr. Fred Knight David Lash Mary Lentz Joseph Lewin Cindy Lombardo Eric Sheffels Jennifer Steel Vacancy Vacancy	2012 2012 2012 2012 2012 2012 2012 2012 2012 2012 2012 2012 2012 2012 2012
Historical Commission	Paul Gardescu Mary C. Reed John W. Hubbard John B. Langan R. Richard Conard Stephen J. Curtin Siobhan Murphy	2009 2010 2009 2011 2009 2011 2010
Historic District Commission	George V. Ives Christopher L. Hagger Diana Warren Margery F. Baston Desmond J. McAuley Gretchen G. Schuler Meaghan Winokur	2011 2010 2010 2010 2009 2011 2009

Housing Authority Director	Brian E. Boggia	Permanent
Housing Partnership	Betty J. Salzberg	2010
	Martin S. Nichols	2011
	Kathleen Boundy	2011
	Rachel G. Bratt	2011
	Mary M. Antes	2011
	Daniel Brown	2011
	(Three Vacancies)	
Human Resources Director/ Assistant Town Administrator	John Senchyshyn	Permanent
Information Technology Manager	Gwen Sams-Lynch	Permanent
Library Director	Ann F. Knight	Permanent
MAPC	Mary M. Antes	2009
MBTA Advisory Board	Marcia P. Crowley	2009
MCAB	Mary M. Antes	Permanent
Master Plan Temporary Advisory Study Committee	Steven Freundlich	2010
	P. Jean Millburn	2010
	William Sterling	2010
	Molly Beard	2010
	Joy Viola	2010
	Brian Boggia	2010
	Betsy Connolly	2010
	Robert Virzi	2010
	Michael Lowery	2010
Measurers of Wood & Bark	Paul Doerr	2010
	Lewis S. Russell, Jr.	2010
	Harry F. Sweitzer	2010
Metrowest Growth Mgmt Comm	Mary M. Antes	2009
Metrowest Open Space Task Force	Vacancy	
Minuteman Voc Tech School	Mary Ellen Castagno	2011
Nike Site Reuse Advisory Committee	Constance N. Pitt	2009
	Michael Gitten	2009
	Paul Abramson	2009
	Brian Boggia	2009
	Brian T. O'Herlihy	2009
	Gretchen Schuler	2009
	Michael Staiti	2009
	Rebecca Regan	2009
	Vacancy	
Park & Recreation Superintendent	Nancy McShea	Permanent
Personnel Board	Maryanne Peabody	2012
	Nicholas Willard	2009
	Nancy McCarthy	2013
	Jane A. Evans	2013
	Philip C. Schneider	2010
Planner, Town	Vacancy	Permanent

Police Chief	Robert Irving	Permanent
Public Ceremonies Committee	Richard Brisk	2010
	John C. Dyer	2009
	Brendan Place	2009
	Richard P. Turner	2011
	Vacancy	
Records Manager	Lois M. Toombs	2009
Records Management Committee	Lois Toombs	2009
	MaryAnn DiNapoli	2009
	Norma Badger	2009
	Dale Sicotte	2009
	Kathy Siracusa	2009
Regional Transportation Advisory Comm	Marcia P. Crowley	2009
Board of Registrars	Catherine A. Radmer	2012
	Judith H. Ide	2010
	Elizabeth A. Salerno	2011
	Lois M. Toombs	2010
	Kathleen H. Siracusa	2010
Assistant Registrar		
River Stewardship Council	Thomas Sciacca	2011
	Mary M. Antes (Alternate)	Permanent
School Superintendent	Gary Burton	Permanent
Sealer of Weights & Measures	Courtney Atkinson	2009
Senior Tax Relief Committee	Geoffrey P. Smith	2009
	Robert B. Hatton	2009
	Stephen J. Colella	2009
	Patricia Nelson	2009
	Pauline DiCesare	2009
	Lillian I. Mills	2009
	Three Vacancies	
Septage Committee	Thomas J. Abdella	2010
	Four Appointed by Wayland and	
	Werner Gossels	2009
	Four Appointed by Sudbury	
	John C. Dyer	2010
	Vacancy	
South Middlesex Opportunity Council	Lawrence N. Scult	2009
Surface Water Quality Committee	Elizabeth A. Newton	2009
	Thomas J. Largy	2009
	Charles W. Moores	2011
	Robert L. Goldsmith	2011
	Michael P. Lowery	2011
Surveyors of Lumber	Jean B. Pratt	2010
	Marcia P. Crowley	2010
	Harry F. Sweitzer	2010
Taxation Aid Committee (Town Meeting)	Markey P. Burke	2010
	Mary S. Morss	2011
	Paul Keating	Permanent
	Jayson Brodie	Permanent
	Vacancy	

Town Administrator	Frederic E. Turkington Jr.	2010
Town Counsel	Mark J. Lanza	Permanent
Town Surveyor	Alfred (Alf) Berry	Permanent
Transportation Committee	George Blood Kevin Goodwin Lorraine Greiff John Thomas	
Transportation Improvement Program Coordinator	Vacancy	Permanent
Treasurer/Collector	Paul Keating, Jr.	Permanent
Deputy Tax Collector	Kelley & Ryan Associates, Inc.	2009
Trinity Mental Health Representative	Karen Braunwald	Permanent
Veteran's Agent	John Turchinetz	Permanent
Veteran's Memorial Committee	John C. Dyer Richard Hoyt James H. Burkley	2009 2009 2009
Wastewater Management Commission	David A. Schofield Frederick K. Knight Vacancy	2009 2010
Water Superintendent (Acting)	Jack Mitchell	
Wellhead Protection Committee	Sherre Greenbaum Kurt Tramosch Tom Sciacca Linda Segal Jennifer Riley	2010 2010 2010 2010 2010
Youth and Family Services Director	Lynn Dowd	Permanent
Youth Advisory Committee	Dossie Kahn Lynne M. Cavanaugh Elizabeth Butler Marlene Dodyk Rev. Erin Splaine James K. Forti	Permanent 2010 2010 2012 2009 2009
Elected by student body	(Vacancy)	
Elected by student body	(Vacancy)	
Youth Officer	James K. Forti	
Zoning Board of Appeals	Jerry L. Boos Aida A. Gennis Eric B. Goldberg Steven Fugarazzo E. Michael Thomas	2011 2011 2009 2010 2009
ZBA Associate Members	Shaunt Sarian Linda L. Segal Vacancy	2011 2009

GENERAL GOVERNMENT

TOWN CLERK

Lois M. Toombs, CMC
Town Clerk

Kathleen H. Siracusa
Assistant Town Clerk

Population (Census January 1, 2009) 13,954
Households..... 4,981

The Federal Census is conducted every ten years of everyone residing in the United States and will be done on April 1, 2010. An accurate population count is vital for Massachusetts to insure that they receive the much-needed share of federal dollars and retain congressional representation. This count is independent of the Annual Town Census from the Town Clerk’s Office. The cooperation of all residents to complete the Federal 2010 Census as well as the Annual Town Census will be appreciated.

Vital Records
Births Recorded..... 93
Deaths Recorded..... 155
Marriages Recorded..... 49

Financial Report
Miscellaneous (including dog fees)..... \$43,634.80

Dog Licenses Issued
Dog Licenses..... 1698
Dog Kennels..... 4

2008/2009 was a busy election year for the Town Clerk’s Office. The (Presidential) State Election was held on November 4, 2008 and proved to be a challenging, exciting and historic election with 8,168 total votes cast out of 9,135 eligible voters (89.4%).

TOWN COUNSEL

The following Elections Town Meetings and Special Town Meetings were held during FY09:

During FY’09 Town Counsel performed general legal services for all Town departments, boards, committees, and commissions. Town employment relations law services were performed by the firm Deutsch, Williams, Brooks, DeRensis, Holland & Drachman P.C. Insurance defense counsel designated by the Town’s liability insurance carrier provided defense of tort claims (negligence). Defense of workers’ compensation claims was provided by counsel designated by the Town’s insurance group’s claims management service. Bond Counsel services were provided by the law firm of Palmer and Dodge. Other special counsel is used on a case-by-case basis.

State Primary.....	September 16, 2008
State Election.....	November 4, 2008
Special Town Meeting.....	November 12, 2008
Annual Town Election.....	April 7, 2009
Annual Town Meeting.....	April 13, 2009
Special Town Meeting.....	April 15, 2009

**Please consult the Table of Contents
for Election results and
Town Meeting minutes**

Board of Registrars

Judith H. Ide.....	4/2010
Elizabeth A. Salerno.....	4/2011
Catherine A. Radmer.....	4/2012
Lois M. Toombs, Town Clerk.....	4/2010

Registered Voters (June 30, 2009)

Precinct 1.....	2083
Precinct 2.....	2190
Precinct 3.....	2042
Precinct 4.....	2316
Total.....	8631

A considerable amount of time was spent during FY’09 advising the Planning Board relative to the Town Center Project Phase I Site Plan application and assisting in drafting the Board’s decision, drafting a comprehensive permit decision issued by the Zoning Board of Appeals and representation in court relative to two Zoning Board of Appeals decision appeals cases, one comprehensive permit decision and shade tree removal enforcement case, two Planning Board decision appeal cases, two Conservation Commission decision appeal cases, two tax collection cases and one recreational land first refusal option case. Town Counsel kept regular office hours in Wayland Town Building on Thursday afternoons. Town Counsel met with various boards and committees on an as-needed basis. Town

Counsel also attended the 2009 Annual Town Meeting and the Fall, 2008 Special Town Meeting.

Town Counsel represented the Town in various legal proceedings in the United States District Court, the Massachusetts Appeals Court, Middlesex County Superior Court, the Land Court and the Appellate Tax Board. No monetary judgments were awarded against the Town in any case or proceeding during FY '09.

Respectfully submitted,
Mark J. Lanza

INFORMATION TECHNOLOGY

The Information Technology department provides computer-based information technology solutions for the Town of Wayland employees with emphasis on financial accountability, continuity of service throughout the lifecycle of an application, responsiveness and commitment to citizen needs and their satisfaction. Information Technology department manages a local and wide area computer network in four central locations serving 85 computer workstations and ensuring that Town staff has access to these critical systems 99% of the time.

Information Technology department supports more than 100 users with electronic mail and internet services capabilities. The responsibilities are to provide quality service to the Wayland residents, respond to the priority needs of all Town Hall and Public Safety personnel, maintain a strong and secure Network infrastructure, promote effective and efficient cost control, and collaborate with other Town Information Technology departments. Although, the use and sophistication of available technology continues to increase with added responsibilities, the Information Technology Department staff remains the same.

The year of 2009/2010 proved to be another challenging, successful, and exciting year for the Information Technology department. Our mission is to provide an information technology environment that delivers a seamless delivery of services to Town Hall staff and the community. Information Technology has a vision to maintain leadership in technology by teamwork, mutual respect, honesty, dedication and commitment with all constituents. The Information Technology department continues to use technology to deliver information, enhance Training lab experiences, support, and advance the reputation of our computing capabilities to COA

residents, Town Hall and Public Safety building personnel.

INFORMATION TECHNOLOGY ACCOMPLISHMENTS FOR 2009

- Upgraded Wireless equipments at Town Hall
- Upgraded Anti-Spam Solution for E-mail Users
- Continued update Server Asset Management database
- Performed Network Infrastructure Upgrades to the Local Area Network
- Updated Microsoft Office 2003 to Microsoft Office 2007.
- Continued Support Daily Operations
- Continued Information Technology Infrastructure Upgrades
- Continued New Computer Installations
- Continued Implementing Disaster Recovery Plan
- Continued Provide Help Desk Support

GOALS FOR 2010/2011

- Identify IT projects and priorities to support Town of Wayland Strategic Plan
- Maintain a robust and flexible IT infrastructure
- Manage within IT budgets, always looking for ways to decrease costs and seek out efficiencies
- Maintain excellent Help Desk services to Town Hall and Public Safety personnel
- Provide an Information Technology environment that will build and retain a strong IT infrastructure
- Improve the IT assessment process
- Collaborate on system-wide initiatives while representing the needs of Wayland Town Hall

PERSONNEL BOARD

Chapter 43 of the Code of the Town of Wayland defines the role of the Personnel Board to be the development and administration of the Wage and Salary Classification Plan and personnel policies and procedures in cooperation with the affected town boards and departments. In addition, the Board is charged with approving all pay or classification changes of town employees; negotiating collective bargaining agreements for the town; establishing and maintaining central personnel files for all employees; reviewing the operation of the Wage and Salary Classification Plan and recommending appropriate changes to town meeting.

Nancy McCarthy served as Chair of the Board. Maryanne Peabody served as Vice Chair. Also serving on the Board are Jane Evans, Philip Schneider and Nicholas Willard.

The Personnel Board is charged with negotiating union contracts. Town employees' terms and conditions of employment are defined by eight different collective bargaining agreements. These union employees represent the vast majority of the Town's regular workforce. All Town union contracts expired on June 30, 2010. Negotiations on all successor contracts should begin late this year.

Negotiations for the implementation of DPW were concluded this summer. Memoranda of Agreement were signed with the five unions representing DPW workers.

A variety of employment issues affecting employees were addressed. Topics included but were not limited to reviews of job descriptions, reviews of job classifications, wage rates for new employees and paid-time-off accrual balances. We are pleased to report that only one employee grievance was brought before the Board. We continue to maintain a posture of strict interpretation of the collective bargaining language.

The Town continued to support its Employee Assistance Program (EAP) for all employees requiring help with personal problems, work-related issues, legal or financial matters

The Massachusetts Interlocal Insurance Association (MIIA) has provided a variety of training opportunities through its insurance Rewards Program. Employees participated in programs that ranged from trench safety training to Firefighter safety driver training to public officials liability training. Participation in the MIIA programs earned the Town significant credits towards its annual liability insurance premiums.

The Personnel Board would like to thank all boards, committees, officials and employees for their cooperation and input during the past year. The Board welcomes attendance at its meetings and would also like to remind all employees and officials that the Personnel Board is available to assist on a wide variety of workplace matters.

HISTORICAL COMMISSION

Members: Steve Curtin, Chair; Rick Conard, John Langan, Paul Gardescu, and Mary Reed, Dr. Siobhan Zane, John Hubbard, Elisa Scola

The Wayland Historical Commission, a seven-member town agency, meets once a month, September through June, to plan the identification, evaluation, and protection of Wayland's historical, cultural, and archaeological resources. During FY2009, its scope of work included the management of ongoing programs, as well as continuing involvement in several large projects. These included the preservation of Wayland's Historic Railroad site and assets with an appropriation from the town's CPA funds to repair and preserve the historic freight house, the Wayland Archeology Group program, and the Historic Seminars program that included an interactive archeology presentation open to members of the Town.

Details on the Commission's projects and activities can be found on their website:
<http://www.wayland.ma.us/historical>

HISTORIC DISTRICT COMMISSION

The Wayland Historic District Commission (WHDC) is a seven-member commission with one alternate member, (bylaw allows two alternates), all appointed by the Board of Selectmen. There are two districts – Wayland Center and Bow Road – that are under the jurisdiction of the WHDC for exterior alterations made to buildings and structures visible from a public way or park. During FY'09 the WHDC met fourteen times to respond to applications for changes to properties in the districts, including the traffic mitigation plans proposed for the new Town Center to be constructed at the former Raytheon site. Five of the meetings were devoted to hearings and discussion of the application for traffic mitigation in the Historic District.

One interesting case to follow is the relocation of the Zachariah Bryant House at 10 Old Sudbury Road which will be moved back on the lot away from the road to accommodate water issues. In addition, the collapsing barn will be reconstructed on the same footprint with similar features.

The WHDC continued to add to its webpage accessed through the town website. Information includes notes about the WHDC, maps of the two districts, photographs of the Historic District signs, and application forms. The Historic District Commission welcomes support from members of the community who share an interest in the preservation and enhancement of the rich cultural heritage of Wayland Center and Bow Road Historic Districts.

Committee Membership:

Gretchen Schuler, Chairman; Margery Baston, Chris Hagger, George Ives, Desmond McAuly, Diana Warren, Meaghan Winokur. Alice Boelter, Alternate Member

PUBLIC CEREMONIES COMMITTEE

The Public Ceremonies Committee (PCC) coordinates Wayland's observance of Memorial Day, supports our Veterans Day program, and recognizes events, persons and projects of importance to the Town. Serving as PCC members for the 2008/9-year were Richard Brisk, John Dyer, Brendan Place (student member) and Richard Turner, chair.

Veterans Day, November 22, 2008: For Veterans Day the PCC held a brief ceremony at the Wayland Veterans Memorial to honor our nation's veterans: welcoming remarks by Chairman Richard P. Turner; the was wreath laid by Veterans Agent John Turchinetz assisted by Jackson Turner. Former Selectman Brian O'Herlihy read each of the 39 names on the monument of Wayland men who died while serving.

In advance of the annual town meeting the PCC renamed its award as the Lydia Maria Child Award for Outstanding Public Service. In this way we shall honor each year this little known and nearly forgotten Wayland resident for the significant national role she played advocating equal rights for all regardless of race, gender, religion or national origin.

Town Meeting, April 13, 2009: For Article Two at Annual Town Meeting the PCC awarded the Lydia Maria Child Award to six citizens (George Harris,

Betty Salzberg, Tom Sciacca, Linda Segal, Michael Short and Molly Upton) for their various efforts in enabling transparency on important matters for town residents. Each honoree was presented with a certificate and a book on the lifelong efforts by Lydia Maria Child for equality and justice along with an accompanying DVD.

Memorial Day, May 26, 2009: Early ceremonies were held at St. Zepherin's Cemetery, the World War II memorial, South and North Cemeteries, and the Wayland Veterans Memorial where United States, Massachusetts, Armed Services and POW flags had been installed by the Veterans Memorial Committee. At veteran's graves, the Girl Scouts, coordinated by Kathy Hodge and Veterans Agent John Turchinetz, placed US flags prior to the ceremonies.

The parade stepped off from Wayland Middle School at 11:00 AM for the Memorial Day service at Lakeview Cemetery beginning at 11:30 AM. There, PCC Chairman Richard P. Turner welcomed all, followed by comments of Selectman Vice-chair Joseph Nolan and State Representative Thomas Conroy. Rabbi Neal D. Gold of Temple Shir Tikva gave the invocation. Keynote speaker, Captain Victor M. Beck, USNR, spoke about "the meaning of Memorial Day". James Burkley, chair of the Veterans Memorial Committee awarded the third annual Freedom Prize to Wayland High sophomore, David Ryan, whose essay on sexual orientation in the military was selected as the best paper from among over two hundred.

Wayland High School Band, conducted by Joseph Oneschuk, and the Middle School Band, conducted by Dianne Muffitt, provided music. The High School Band featured America The Beautiful. The Band's Drum and Bugle Corps played echo taps with distinction both at the early services as well as the main ceremony.

Included throughout the day were town guests and participants from the Wayland VFW and American Legion. Commander Reverend Arthur Strafus gave the closing prayer. Escorts from the Wayland Police and Fire Departments ensured a safe event. Girl Scouts provided refreshments at the Middle School. The PCC is deeply grateful to all who made the 2009 parade and ceremony successful events.

FINANCE

BOARD OF ASSESSORS

The Board welcomes Molly Upton and Zachariah Ventress to the Board; both Molly and Zack were elected to three-year terms to the Board of Assessors at the April 2009 elections. Bruce Cummings served as Chair of the Board until June 29, 2009. Susan Rufo was elected Chair and Jayson Brodie to Vice Chair.

The Board of Assessors Office is responsible for administering Massachusetts property tax laws effectively and equitably and to produce accurate and fair assessments for all taxable property.

As required by the code of Wayland, Section 19-8 the Board of Assessors makes the following Report:

A. Annual Report

(1) The 2007 sales used in the determination of the FY09 assessed values were posted to the Assessors web page and provided at Town Meeting.

(2. a, b, c) Report for the previous six years of abatement history:

FISCAL YEAR	# RECD (a)	# GRANTED (b)	AVG ABMT (c)
2004	72	45	\$1,259.75
Supplemental	0	0	\$0.00
2005	275	165	\$1,003.74
Supplemental	1	1	\$2,909.00
2006*	429	207	\$1,056.05
Supplemental	1	1	\$295.37
2007	275	193	\$1,362.39
Supplemental	0	0	\$0.00
2008	247	171	\$2,452.47
Supplemental	2	2	\$3,527.00
2009*	398	228	\$1,190.63
Supplemental	0	0	\$0.00

* DOR Triennial Revaluation year
All years are based on Board action.

(2. d) ATB filing last six years:

FY	ATB Filings
2004	14
2005	33
2006	79

FY	ATB Filings
2007	15
2008	26
2009	8*

* As of June 30, 2009

(2. e) Dollar change granted by ATB:

YEAR	#	STREET	CHANGE AMOUNT GRANTED	YEAR	#	STREET	CHANGE AMOUNT GRANTED
FY'04	400	BOSTON POST RD	\$18,298,000	FY'06	269	PELHAM ISLAND RD	\$63,700
FY'04	29	RICE RD	\$16,300	FY'06	22	PARKLAND DR	\$16,800
FY'05	400	BOSTON POST RD	\$4,677,700	FY'06	29	MARSHALL TER	\$67,400
FY'05	285	COMMONWEALTH RD	\$1,194,700	FY'06	8	LODGE RD	\$41,000
FY'05	373	COMMONWEALTH RD	\$572,900	FY'06	116	LINCOLN RD	\$198,200
FY'05	24	MAGUIRE RD	\$84,500	FY'06	59	LAKESHORE DR	\$55,800
FY'05	70	BOSTON POST RD	\$85,300	FY'06	14	INDIAN DAWN	\$46,600
FY'05	6	ACORN LN	\$17,200	FY'06	55	HILLSIDE DR	\$72,600
FY'05	15	SEDGEMEADOW RD	\$17,500	FY'06	50	GLEZEN LN	\$820,300
FY'06	1404	WISTERIA WAY	\$17,900	FY'06	97	DRAPER RD	\$55,700
FY'06	312	WILLOWBROOK DR	\$51,800	FY'07	25	HEARTHSTONE CIRCLE	\$5,100
FY'06	240	WEST PLAIN ST	\$120,900	FY'07	26	PEQUOT RD	\$26,400
FY'06	25	TRAINING FIELD RD	\$18,800	FY'08	102	LAKESHORE DR	\$289,100
FY'06	62	THREE PONDS RD	\$49,300	FY'08	58	THREE PONDS RD	\$93,500
FY'06	21	STEEPLETREE	\$32,000	FY'08	6	CROSS ST	\$304,300
FY'06	60	SHAW DR	\$105,700	FY'08	10	PEMBERTON RD	\$13,200
FY'06	15	SEDGEMEADOW RD	\$31,500	FY'08	2	JOEL'S WAY	\$98,800
FY'06	68	PLAIN RD	\$113,400				

(3). Inspections

All Visits*	Exterior	Interior/Exterior	Refusal
924	327	493	10
Sales Visits	Exterior	Interior/Exterior	
114	57	57	

*includes building permits, cyclical data verifications and abatement inspections.

Respectfully submitted,

Susan M. Rufo, Chair
 Jayson Brodie, Vice Chair
 Bruce Cummings
 Molly Upton
 Zachariah Ventress

TREASURER / COLLECTOR

The Treasurer's Office is responsible for collecting all monies due to the Town of Wayland. This includes real estate taxes, personal property taxes, excise taxes, water bills, departmental turn-ins such as building permits, health permits, and park and recreation fees. We are also responsible for collecting

the money received from the Community Preservation Act that now appears on each quarter's Real Estate bill. These receipts must be reported to the Town Accountant on a timely basis. Unspent money must be invested in high yield, insured accounts.

June 30, 2008 TAX TITLE - 32 PARCELS \$ 510,469.52

	DATE	O/S 7/1/08	NEW DEBT	RETIRED '09 CUMULATIVE	O/S 6/30/09	Int Pd FY 098 CUMULATIVE	INTEREST TO PAYOFF	PAYOFF DATE
BORROWING - 1992	1/15/1992	\$ 970,000.00		\$ 330,000.00 \$ 3,530,000.00	\$ 640,000.00	\$ 40,725.00 \$ 928,934.89	\$ 40,740.00	1/15/2011
BORROWING - 1993	12/15/1993	\$ 1,075,000.00		\$ 215,000.00 \$ 3,670,000.00	\$ 860,000.00	\$ 47,515.00 \$ 1,788,325.65	\$ 85,838.75	9/15/2012
BORROWING - 1996	1/15/1996	\$ 1,235,000.00	\$ 1,065,000.00	\$ 1,235,000.00 \$ 5,419,000.00	\$ 1,065,000.00	\$ 61,210.00 \$ 1,925,245.00	\$ 87,676.11	1/15/2015
BORROWING - 1998	12/15/1998	\$ 3,205,000.00	\$ 2,890,000.00	\$ 3,205,000.00 \$ 8,067,000.00	\$ 2,890,000.00	\$ 69,728.75 \$ 2,197,924.00	\$ 419,707.92	12/15/2018
BORROWING - 2000	2/15/2000	\$ 535,000.00		\$ 275,000.00 \$ 3,185,000.00	\$ 260,000.00	\$ 27,613.76 \$ 843,183.84	\$ 13,020.00	6/30/2010
BORROWING - 2001	2/15/2001	\$ 1,190,000.00		\$ 130,000.00 \$ 2,005,000.00	\$ 1,060,000.00	\$ 51,803.76 \$ 674,830.08	\$ 269,937.60	6/30/2020
BORROWING - 2002	4/1/2002	\$ 1,450,000.00		\$ 160,000.00 \$ 1,571,000.00	\$ 1,290,000.00	\$ 67,720.00 \$ 635,640.00	\$ 406,495.00	4/1/2022
BORROWING - 2003	11/1/2003	\$ 1,220,000.00		\$ 165,000.00 \$ 1,194,100.00	\$ 1,055,000.00	\$ 39,990.00 \$ 302,383.63	\$ 203,693.12	11/1/2022
BORROWING - 2005	9/15/2005	\$ 4,645,000.00		\$ 400,000.00 \$ 1,248,500.00	\$ 4,245,000.00	\$ 174,745.00 \$ 682,147.50	\$ 1,313,312.50	9/15/2025
BORROWING - 2006	7/1/2006	\$ 1,830,000.00		\$ 310,000.00 \$ 638,000.00	\$ 1,520,000.00	\$ 67,647.50 \$ 96,624.60	\$ 302,011.25	7/15/2025
BORROWING - 2007	1/15/2007	\$ 2,082,000.00		\$ 263,000.00 \$ 526,000.00	\$ 1,819,000.00	\$ 88,651.25 \$ 187,822.50	\$ 527,595.00	1/15/2027
BORROWING - 2008	2/15/2008	\$ 2,450,000.00		\$ 392,000.00 \$ 392,000.00	\$ 2,058,000.00	\$ 74,650.00 \$ 74,650.00	\$ 241,087.50	2/1/2028
BORROWING - 2009	2/1/2009	\$ -	\$ 2,210,000.00	\$ -	\$ 2,210,000.00	\$ -	\$ 261,166.83	12/15/2028
				\$ 7,080,000.00		\$ 812,000.02		
		\$ 21,887,000.00	\$ 6,165,000.00	\$ 31,445,600.00	\$ 20,972,000.00	\$ 10,437,711.69		

COMMISSIONERS OF TRUST FUNDS

The goal of the Commissioners is to invest Wayland’s trust funds to realize the best possible gain while maintaining a balance between risk and return appropriate to a public trust. The following are the fund’s balances at the end of selected years:

2009	\$ 1,981,010
2008	\$ 2,165,202
2007	\$ 2,362,381
2006	\$ 2,086,604
1995	\$ 681,655

TRUSTEES OF THE ALLEN FUND

The Allen Fund was established in 1854 through a gift from Miss Debby Allen and Mrs. Nabby (Allen) Draper. The permanent fund was intended for “beneficent objects”. The Allen fund was later combined with the “Donation Funds” which date back to 1678. Over the years several additional gifts were contributed to the Fund. Although the Allen Fund was virtually depleted by 1990 it has recently grown so that it can now provide annual gifts. In the past year, three gifts were given to deserving Wayland citizens.

For a Statement of Investment Policy please refer to prior Town Reports or contact the Commissioners of Trust Funds.

TOWN OF WAYLAND TRUST FUNDS

Short-Term Investments

Vanguard – Prime Money Market Fund	\$ 54,831
<u>Bonds</u>	
Vanguard Intermediate – Term Bond Index Fund – Admiral	756,309
Vanguard Total Bond Market Index Fund	137,381
<u>Stocks</u>	
Vanguard Extended Market Index Fund – Admiral	244,370
Vanguard Growth Index Fund – Admiral	283,985
Vanguard 500 Index Fund – Admiral	223,911
Vanguard Value Index Fund – Admiral	280,221
Total Investments	\$1,981,010

Individual Funds

FY '09 Distribution Taken

Cemetery Funds	\$ 55,772
Library Funds	187
Library Endowment	5,089
Allen Fund	400
Greaves/Croft Funds	4,087
J. Leavitt Fund	- 0 -
S. Leavitt (Wayland Charitable) Fund	20,000
Gossels Fund (Trust)	579
Gossels Fund (Library)	1,459
Gossels Fund (School)	-0-

Total distribution taken **\$87,573**

FINANCE DIRECTOR/ACCOUNTANT

Town of Wayland Combined Balance Sheet June 30, 2009

	General Fund	Special Revenue	Community Preservation	Capital Projects	Water Fund	Septage Fund	Wastewater Fund	Trust & Agency	Long-Term Debt Group	Total
Assets										
Cash and Investments:										
Cash	40,804,259									40,804,259
Investments										0
Total	40,804,259	0	0	0	0	0	0	0	0	40,804,259
Receivables:										
Property Taxes	1,095,375									1,095,375
Tax Title	599,899									599,899
Motor Vehicle Excise	107,844									107,844
User Charges					395,787		10,852			406,640
Due from Other Governments										0
Due to/Due from other funds	(25,596,496)	6,007,566	5,674,852	4,456,450	2,517,981	192,601	843,563	5,903,483		0
Total	(23,793,378)	6,007,566	5,674,852	4,456,450	2,913,768	192,601	854,416	5,903,483	0	2,209,757
Amount to be Provided For:										
Retirement of Bonds									31,875,798	31,875,798
Repayment of Anticipation Notes									1,000,000	1,000,000
Total	0	0	0	0	0	0	0	0	32,875,798	32,875,798
Total Assets	17,010,881	6,007,566	5,674,852	4,456,450	2,913,768	192,601	854,416	5,903,483	32,875,798	75,889,814
Liabilities & Fund Balances										
Liabilities:										
Warrants Payable	807,490	83,508		204,451	100,536	49,554	4,551			1,250,089
Accrued Payroll & Withholdings	1,509,994									1,509,994
Reserve for Abatements	923,771									923,771
Other Liabilities	2,206,718									2,206,718
Deferred Revenues	879,347									879,347
Bond and Grant Anticipation Notes									1,000,000	1,000,000
Bonds Payable									31,875,798	31,875,798
Total Liabilities	6,327,320	83,508	0	204,451	100,536	49,554	4,551	0	32,875,798	39,645,717
Fund Balances:										
Retained Earnings						138,783	226,283			365,066
Retained Earnings Appropriated						4,264	623,581			627,845
Unreserved	7,106,601	5,917,305	5,674,852	4,251,999	2,143,232			5,903,483		30,997,472
Reserved for Expenditures	3,576,960	6,754			670,000					4,253,714
Total Fund Balances	10,683,561	5,924,058	5,674,852	4,251,999	2,813,232	143,047	849,864	5,903,483	0	36,244,097
Total Liabilities & Fund Balances	17,010,881	6,007,566	5,674,852	4,456,450	2,913,768	192,601	854,416	5,903,483	32,875,798	75,889,814

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
	SELECTMEN	
	PURCHASE OF SERVICES	\$19,861
	SUPPLIES	\$10,256
1	TOTAL EXPENSES	\$30,117
	TOTAL SELECTMEN	\$30,117
	TOWN OFFICE	
	SALARIES	\$343,358
2	TOTAL PERSONNEL SERVICES	\$343,358
	PURCHASE OF SERVICES	\$17,897
	SUPPLIES	\$53,606
3	TOTAL EXPENSES	\$71,503
	TOTAL TOWN OFFICE	\$414,861
	PERSONNEL BOARD	
	SALARIES	\$0
4	TOTAL PERSONNEL SERVICES	\$0
	PURCHASE OF SERVICES	\$5,328
5	TOTAL EXPENSES	\$5,328
	TOTAL PERSONNEL BOARD	\$5,328
	FINANCE COMMITTEE	
	PURCHASE OF SERVICES	\$0
6	TOTAL EXPENSES	\$0
	TOTAL FINANCE COMMITTEE	\$0
	FINANCE	
	SALARIES	\$273,881
7	TOTAL PERSONNEL SERVICES	\$273,881
	PURCHASE OF SERVICES	\$28,845
	SUPPLIES	\$3,691
8	TOTAL EXPENSES	\$32,537
	TOTAL FINANCE	\$306,417
	ASSESSOR	
	SALARIES	\$164,673
9	TOTAL PERSONNEL SERVICES	\$164,673
	PURCHASE OF SERVICES	\$143,316
	SUPPLIES	\$1,588
10	TOTAL EXPENSES	\$144,904
	TOTAL ASSESSOR	\$309,578
	TREASURER	
	SALARIES	\$194,137
11	TOTAL PERSONNEL SERVICES	\$194,137

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
	PURCHASE OF SERVICES	\$24,422
	SUPPLIES	\$594
12	TOTAL EXPENSES	\$25,016
	TOTAL TREASURER	\$219,153
	TOWN COUNSEL	
	PURCHASE OF SERVICES	\$313,666
	SUPPLIES	\$1,947
13	TOTAL EXPENSES	\$315,612
	TOTAL TOWN COUNSEL	\$315,612
	INFORMATION TECHNOLOGY	
	SALARIES	\$76,902
14	TOTAL PERSONNEL SERVICES	\$76,902
	PURCHASE OF SERVICES	\$96,450
	SUPPLIES	\$36,873
15	TOTAL EXPENSES	\$133,323
	TOTAL INFORMATION TECHNOLOGY	\$210,225
	TOWN CLERK	
	SALARIES	\$111,185
16	TOTAL PERSONNEL SERVICES	\$111,185
	PURCHASE OF SERVICES	\$10,817
	SUPPLIES	\$959
17	TOTAL EXPENSES	\$11,776
	TOTAL TOWN CLERK	\$122,961
	ELECTIONS	
	SALARIES	\$24,796
	TOTAL PERSONNEL SERVICES	\$24,796
	PURCHASE OF SERVICES	\$74
	SUPPLIES	\$7,837
	TOTAL EXPENSES	\$7,911
18	TOTAL ELECTIONS	\$32,708
	REGISTRAR	
	SALARIES	\$275
19	TOTAL PERSONNEL SERVICES	\$275
	PURCHASE OF SERVICES	\$3,900
20	TOTAL EXPENSES	\$3,900
	TOTAL REGISTRAR	\$4,175
	CONSERVATION	
	SALARIES	\$110,047
21	TOTAL PERSONNEL SERVICES	\$110,047
	PURCHASE OF SERVICES	\$5,441
	SUPPLIES	\$6,782

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
22	TOTAL EXPENSES	\$12,223
	TOTAL CONSERVATION	\$122,271
	PLANNING	
	SALARIES	\$92,682
23	TOTAL PERSONNEL SERVICES	\$92,682
	PURCHASE OF SERVICES	\$1,578
	SUPPLIES	\$294
24	TOTAL EXPENSES	\$1,873
	TOTAL PLANNING	\$94,555
	SURVEYOR	
	SALARIES	\$140,024
25	TOTAL PERSONNEL SERVICES	\$140,024
	PURCHASE OF SERVICES	\$25,023
	SUPPLIES	\$2,208
26	TOTAL EXPENSES	\$27,231
	TOTAL SURVEYOR	\$167,256
	FACILITIES	
	SALARIES	\$181,380
27	TOTAL PERSONNEL SERVICES	\$181,380
	PURCHASE OF SERVICES	\$33,956
	UTILITIES	\$225,232
	SUPPLIES	\$12,049
28	TOTAL EXPENSES	\$271,237
	TOTAL FACILITIES	\$452,617
	HISTORICAL COMMISSION	
	PURCHASE OF SERVICES	\$90
29	TOTAL EXPENSES	\$90
	TOTAL HISTORICAL COMMISSION	\$90
	SURFACE WATER QUALITY COMMISSION	
	PURCHASE OF SERVICES	\$35,353
30	TOTAL EXPENSES	\$35,353
	TOTAL SURFACE WATER QUALITY COMM	\$35,353
	HISTORIC DISTRICT COMMISSION	
	PURCHASE OF SERVICES	\$0
31	TOTAL EXPENSES	\$0
	TOTAL HISTORIC DISTRICT COMMISSION	\$0
	PUBLIC CEREMONIES	
	PURCHASE OF SERVICES	\$1,433
32	TOTAL EXPENSES	\$1,433
	TOTAL PUBLIC CEREMONIES	\$1,433

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
	POLICE	
	SALARIES	\$1,948,197
33	TOTAL PERSONNEL SERVICES	\$1,948,197
	PURCHASE OF SERVICES	\$133,459
	SUPPLIES	\$139,898
34	TOTAL EXPENSES	\$273,357
	TOTAL POLICE	\$2,221,554
	JOINT COMMUNICATIONS	
	SALARIES	\$432,439
35	TOTAL PERSONNEL SERVICES	\$432,439
	PURCHASE OF SERVICES	\$48,406
	UTILITIES	\$134,662
	SUPPLIES	\$7,169
36	TOTAL EXPENSES	\$190,237
	TOTAL JOINT COMMUNICATIONS	\$622,676
	EMERGENCY MANAGEMENT	
	PURCHASE OF SERVICES	\$12,709
	SUPPLIES	\$29,475
37	TOTAL EXPENSES	\$42,184
	TOTAL EMERGENCY MANAGEMENT	\$42,184
	DOG OFFICER	
	PURCHASE OF SERVICES	\$19,696
	SUPPLIES	\$2,851
38	TOTAL EXPENSES	\$22,546
	TOTAL DOG OFFICER	\$22,546
	FIRE	
	SALARIES	\$1,881,382
39	TOTAL PERSONNEL SERVICES	\$1,881,382
	PURCHASE OF SERVICES	\$26,095
	SUPPLIES	\$93,722
40	TOTAL EXPENSES	\$119,817
	TOTAL FIRE	\$2,001,199
	COCHITUATE BUILDING-STATION 2	
	PURCHASE OF SERVICES	\$5,180
	UTILITIES	\$16,637
	SUPPLIES	\$1,536
41	TOTAL EXPENSES	\$23,353
	TOTAL COCHITUATE BLDG-STATION 2	\$23,353
	BUILDING & ZONING	
	SALARIES	\$266,745
42	TOTAL PERSONNEL SERVICES	\$266,745

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
	PURCHASE OF SERVICES	\$13,010
	SUPPLIES	\$7,883
43	TOTAL EXPENSES	<u>\$20,892</u>
	TOTAL BUILDING & ZONING	\$287,637
	TOTAL PUBLIC SAFETY	\$5,221,149
44	SCHOOLS	\$30,249,268
45	REGIONAL VOCATIONAL SCHOOLS	\$428,770
	DPW	
	SALARIES	\$2,248,444
	TOTAL PERSONNEL SERVICES	<u>\$2,248,444</u>
	PURCHASE OF SERVICES	\$1,269,247
	UTILITIES	\$305,762
	SUPPLIES	\$918,716
	DEBT	\$1,037,028
	TOTAL EXPENSES	<u>\$3,530,752</u>
46	TOTAL DPW	\$5,779,196
	BOARD OF HEALTH	
	SALARIES	\$501,558
47	TOTAL PERSONNEL SERVICES	<u>\$501,558</u>
	PURCHASE OF SERVICES	\$115,814
	SUPPLIES	\$12,235
48	TOTAL EXPENSES	<u>\$128,049</u>
	TOTAL BOARD OF HEALTH	\$629,608
	VETERANS SERVICES	
	SALARIES	\$3,663
49	TOTAL PERSONNEL SERVICES	<u>\$3,663</u>
	PURCHASE OF SERVICES	\$6,487
	SUPPLIES	\$3,519
50	TOTAL EXPENSES	<u>\$10,006</u>
	TOTAL VETERANS SERVICES	\$13,669
	COUNCIL ON AGING	
	SALARIES	\$149,985
51	TOTAL PERSONNEL SERVICES	<u>\$149,985</u>
	PURCHASE OF SERVICES	\$55,712
	SUPPLIES	\$7,298
52	TOTAL EXPENSES	<u>\$63,010</u>
	TOTAL COUNCIL ON AGING	\$212,995
	YOUTH SERVICES	
	SALARIES	\$126,251
53	TOTAL PERSONNEL SERVICES	<u>\$126,251</u>

	FISCAL YEAR 2009 EXPENDED	EXPENDED FY 2009
	PURCHASE OF SERVICES	\$3,318
	SUPPLIES	\$495
54	TOTAL EXPENSES	<u>\$3,813</u>
	TOTAL YOUTH SERVICES	\$130,065
	LIBRARY	
	SALARIES	\$715,109
55	TOTAL PERSONNEL SERVICES	<u>\$715,109</u>
	PURCHASE OF SERVICES	\$52,444
	UTILITIES	\$38,834
	SUPPLIES	\$175,912
56	TOTAL EXPENSES	<u>\$267,190</u>
	TOTAL LIBRARY	\$982,299
	POOL	
	SALARIES	\$21,603
	TOTAL PERSONNEL SERVICES	<u>\$21,603</u>
	PURCHASE OF SERVICES	\$2,085
	UTILITIES	\$64,385
	SUPPLIES	\$11,772
57	TOTAL EXPENSES	<u>\$78,242</u>
	TOTAL POOL	\$99,845
	DEBT AND INTEREST	
	DEBT SERVICE	\$3,945,432
58	TOTAL EXPENSES	<u>\$3,945,432</u>
	TOTAL DEBT AND INTEREST	\$3,945,432
	UNCLASSIFIED	
	INSURANCE GENERAL	\$607,051
	INSURANCE 32B	\$6,106,341
	MEDICARE	\$469,740
	UNEMPLOYMENT	\$39,968
	NON CONTRIBUTORY RETIREMENT	\$16,731
	POLICE/FIRE DISABILITY	\$1,910
	RESERVE FOR SAL ADJUSTMENTS	\$0
	OCCUPATIONAL HEALTH NURSE	\$1,067
	EMPLOYEE ASSISTANCE PROGRAM	\$0
	TOWN MEETING	\$18,109
	STREET LIGHTING	\$108,624
	RESERVE FUND	\$0
59	TOTAL UNCLASSIFIED	<u>\$7,369,542</u>
	GRAND TOTAL BUDGET	\$57,906,547
	WATER DEPT	<u>\$2,722,995</u>
	NET G/F	\$55,183,551

FISCAL YEAR 2009 EXPENDED		EXPENDED FY 2009
SEPTAGE TREATMENT FACILITY		
OPERATING BUDGET:		
	SALARIES	\$49,691
	TOTAL PERSONNEL SERVICES	\$49,691
	PURCHASE OF SERVICES	\$530,935
	UTILITIES	\$73,485
	SUPPLIES	\$30,810
	DEBT SERVICE	\$0
	TOTAL EXPENSES	\$635,230
1	TOTAL SEPTAGE DEPARTMENT	\$684,921
WASTEWATER MANAGEMENT DISTRICT COMM		
OPERATING BUDGET:		
	PURCHASE OF SERVICES	\$187,195
	CAPITAL	\$10,425
	DEBT SERVICE	\$29,858
	TOTAL EXPENSES	\$227,478
1	TOTAL WASTEWATER MGMT COMM	\$227,478

Reserve Fund Activity - FY09

Date	Dept	Account	Amount
6/22/2009	Surveyor	Contractual Service Server replacement	11,000
		Total	11,000

EDUCATION AND LIBRARY

SCHOOL COMMITTEE

THE WAYLAND PUBLIC SCHOOLS MISSION STATEMENT

“Personal and civic responsibility, love of learning, and empathy for others: these are the qualities that the Wayland Public School seeks to instill in its students. At its core, our mission is to provide a rigorous and stimulating academic environment that promotes the acquisition of knowledge and skills. Yet we deem it equally important to nurture self-confident, collaborative, and conscientious individuals. We strive to create a climate where risk-taking is safeguarded, open expression is encouraged, and free association is protected. Our goal is to advance our student’ growth into principled, informed, and capable citizens who will help guide a democracy that follows humanitarian principles in the global forum, and shape a just society where individuals may reach their full potential.”

OVERVIEW

The Wayland School Committee focused its efforts this year on continuing to provide a high quality educational experience for our students, and engaging in long-range fiscal and facility planning in the face of significant fiscal challenges. These activities included developing and implementing a prudent budget in this non-override year, implementing the elementary school reconfiguration plan to capture short- and longer-term economies in a period of declining enrollments. Longer term planning initiatives included the expanded investment in technology as recommended by the Technology Task Force, and the ongoing work of the High School Building Committee coordinated with the Massachusetts School Building Authority (MSBA).

Budget

FY09 Budget: The FY09 Budget totaled \$30,673,213, with an appropriation from the town of \$30,091,713. The balance was funded through additional fees and other offsets, totaling \$581,500.

Elementary School Reconfiguration

The reconfiguration of the Elementary Schools was implemented this past year to realize the savings made possible by declining enrollment in this challenging fiscal environment. This resulted in 2 grade 1-5 schools (Claypit Hill and Happy Hollow), and one all Kindergarten school at Loker School. While this process did require many adjustments and compromises, an annual savings in excess of \$500,000 was achieved in this and future years.

FY10 Budget: The FY10 budget process sought to balance the goal of preserving the high-quality educational program for Wayland children that the Town desires with the need for ongoing fiscal responsibility in this non-override budget and in these economically challenging times. The savings realized last year with the elementary school reconfiguration were augmented by the reduction of 3 additional classroom teachers made possible due to continuing enrollment trends. At the Middle School, declining enrollment allowed a reduction in clusters for the 7th and 8th grades, reducing another 3.6 “Full Time Equivalent” teachers. At the High School, a secretarial position was eliminated. In addition, resources at the High School were re-allocated to provide funds for the new Health and Wellness curriculum initiative.

Offsets (revenue) from fees and transfers were increased, from \$581,500 to 723,500. After several years of discussion and evaluation, the School Committee introduced a transportation fee of \$180 per year for those riders in grades K-6 who live 2 miles or less from their district school and to all riders in Grades 7-12. This new practice is in line with many of our surrounding and peer districts. In addition, athletic fees and parking fees were increased for High School students, as were transfers from WSCP’s fee-based programs.

The FY10 budget, approved at Town Meeting, is \$31,111,763. Including offsetting fees and transfers of \$723,500, the total School Department budget is

\$31,835,263. This amount represents an increase of 3.39% over the prior year's appropriation for the operation of the school district.

High School Facility

The deteriorating High School facility continues to present challenges to the staff and students. The High School Building Committee (HSBC) continues its work with the Massachusetts School Building Authority on the comprehensive planning for a modernized facility. This project had been selected by the MSBA in 2007 to proceed in the first group of projects to work with the new MSBA process. This process continued during the past year, with the Town's approval at Town Meeting of funds for the Feasibility Study and Schematic Design phase, which will be presented to the MSBA board and then the Town in the fall of 2009 for approval. The Committee greatly appreciates the extraordinary work contributed by the HSBC members throughout this process.

Technology Task Force

The members of the Technology Task Force worked extensively with the district's new Technology Director, Leisha Simon, to develop a comprehensive long-term capital plan to modernize the technology infrastructure and to bring use of technology into the classroom. Their efforts resulted in the Technology capital request and appropriation of \$550,000. These funds have been used to update the infrastructure at two buildings, replace outdated computers, begin a 1:1 computer-teacher initiative and continue to add peripherals to the classroom. Included in this initiative is the professional development for teachers to be able to maximize the use of this technology for our students.

Administrative Initiatives

The Administration, under the direction of the Superintendent, Dr. Burton, continued its work on several additional initiatives this year, including closing the achievement gap, evaluating and instituting a new health and wellness curriculum, studying full-day kindergarten, introducing Chinese as a foreign language, and greening of our schools. These initiatives will be continually re-evaluated as we move forward. The specific reports on all these initiatives are available on line through the Wayland Public Schools website.

CONCLUSION

The district faces many challenges as we look forward and continue to strive to provide a high-

quality and fiscally responsible educational program for Wayland's children. The process of running our district and educating our students is a partnership involving the administration, teachers and staff, students, parents, and the entire community. We are quite fortunate in Wayland to have the strong support of all of these groups, working together for the benefit of our children. We greatly appreciate this support as it is a major reason why our school system remains successful and respected.

BOARD OF LIBRARY TRUSTEES

HIGHLIGHTS: During FY09, the Wayland Public Library again saw its total circulation increase for the second year in a row by about 8%. We also saw an increase in interlibrary loan activity: in FY09 we filled 12% more requests for our materials for other libraries' patrons and requested 18% more of our own patrons' requests from other libraries. We sponsored 20% more programs this year for users of all ages, and attendance at those programs was up 36%. We are proud that we were able to sustain this increase in service with no increases in staffing and an essentially level-funded budget. We endeavor to provide all of Wayland's citizens with the highest quality of service. Due to grants received, our focus this year has been on adult services with an emphasis on our users who are over 45 years of age. This group has traditionally been a heavy user of library services. As our town's median demographic seems to be shifting, we want to be sure that our service reflects the needs of this important group. Focus meetings and surveys of this group revealed a desire for more topical and cultural programs at the library. Our statistics reflect this increased emphasis on programming.

This year the library sponsored its first "Wayland Reads" program, which included an appearance by author Roland Merullo. We also formed a group of volunteers who helped develop a "Great Presenters Series" to start in the fall of 2009 that features Wayland residents with expertise to share with the community. These initiatives were funded by grants from the Federal Library Services and Technology Act administered by the Massachusetts Board of Library Commissioners. As always, the staff continued to develop our collections of materials, schedule programming and exhibits, and upgrade library technology. Our current facility continues to

constrain the types of programming we can offer and the extent of our collections.

LIBRARY BUDGET: During FY09 the library operated on a tight budget that was supplemented generously by contributions from the Friends of the Library to allow us to meet our state-mandated materials expenditure requirement. In light of the economic downturn during the year, we were happy to be able to maintain library services at the level that Wayland residents have come to expect after decades of strong library service. The Trustees continue to urge that town boards join together to see that new and progressive state funding structures and processes are put in place to ensure constructive continuity for essential town services.

TECHNOLOGY: Library staff continued to upgrade our web site. This year we added the ability to register for library programs online. We also developed a web presence for our community reading program. We installed self check-out kiosks in both our Main and Youth Services areas to assist us in keeping up with burgeoning library circulation. We continue to offer Wayland residents in-library and home access to many online subscription databases and access to downloadable audiobooks for computers and portable audio players. Our users enjoy using both the library's wired and wireless Internet access. We upgrade our computers regularly.

BUILDING AND GROUNDS: Wayland's new Facilities Department determined the necessary repairs to keep our aging building well maintained and attractive. FY10 requests to the capital budget call for painting, plastering, and re-carpeting of parts of the building. The facility, while charming, is simply not adequate in terms of space for collections, staff, and programs. Therefore, the Trustees continue to monitor potential sites for a future new library.

PERSONNEL: As always, the library is indebted to its talented staff for their dedication and hard work. We were saddened by the passing of two influential library supporters this year: former Children's Librarian Ann Pratt and longtime library trustee Perry Hagenstein. Staff members attended professional conferences and training programs. The library participates in the town tax work-off program for seniors. We have a loyal group of volunteers of all ages who devote many hours to the library each week. They are integral in ensuring that the library operates as efficiently as possible.

COLLECTION and SERVICES: Circulation of library materials increased in FY09 over that of FY08 by about 8%. We continue to have trouble finding space to house both print and non-print materials in our current facility. The problem is particularly severe in our Youth Services Department. A chart of collection and other statistics for FY09 follows this narrative.

PROGRAMS: Last year's "Wayland Reads" program was very successful, and we hope to start planning a similar program in FY10. We are excited this year to be developing our Great Presenter Series. Our regular programs include: an art history series, a Shakespeare series, a classical studies series, regular Poetry Workshops, two book discussion groups, a Great Decisions group, and an ESOL tutoring program. The Gossels Fund for Human Dignity sponsors an annual program with a focus on social justice. In addition to regularly scheduled storytimes, Youth Services Department programming included storytellers, a book discussion group, puppet shows, a music and movement program for pre-schoolers, movie screenings, arts and crafts workshops, and our summer reading club.

FRIENDS: We cannot give enough credit to the members of our wonderful Friends of the Wayland Public Library group. Without them, the library's offerings would be much less interesting and robust. Their support makes possible most of our popular programs and services: museum passes, books on CD, cultural programming, the summer reading program, web site maintenance, and many other expenses that exceed the library budget. We are grateful for their hard work and dedication to the library all year round.

MILLENNIUM ENDOWMENT FUND: The Commissioners of Trust Funds invest the library's endowment fund. This fund was established to sustain excellence in library service and to provide a stable supplementary source of support for the library. This year the Millennium Fund supported the purchase of equipment and software needed to install self check-out kiosks

EXHIBITS: Each year Arts/Wayland schedules a variety of art exhibits in the library's Raytheon Room and the library foyer. We thank them for finding so much wonderful art to grace our walls.

THANKS: We are indebted to the friendly, devoted, and talented library staff and the many hard-working volunteers who contribute to making the library a vibrant information and community center. Our deepest appreciation, of course, goes once again to the citizens of Wayland whose continued financial and moral support has enabled us to provide another year of excellent library service.

Anne B. Heller, Chair
Aida A. Gennis, Vice-Chair
Lynne J. Lipcon, Secretary
Sally Y. Cartwright
Nancy J. Jahnke
Thaddeus Thompson
Ann F. Knight, Director

SUMMARY OF FISCAL YEAR 2008 LIBRARY STATISTICS

	FISCAL YEAR 2008	FISCAL YEAR 2009
	CIRCULATION	
Adult		
Print	74,122	80,388
Non-print	85,578	91,479
Juvenile		
Print	61,190	68,040
Non-print	17,683	19,998
Transfers to Minuteman Libraries	35,546	40,477
Total Circulation	274,119	300,382
	ACQUISITIONS	
Print	8,546	8,018
Non-print	1,848	1,971
Total Items Added	10,394	9,989
	OTHER	
Registered Borrowers	7,893	7,872
MLN Interlibrary Loans:		
Filled for other Libraries	35,546	40,477
Filled for Wayland Patrons	21,274	26,014
Reference Questions	20,200	19,035
Programs Held	189	243
Total Attendance	4,875	7,661
Fines Collected	\$18,694	\$19,079
Trust Fund Balances:		
Endowment Fund	\$514,733	\$439,281
Other Trust Funds	\$177,843	\$136,057
Total	\$692,576	\$575,338

PLANNING AND NATURAL RESOURCES

CONSERVATION COMMISSION

The Conservation Commission holds the statutory responsibility for “the promotion and development of the natural resources and for the protection of watershed resources” of Wayland (MGL Chapter 40, Section 8C) and is responsible for the administration of the Wetlands Protection Act (WPA) MGL, Chap.131, Section 40. Wayland’s Wetlands and Water Resources Bylaw (Chap.194) complements the Commission’s responsibilities under the WPA.

The administration and enforcement of the WPA and the Chap. 194 Bylaw accounts for a major portion of the efforts of the Commission. Seventeen Requests for Determination of Applicability were received. One was filed only under the WPA and all the others were filed both under the WPA and Chapter 194. One was an “after the fact filing”. There were sixteen decisions under the WPA with findings that the work proposed would not alter areas subject to protection under MGL Ch.131, s.40 if performed as described in the submitted plans and subject to relevant conditions and therefore did not require the filing of a Notice of Intent. Fifteen permits were issued under Chapter 194. There was one positive decision, which requires the filing of a Notice of Intent before the project can proceed. There was one filing to amend an Order of Conditions and Permit. One Amendment was issued. Further discussion/ reviews were done on six projects.

Twenty-five Public Hearings on Notices of Intent were opened. One was to amend existing Order of Conditions (OOC) or permit under Chap.194. The Commission held one-hundred and twenty two continued hearings, issued twenty-two Order of Conditions, one amendment to an OOC and Permit, and twenty-two Permits under Chapter 194.

There were twenty requests for Certificate of Compliance. Nine partial certificates were issued (three under the WPA only), three requests were denied and eight requests were deferred. Two Requests for Extensions were received and issued by the Commission.

Violations impacting important resource areas as well as a lack of compliance with conditions adopted to protect those areas continue to be a problem. Informal reviews and discussions were held regarding invasive aquatic weed control (Dudley Pond/ Heard Pond Lake Cochituate), former Raytheon site and clean-up, community gardens, farming issues, dog issues and others.

The Conservation Commission prepared a Stormwater and Land Disturbance Bylaw which was submitted for the warrant to the 2008 Annual Town Meeting. This Bylaw, accepted by the Attorney General seeks to contain erodible materials and address water quality. The Chapter 193 Bylaw will be implemented during the upcoming year through



Snake Brook Spillway

the establishment of administrative procedures and fees for the submission, review, approval or disapproval of stormwater management plans, and for the inspection of approved active projects and long term follow up.

A Conservation Restriction on a small parcel of land was accepted by the Commission as a means to permanently protect a buffer zone to wetlands. Conservation restrictions are a tool to help permanently protect sensitive portions of property and important natural resources.

The Conservation Commission continues to rely upon volunteers to help monitor and maintain land under the care and management of the Conservation Commission. In addition the Commission has funding to manage more than 800 acres of land. Funding is used to hire seasonal labor as well as to procure services to mow larger fields. Chris Hill and Ben Gilmore were seasonal laborers during the summer of 2009.

The Conservation Commission, in response to both concerns voiced by residents and in recognition of the multi-use of conservation areas, prepared rules addressing dogs on conservation lands. A survey was conducted to get input on the current practices prior to adopting new rules. These rules will be posted at each conservation area.

The Commission continues to provide community garden plots to individuals. This year, perhaps a reflection of changing economic times or other factors saw an increased interest in new people seeking a garden plot. Plots that had been dormant were in demand this year. As is true every year, weather dominates when the plowed plots can be used, how well the planting season goes and what is produced in the gardens. This year 85 people rented a total of 189 garden plots. The Commission did have a seasonal worker who worked part-time at Cow

Commons helping to maintain the paths, edges of the gardens, and small parking lot. Mary Antes has been volunteering, assisting with the Community gardens and otherwise providing support in the Conservation office.

The Commission has also used a private party to do heavy mowing, with a brush cutter, along the edge of Cow Common which has slowly been growing into the fields.

Volunteers help maintain the Greenways Conservation Area, Heard Farm Conservation Area, Upper Mill Brook, Rowan Hill, and many other conservation areas. Many mow trails, prune shrubs, repair trails, and remove trees. The contributions of these many volunteers are invaluable to the Commission and greatly appreciated. The local Democratic committee wished to conduct a community project and organized a clean-up at the community gardens this year.

The Ken Moon Award was awarded to long-time volunteer and former Member of the Commission, Perry Hagenstein, a genuine supporter of the environment, outstanding educator and wonderful friend to all who had the privilege of knowing him. Perry will be sorely missed. Wayland is poorer without him.

Patrick Tardiff did an Eagle Scout project at the Cow Common Area. Patrick replaced a board walk, cleared brush and other vegetation, and generally improved a trail system on the southern side of the Cow Common Conservation Area. Matt Kaye conducted a portion of his Eagle Scout project at the Lower Snake Brook Conservation Area. Matt cleared trails, cleaned the parking lot, removed brush and other vegetation and cleaned up the parking lot at the Lower Snake Brook Conservation Area. Eagle Scout projects continue to be a critical component of land management for the conservation lands.

COMMUNITY PRESERVATION COMMITTEE

The provisions of the Community Preservation Act (CPA) were adopted at the Annual Town Meeting in 2001. The Community Preservation Committee was formed at that time and its responsibilities are to identify and evaluate potential community preservation projects and, if appropriate, submit project recommendations in the form of articles at town meeting. The CPA requires that the projects focus on open space, historic preservation, and community housing. Funds can also be used for the acquisition, creation or preservation of land for recreational purposes.

CPA Revenue – Since the adoption of the CPA in 2001 through fiscal 2008, Wayland has received \$3,870,270 from the residential property tax surcharge, including interest, and \$2,789,028 in matching State Trust Fund distributions, for a total revenue of \$6,616,298. The funds collected are known as the Community Preservation Fund and are held and administered by the Town’s Treasurer.

Town approved appropriations from the Community Preservation Fund are as follows:

Project	Amount	Year Approved
Repair of Town’s historic gravestones	\$ 65,000	2003
Study to create railroad interpretive site	\$ 15,000	2003
Environmental testing at former Nike site	\$ 35,000	2003
Repair/Restore historic markers	\$ 5,000	2004
Acquire 2.75 acres at Nike site for affordable housing and to provide funds for demolition and site preparation	\$ 500,000	2004
Site preparation and demolition on remaining 11 acres of open space at Nike site	\$ 100,000	2004
Administrative costs of CPC – expended \$3,800 for appraisal of Moon property on Reservoir Road	\$ 10,000	2004
Set aside funds for acquiring open space in the future	\$ 600,000	2004
Acquire Gilbert land on Brackett Road for conservation purposes	\$ 100,000	2005
Architectural, engineering and site planning at Nike site	\$ 40,000	2006
Community gardens at landfill and the intersection of Route 30 and Plain Road	\$ 8,750	2006
Artificial turf at the high school athletic field	\$ 300,000	2006
Weed management techniques, aerial scanning and nutrient analysis at great ponds	\$ 75,000	2006
Acquisition of seven acres of land on Reservoir Road subject to a perpetual conservation restriction to be held by Sudbury Valley Trustees, Inc.	\$ 211,000	2007
Set aside funds for acquiring open space in the future.	\$ 900,000	2008
Fund an additional portion of costs related to construction of community housing units on the Nike site.	\$ 560,000	2008
Provide funds for the remaining work necessary to make the passive and active recreation land at former Nike site available for public use.	\$ 250,000	2008
TOTAL	\$ 3,774,750	

PLANNING BOARD

The mission and the responsibilities of the Planning Board are specified in the state laws known as “Improved Methods of Municipal Planning” and “The Subdivision Control Law,” and are described as follows: to undertake planning and land use studies, including needs studies and comprehensive plans; to prepare plans of the resources and future development scenarios for the Town; to report annually to the Town regarding the condition of the Town; to prepare an official map of public and private ways and public parks within the Town; to report on the layout, alteration, relocation, or discontinuance of public ways; and to adopt regulations for, and administer the processes of, dividing and subdividing land into building lots and other parcels.

Farewells and appreciation

In December Joseph Laydon resigned and accepted a position with the Town of Stoughton, Massachusetts as Town Planner. We all wish Joe the very best and appreciate his dedicated years of service to the Town of Wayland.

A big thank you and appreciation to Jeanne Cassidy the Department Assistant to the Planning Board, as she managed the Planning office while the Town searched for a new Planner. As I write this report Jeanne Cassidy has decided to retire. Mrs. Cassidy was a willing worker, always cooperative and pleasant, respectful to the department, members of the Planning Board and the public alike. We wish her and her family well in retirement.

Accomplishments and Activities

The Board met approximately 26 times between July 1, 2008 and June 30, 2009 to review and approve applications for new building lots in residential subdivisions, applications for several new residential building lots not requiring subdivision approval (known as ANR lots), several site plans for non-residential development; to oversee the construction of various residential and non-residential developments for which approval had been granted, and to work on various planning studies and projects such as the Master Plan Advisory Committee.

The Proponents of the Wayland Town Center Project submitted the Master Special Permit Application on May 18, 2007 and the Planning Board held a series of

hearings through 2007 and closed its hearing on October 30, 2007. The Planning Board deliberated on the application through the remainder of 2007 and issued a decision dated January 17, 2008. Following the issuance of its decision the Board prepared rules and regulations regarding Phase I Site Plan Review process and Twenty Wayland submitted its first of four applications for Phase I Site Plan Review on May 12, 2008 and held its first hearing on June 12, 2008.

In FY 2008, the Board welcomed Kent D. Greenwalt Member, who was elected to the Board. Colleen M. Sheehan was elected as an associate member. Kevin Murphy and Daniel Mesnick were elected Chairperson and Vice Chairperson respectively. Lynne Dunbrack served as Clerk.

Special Activities

Mr. Montague represents the Board on the Nike Site Reuse Advisory Committee. Ms. Dunbrack represents the Board on the Community Preservation Committee.

PLANNING BOARD MEMBERS June 30, 2009

Ira Montague, Member
9 Erwin Road
Wayland, MA 01778
Term: 2008-2013

Lynne Dunbrack, Clerk
7 Brackett Road
Wayland, MA 01778
Term: 2005-2010

Daniel Mesnick, Vice Chair
64 Sycamore Road
Wayland, MA 01778
Term: 2006-2011

Colleen M. Sheehan, Associate Member
16 Springhill Road
Wayland, MA 01778
Term: 2009-2014

Kent D. Greenwalt, Member
10 Reservoir Road
Wayland, MA 01778
Term: 2009-2014

Kevin Murphy, Chair
14 Sears Road
Wayland, MA 01778

Term: 2007-2012

PLANNING BOARD TOWN STAFF

June 30, 2009

Town Planner
Sarkis Sarkisian
Town Planner

Department Assistant
Jeanne Cassidy

BEAUTIFICATION COMMITTEE

Since its inception in 1998, Wayland Beautification has dedicated its efforts to beautify highly visible areas of Wayland with garden spaces and trees. The garden spaces, which are primarily designed for low maintenance and multi-season interest, are routinely maintained April through October by a core group of volunteers. Over the years more than fifty trees have been planted throughout the town, and Wayland Beautification volunteers have cared for them until established.

Starting in the fall of 2008, Wayland Beautification, with the approval of the Board of Selectmen, expanded its efforts through a new partnership initiative with local community groups and businesses. To meet this goal, Wayland Beautification invited landscape contractors, area businesses and public-spirited community groups to participate in a cooperative sponsorship or "adoption" program. In exchange for such participation, Wayland Beautification used private funds in order to acknowledge each sponsor publicly by placing attractive signs on their space during the growing season.

During the first year of this new program, garden areas were adopted by Robert B. Sturgis and Associates Landscapers; PhotoVideo Store; Russell's Garden Center; Wayland Democratic Town Committee; a Blade of Grass Landscapers; Mel's Commonwealth Café; J. J. McKay's Restaurant; The Villa Restaurant; Baldwin Insurance Agency; LaBelle Roofing Company; Waltham Road Neighborhood Volunteers; and Old Sudbury Road Volunteers. There are sites available for Spring 2010. Interested parties are invited to contact

Wayland Beautification, 41 Cochituate Road,
Wayland MA 01778.

Wayland Beautification receives funds from the town as well as private donations. Major donations from the Wayland Business Association and The Village Bank have been used for plant materials and installation of trees and shrubs. Lynch Nursery, Weir Meadow Nursery, Russell's and Mahoney's Garden Centers have been extremely generous in donating plant materials and advice, from time to time, on what to plant for barrels and gardens. Caring for these public places is a labor of love undertaken in the best tradition of public service by volunteers joining together with local businesses to enhance the appearance of Wayland.

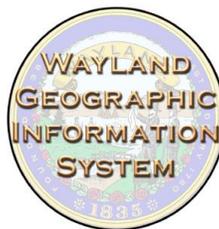
Wayland Beautification is grateful for the tremendous cooperation and support it has received from numerous town departments. Wayland Beautification is proud of its accomplishments and looks forward to continuing to contribute in a meaningful way to the town's beautification efforts.

Membership in Wayland Beautification is by participation. Any resident with an interest in joining is welcome to attend informal planning meetings held at 8:15 a.m. on the first and third Wednesday of each month in the Town Building. No invitation is necessary, just come and join us.

TOWN SURVEYOR

As in past years, this year has seen many areas of activity in the Town Surveyors' office. Requests for maps, surveys and GIS products continue to pour in on a daily basis. We have been busy with providing maps and surveys associated with the Town Beach, new cemetery extensions, Oxbow Meadows ADA trails, and various highway projects to name a few.

One project of note was for the Wayland-Weston 1500 meter crew course on Lake Cochituate. The completion of this project allows the local crew team to host certified regattas on the lake opposite the Town Beach.



The Town Geographic Information System, (GIS) continues to mature. We have updated many layers and added new ones. We now have several of the

more commonly requested full size static maps available for download in PDF format. We can also provide hard copy versions in our office. The online webGIS has been totally revised in an effort to make it both more useful and easier to access. We have also added more layers and data points. It may be accessed from the Town website or by typing the following address into your web browser, (<http://www.wayland.ma.us/surveying/disclaimer.htm>). There is a brief set of written instructions for the system which can be downloaded from our webpage or picked up in our office. Please take the time to visit this site and let us know what you think.

Even though current economic conditions have been poor, updating the Town Atlas continues to be a challenge. The most current version of the Atlas is available in our office or online at <http://www.wayland.ma.us/surveying/Website/Survey.html>.

Responding to requests for information from various committees and boards as well as the general public continues to occupy a significant portion of our time. This helps us keep our hand on the “pulse of the community”.

Our office is also a repository for many historical, physical, and regulatory maps of the town. All of these maps are available to the general public.

Once again, we invite the general public to stop by and visit.

Respectfully submitted

Alfred M. Berry
Town Surveyor

ZONING BOARD OF APPEALS

The Wayland Zoning Board of Appeals is composed of five members (Chairman Michael Thomas, Jerry Boos, Steve Fugarazzo, Aida Gennis and Eric Goldberg), and three associate members (Shaunt Sarian, Linda Segal and Thomas White), appointed by the Board of Selectmen. The ZBA conducts public hearings on all applications for zoning relief. The ZBA generally meets on the second and fourth Tuesday of each month at 8:10 p.m. The meetings for each public hearing are held in the Town Building. Participation in the public hearings by interested citizens is always welcomed. The Board would like to recognize James Grumbach for ten years of service on the ZBA. His dedication,

expertise and professionalism to the Town was greatly appreciated.

The cases that are heard by the ZBA include: (1) applications for dimensional or use variances from the zoning bylaws, (2) applications for special permits requested under the zoning bylaws, and (3) appeals from various decisions of the Building Commissioner. The ZBA also hears applications for site plan approval under certain circumstances. The ZBA has jurisdiction over comprehensive permit applications under Massachusetts General Laws Chapter 40B, in which a developer, under certain circumstances, is able to bypass local zoning laws if 25% of the proposed units are affordable. The ZBA has jurisdiction over cell tower applications which are governed by the Telecommunications Act of 1996, by virtue of which an applicant, under certain circumstances, is able to bypass local zoning laws if there is a “substantial gap in coverage” and there are no feasible alternatives.

The most common type of proceeding heard by the Board is a request to construct an addition to a home that is “grandfathered,” i.e., it does not comply with the current zoning bylaws, but did comply with the bylaws that were in effect at the time it was built. If such an addition will either increase the gross floor area of the dwelling by more than 20%, or deviate in any way from the current bylaws, a special permit is needed from the ZBA.

Notices of hearings before the ZBA are published in the legal notices section of the Wayland Town Crier at least fourteen days prior to the date of the hearing. In addition, abutters of the subject property are notified of a hearing by mail. Each applicant is charged a filing fee, which covers the cost of publication and other administrative expenses. ZBA application forms may be obtained from the Building Department in the Town Building during regular business hours. Decisions rendered by the Board are filed with the Town Clerk; notice of each decision is given to the applicant and others and, after an appeal period of twenty days has lapsed, the decision becomes final, unless an appeal is filed. In the event that the ZBA grants relief to an applicant, the special permit or variance is generally granted subject to explicit conditions.

The Building Commissioner, Daniel Bennett, is the Zoning Enforcement Officer for the Town. Citizens may report zoning violations and requests for zoning enforcement in writing to the Building

Commissioner. The ZBA has jurisdiction to hear appeals relating to the Building Commissioner's response to such requests.

There were 43 applications filed with the Zoning Board of Appeals during FY 2009. A total of 24 hearings were held. A total of \$6,975.00 in application fees was collected.

In FY 2009, the ZBA presided over a handful of commercial matters, a number of matters seeking permits to conduct in-house professional practices, two Chapter 40B Comprehensive Permit applications for affordable housing developments and a review of a cemetery expansion proposal. The last three matters required multiple hearings and presented complicated issues from the perspectives of the affected members of the public.

NIKE SITE ADVISORY COMMITTEE

The nine-member NSRAC (only eight members appointed) is charged with advising the Board of Selectmen on the reuse of the former Nike Missile Site, located on Oxbow Road and with implementing the plan. Lot 1A is approximately 10.71 acres and is reserved for conservation and passive and active recreation; and Lot 2A is approximately 2.75 acres on which there now are 16 units of community housing. The site plan of the entire property includes a 50' naturally vegetated buffer around the entire property and a wheelchair accessible trail.

Over the last year the Town transferred the housing parcel to the designated developers, 89 Oxbow, and within six months they had completed construction of the 16 units of two and three bedroom townhouses. The lottery process began in January 2009, nearly all dwellings were sold, and most families had moved in by the end of June. The units were sold to first-time homebuyers who qualified under the state's affordable housing guidelines.

The NSRAC also, on behalf of the Selectmen, continued to plan for preparation of adjacent park land on Lot 1A. Community Preservation Funds were designated at Town Meeting and the major project of filling the missile silos was completed in the autumn of 2008. A site plan was prepared and the wheelchair accessible trail was laid out. Removal of fencing also began in June 2009. Funds are in place to complete the rest of the planned work – fence removal, construction of the wheelchair accessible trail, a small parking area, a sign and grading and planting the area disturbed by the silo filling

Throughout the planning phase of the Committee's work, input has been and will continue to be sought from those who reside in the general vicinity of the site.

Committee Membership: Gretchen Schuler, Chair
Paul Abramson, Brian Boggia, Michael Gitten, Brian O'Herlihy, Connie Pitt, Rebecca Regan, Michael Staiti

PUBLIC SERVICES

BOARD OF HEALTH

The Board of Health derives its authority through specific delegation of power from the state legislature. This authority includes both the powers that are expressly granted by state statutes and those powers that are necessarily implied from those statutes. The extent of the state's delegation of power varies from designating the Board of Health as the primary enforcement agent of the state's regulations to authorizing the Board of Health to draft its own regulations regarding public health matters (M.G.L. c.111 §31). Local regulations may be more stringent than existing state mandates, but in no case may they be inconsistent with state regulations.

The Board of Health welcomed one new member who was elected this April, Michael Bean, M.D. Mark Neuman, M.D., M.P.H. was also elected this April after serving on the Board in an appointed position since May of 2008.

June 30, 2009 was the last day that the Sandhill (Town) Landfill & Recycling program and staff were under the Board of Health. The program and employees were transferred to the newly created Department of Public Works. The Board of Health instituted the new "Pay as you Throw" program and provided the seed money to begin the program. The Board wishes to thank Superintendent George Russell for all his hard work over the past year in pulling together the PAYT program. We wish him and the rest of our former staff well and we are confident that the program will continue to provide a reasonable, cost effective way for the Townspeople to dispose of their solid waste.

Inspectional Services

All aspects concerning subsurface sewage disposal, from soil testing and site evaluations, plan reviews, and field inspections during installations to insure full compliance with Title 5 Regulations of the State Environmental Code and our Local Rules and Regulations continues to require a large proportion of our staffs time even with the general slowdown of the economy. The staff issued 94 septic system permits, including 19 new construction permits, 38 upgrades of septic systems, 34 alteration permits, 3 inspections of abandonments of systems along with 4 witnessed soil tests that did not result in plan submittals. In

addition, 86 soil tests for repairs and new construction were witnessed and recorded by the staff. One hundred and twenty six building permits were reviewed and approved. The staff also reviewed 154 Title 5 inspection reports, of which 133 passed, 7 conditionally passed and 14 failed. A total of 110 Certificates of Compliance were issued during this period denoting the complete installation of new septic systems or repairs to failed septic systems. The Board of Health staff and consulting engineers also reviewed several new subdivisions, proposed 40B housing projects and proposed Town Center plans.

The Board of Health provided its routine inspectional services as required by State Law relative to public and semi-public swimming pools, the town Beach and recreational camps. State regulations require bacterial testing on a weekly basis at the Town Beach, where samples never exceeded State standards during the past years swimming season. Additionally, investigation and follow-up of complaints filed with the Board of Health relative to improper trash storage, unsanitary lots and housing, public health nuisances and other environmental matters were also conducted. Our BOH Sanitarian/Inspector Julia Junghanns, along with the assistance of the Health Director when necessary, conducted the bulk of these inspections and plan reviews.

This year our Food Inspector Beth Grossman completed semi-annual inspections of all permitted food establishments as required by the state. This includes school cafeterias, church kitchens, full service restaurants, assisted living kitchens, pizza, bagel and sandwich shops, private club kitchens and any establishment serving packaged foods. The exceptions are those that open seasonally, which are inspected once per season. Ms. Grossman also attended 2 quarterly meetings of the Food Establishment Advisory Committee (FEAC), run by the Mass. Dept. of Public Health, in concert with other local regulatory staff, representatives from industry, and academia. This is a valuable resource to stay current with all anticipated changes including customer allergy alerts and Food Code adoptions. She also attended all relevant continuing education events covering food safety topics.

Routine Services

The Department oversees the daily management of public health and environmental programs, collection of communicable disease statistics, issuance of burial permits, issuance of licenses as reported in the statistics section, review of subdivision plans and building permit applications, and monitoring the contracted services in the areas of mosquito control, animal control, mental health services, and Hazardous Waste Collection days twice yearly.

Rabies Control

The risk of rabies continues to be a potential problem. Rabies has been found in the past in foxes, raccoons, skunks and bats in town. The Board of Health continues to provide information to the community in an effort to reduce the threat of rabies to the general public.

NURSING

Ruth Mori, R.N., B.S.N., continues to work in her 25-hour position here at the Wayland Board of Health, providing Public Health Nursing services as well as the School Nurse Leader role within the town.

Ms. Mori also works as our Coordinator to the Mass. Department of Public Health Region 4A Coalition for collaborative emergency preparedness. The Board of Health has received State Department of Public Health funding for medical/health/safety supplies that are stored in a moveable trailer to help volunteers to respond during an emergency event within the community. We also have interested citizens within Wayland who have signed up to join our Medical Reserve Corps who may be called upon to assist Town residents in a public health emergency. Several volunteers provided clinical and clerical support during our past Flu clinics and have become an integral part of assisting the Board of Health with Public Health issues. There were four Wayland MRC volunteers who assisted with the Region 4A participation in providing health care and shelter support to towns affected by the 2008 Ice Storm. The Board is grateful to those residents who have volunteered their time to this valuable town resource.

Community Health Nursing

The Board of Health, under a memorandum of understanding with the School Committee, completed its **fifth** year of responsibility for the School Nursing Program with full time R.N.'s to the five public schools in Town. These Town employees provide a range of health services for the population within

each designated school. The Community Health Nursing Program promotes the education of students by supporting the overall health, wellness, and safety of the individuals within the school environment.

Specifically, nurses provide emergency, routine, and preventative health services to the schools, consult with school staff and parents concerning health concerns, provide health education services as needed and maintain student health records. The nurses oversee and perform all required screening services to students and comply with all relevant State regulations and reporting requirements. In addition, there are several substitute nurses within our Community Health Nursing Program who work on an as-needed basis.

This year we have gathered our statistics with greater specificity to ensure an accurate depiction of our health rooms. There were a total of 24,050 student visits to our health rooms as a result of accidents, illness, meds, and health screenings that have been performed directly by the Community Health (School) nurses. There were a total of 2,641 medications administered and 815 staff visits to our school health rooms. It is important to note that the nurses enabled 77% of the students who came to the health room with a concern to be returned back to their designated class of learning. Our nurses were greatly impacted and involved with the H1N1 virus within our community this spring. Our community health nurses followed not only the MDPH protocols but also consistently contacted families who had children absent for 2 days to determine reason for absence and provided education and support to families regarding flu like illness throughout May and June of 2009.

BOH Health Statistics as of June 30, 2009

Communicable Diseases reported to the Board of Health:

Babeosis	1
Campylobacter	1
Chicken pox	2
Class B Tuberculosis	1
Erlchiosis	2
Giardia	6
Group A strep	1
Hemophilus Influenza	1
Hepatitis	5
H1N1	9
Human Granulocytic Anaplasmosis	1

Latent Tuberculosis	1	Mumps (ruled out)	1
Legionellosis	2	Pertusis	1
Listeriosis	1	Salmonella	4
Lyme Disease	54	Shiga toxin	1
Menigitis (viral)	1		

Public Health Nursing Services

Our Public Health Nursing focus is around prevention in decreasing disease transmission and the development or progression of health conditions that impact our residents and overall health of the community. The Public Health Program covers a broad range of services to Wayland residents and includes the following:

- Monthly Blood Pressure Clinics: 276 BP screenings performed
- TB Screenings: 3 TB screenings performed
- Flu/Pneumo Vaccine Clinic Administrator: 476 Flu vaccines administered to residents
263 Flu vaccines administered to town/school employees
11 Pneumococcal vaccines administered
- Mass Department of Public Health Vaccine Administrator/Provider
- Oversees Medicare Reimbursement Program
- Follow-up of Mass Department of Public Health reportable communicable diseases:
96 Communicable Diseases Reported to BOH
- Health education and community service programs
- Health inspections and health related education to summer camp programs: 14 onsite visits made
- Collaboration with Region 4A emergency preparedness activities
- Massachusetts Department of Public Health Emergency Preparedness deliverables
- Medical Reserve Corps Coordinator

Landfill Division

The Landfill Division continued to provide comprehensive solid waste services to the residents of the Town. Approximately 2,369 tons of solid waste were collected and transferred to the Waste-to-Energy in Millbury Massachusetts. Residents also recycled 999.29 tons of paper, 97.25 tons of glass, 140.64 tons of co-mingled plastic, tin and aluminum; 12.91 tons of plastic bags, 154.34 tons of scrap metal and 1,480 gallons of waste oil. We provided recycling options for electronic equipment such as computers and televisions, waste oil and anti-freeze and brush and yard waste. Brush was chipped and the chips used by other Town departments.

On July 1, 2009, the Town began a Pay-As-You-Throw (PAYT) program for household trash. Users of the Transfer Station are required to have their household trash in special Town of Wayland orange trash bags. This program is designed to encourage recycling and reduce the amount of trash saving the Town money on disposal costs.

The Division has begun the process to cap the remaining portion of the Landfill and explore options for renewable energy using the Landfill. With a grant

from the Massachusetts Technology Collaborative, the Town hired Brown and Caldwell consultant to explore the potential of capturing the methane gas and converting it into electricity to provide all of the electricity needs for the transfer station. The report is being reviewed by the Town’s energy Committee as well as any other potential renewable options such as solar and wind.

Animal Inspector

Animal Inspector Bruce Sweeney provided annual inspections for animal keeping permits in the Town. The following is a summary of the animal inspections for FY09:

Horses	17
Ponies	2
Sheep	5
Goats	3
Swine	2
Cattle	71
Donkeys	2
Llamas	2

Animal Control Officer

Animal Control Officer David Poirier responded to requests from the Police Department and the Board of Health regarding problem animal reports on public or private property, and for the collection and disposal of dead animals on public property.

BOH Statistics as of June 30, 2009

Animal Keeping	23
Burial	113
Disposal Works Construction:	
New	19
Repair	38
Alterations	34
Abandoned systems	3
Review of Previously Approved Plans	19
Variance Requests	4
Food Service Establishments	30
Limited Food Service	17
Milk & Cream	38
Retail Food	7
Limited Retail Food	17
Funeral Director	1
Guest House	1
Operating Semi-Public Pool	11
Pool Construction	4
Pool Installer	3
Recreational Camps for Children	6
Refuse Collection	23
Septage Hauler	47
Tobacco Sales	14
Wastewater Treatment Plant	7
Private Well	9

In addition, 160 residents participated in the two Household Hazardous Waste Collection Days sponsored by the Board of Health.

HUMAN RELATIONS SERVICES, INC.

The Human Relations Service (HRS), a private, non-profit community mental health agency, has been the Town's provider of mental health services since FY97. During FY09, HRS provided 1,044 total service hours to Wayland residents. Of the total service hours, 930 hours were for direct clinical service to clients (diagnostic, testing, individual, group or family therapy). Of this, 430 hours were provided to students in the Wayland Public Schools who were seen in connection with their special education plans, and 500 hours were provided to other residents of the town. (This latter group did not

come to us through the schools. Any Wayland resident is eligible for service at HRS, and a sliding self-pay fee scale is available to those who qualify.) In addition, we provided 114 hours of consultation to school staff about their work with students, both those with special education plans and others. This combination of treatment and consultation is an ideal way to both meet students' needs and avoid the dislocation and expense of residential and other special programs.

As we have noted in past reports, the severity of the presenting problems for which families and the schools have sought help has risen in Wayland as in the other communities HRS serves. As expectations rise and uncertainty spreads, there is continuing stress on children and families, leading to emotional and behavioral problems at home and at school. The controversy surrounding the realignment of the Wayland Schools also contributed to increased parental anxiety this past year. As in the past, HRS' strong relationship with the Schools helped us to support guidance counselors and others, and to provide intervention sooner when problems get beyond their purview.

HRS' Board of Trustees includes an active group of Wayland residents who support our agency with their time, energy, donations and insights. (Our current Board President is Wayland resident Stephen Winthrop). These trustees also help us keep in mind the needs and issues facing Wayland. HRS staff will also continue to support the community through lectures and workshops on a variety of topics of interest to parents and teachers.

We look forward to our work in Wayland in FY10 and would welcome the chance to present our work to you, share our perceptions of community issues, and to hear your concerns.

EAST MIDDLESEX MOSQUITO CONTROL PROJECT

The East Middlesex Mosquito Control Project conducts a program in Wayland consisting of mosquito surveillance, larval mosquito control and public education.

Frequent rains during the 2008 summer produced 3 major broods of floodwater mosquitoes. Following numerous West Nile Virus (WNV) isolations in the region, including 1 WNV isolation for mosquitoes collected in Wayland, the Mass. Dept. of Public

health determined that there was a high WNV risk during August and September 2008. Heavy rains again in June 2009 produced a mid summer brood of floodwater mosquitoes.

The adult mosquito surveillance program used traps to collect mosquitoes from as many as 3 Wayland locations per night. Data was compiled from 11 mosquito trap collections from 5 different nights. Selected trap collections were tested for WNV and Eastern Equine Encephalitis (EEE) by the Mass. Dept. of Public Health.

The larval mosquito control program relied on the larvicides Bacillus thuringiensis var. israelensis (Bti) and methoprene, which are classified by the EPA as relatively non-toxic. An April 2009 helicopter application of Bti controlled mosquito larvae at 136 wetland acres. Field crews using portable sprayers applied Bti in the spring and the summer to 31 wetland acres when high densities of mosquito larvae were found in stagnant water. Mosquito Control Project personnel applied time-release packets containing methoprene to control Culex mosquito larvae at 2,308 roadside catchbasins. Culex mosquitoes are considered the primary vectors of WNV.

The Project's public education program is designed to develop awareness within the public and the private sectors as to their roles in mosquito control. The Project serves as a resource to residents, municipal officials, and the local media in mosquitoes and mosquito borne diseases. A web page, www.town.sudbury.ma.us/services/health/emmpc, provides residents with information on mosquitoes, control programs and related topics.

Board of Health Members:

Chair, Arnold Soslow, M.D.,
Anna Ludwig
Michael B. Wegerbauer
Mark I. Neuman, M.D., M.P.H.
Michael J. Bean, M.D.

Respectfully submitted,
Steven Calichman, R.S. C.H.O.
Director of Public Health

INSPECTION/BUILDING DEPARTMENT

The Building Department staff administers and enforces all applicable state and local regulations (Town By-laws, Zoning By-laws, Massachusetts General Laws, Massachusetts State Building Code, etc.), for all properties within the Town.

As mandated by Town By-laws and Massachusetts General Law the Building Department administers and enforces the following:

The construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance, and revocation of permits or licenses, installation of equipment, classification, and definition of any building or structure, use and occupancy of all buildings and structures or parts thereof;

The rehabilitation and maintenance of existing buildings;

The standards or requirements for materials to be used in connection therewith, including but not limited to, provisions for safety, ingress and egress, energy conservation, and sanitary conditions;

Interpretation and enforcement of the Town of Wayland Zoning By-law; and enforcement of certain provisions of the Town of Wayland Town By-laws. Administrative liaison to the Zoning Board of Appeals;

Administrator and keeper of all records, plans, etc. that pertain to the above responsibilities;

Periodically inspect and certify buildings and structures or parts thereof with regard to use as required by the Commonwealth of Massachusetts.

On a daily basis, the Building Department serves the residents, business owners, and contractors within the community by processing numerous permit and zoning applications, issuing permits, performing periodic state inspections, conducting site visits, investigating complaints and granting certificates of use and occupancy. Department staff maintains communication with applicable land use departments to better serve its users and expedite the permit approval process.

We continue to perform the necessary on site inspections required by state and local regulations, respond to and investigate complaints in regard to zoning enforcement and building construction.

The following is a list of major projects within the Town of Wayland that are in process or have been completed over the past year:

57 Main St -T D Bank – New 3,000 square foot bank under construction.

264 Old Connecticut Path – High School Field House – Finished the renovation/reconstruction of the basketball court and bleachers.

53 Cochituate Road - Trinitarian Church - Completed the expansion of the existing hall and classroom facility.

Nike Site - Completed construction and issued certificates of occupancy for 16 affordable attached single family dwelling units.

Baldwin Pond Water Treatment Facility - Commenced construction of \$6 million state of the art water treatment facility.

Single Family Dwellings - Construction of 7 Single Family Dwellings

The Building Department continues to insure the public safety, health and welfare of the residents of the Town of Wayland, as they are affected by building construction.

The following fees were collected for FY'09:

Building Permits:	
Number of Permits:	567
Fees	\$ 327,000.00
Plumbing Permits:	
Number of Permits:	265
Fees	\$ 17,769.00
Gas Permits:	
Number of Permits	240
Fees	\$ 11,573.00
Electrical Permits:	
Number of Permits	429
Fees	\$ 42,318.00
Zoning Cases:	
Number of Decisions	43
Fees	\$ 6,975.00

BOARD OF ROAD COMMISSIONERS

The Board of Road Commissioners has exclusive jurisdiction over public ways and sidewalks. It is responsible for overseeing the operations of the Highway Department in: maintaining, repairing, and constructing all Town roads, sidewalks, bridges, and associated drainage facilities; snow and ice operations; fleet maintenance; and procurement of services for major projects and equipment.

In FY 2009, the Highway Department reconstructed 2.72 miles of roadway and associated drainage facilities on: Glezen Lane East, Winter Street, Center Street, South Street, Bradford Street, Deer Run Road, Bridle Path and Poets Path. In addition, the Highway Department completed its annual program of sealing cracks on road surfaces to forestall roadway deterioration and cleaned catch basins throughout Town.

In FY 2009, the Department received 235 permit applications for street/sidewalk openings and trench permits and also received 5 physical alteration permit applications for installation of or changes to curbs, sidewalks, driveway and road openings, and drainage. On most roadways, the Town owns land on either side of the road, well beyond the edge of the pavement. The town retains this land so that it can be used to store snow that is cleared from the road surface, for placement of underground and above ground utilities, for storage of materials during roadway construction projects, for road widening, installation of sidewalks, and for other municipal purposes. Placement of underground sprinklers, plantings, or structures (e.g., walls and fences) in the unpaved portion of the town’s roadway layout can interfere with municipal services and impair sight lines for vehicles exiting driveways. With increased development and traffic in Town, the Board of Road Commissioners and the Highway Department have more aggressively sought to curtail private use of the unpaved portion of the Town’s roadway layout.

In FY 2009, the Department responded to 21 winter storms and intermittent icing conditions and kept our roads clear and passable.

Prior to the opening of school, the Department painted crosswalks in all school zones. During a five-month period in the spring, it completed sweeping of public ways in the entire Town. And, the Department responded to 243 residents’ requests

for service for items such as repair of potholes, grading of private ways, additional snow clearing along the rights-of-way, clearing of brush at the sides of public ways, and maintenance of street signs.

From monies specifically approved by Town Meeting, the Highway Department purchased a new 10-ton dump truck with snow and ice equipment; and received a report from the engineering consulting firm retained in FY 2008 to assess options for mitigating flooding along the Heard Pond portion of Pelham Island Road. The Board of Road Commissioners held a public meeting during which the consultant TEC Inc. presented possible options and order of magnitude cost estimates for implementing the various flood mitigation measures.

In connection with the so-called "Town Center Project," a proposed 372,500 square foot mixed-use project on the former Raytheon property on Route 20, the Board of Road Commissioners continued to work with the Town's traffic consultant to review traffic studies and assess roadway reconfiguration proposals for Town roads. The Board of Road Commissioners, along with the Board of Selectmen, Planning Board, and the project developer, entered into an agreement in settlement of a law suit brought by a group of residents concerned about neighborhood traffic impacts from the proposed new development. Thereafter, the Board of Road Commissioners held a public hearing pursuant to § 158-3 of the Code of the Town of Wayland concerning the placement of new pavement in the Wayland Center area of Boston Post Road/Cochituate Road/Old Sudbury Road/Concord Road (Routes 20/27/126) and subsequently granted the developer a permit to complete the proposed roadway work.

In addition, the Board of Road Commissioners continued to work with the Police Chief in: establishing traffic safety measures to reduce speeding within local neighborhoods throughout Town, and to reduce on-street parking of large commercial vehicles. The Board installed temporary, removable speed bumps on the western end of Glezen Lane and on the Boston Post Road (Route 20) end of Plain Road. It has also undertaken traffic calming measures on some other local streets. The Board hired the firm of Camp, Dresser and McKee to design roadway improvements for the Main Street at Commonwealth Road (Routes 27/30) intersection in Cochituate that will improve safety and operating efficiency. The project was placed on the MassHighway Department Transportation

Improvement Project List and is eligible for state funding.

The November 2007 Special Town Meeting approved an article to create a Department of Public Works by combining the Highway Department with park, water and transfer station operations. The new consolidated department will commence operations in FY 2010 and the Board of Road Commissioners will be replaced by a new Board of Public Works. The members of the Road Commission would like to express their sincere gratitude for the exemplary leadership of Stephen Kadlik, Director of Highway Operations, for the past nine years.

WATER COMMISSION

The Wayland Water Department was created by a vote of Town Meeting in April 1878 "to supply itself and its inhabitants with pure water". This mandate given by the Town includes complying with all federal and state regulations and maintaining a water system that includes 8 wells, 101 miles of water mains, 755 fire hydrants and two water storage tanks that together hold 2,500,000 gallons of water. On July 1st 2009 the Water Department was merged into the newly created Department of Public Works. The merger of the Department into the DPW will enhance communications between the departments and improve our customer service.

In June 2008 construction began on a new Water Filtration Plant with a capacity of 1.2mgd (million gallons per day). Construction is currently approximately 95% complete and is scheduled for completion in November of 2009. The Water Division will begin the operation of the plant immediately upon construction completion and performance testing.

Several improvements have been made to our wells over the course of the year. Campbell well has been outfitted with a Variable Frequency Drive. The Drive allows the well to start and stop slowly. This ramping effect provides less of a shock to the system when the well starts and conserves electricity at the same time. Campbell Well was also outfitted with a new and more efficient Fluoride saturator.

Chamberlain Well has gone through a complete well cleaning and pump rebuild. Currently the division has contracted the installation of an energy saving Variable Frequency Drive at this location also.

The Wayland DPW Water Division is committed to providing our customers with high quality drinking water that meets or surpasses state and federal standards for water quality and safety. We closely monitor on a daily basis, our water system pH levels along with Chlorine concentrations and system Fluoride levels. We sample our water at our sources for possible contaminants and also the distribution system at a variety of sample points. In 2009 the Water Division Staff collected over eleven hundred water samples, all of which complied with Federal and State Drinking Water Standards and The Safe Drinking Water Act. The addition of the new Water Treatment Facility at Baldwin Pond will not only improve the quality of water at this source, but will ensure the safety of it for years to come.

WELLHEAD PROTECTION

The Wellhead Protection Committee (WPC) was formed in 2007 to “develop, maintain, and oversee the Wellhead Protection Plan and ensure that every effort is made to carry out its details...; encourage community discussion through public outreach and education; develop strategies needed to protect our water supply in accordance with the Massachusetts Department of Environmental Protection’s Source Water Assessment and Protection (SWAP) report and other pertinent information; advise the Board of Water Commissioners (successor Department of Public Works) and make recommendations regarding wellhead protection issues; and support ongoing source protection efforts.”

The initial phase of the WPC’s first major project was to oversee a groundwater capture zone analysis of the town’s eight existing wells. As part of the second phase, the Happy Hollow wells were identified for further study due to water quality protection concerns, and monitoring wells were installed. The project is scheduled for completion in fall or winter 2009.

As part of its educational efforts, the WPC co-sponsored a Drinking Water Forum with the League of Women Voters in April 2009 which has been rebroadcast by WayCAM. The topics of discussion were: who owns Wayland’s water; where does Wayland’s water come from; and how can we use water more wisely? In June WPC members attended the University of New Hampshire Stormwater Center workshop to learn about the planning, design, and

implementation of stormwater management strategies to protect well source waters.

As part of its conservation efforts, the WPC sent informational letters to the top tier water users with tips to reduce outdoor usage. It also co-sponsored the Organic Demonstration Lawn at Mellen Green, a prime example of smart lawnkeeping.

The WPC has submitted its draft Wellhead Protection Plan for the town’s wells to the DPW and plans to formalize the long-range planning document for submission to DEP.

SURFACE WATER QUALITY COMMITTEE

The Mission Statement of the Surface Water Quality Committee is to manage the quality of Wayland’s surface water assets.

Organizational

Linwood Bradford joined Toni Moores, Bob Goldsmith, Tom Largy, and Mike Lowery on the committee.

The annual budget of \$40,000 was used to manage milfoil in Dudley Pond and water chestnuts in Heard Pond.

Remaining CPA funds from a prior year were used in a cost-shared program with MA DCR and the Town of Framingham for milfoil management in North Pond of Lake Cochituate.

Dudley Pond (Mike Lowery, project coordinator) 2008 Fluridone Treatment: A successful fluridone (herbicide) treatment by Aquatic Control Technologies (ACT) saw Dudley Pond milfoil-free.

Circulator Experiment: Fall 2008 and summer 2009 SWQC continued its experimental data gathering around the solar-powered water circulators and a control area. Little difference in water chemistry or milfoil counts has been noted, although the circulated region remained largely milfoil-free in 2009.

Hand Pulling – Fall 2008: After herbicide treatment, SWQC organized hand-pulling of 6000 milfoil root crowns, the start of a commitment to our Conservation Commission for aggressive hand pulling.



Happy Fishermen – Heard Pond



Taking Back North Pond of Lake Cochituate



Ready to Leap into Dudley Pond

Hand Pulling – Spring/Summer 2009: As anticipated, milfoil returned to Dudley Pond, especially in three “hot spots.” SWQC organized a systematic program of surveying, monitoring, and

marking sightings, and divers and snorkelers hand pulled the areas. Through September, 2009, over 9000 plants have been removed – some large, most small. The Dudley Pond Association has provided 25% cost sharing of milfoil removal efforts.

A Great 2009 Summer: Canoes, kayaks, small fishing boats, and swimmers abounded on Dudley Pond this summer. Herons, gulls, ducks, swans, hawks, turtles large and small, and fish all share our urban jewel.

Heard Pond (Tom Largy, project coordinator)
The results for the ongoing SWQC Heard Pond Water Chestnut Control Project by Lycott Environmental, Inc. were outstanding for the 2009 season. 54,750 plants were harvested, a harvest rate of 99.998%, based on an end of season survey. In 2003, 1,200,000 lbs. of water chestnuts were mechanically harvested; by 2009 a mostly hand-pulling operation resulted in just 6,650 lbs harvested. Heard Pond is an easily-accessible bit of wilderness in Wayland, entirely surrounded by open land and enjoyed by nature lovers, fishermen, canoeists, kayakers and all kinds of mammal, aquatic, bird and native plant species. Eagles and great blue herons are commonly seen on the pond and the fish population is excellent.

North Pond of Lake Cochituate (Mike Lowery, project coordinator)
During winter 2008, SWQC built consensus with Framingham and successfully applied to DCR for a Partnership Grant having 2-to-1 matching. DCR provided \$44,000 for an herbicide and physical control program. Wayland contributed \$11,000. Lycott Environmental successfully treated with the spot herbicides triclopyr and diquat dibromide under DCR management.

A barrier net at the Rt. 30 tunnel entrance to North Pond was deployed to catch incoming milfoil fragments. The project was a great success, removing milfoil and selectively encouraging native plants, and the MetroWest Daily news proclaimed “The Lake is Back!” in colorful, first-page coverage.

Watershed Nutrients – Nutrients consisting of nitrogen and phosphorus compounds from surface water runoff and septic systems stimulate the growth of weeds. A program to minimize the mass of these nutrients entering water bodies within critical watersheds is actively being pursued by Surface Water Quality Committee.

PARKS AND RECREATION COMMISSION

The Mission of the Wayland Park and Recreation Department is to provide programs, facilities and services designed to enhance individual and community values of physical, social, creative, cultural, and intellectual growth and development. Our contributions are measured by community participation.

The Wayland Parks and Recreation Department is organized into four divisions: Recreation, Parks, Cemetery, and Forestry. Each division is committed to customer service – creating and maintaining the highest quality of service within a framework of fiscal responsibility that relies on efficient utilization of community resources, citizen involvement, and collaboration within the community.

Park and Recreation completely renovated Bennett field this year including the addition of an independent well-fed state of the art underground drip irrigation system. This pristine field will enhance our current field offerings to meet the needs of our high demand sport teams. The Park and Recreation Department also installed new lighting at Cochituate Field and renovated some grass areas at

Lakeview Cemetery. In late the spring the department also planted 19 new ROW trees for the enjoyment of our residents.

The Recreation Department works hard to add expanded enrichment programming for our community. We reach far beyond sports including science, technology, arts, theatre, and family events. We continue to work with swim team organizations to keep the pool open on a rental basis. The Park Department continues to work hard managing and maintaining over 200 acres in Wayland including all school grounds, more than 26 athletic fields, town buildings' lawns, the Town Beach, playgrounds including school playgrounds, and miscellaneous parkland. Parks is responsible for the removal of snow for 1/3 of the Town. Parks' responsibilities include the care and maintenance of over 200 miles of roadside Town owned trees. Park oversees 3 Town Cemeteries.

The Recreation Department's budget is unique. No tax dollars support the Recreation Department. Recreation administrative staff salaries and benefits are totally financed by fees collected from programs



A pensive young girl stands on the bumper of the Town's fire truck at the 2008 Touch a Truck Event.

and Beach tag sales. Over 4,500 residents participated in 410 programs in fiscal year 2009. Recreation is also responsible for running the beach where over 10,000 attended this summer. The popular annual Touch a Truck event attracted over 1,500 people in September 2008. Fundraising is a vital part of this free event, and local business responded generously as sponsors. Staff submitted grant proposals this year, and we were awarded a grant from the Local Arts Cultural Council for our annual science/nature night to run a program called The Magic of Communication. We also received a grant from the Wayland Parents' and Children's Association for curriculum enhancement for the Beach Buddies program and a grant from USA Archery to allow us to purchase equipment to expand our archery offerings.

Our programming is more varied for preschool to adults than the typical recreation department. Science is a focus of the department offering many science related courses, i.e. Club Invention, Girls' Science Club, Rocketry, Robotics, Web Page, Have Fun with

I Life, Top Secret Science, Mad Science, Forensic Detectives, and more. A sample of our arts programs are Musical Theater, Wheel-thrown Pottery, Clay, Hip Hop Dance, Watercolors, Art Experience for Tots, Drawing and Painting, Woodworking. Non-traditional sports such as Fencing, Horseback Riding, Archery, Track & Field, Adventure Camps, Kayaking, Cross Country Skiing, and Sailing are combined with the traditional sports to keep our population active.

Many residents take advantage of our Special Annual Events, such as the Family Science Night, Father Daughter Valentine's Dance, Fashion Show and Tea, Fun Days at the Beach, Halloween Parade, Musical Instrument Petting Zoo, Princess Coronation Tea, Fishing Derby, Spring Egg Hunt, Father's Day Orienteering, and more.

The Parks and Recreation Commission for the fiscal year of 2009 are Stas Gayshan, Anna Meliones, Phyllis Thomason, Bob Virzi and Brud Wright.

WASTEWATER MANAGEMENT DISTRICT COMMISSION

The Wayland Wastewater Management District Commission was approved by Town Meeting and established by the Massachusetts Legislature under Chapter 461 of the Acts of 1996. In 1999, the Town of Wayland acquired a wastewater treatment plant located on former Raytheon property at 400 – 440 Boston Post Road. The plant had been constructed by Raytheon to provide wastewater services for the Raytheon property. The Commission constructed a sewer line along Route 20 from the intersection of Route 27 to the treatment plant. Treated wastewater is discharged to the wetlands of the Sudbury River. Businesses and residents in the area were invited to connect to the sewer line. A total of 39 properties accepted the invitation to join the system. Eight properties including the Wayland Town Building have joined but have not connected. The Public Safety Building is connected to the system. The system operates under a permit issued jointly by the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. A new draft permit was issued in September 2008. The issuance of this draft permit was appealed by the Department of the Interior and by a Sudbury resident. The main objective of the appeal was to decrease the amount of phosphorus permitted in the discharged treated wastewater.

A requirement of Chapter 461 is that the Commission and the sewer system be self-sustaining. Wayland tax funds are not used. Chapter 461 states that consumers of the services of the system must pay their fair share of the cost. The cost of operating, maintaining, and upgrading the system is financed by user charges consisting of betterment assessments, privilege fees, and user fees. Betterment assessments may be paid over terms up to 20 years. Privilege fees must be paid prior to connecting to the system. User fees, which are billed quarterly, are based on winter water usage or on 20 % of the capacity allocated to the property whichever is greater. The Commission's budget is reviewed by the Finance Committee and approved by Town Meeting. If a surplus is realized, it is retained by the Commission and used for capital improvements, for system maintenance, or to pay for deficits. In FY2009, Commission income was \$177,441.16 and expenses were \$227,478.16 for a deficit of \$50,037.00. The Commission's bank balance as of June 30, 2009 was \$1,387,902.35 consisting of a loan of \$1,000,000 and Retained Earnings of \$387,902.35.

The Commission's treatment plant treated and discharged an average of approximately 10,000 gallons of wastewater per day. The discharged

wastewater complied with all applicable Federal and State regulations. The Commission is planning to build a new wastewater treatment plant to process wastewater from the Town Center project and to comply with the requirements of the new permit. Town Meeting has approved a total budget of \$5.6 million for the new plant. The design of the new plant was 90 % complete at the end of FY2009. The construction schedule has not been established.

The members of the Commission in FY2009 were Chairman David A. Schofield, member Frederick K. Knight, and Executive Director William R. Prendergast. There was one vacancy.

William R. Prendergast

PUBLIC SAFETY

FIRE DEPARTMENT

Your fire department responded to a total of 3,105 calls for service during fiscal year 2009. As in past years, medical emergencies accounted for the greatest demand for emergency services with 966 ambulance runs during the past twelve months. Fortunately our fire losses were less than previous years with a total of 35 fires reported in the community, 12 of these incidents were listed as serious structure fires requiring the assistance of both off duty personnel and mutual aid. This year we had an estimated loss of \$ 683,000 in real and personal property. I am pleased to report that these numbers represent a decrease from past years.

Fortunately, there was no loss of life or serious injury by fire during that same period. I believe that our success in dropping our fire losses is directly attributable to our ongoing efforts in the areas of fire prevention, code enforcement and public fire safety education. During the past year your Firefighters completed 579 code compliance and building safety inspections. In addition, a total of 40 public safety education presentations were made to the both our school children and adults throughout the community. This past year we were grateful to have the assistance of the Wayland Cub Scouts partnering with us to start an “adopt a fire hydrant” safety program.

I am very pleased to announce, that, with the support of town meeting, the Wayland Fire Department has been authorized to begin delivery of Advanced Life Support Services during the critical hours of 7:00 AM –3:00 PM daily. We are currently on target to start this service in October of 2009.

As I have been reporting to you since 2003 our ability to provide pre-hospital paramedic services in a timely and professional manner continues to be compromised by a number of factors. Six years after Leonard Morse Hospital discontinued their paramedic unit this community is still forced to rely on the availability of non-dedicated paramedic units, dispatched from as far away as Newton or Waltham. And while North Wayland is served by Emerson Hospital, that service recently shut down one of its two paramedic response units leaving only one team to cover 13 communities. Additionally, Emerson has

announced its intentions to withdraw from providing this service after September 2010.

After an extensive study of those incidents in which paramedic services either were not available or could not respond in a timely manner to calls within Wayland, the Wayland A.L.S. Study Committee found that 54% of those calls were occurring during the same period that the non dedicated services were least likely to be available. A proposal to staff a supplemental paramedic intercept team was brought forth to the selectmen, finance committee and ultimately to town meeting.

With the start up of our Advanced Life Support Service, expected this fall, our department will now have a team of paramedics available to respond to those calls that require pre-hospital advanced life support during those most high demand hours. Our services will also be available to the surrounding communities of Lincoln, Sudbury and Weston as part of a regional approach to providing a critically needed service in a cost effective manner. It is important to note that much of the start-up costs of this program were made possible by the generosity of the Metro West Medical Centers which provided the Town of Wayland with \$37,000 in funds and professional services to help start this service.



During the past year, Ms. Gale McNiff reassigned her position as Chair of the town’s Local Emergency Planning Committee. After the events of September 11th 2001, Gale took the lead in a number of initiatives to insure that our community was better prepared to face any potential natural or manmade

disaster. Gale's dedication and devotion to every aspect of public safety and emergency preparedness was truly above and beyond and will be greatly missed by our department. We look forward to working with our new Chairperson Douglas Leard as we continue to improve our emergency management capabilities.

Our department has partnered with both the town's Citizens Emergency Response Team and medical reserve Corp to as we consider ourselves to be an "all hazards" emergency response agency I want to public thank all those that have volunteered to assist our community by offering their support in times of greatest need. Without the support of these citizen volunteers Wayland would not be able to enjoy its present level of emergency preparedness.

INVENTORY OF ALL FIRE DEPARTMENT MOTOR VEHICLE APPARATUS

1,250 gallon per minute pumping engine	Engine 1	E-One	1997
1,250 gallon per minute pumping engine	Engine 2	E-One	2004
1,250 gallon per minute pumping engine	Engine 3	Pierce	2007
1,000 gallon per minute pumping engine	Engine 4	E-One	1983
1,250 GPM pump with a 75- foot aerial	Ladder 1	E-One	1993
250 GPM pump mounted on pick-up	Forestry1	Ford	1997
Ambulance, primary	A-1	Ford	2005
Ambulance, reserve	A-2	Ford	1999
Chief's car	Car 1	Ford	2004
Shift commanders vehicle	Car 2	Ford	2008
Pick-up truck w/ utility body	Car 3	Ford	1997
Fire Inspector's car	Car 4	Ford	2003
Fire alarm repair truck	M-1	Ford	2005

PROPERTY DAMAGE 5 YEAR COMPARISON

2004/2005	\$ 224,000
2005/2006	\$ 356,000
2006/2007	\$ 383,000
2007/2008	\$ 875,000
2208/2009	\$ 683,000

TOTAL INCIDENTS (emergencies and calls for service) 5 YEAR COMPARISON

2004/2005	3,317
2005/2006	3,232
2006/2007	3,196
2007/2008	3,099
2008/2009	3,105

CLASSIFICATION OF INCIDENTS 2008/2009

Fire Emergencies	308
Medical Emergencies	966
Other Emergency services	422
Motor Vehicle Accidents	84
Hazardous Conditions	252
Fire Alarm System Work	303
Inspections	579
Public Education	40
Training Sessions	151
TOTAL INCIDENTS	3,105

POLICE DEPARTMENT

On September 10th, 2008, the police department added one new officer, Tyler A. Castagno. Officer Castagno most recently served as a dispatcher with the Wayland Joint Communications Center and was a member of the Wayland Police Auxiliary. He was previously employed by the Newton-Wellesley Hospital as a Security Officer. Officer Castagno graduated from the Massachusetts Bay Transit Authority Police Academy on February 25th. A lifelong Wayland resident, Officer Castagno attended Wayland Public Schools and went to a private high school. He has since earned a Bachelors Degree in Criminal Justice from Curry College.

During the fiscal year, the police department was again successful in obtaining funds through several grant opportunities, such as the Governor's Highway Safety Bureau's, "Click It or Ticket", "Road Respect", and "Over the Limit, Under Arrest" campaigns. The department received funds from the G.H.S.B. to purchase a \$3,000, handheld, LIDAR unit for speed enforcement. In addition, the police department obtained a number of items and funds for several programs through the Executive Office of Public Safety's Community Policing Grant. This grant makes it possible for the police department to

operate the Bicycle Patrol, engage in community policing patrols, and provide specialized Rape, Aggression, Defense training to teenage girls. The department also was awarded a pair of gyroscopic binoculars during the fiscal year. Obtained through the Department of Homeland Security's Commercial Equipment Direct Assistance Program, the binoculars can be used for surveillance or search and rescue. Also during the year, the department was notified that we were awarded a \$5,000 grant as part of the 2009 Underage Alcohol Enforcement Grant Program. This program provided overtime funds for enforcement of underage alcohol laws through activities such as compliance checks, reverse stings, party patrols, surveillance patrols and cops in shops. The Executive Office of Public Safety and Security issued a total of 94 grants statewide.

During the fiscal year, the police department was notified that we had placed second for municipal police departments in the 2008 Massachusetts Law Enforcement Challenge. The Massachusetts Executive Office of Public Safety and Security sponsors this award, with support from the Massachusetts Chiefs of Police Association. It is



Chief Robert Irving, Sergeant Thomas Galvin and Officer Mark Wilkins receive the second place award for municipal police departments at the award ceremony for the Law Enforcement Challenge in Marlborough on June 8, 2009."

based on efforts in communities to curb motor vehicle accidents and uses a number of criteria to evaluate the department's motor vehicle enforcement efforts. Data from 2007 was used to assess the Wayland Police Department's efforts in speed enforcement, O.U.I. enforcement, safety belt usage, and overall enforcement activity.

Total crashes decreased by 7% from 2006 to 2007. The safety belt use rate was determined to be 87% by December of 2007. The department's Community Services Officer, Mark Wilkins, completed the application for the Law Enforcement Challenge. At an award ceremony on June 8, 2009 the department was presented a plaque and received a permanent speed monitoring sign valued at \$3,000 that will be placed on Route #27 near the Wayland Middle School driveway.

In fiscal year 2009, the police department continued its effort to curb the accident rate in our town by enforcing motor vehicle laws, and working with the Wayland Highway Department to insure that roads are well maintained and have appropriate regulatory and warning signs. The department was involved in creating a new drop-off/pick-up plan for students attending Claypit Hill School and completed applications for speed zoning on Plain Road, Glen Road and Old Connecticut Path. There was a small overall decrease in the number of motor vehicle traffic crashes during the fiscal year. In fiscal year 2008, there were 264 traffic crashes investigated by the Wayland Police Department. In fiscal year 2009 there were 248 investigations of accidents, a decrease of 6%. Sadly, there were two traffic fatalities on Wayland roads in fiscal year 2009. One pedestrian was killed while crossing West Plain Street on September 4th, 2008 and an operator of a vehicle was killed in a two car head-on collision on Route #27 on April 4th, 2009.

The Wayland Police Department maintained a vigorous training program during fiscal year 2009. All officers received firearms training and qualifications and attended the police in-service training. Individual officers attended specialized training in subjects such as; Sexual Assault Investigator School, F.B.I. Regional Training for Analysis of Violent Crime, Buccal DNA Collection Training, Crime Scene Video and Photography, Behaviors Attitudes and Techniques for Building Partnerships, 5th Annual Women's Law Enforcement Conference, F.B.I. 50th Annual New England Chapter National Academy Training Conference,

Suicide Terror and the Threat of Explosives, Sexual Violence in Schools Seminar, Rapid Response to the Active Shooter, District Attorney's Annual Training, Underage Drinking and Alcohol Seminar, Breathalyzer Instructor Re-Certification, Mobile Phone Certification Training, Street Survival Seminar, Ground Defense for Police Officers, Getting a Grip on Grants, Anti-Terrorism Conference, Firearms Instructor Re-Certification, Child Abduction Response Training, Southeast Asian Domestic Violence Training, Death Investigation Course, Statement Analysis Training, Police Prosecutor Training, Narcotics Enforcement Officers Conference, Electronic Evidence Collection, Police Emergency Vehicle Operation Course, Police Leadership Forum, Advanced Seizure – Network Environments Training, Workplace Harassment Training, and the Massachusetts Association for Women in Law Enforcement Seminar.

During the past fiscal year there were 12,623 total incidents recorded by the department.

AUXILIARY POLICE



⊕ Ride Along Program

This program is a continuing training program with the Wayland Police Department. An Auxiliary Officer voluntarily signs up to ride as a second officer in a Regular

Patrol Unit. During the patrol, the Auxiliary Officer learns how to put into practice the training they have received in Monthly Training Meetings, In-service Training and from regular Officers. This provides the Town with a two-man patrol unit. On many occasions the presence of a second Officer in the initial responding unit has been extremely beneficial. Also, as part of the Ride Along Program Auxiliary Officers participate in the GHSB YOU DRINK, YOU DRIVE, YOU LOSE Enforcement and Click-or-Ticket grant programs.

⊕ X-ray Unit

The X-ray unit is an element of the Auxiliary's used by the Police Department on special occasions, for patrolling the Town buildings, and as back up for Regular Patrol Units, if requested. This allows the Town to have three marked cruisers and one marked

two (2) Officer Auxiliary cruiser to provide more visibility to the public.

⊕ **Training**

The Wayland Auxiliary Police Department (WAPD) receives training through out the year to certify or recertify the Aux. Officers in First Responder, CPR/AED, collapsible baton, handcuffing, OC spray, firearms and the Use of Force Continuum. Each year during January and February the Aux. Officers receive thirty (30) hours of In-service Training in concurrence with the Framingham Auxiliary Police Department. The training is to comply with MPTC, State, Town and Department policies. Also the WAPD has had guest instructors from different departments and has certified instructors within its own ranks.

⊕ **Turnover Rate**

The Auxiliary Department has not had any of its Officers move to another Department. The Unit would like to welcome: Ofc Lisa Cronin, who has just completed the Academy, Ofc Mark Hebert, who is now attending the Academy, and Ofc Andrew Rokes, who is awaiting Academy.

⊕ **Special Thanks**

Thanks to Chief Robert Irving for the support and guidance in this program. Thanks to Officer Chris Hanlon, Auxiliary Police Commander, for volunteering his time to motivate, train and lead us. Thanks to all the regular officers of the Wayland Police Department that have participated in the Ride Along Program and have taken the time to enhance the Aux. Officers' knowledge by allowing Aux. Officers to ride along while they are on regular patrol. The Wayland Auxiliary Police Department (WAPD) would like to thank Cpt. Mark Speigle and the Framingham Auxiliary Police Department for inviting our Officers to take part in the annual In-service Training. Thanks also to all the families and loved ones who have sacrificed time and special days when the Auxiliary Police are called upon for duty.

Ride-a-long Duty

16 Tours of Duty
Total Hours 93

X-ray Patrol

22 Tours of Duty
Total Hours 188

Special Assignments

X-mas Lights	56
Memorial Day	18
Halloween/Cabbage Night	11
WPD Meeting	16
Special Olympics	11
Groton Road Race	24
Special	120

Candidate Interviews

36

Training Assignments

Monthly Meetings	356
Firearms Training	30
In-service Training	80

Total Donated Hours

1,015

Dollar value based on entry-level Police salary of \$24.01 per hour

\$24,370.15

DOG CONTROL OFFICER

TOTAL NUMBER CALLS HANDLED	1,104
# COMPLAINT CALLS	117
# LOST DOG CALLS	78
# ANIMAL/WILDLIFE CALLS	18
# (*) MISCELLANEOUS CALLS	729
TOTAL # DOGS PICKED UP	31
TOTAL # DOGS NOT CLAIMED (Sent to Humane Society)	3
TOTAL # BITE CALLS	3
TOTAL # QUARANTINE ORDERS ISSUED (Human Bite Quarantine Only; 2 dogs were involved with one bite)	4
TOTAL # CITATIONS/SUMMONS ISSUED	38
# NO LICENSE CITATIONS	12
# LEASH LAW VIOLATION CITATIONS	8
# OTHER OFFENSE	18
# COURT SUMMONS PROCESSED	2

(*) Examples of miscellaneous calls are questions relative to animals, wildlife, license questions, stray cat calls, etc.

COMMUNITY SERVICES

COUNCIL ON AGING

As the years quickly pass and families celebrate milestones like graduations, first jobs, career promotions, there is an acceptance of the aging process. The Wayland Council On Aging focuses on yet another chapter of life – creating opportunities and awareness of services that address the changing needs of residents 60 years of age and older. A rapidly growing number of residents have come to realize that the Wayland COA is a vital resource in this community. Whether you're a younger resident concerned about an older relative, or maybe a resident of any age experiencing tough financial times and seeking home energy assistance money, it is the Council On Aging that is contacted. Many Town residents 60 years of age or older have recently moved into Town after having downsized or relocated to live with their children. For those individuals, it is highly possible they knew no one in the community when they arrived. For other residents who live in Wayland, the ability and desire to travel to Boston for cultural/educational/social events is diminished due to transportation, financial or mobility concerns. Physical challenges for some residents necessitate additional help in the home. Others need assistance to decipher the Medicare maze, money management or housing alternatives. Some residents need either an advocate or someone to help them with the property tax relief process – be it deferral, circuit breakers or exemptions. Whether one has vast discretionary income or limited income, the COA provides private consultations as well as quality opportunities for the “60+” set to network at a variety of offerings: like courses taught by college professors, professionally catered luncheons with performance artists or health and well-being programs (Zumba, Tai Chi, Better Balance, Fit For The Future).

The latest census statistics indicate that the senior population has increased. In FY2008, 24% of Wayland's population was 60 years of age or older. In FY 2009, the number of Wayland residents in this age category increased to 25% (3400). In FY2009, the Council On Aging provided structured programs and support services to Wayland senior adults, their children, advocates and caregivers. The Council On Aging presented diversified programs including cultural, educational, recreational, social, and health

related offerings. COA support services included assistance to residents to promote independent living and counseling of seniors regarding health, legal, housing, financial concerns and other elder issues. During FY2009 direct information and referral via telephone/email contacts approximated 10,000. This figure does not reflect the numbers participating in daily structured programs. The COA continues to be Wayland's only certified agent for LIHEAP (low income home energy assistance program). Wayland residents of any age who meet LIHEAP guidelines are able to schedule an appointment with the COA outreach worker to complete the application process which takes approximately 2-3 hours. COA structured programming included classes in the arts, health and well being, lecture series, life long learning courses as well as course instruction for computers and digital photography.

In FY2009, the Council On Aging continued to coordinate the Property Tax Work-Off Program. The town level funded this program, providing \$22,000 to fund 44 tax work off slots. This program, passed by a vote at Town Meeting in 1996, provides senior homeowners aged 60 years or older, the opportunity to assist Town Departments. A participant's skill set is matched with a department's needs. In exchange for the hours worked, tax work-off participants receive \$500 applied directly toward their property tax bill.

The Council On Aging continued to oversee the provision of transportation to seniors and disabled of any age. The COA has historically outsourced the operation and dispatch of its handicapped accessible van. Effective January 2009, the MetroWest Regional Transit Authority (MWRTA) introduced direct service transportation services through their sub-contractors. For the first 6 months of FY2009 (July 1, 2008-Dec. 31, 2008) the operation of the COA van was outsourced to JFK Transportation. The MWRTA reimbursed the Town Of Wayland for that 6 month contract. The van operated Monday through Friday at 96% capacity. Further information on the MWRTA is outlined in the Transportation Committee Annual Report. With the termination of the JFK contract in January 2009, the Town retained the COA Van to supplement existing transportation

programs. The COA scheduled regular grocery shopping trips, service to election polls and town meeting as well as a variety of day trips.

The COA also continued to administer the medical taxi voucher program available to Wayland seniors and disabled. Riders are eligible to use discount vouchers to pay for taxi rides to medical appointments only. There is a contracted flat taxi rate to Boston hospitals. Friends In Service Helping (FISH) is an all-volunteer program that provided rides to medical appointments when riders had exhausted all other transportation options. The FISH program operates under the COA umbrella. Increasing fuel costs and heightened demand for transport to Boston hospitals challenged FISH services in FY2009.

Home Delivered Meals were provided by South Middlesex Opportunity Council (SMOC) for the first few months of FY2009. In Fall 2008, BayPath Elder Services assumed all administrative responsibilities for the Nutrition Program. BayPath maintained the 2 hour/day site manager at the Wayland COA to coordinate the Home Delivered Meal program. The Site Manager packages the hot meals which are delivered by a team of volunteer drivers to Wayland residents in need. Approximately 1000 meals were delivered by volunteers in FY2009.

Volunteerism is the lifeline to COA programs and services. An on-going team of approximately 150 residents made up the 2009 COA volunteer force. A few of the programs served by volunteers include Hot Line Reassurance, personal shoppers, home visitors, FISH, home delivered meal drivers, home fix it technicians, Children's Holiday Shoppe, and departmental office support.

Collaborative Efforts: In FY 2009, the Council On Aging worked with the Department of Public Safety, the Board of Health and the Local Emergency Planning Committee to provide such programs as Free Smoke Detector installations, the lock box program, flu clinics and other services to elders at risk. The Wayland Arts Center (adjacent to the Cochituate Fire Station) continued to be a COA cooperative project with the Wayland Parks and Recreation Department. The Council On Aging coordinated with the Wayland Library and Recreation departments to offer a variety of intergenerational programs. Through a community service project with Wayland Public Schools, high school students assisted elders in need by raking

leaves and shoveling snow access paths. The Wayland Police Department sponsored their annual holiday light tour. St. Anne's Church continued to provide home-delivered holiday meals to home-bound seniors. Elder Law Attorney, Denise Yurkofsky provided a regular, free legal clinic for Wayland seniors. The COA worked cooperatively with AARP to provide free assistance for the completion of federal and state tax returns. The LCC (Local Cultural Council in partnership with the MA Cultural Council) funded a capital request to build a satellite art gallery in the COA. Collaborative discussions began in FY2009 to develop a 55+ Forum with Wayland eNews. This electronic discussion site would be a networking opportunity for residents 55 years of age; a site to ask questions, share concerns and information on a variety of topics. Projected launch date for the 55+ Forum: September 2009. The COA served as a catalyst for the Independent Living Options Task Force (ILOT) and also suggested that the Library compile and publish a comprehensive listing of community services as one of their grant funded projects. This was a needed resource in the community.

Friends of the Wayland Council On Aging, Inc. continued their fundraising initiatives in FY2009 to help subsidize programs and services not otherwise funded by the Town budget. The COA is grateful to the Friends for their ongoing support of the Council On Aging. The Friends also partnered with Wayland businesses to underwrite the cost of a monthly "Soup's On" program and other COA events. The Friends provided new seating for the COA and worked with Minuteman Career and Technical High School in Bedford to design and build a library wall in the COA Center. Installation of that library wall is expected in FY2010.

Challenges: The population shift in Wayland combined with a growing awareness that the COA is a vital, community resource, created a heightened demand for service that could not be fully met in FY 2009. As in FY2008, programs were often waitlisted and services could not be provided to all those who requested them. In a community where 25% of the population is senior adults, the COA will undoubtedly address the same challenges in FY2010.

The COA continued to investigate options for increased space. The central location in the Town Building is highly favorable, but the lack of dedicated space to the COA is an on-going challenge. The need for unified space is critical. With skeletal staffing,

the COA is not able to offer/monitor programs and services in a variety of isolated locations. Unified space allows COA participants to network and promotes efficient administration of programs and services with only a core staff.

SENIOR PROPERTY TAX RELIEF COMMITTEE

The Senior Property Tax Relief Committee is concerned with seeking measures to alleviate the excessive property tax burden imposed on many senior households due to the escalation of property taxes relative to senior household incomes. The Committee reviews any proposed property tax relief legislation and seeks to implement any measures to help the seniors of Wayland.

In 2008 the committee prepared a warrant article for the Fall town meeting seeking approval for an increase in the maximum benefit amount provided by the town Circuit Breaker Property Tax Abatement Program from \$750 to match the maximum tax credit benefit permitted under the State Circuit Breaker legislation which includes provision for adjustment for changes in cost of living and property valuations. This article passed and the appropriate request was forwarded to the State legislature in December 2008 for enactment as a Local Option. No action on this has yet been taken by the State Legislature.

Present members are Stephen Colella, Pauline DiCesare, Kara Harvey, Robert Hatton, Lillian Mills, Patricia Nelson, and Chairperson Geoff Smith. Several meetings were held during the year which was also attended by Council on Aging Co-Director JoAnn Kunz.

The Committee coordinates with the activities of the Massachusetts Council on Aging Property Tax Working Group which is concerned in promoting and supporting relevant legislation at the State level.

CHARITABLE COMMITTEE

The Committee provides short-term, emergency help to people who have lived in Wayland for at least one year. Payment is made directly to vendors or the suppliers of services. Assistance has been provided for utilities, medicine, food, rent, clothing, medical service, special transportation connected with medical needs, and for other items.

The Wayland Charitable Committee (WCC) reports to the Commissioners of Trust Funds. The Committee's work is funded through a bequest from Suzanne A. Leavitt, which has been supplemented by gifts from Wayland residents, community organizations, and businesses.

In FY'09 the Charitable Committee provided \$32,053 in short-term financial help to Wayland MetroWest region residents. The largest areas of need were rent, utility payments, food, and medical costs. Since it was established in December 1997, the WCC has provided more than \$219,000 in assistance.

VETERANS' AGENT

The Veterans' Agent is responsible for the administration of assistance to eligible Armed Service Veterans, their spouses, and dependents pursuant to the provisions of MGL c.115.

During FY'09 only modest sums were expended. However, it is anticipated that expenditures for FY'10 year will be higher. Veterans returning from Afghanistan, Iraq, and other combat areas will require encouragement, guidance and help in their rehabilitation to civilian life. In addition, our aging veterans will require greater assistance with healthcare benefits and other needs.

Memorial Day

The Veterans' office, prior to Memorial Day, assisted by the Wayland Girl Scouts, placed flags at our local cemeteries for our deceased veterans. In addition, following Veterans Day, the Wayland Girl Scouts removed the flags. Wayland is reimbursed seventy-five percent for the cost of the flags by the Department of Veterans Services (DVS).

A flowerbed display and accompanying sign, "IN MEMORY OF ALL VETERANS" was continued at the entrance of our three town cemeteries. This office coordinated the effort with two of our town citizens who will make this a permanent annual event. Each spring a new planting of flowers and its maintenance will continue to honor our deceased veterans at these cemeteries.

Veterans Day

During November the Wayland Public Library honored Veterans with a display of memorabilia, news articles, and photographs of our combat

veterans sharing their experiences. In addition, we highlighted our Wayland Veterans' Book of Remembrance and the Freedom Prize awarded annually to the Wayland High School students whose essay was selected. Many favorable comments were noted. A brief ceremony was held at our Veterans' Memorial on November 11, Veterans' Day. Our Memorial was decorated with hundreds of flags placed by the girls of the "Spread the Bread" organization.

Patriotic Tribute

Wayland High School honored Wayland Veterans and Wayland Fire and Police in observance of September 11th at a home football game on November 14, 2008. The Veterans' office coordinated this effort by contacting and inviting its veterans and their family members to this game. At half-time, the Veterans, police and fire departments marched onto the field and participated with the posting of the colors. The singing of patriotic songs was conducted by Joseph Oneschuk, band director of Wayland High School.

Flag Retirement Service

A flag retirement service, hosted by the Wayside Inn Chapter, Daughters of the American Revolution, Sudbury-Wayland, was held on October 5, 2008, at the grounds of the Wayland VFW Post 6260.

Our veterans and the Wayland Boy Scouts assisted in the posting of colors, colorguard and burning of worn flags and their disposal. Many visitors attended and their comments were appreciative. Following the ceremony the DAR ladies provided light refreshments for the occasion.

Nursing Home Visitations

Veterans confined in our local nursing homes in Wayland were visited on Valentine's Day and also during the Christmas season. Encouragement and a small token were given to each veteran, expressing our appreciation for their sacrifices and service to our country.

Town Pole Flags

This office appreciates our Fire Chief Robert Loomer and his department for their on-going, continuing efforts assuring that our flags are flown properly and proudly. The fifty town flags will be taken down following Veterans' Day and returned again prior to

Patriot's Day, and their condition will continue to be monitored.

VETERANS' MEMORIAL COMMITTEE

The Committee has completed three tasks for the town requested by the Selectmen:

- 1. The Veterans Memorial**
- 2. The Book of Remembrance**
- 3. The Freedom Prize.**

The Veterans Memorial was turned over to the Selectmen at the July 5, 2005 dedication ceremony making it officially a Town of Wayland Memorial.

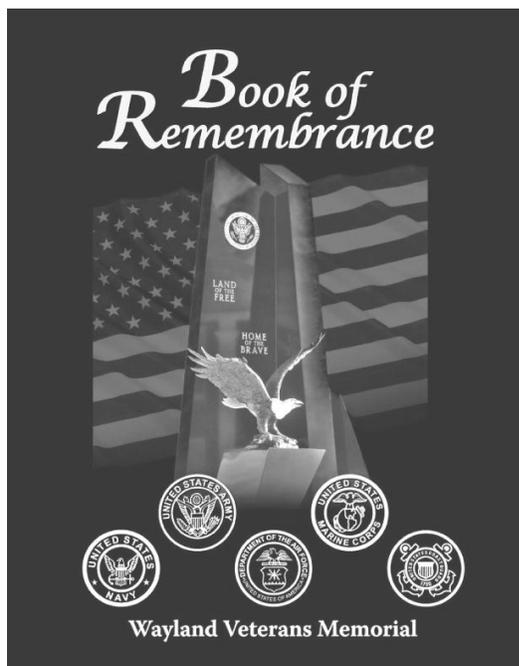
The Committee has agreed to remain together through this fiscal year to complete plans for transition of the Freedom Prize to a permanent body in town and to market the remaining 90 copies of the Book of Remembrance.

We encourage the citizens of Wayland go to the Town Clerk's Office and pick up a copy of the Book of Remembrance. The Book is now part of the Library of Congress general collection and copies have been placed at West Point library, the Naval Academy library, the Air Force Academy library, the US Constitution library, the JFK library, and at a dozen universities and military museums throughout the United States. The Book is unique in that the 100 stories cover battles from the American Revolution to present day Iraq and Afghanistan. As one reviewer said, "The stories are a microcosm of the sacrifices and valor of our men and women across the country who made serve and protect their primary mission in life. Thanks to them we all enjoy the freedoms of liberty today".

The Boy Scouts were awarded funding by the Beautification Committee and completed the juniper and vinca garden along the safety railings leading to the Memorial entrance.

If readers of this report have not seen the Veterans Memorial and the surrounding gardens, we urge them to visit the Memorial outside the entrance to the Town Building.

We want to thank all of you in the town of Wayland and MetroWest for your personal contributions to make the Veterans Memorial project a success story.



The Book of Remembrance is full of unique stories from the American Revolution to Iraq and Afghanistan, as told directly by our Veterans. It has been called the best book of its kind by professional military reviewers.

So much was accomplished in such a short period of time because of your positive support. It will be here for generations to come and is already part of Wayland's patriotic historical legacy.

HOUSING AUTHORITY

Since its incorporation in 1970, the Wayland Housing Authority (WHA) has provided, maintained, administered, and advocated for housing for low- and moderate-income people in Wayland. The WHA, as a public authority constituted under Massachusetts General Laws Chapter 121B, administers several housing programs for the Town, including::

- Bent Park Elderly Housing, a State-governed development
- Cochituate Village Apartments Elderly Housing, a federally-governed property
- Family Scattered Site Public Housing, 25 federally-governed units
- Section 8 Voucher Rental Assistance Programs, a federal program that pays rent to private landlords for qualified low-income tenants.

The WHA also participates in the federal Family Self-Sufficiency (FSS) program. The FSS program encourages communities to develop local strategies to help public housing. Equally important, the FSS program provides support services and information to Section 8 voucher families to help them obtain employment that will lead to economic independence and self-sufficiency. The WHA has a part-time FSS Caseworker to manage the program.

The WHA office is also a resource for the Town on other affordable housing programs, such as:

- Soft Second Loan Program (first-time homebuyer mortgage assistance)
- Affordable Accessory Apartment Program (incentives for construction of accessory apartments on Wayland homes for low-income tenants)
- First-time Homeownership Programs.

WHA representatives serve on the Wayland Housing Partnership, the Community Preservation Committee, the Nike Site Reuse Advisory Committee, and the Master Plan Study Committee. Contact the WHA office or the Town Clerk for information about these positions.

Every year, the WHA updates its federal housing programs plan, which describes the WHA's mission, long-range goals, objectives, and intended actions. Anyone who is interested may review the Housing Plan at the WHA office.

In 2009, the WHA received \$133,909 in American Recovery and Reinvestment Act funds through the U.S. Department of Housing and Urban Development. WHA is using this money to replace the roofs on the family public housing scattered-site houses.

Many people are not familiar with how public housing programs work, or what are their requirements. Here, then, is a quick overview. The WHA raises its operating funds from rent revenue and, for the federal programs, HUD operating subsidies. Capital improvements are funded by the government, or from operating reserves, or with use of a commercial loan. Occasionally, the WHA may request monies from already-collected Community Preservation Act funds. A minimum of 10% of funds collected are dedicated to affordable housing, with a preference for preserving or rehabilitating existing housing units over creating new.

All people who wish to be considered for public housing must submit an application and supporting documentation. The WHA conducts a review of income and assets to determine preliminary eligibility. If the prospective tenant passes that threshold review, the WHA undertakes a review of the applicant's background to make a determination of eligibility and suitability. Every WHA public housing resident is subject to an annual recertification of income and eligibility.



BENT PARK SENIOR HOUSING

To apply for public rental housing and Section 8 rental vouchers, visit the WHA office. All WHA-administered housing programs have a "local preference," that is, that people who live, work, attend school, have relatives, or grew up in Wayland are given priority over applicants who do not have a Wayland connection.

The WHA works with Town boards and committees to foster development of affordable housing in Wayland. Currently, the WHA is helping the Town obtain funding for a feasibility study of property on Doran Road. The study will evaluate the site with regard to its possible use for affordable housing, open space, and space for a possible future septic treatment plant to serve the surrounding neighborhood.

This year, the WHA welcomed a new member to the Board of Commissioners: Gov. Deval Patrick appointed longtime Wayland resident Russell Ashton to the Board. Mr. Ashton replaces Dr. Marty Nichols, who served from November 2001 to May 2009. Dr. Nichols was a tremendous asset to the WHA: in one

instance, he helped the WHA save thousands of dollars by persuading the Water Commissioners to apply water charges in a more fair manner. Working on the WHA and the Wayland Housing Partnership, Dr. Nichols was an outstanding advocate for affordable housing in Wayland. We thank him for his outstanding service and will miss his meaningful contributions to our work.

The WHA is indebted to the community volunteers who provide outstanding service to the WHA and our residents. We appreciate the Town's continued support of public and affordable housing.

YOUTH ADVISORY COMMITTEE

The Youth Advisory Committee oversees the Youth and Family Services Department, otherwise known as Wayland Youth and Family Services (WYFS). This board is comprised of representatives from the community as well as the police and school departments. Five categories of services are provided by the department: counseling; consultation; community education and prevention; information and referral; and crisis intervention. After hours emergency coverage is provided by Psychiatric Emergency Services in Framingham.

Confidential counseling services for children and their families are provided free of charge to Wayland children and their families. They are seen at home, at school, or in our office in the Town Building. Issues may include typical problems encountered in daily living as families grow and change, such as communication problems, family conflict, stress management, depression and anxiety, suicidality, and coping with divorce, illness and death. In addition, we offer evaluation and treatment for substance abuse. In collaboration with the Wayland Police and the High School, our Diversion Program offers a constructive alternative to court involvement for youth who are apprehended for non-violent illegal activities. This year we maintained an on-site presence at the high school to increase access for students and staff.

We are available on an informal basis to provide consultation on issues related to the development and psychological wellbeing of children, teenagers, and families. Parents, school personnel, and others in our community who have ongoing contact with youth are invited to call.

Prevention and Community Education initiatives typically focus on topics related to developmental processes and mental and physical well-being of children and families. In collaboration with the Wayland Substance Abuse Prevention Coalition and the Parent/Teacher Organizations, we provide lectures and workshops each year. In FY09 the Friends of WYFS designed a lecture series to raise community awareness of the impact of excessive stress and healthy ways to reduce it. The talks included “How Stress and Heredity Affect Your Wellbeing – and What You Can Do About It” with Andrew Nierenberg, MD; “Mind/Body Approaches for Stress Reduction” with Rana Chudnofsky of the Benson Henry Institute for Mind Body Medicine; “Helping Children Manage Stress” with Robert Evans, Ph.D., and “Our Families: Nurturing Our Children’s Success and Health in a Challenging and Competitive World,” a workshop facilitated by Dossie Kahn, Psy.D., of our own department. In addition, the staff offered classes in stress management techniques through Winter Week programming and the wellness curriculum at the High School. National Depression Awareness Day was observed at the High School through a drop-in video presentation during the lunch periods. We also co-lead a discussion group for parents of graduating seniors, and provided “Parent Coffees,” which are substance abuse prevention programs for small groups of interested parents.

In recent years, providing opportunities for community service has become an important part of our mission to support healthy development in Wayland youth. In the spring, we worked with the High School to put on the annual Community Service Awards Ceremony, which recognized 42 high school students for significant service over the past year. The event also honored 9 adults for extraordinary lifetime community service. As in past years, we offered an 8 week Summer Community Service Program in which 26 high school students volunteered, sometimes several times per week, at their choice of 9 potential service sites.

In September, 2008, staff member Sharon Harrington resigned, and Dossie Kahn, Psy.D. was appointed to the position of Assistant Director.

TRANSPORTATION COMMITTEE

The transition to the MetroWest Regional Transit Authority (MWRTA) has been very positive. Wayland riders quickly adapted to new procedures and to the experience of ride sharing.

Because the transition went so smoothly, the COA Transportation Committee decided it was no longer necessary as a separate entity. Before officially disbanding in September, Lorraine Greiff was voted as a special advisor to the Council for transportation services.

Prior to disbanding, the Committee made a wish list of what it would like to see as initial changes. Happily, just about all these have been realized.

Rides were provided by the previous contractor, JFK, through December, with payment made by the MWRTA. At that time, riders could only go to communities contiguous to Wayland, between the hours of 8:30 AM-4:30 PM daily, with some additions to area health-care facilities. In January, both the hours and service expanded and now include the Towns of Ashland, Framingham, Holliston, Hopkinton, Marlboro, Natick, Sherborn, Southborough, Sudbury, and Weston. Rides are available from 6AM – 7PM, enabling some people to go to work or to make early morning or late day appointments. The cost for these trips is \$2.00 each way. In some cases it represents a reduction in cost. Medical rides are available to Berlin, Dover, Hudson, Lincoln, Maynard, Medfield, Medway, Milford, Millis, Needham, Northborough, Shrewsbury, Stow, Upton, Waltham, Wellesley, Westborough and Emerson Hospital for a cost of \$3.00 each way. An Extended service for Medical trips was also initiated. Rides are available to Boston, Worcester, and Brookline Hospitals and to the VA Hospital in Jamaica Plain for \$5.00 each way.

In all, seniors and residents with disabilities of any age took nearly 2,500 trips in the contracted van in FY2009. We have also retained use of the former van (owned by the Town). It is used to bring people to COA programs, which includes designated shopping trips. It is serving many people. The Police Department utilizes our van to take seniors to view the Christmas decorations and lights.

The Town allocated \$5,000 for taxi vouchers for medical trips. The Council began charging \$12.50 for \$25.00 worth of meter time. Vouchers were going so quickly, that, in order to serve more people,

it upped the rate to \$15. This has proven very successful and approximately 20% more people than last year have been served. This service is available to all Wayland seniors, 60 years or older and/or people with disabilities of any age. These pre-paid medical vouchers are used with our contacted vendor, JFK. Trips to Boston hospitals are a flat rate of \$50 or with the voucher \$30 each way.

Another advantage of having joined the MWRTA is that we now have some fixed-route transportation in the Cochituate area. The bus, which will serve all comers, is a flag-down service, and will take you anywhere the MWRTA goes.

CULTURAL COUNCIL

Name of Applicant	Activity	Date(s) of Activity	Amount Requested	Amount Given
Sudbury Valley Nature Photographers – Betsy Moyer	New Dimensions in Digital Photography	April 16, 2009	\$400	\$300
DeCordova Museum – Karen Crane	Art in the Park	June 14, 2009	\$150	\$150
Rachel Sideman-Kurtz	Licensing Rights for Foreign Film series	Jan-Dec 2009	\$300	\$100
Tobi-Ann Kocher	Duo Flute and Piano Recital	March 14, 2009	\$400	\$200
Park and Recreation – JoAnn Kiburz	Magic of Communication	March 21, 2009	\$475	\$475
Wayland Library – Ann Knight	Art of Pastel – Gregory Maichack		\$440	\$200
Wayland Children’s Library – April Mazza	Allard Family Concert for Children	July 16, 2009	\$400	\$400
Commonwealth Ballet	Ballet Performances of “The Nightingale”	March 14-15, 2009	\$750	\$400
New Repertory Theater – Mark Soucy	New Rep on Tour (at the High School)	<i>Othello</i> , Nov 2008, and <i>Of Mice and Men</i> , March 2009	\$600	\$600
Wayland Council on Aging – Julie Secord	Satellite Art Gallery		\$633	\$300
Little Theater Concerts – Charlie Anderson	Classical Guitar: Jason Shelkowitz	March 27, 2009	\$500	\$500
Musicians of the Old Post Road	Bach and His Legacy		\$600	\$300
Wayland High School – Joe Oneschuck	Triton Brass Master Class and Concert	January 16, 2009	\$500	\$500
TOTAL			\$6,148	\$4,425

CABLE TV ADVISORY COMMITTEE

The Cable Advisory Committee consists of a group of Town residents who advise the Board of Selectmen (BoS) on matters relating to the Town's cable television and related cable services. Under applicable law, the BoS is the official "Issuing Authority" for the Town's cable licensees and prospective licensees.

The Committee has an authorized complement of eight members. At present there are six active members - Steve Allen (chair); Phil Radoff (vice-chair); Russ Ashton; Richard Turner; Tom Klem and Joe Schwendt and two vacancies. Selectman Steve Correia is that Board's liaison with the Committee. This year became a busy one for the Committee. We are working with the same special cable counsel (William H. Solomon, Esq.), who last year helped negotiate the license to Verizon), preparing for negotiating a Comcast license extension (expires 9/16/2010). We have monitored the implementation of Verizon's obligations under their January 2008 license, among these providing an addition to the original single cablecast channel. The ten municipal buildings at which Verizon is obligated to provide free basic service were surveyed and we reached agreement on optimum location for the uncompleted seven "drops" with appropriate people at each site. Verizon will be provided with the detail list and encouraged to complete them in the near future. We have looked into alternatives to continuing use of our present, 23+ year old, Institutional Network (I-Net) to provide video to the studio concurrent with events at other locations in Town. The current I-Net is owned and maintained by Comcast, which has difficulty in keeping it operational, as required by their license. Bringing video to the studio is required for live cablecasts that are carried to their subscribers by Comcast and Verizon. We had two meetings devoted to learning about alternatives and have coordinated with (and Joe has been a technical advisor to) the Wayland Schools in their plan to build a fiber network between all Schools in FY 2010 and 2011.

The Committee serves as liaison with Verizon and Comcast and has responded to several subscriber and potential subscriber questions and complaints about installation, service and billing issues. It also provided informal advice to Town departments concerning possible use of the I-Net and the availability of services from Verizon and Comcast.

WAYLAND COMMUNITY ACCESS AND MEDIA INC. (WayCAM)

Wayland Community Access and Media, Inc. (WayCAM) is the independent, non-profit corporation that oversees the activities of Wayland's local public access station, and broadcasts on Comcast Channel 9, and on Verizon on Channels 37, 38, 39. In October, 2008, WayCAM signed an operating agreement (Memo of Agreement) with the Selectmen. WayCAM works cooperatively on Cable issues with the Town's Cable Advisory Committee.

This year WayCAM lost three valued directors who had contributed greatly to the station's growth over the years. Betsy Moyer moved out of Wayland, Tom Turner chose to not be reappointed, and Joe Damplo retired from the Wayland School Department.

WayCAM's Board of Directors consists of Ken Isaacson, president; Richard Turner, vice-president in charge of operations; Susan Koffman, treasurer; Erin Dalbec, secretary, appointed by the Superintendent of Wayland Public Schools; Jerry Boos and Frank Fuller, appointed by the Selectmen; and Carl Mikkelsen.

WayCAM has one full-time employee, Jim Mullane, the Program Director/Station Manager, who is assisted by a number of volunteers, both residents and students. During the past year the number of programs on the Wayland Channel has again risen dramatically, to 371, an average of 37 original programs per month for the 10 months ending June 30, up from 325 in 2008. This is an increase not only in educational and public interest coverage but also in the broadcast of public meetings. WayCAM's mandate is to broadcast Annual and Special Town Meetings, but it has also regularly broadcast Board of Selectmen and School Committee meetings, other Town boards' meetings, as well as meetings relating to other topics of general interest to the Town. Expanded programs included Pop Warner Football, WayCo Softball and numerous public shows produced by community members.

WayCAM's educational programs give unique technical training to our young people, not only in television production but also in the areas of graphic arts, advertising, electronics and performing arts. Students produced 156 programs this year (up from 122 last year) in WayCAM's studio courses, and

across the school district, including both live and taped shows; commentaries, school sports, school concerts, awards, graduation, original plays, numerous government and public access programs; plus training in studio-, interviewing- and camera-technique for students of the prized WSPN.

WayCAM helps to build self-esteem in the students and confidence in their own skills, helps to inspire creativity and imagination as it enriches their school experience.

In May 2009, WayCAM again awarded a scholarship to a deserving WHS senior. The annual cash award is funded by membership and program duplication fees. Of special note this year was the launching of WayCAM's new Web site, www.waycam.tv, and WayCAM-On-Demand, which enables residents to view programs at their convenience. This was accomplished with the generous contributions and support of the Wayland Business Association and many Wayland residents.

STATE PRIMARY ELECTION - SEPTEMBER 16, 2008
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Eligible Voters:	8,818
Total Votes Cast:	1,433
Percent of Voters:	16%

DEMOCRATIC	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>SENATOR IN CONGRESS</u>					
Blanks	2	5	1	0	8
John F. Kerry	257	222	231	220	930
Edward J. O'Reilly	67	68	68	50	253
Write-Ins	0	0	0	0	0
TOTALS	326	295	300	270	1191
<u>REPRESENTATIVE IN CONGRESS (5TH)</u>					
Blanks	50		44	44	138
Nicola S. Tsongas	273		255	226	754
Write-Ins	3		1	0	4
TOTALS	326	0	300	270	896
<u>REPRESENTATIVE IN CONGRESS (7TH)</u>					
Blanks		59			59
Edward J. Markey		234			234
Write-Ins		2			2
TOTALS	0	295	0	0	295
<u>COUNCILLOR</u>					
Blanks	115	76	83	75	349
Kelly A. Timilty	141	134	148	122	545
Robert L. Jubinville	69	84	68	73	294
Write-Ins	1	1	1	0	3
TOTALS	326	295	300	270	1191
<u>SENATOR IN GENERAL COURT</u>					
Blanks	102	93	101	84	380
Sara Orozco	223	199	198	185	805
Write-Ins	1	3	1	1	6
TOTALS	326	295	300	270	1191
<u>REPRESENTATIVE IN GENERAL COURT</u>					
Blanks	68	64	71	56	259
Thomas P. Conroy	251	228	229	213	921
Write-Ins	7	3	0	1	11
TOTALS	326	295	300	270	1191

REGISTER OF PROBATE

Blanks	153	131	139	121	544
John R. Buonomo	155	152	152	138	597
Write-Ins	18	12	9	11	50
TOTALS	326	295	300	270	1191

REPUBLICAN	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>SENATOR IN CONGRESS</u>					
Blanks	19	7	5	14	45
Jeffrey K. Beatty	51	56	27	49	183
Write-Ins	1	0	0	0	1
TOTALS	71	63	32	63	229
<u>REPRESENTATIVE IN CONGRESS (5TH)</u>					
Blanks	70		29	60	159
Write-Ins	1		3	3	7
TOTALS	71	0	32	63	166
<u>REPRESENTATIVE IN CONGRESS (7th)</u>					
Blanks		11			11
John Cunningham		52			52
Write-Ins		0			0
TOTALS	0	63	0	0	63
<u>COUNCILLOR</u>					
Blanks	71	63	31	62	227
Write-Ins	0	0	1	1	2
TOTALS	71	63	32	63	229
<u>SENATOR IN GENERAL COURT</u>					
Blanks	9	6	3	12	30
Scott P. Brown	62	57	29	51	199
Write-Ins	0	0	0	0	0
TOTALS	71	63	32	63	229
<u>REPRESENTATIVE IN GENERAL COURT</u>					
Blanks	2	2	1	1	6
Susan W. Pope	69	60	30	60	219
Write-Ins	0	1	1	2	4
TOTALS	71	63	32	63	229
<u>REGISTER OF PROBATE</u>					
Blanks	68	59	31	59	217
Write-Ins	3	4	1	4	12
TOTALS	71	63	32	63	229

GREEN-RAINBOW	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>SENATOR IN CONGRESS</u>					
Blanks	0	0	0	0	0
Write-Ins	0	1	0	0	1
TOTALS	0	1	0	0	1
<u>REPRESENTATIVE IN CONGRESS (5TH)</u>					
Blanks	0		0	0	0
Write-Ins	0		0	0	0
TOTALS	0	0	0	0	0
<u>REPRESENTATIVE IN CONGRESS (7th)</u>					
Blanks		0		0	0
Write-Ins		1		0	1
TOTALS	0	1	0	0	1
<u>COUNCILLOR</u>					
Blanks	0	1	0	0	1
Write-Ins	0	0	0	0	0
TOTALS	0	1	0	0	1
<u>SENATOR IN GENERAL COURT</u>					
Blanks	0	0	0	0	0
Write-Ins	0	1	0	0	1
TOTALS	0	1	0	0	1
<u>REPRESENTATIVE IN GENERAL COURT</u>					
Blanks	0	0	0	0	0
Write-Ins	0	1	0	0	1
TOTALS	0	1	0	0	1
<u>REGISTER OF PROBATE</u>					
Blanks	0	0	0	0	0
Write-Ins	0	1	0	0	1
TOTALS	0	1	0	0	1

WORKING FAMILIES	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>SENATOR IN CONGRESS</u>					
Blanks	2	2	2	0	6
Write-Ins	0	5	0	1	6
TOTALS	2	7	2	1	12
<u>REPRESENTATIVE IN CONGRESS (5TH)</u>					
Blanks	2		2	1	5
Write-Ins	0		0	0	0
TOTALS	2	0	2	1	5
<u>REPRESENTATIVE IN CONGRESS (7th)</u>					
Blanks		5			5
Write-Ins		2			2
TOTALS	0	7	0	0	7
<u>COUNCILLOR</u>					
Blanks	2	7	2	1	12
Write-Ins	0	0	0	0	0
TOTALS	2	7	2	1	12
<u>SENATOR IN GENERAL COURT</u>					
Blanks	2	6	2	1	11
Write-Ins	0	1	0	0	1
TOTALS	2	7	2	1	12
<u>REPRESENTATIVE IN GENERAL COURT</u>					
Blanks	1	5	2	0	8
Write-Ins	1	2	0	1	4
TOTALS	2	7	2	1	12
<u>REGISTER OF PROBATE</u>					
Blanks	0	0	1	0	1
Write-Ins	2	7	1	1	11
TOTALS	2	7	2	1	12

STATE ELECTION - NOVEMBER 4, 2008
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Eligible Voters:	9,135
Total Votes Cast:	8,168
Percent of Voters:	89.4%

	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>PRESIDENT & VICE PRESIDENT</u>					
Blanks	19	7	14	8	48
Baldwin and Castle	1	3	2	3	9
Barr and Root	10	18	14	10	52
McCain and Palin	587	612	560	717	2,476
McKinney and Clemente	6	1	1	7	15
Nader and Gonzalez	10	13	10	16	49
Obama and Biden	1,361	1,399	1,290	1,438	5,488
Write-Ins	3	4	8	16	31
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>SENATOR IN CONGRESS</u>					
Blanks	75	51	46	63	235
John F. Kerry	1,323	1,398	1,292	1,383	5,396
Jeffrey K. Beatty	558	554	517	733	2,362
Robert J. Underwood	41	53	42	34	170
Write-Ins	1	1	2	2	5
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>REP IN CONGRESS (5TH)</u>					
Blanks	516		459	617	1,592
Nicola S. Tsongas	1,462		1,433	1,573	4,468
Write-Ins	19		7	25	51
TOTALS	1,997	0	1,899	2,215	6,111
<u>REP IN CONGRESS (7TH)</u>					
Blanks		148			148
Edward J. Markey		1,395			1,395
John Cunningham		514			514
Write-Ins					0
TOTAL	0	2,057	0	0	2,057
<u>COUNCILLOR</u>					
Blanks	796	750	686	930	3,162
Kelly A. Timilty	1,187	1,299	1,207	1,267	4,960
Write-Ins	14	8	6	18	46
TOTALS	1,997	2,057	1,899	2,215	8,168

	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>SENATOR IN GENERAL COURT</u>					
Blanks	176	185	182	207	750
Scott P. Brown	826	818	769	1,055	3,468
Sara Orozco	995	1,050	948	950	3,943
Write Ins	0	4	0	3	7
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>REPRESENTATIVE IN GENERAL COURT</u>					
Blanks	87	109	125	116	437
Thomas P. Conroy	1,089	1,201	1,058	1,112	4,460
Susan W. Pope	821	744	715	985	3,265
Write Ins	0	3	1	2	6
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>REGISTRAR OF PROBATE</u>					
Blanks	833	785	709	967	3,294
Tara E. DeCristofaro	1,152	1,263	1,182	1,238	4,835
Write Ins	12	9	8	10	39
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>QUESTION NO. 1</u>					
Blanks	44	44	26	37	151
Yes	562	580	521	653	2,316
No	1,391	1,433	1,352	1,525	5,701
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>QUESTION NO. 2</u>					
Blanks	37	43	34	42	156
Yes	1,380	1,436	1,297	1,464	5,577
No	580	578	568	709	2,435
TOTALS	1,997	2,057	1,899	2,215	8,168
<u>QUESTION NO. 3</u>					
Blanks	54	65	54	62	235
Yes	1,335	1,300	1,198	1,505	5,338
No	608	692	647	648	2,595
TOTALS	1,997	2,057	1,899	2,215	8,168

ANNUAL TOWN ELECTION – APRIL 7, 2009

Eligible Voters:	9070
Total Votes Cast:	3489
Percent of Voters:	38.5%

	PREC 1	PREC 2	PREC 3	PREC 4	TOTALS
<u>BOARD OF SELECTMEN (2) 3YR</u>					
Blanks	258	292	319	309	1178
Thomas J. Fay	495	535	455	570	2055
Susan W. Pope	590	475	434	675	2174
Alan J. Reiss	353	398	446	367	1564
Write-Ins	2	2	2	1	7
TOTALS	1698	1702	1656	1922	6978
<u>SCHOOL COMMITTEE (2) 3YR</u>					
Blanks	170	176	112	182	640
Jeffrey R. Dieffenbach	419	379	232	492	1522
Malcolm L. Astley	441	401	255	554	1651
Jeffrey S. Baron	304	325	489	333	1451
Steven M. Glovsky	58	60	46	62	226
Paul Vincent Grasso	304	361	521	298	1484
Write-Ins	2	1	1	1	4
TOTALS	1698	1702	1656	1922	6978
<u>BOARD OF ASSESSORS (2) 3YR</u>					
Blanks	783	848	798	934	3363
Mary R. Upton	483	499	489	520	1991
Zachariah L. Ventress	429	352	367	462	1610
Write-Ins	3	3	2	6	14
TOTALS	1698	1702	1656	1922	6978
<u>LIBRARY TRUSTEES (2) 3YR</u>					
Blanks	661	747	665	817	2890
Sally Y. Cartwright	522	476	523	563	2084
Nancy J. Jahnke	512	479	465	539	1995
Write-Ins	3	0	3	3	9
TOTALS	1698	1702	1656	1922	6978
<u>LIBRARY TRUSTEE (1) 1YR</u>					
Blanks	379	306	319	419	1423
Charles Jack Peters	203	237	189	219	848
Thaddeus Thompson	265	308	318	322	1213
Write-Ins	2	0	2	1	5
TOTALS	849	851	828	961	3489

BOARD OF HEALTH (2) 3 YR

Blanks	839	906	818	1009	3572
Michael James Bean	433	369	420	466	1688
Mark I. Neuman	424	427	415	445	1711
Write-Ins	2	0	3	2	7
TOTALS	1698	1702	1656	1922	6978

ROAD COMMISSIONER (2) term ends 6/30/09

Blanks	1146	1187	1152	1363	4848
Anette Seltzer Lewis	488	447	464	484	1883
Write-Ins	64	68	40	75	247
TOTALS	1698	1702	1656	1922	6978

PLANNING BOARD 1 (5 YR)

Blanks	389	412	356	443	1600
Kent Donald Greenawalt	455	439	466	500	1860
Write-Ins	5	0	6	18	29
TOTALS	849	851	828	961	3489

PARK & REC COMM (2) term ends 6/30/09 then becomes Recreation Commission

Blanks	759	881	788	942	3370
Stas Gayshan	463	400	436	486	1785
Thruston Wright, III	474	415	430	492	1811
Write-Ins	2	6	2	2	12
TOTALS	1698	1702	1656	1922	6978

WATER COMMISSIONER (1) term ends 6/30/09

Blanks	365	421	363	466	1615
Michael Walter Keegan	484	429	464	494	1871
Write-Ins	0	1	1	1	3
TOTALS	849	851	828	961	3489

COMM OF TRUST FUNDS (1) 3YR

Blanks	825	825	812	925	3387
Write-Ins	24	26	16	36	102
TOTALS	849	851	828	961	3489

HOUSING AUTHORITY (1) 5 YR

Blanks	349	384	340	428	1501
Charles H. Raskin	499	467	487	529	1982
Write-Ins	1	0	1	4	6
TOTALS	849	851	828	961	3489

QUESTION NO. 1

Blanks	22	20	16	24	82
Yes	611	541	550	717	2419
No	216	290	262	220	988
TOTALS	849	851	828	961	3489

QUESTION NO. 2

Blanks	19	19	15	20	73
Yes	616	581	571	718	2486
No	214	251	242	223	930
TOTALS	849	851	828	961	3489

**TOWN OF WAYLAND
SPECIAL TOWN MEETING
NOVEMBER 12, 2008**

DATE:

Wednesday, November 12, 2008

ARTICLES DISPOSED OF:

1-19

RETURN OF SERVICE

MIDDLESEX, s.s.

November 12, 2008

To any of the Constables of the Town of Wayland, Greetings:

I, Louis V. Gaglini, duly qualified constable of the Town of Wayland, do hereby affirm and certify that I have posted the Warrant for the Special Town Meeting to be held on Wednesday, November 12, 2008 by my posting copies thereof at the Wayland Town Building, Cochituate Fire Station or the Cochituate Post Office, Wayland Public Library and the Happy Hollow School, by posting fourteen (14) days at least before the date appointed for the posting of the Warrant for the Special Town Meeting. Posting was done October 28, 2008.

VOTES ENACTED:

WEDNESDAY, NOVEMBER 12, 2008 AT THE WAYLAND MIDDLE SCHOOL

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated October 27, 2008, signed by Michael L. Tichnor, Douglas J. Leard, William D. Whitney, Joseph F. Nolan, and Steven J. Correia, Selectmen, served and return of service given by Louis V. Gaglini, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Special Town Meeting met this day at Wayland Middle School, and at 7:30 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ERRATA:

Page 22, Article 17: Amend Non-Criminal Bylaw Chapter 1, Article II

Delete

- (1) Penalty: \$100 per day.

Enforcing persons: Town police officers, other officers having police powers, and agents of the Conservation Commission.”

Insert

- (1) Penalty: \$100 per day.
- (2) Enforcing persons: Town police officers, other officers having police powers, and agents of the Conservation Commission.”

Page 39, Appendix D, Header

Delete current header for Appendix D and replace:

APPENDIX D
PLANNING BOARD REPORTS
FOR 2008 SPECIAL TOWN MEETING
WARRANT ARTICLES 5 AND 6

Page 39, Appendix D, First Line

Delete: **Planning Board Report on Special Town Meeting Warrant Article 7: Proposed Amendments to Article 23 - Mixed Use Overlay District (MUOD)**

Insert: **Planning Board Report on Special Town Meeting Warrant Article 5: Proposed Amendments to Article 23 - Mixed Use Overlay District (MUOD)**

Page 39, Planning Board Recommendation, Second Paragraph from the bottom:

First two words, change “Article 7” to “Article 5”

Page 40, Appendix D, First Line

Delete: **Planning Board Report on Special Town Meeting Warrant Article 8: Amendment to Article 5 Regarding Earth Movement**

Insert: **Planning Board Report on Special Town Meeting Warrant Article 6: Amendment to Article 5 Regarding Earth Movement**

ARTICLE 1: RESOLUTION FOR WASTE REDUCTION IN WAYLAND

Proposed by: Petitioners

To determine whether the Town will vote to endorse the following Resolution:

WHEREAS Pay-As-You-Throw (PAYT) and home composting strategies for solid waste disposal are advocated by the US Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (DEP),

WHEREAS 120 Massachusetts communities have adopted PAYT programs and report outcomes such as increased recycling rates, reduced waste disposal fees, increased revenues, and reduced user fees,

WHEREAS the DEP finds that PAYT is more equitable and offers guidance, materials and funding to promote such programs,

WHEREAS the EPA finds that solid waste typically is reduced 20-35% by PAYT programs and that an additional 24% could be removed by composting of kitchen and yard wastes,

BE IT THEREFORE RESOLVED THAT TOWN MEETING SUPPORTS THE CREATION OF A BOARD OF HEALTH ACTION PLAN AND TIMELINE TO EVALUATE AND IMPLEMENT, AS SOON AS POSSIBLE, STRATEGIES SUCH AS PAY-AS-YOU-THROW AND HOME COMPOSTING TO PROMOTE FISCALLY RESPONSIBLE SOLUTIONS FOR INCREASED RECYCLING AND WASTE REDUCTION.

MOTION:

Elizabeth Newton moved and was duly seconded that the Town adopt the resolution exactly as printed on page two (2) of the Warrant.

Elizabeth Newton, 23 Sycamore Rd., requested that George Russell, a non-resident, speak on the floor of the Meeting. The Moderator hearing no objections gave George Russell permission to speak on the floor.

VOTED: MAJORITY

ARTICLE 2 : INCREASE TOWN MATCHING CIRCUIT BREAKER TAX CREDITS
--

Sponsored by: Council on Aging

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to amend Chapter 161 of the Acts of 2000 by replacing “750.00” with “the amount of the income tax credit set forth in subsection (k)(2) of section 6 of chapter 62 of the General Laws”.

MOTION:

Doug Leard moved and was duly seconded that the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth to amend Chapter 161 of the Acts of 2000 by replacing “\$750.00” with “the amount of the income tax credit set forth in subsection (k)(2) of Section 6 of Chapter 62 of the General Laws.”

VOTED: UNANIMOUS

ARTICLE 3: TRANSFER LANDFILL EMPLOYEES, PROPERTY AND FUNDS TO BOARD OF PUBLIC WORKS

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend and modify its vote under Article 10 of the Warrant for the 1996 Annual Town Meeting by transferring the care, custody, management and control of all landfill-related employees, equipment, vehicles, structures, material, supplies, budgetary funds, other funds and accounts from the Board of Health to the Board of Public Works effective July 1, 2009.

MOTION:

Michael Tichnor moved and was duly seconded that the Town amend and modify its vote under Article 10 of the Warrant for the 1996 Annual Town Meeting by transferring the care, custody, management and control of all landfill-related employees, equipment, vehicles, structures, material, supplies, budgetary funds, other funds and accounts from the Board of Health to the Board of Public Works effective July 1, 2009.

VOTED: MAJORITY

ARTICLE 4: GRANT ROADWAY EASEMENTS ON ROUTE 20 TO THE COMMONWEALTH OF MASSACHUSETTS AND ACCEPT TRAFFIC CONTROL FACILITIES EASEMENT ON ROUTE 27
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to:

- (a) transfer the care, custody, management and control of the following parcels of Town-owned land from the Board of Selectmen to the Board of Selectmen for the purpose of granting to the Commonwealth of Massachusetts roadway easements in, on over, across and through said parcels of land:

Parcel E-1

A certain parcel of land containing 2,462 square feet, more or less, situated on Boston Post Road (Route 20), Wayland, Massachusetts, shown on Exhibit Plan 1 drawn by Hancock Associates dated July 29, 2008, scale 1” = 40’ prepared for Twenty Wayland, LLC, a copy of which plan is on file in the Office of the Town Clerk, and further described:

Beginning at the southeast corner of premises on the northerly sideline of Boston Post Road (Route 20) being the April 6, 1920 State Highway Layout No. 1857 at Land of the Town of Wayland and Land of Twenty Wayland, LLC and being about four hundred thirty-nine feet (439') northwest of a drill hole in a stone bound (DHSB) found on said 1920 State Layout, thence;

Westerly and northerly by two courses a distance of about one hundred seventeen feet (117') and about twenty-one feet (21') along said 1920 State Highway Layout to a point, said point being about twenty-eight feet (28') south of a drill hole in a stone bound found on said layout, thence;

S 88°30'36" E a distance of about one hundred seventeen feet along the 2008 proposed State Highway Alteration Section 1 by land of the Town of Wayland, thence;

Southerly a distance about twenty-one feet to a point on the northerly sideline of Boston Post Road 1920 State Highway Layout No. 1857 by land of Twenty Wayland, LLC, said point being the point of beginning.

Said Parcel E-1 is a portion of the parcel of land described in the deed recorded with the Middlesex South Registry of Deeds in Book 8428, Page 389 and contains 2,462 square feet, more or less, according to said plan.

Parcel E-7

A certain parcel of land containing 708 square feet, more or less, situated on Boston Post Road (Route 20), Wayland, Massachusetts, shown on Exhibit Plan 2 drawn by Hancock Associates dated July 29, 2008, scale 1" = 40' prepared for Twenty Wayland, LLC, a copy of which plan is on file in the Office of the Town Clerk, and further described:

Beginning at the northeast corner of the premises on the northerly sideline of Boston Post Road (Route 20) being the September 12, 1916 State Highway Alteration, Layout No. 1703, said point being about ninety-one feet west of a stone bound found on said layout and also being the beginning of the proposed 2008 State Highway Alteration Section 3, thence leaving said layout;

S 75°28'04" W a distance of thirteen and ninety-seven hundredths feet (13.97') to a point, thence;

Southwesterly and curving to the left along the arc of a curve having a radius of two hundred fifty-four and no hundredths feet (254.00') a length of twenty-two and fourteen hundredths feet (22.14') to a point, thence;

Southwesterly and curving to the right along the arc of a curve having a radius of one thousand three hundred forty seven and no hundredths feet (1347.00') a length of sixty-five and twenty-eight hundredths feet (65.28') to a point, thence;

Southwesterly and curving to the right along the arc of a curve having a radius of four hundred sixty-two and no hundredths feet (462.00') a length of one hundred forty-one and four hundredths feet (141.04'), the previous four courses along land of the Town of Wayland, to a point on the September 10, 2003 Boston Post Road (Route 20) State Highway Alteration, Layout No. 7596, said point being the end of the proposed 2008 State Highway Alteration Section 3, thence;

Northeasterly by said 2003 State Highway Alteration, Layout No 7596 and curving to the left along the arc of a curve having a radius of about four hundred feet (400') a length of about sixty-three feet (63') to a point at the intersection of said 2003 State Highway Alteration, Layout No. 7596 and said 1916 State Highway Alteration, Layout No. 1703, thence;

Northeasterly by said 1916 State Highway Alteration, Layout No. 1703 and curving to the left along the arc of a curve having a radius of about five hundred thirty feet (530') a length of about one hundred sixty-six feet (166') to a point, thence;

Northeasterly by said 1916 State Highway Alteration, Layout No. 1703 about fourteen feet (14') to a point, said point being the point of beginning.

Said parcel E-7 is a portion of the parcel of land described in the deed recorded with the Middlesex South Registry of Deeds in Book 5212, Page 22 and contains 708 square feet, more or less, according to said plan.

Parcel D-1

A certain parcel of land containing 928 square feet, more or less, situated on Boston Post Road (Route 20), Wayland, Massachusetts, shown on Exhibit Plan 2 drawn by Hancock Associates dated July 29, 2008, scale 1" = 40' prepared for Twenty Wayland, LLC, a copy of which plan is on file in the Office of the Town Clerk, and further described:

Beginning at the southeast corner of the premises on the proposed 2008 Boston Post Road (Route 20) State Highway Alteration Section 3, thence;

Southwesterly by said Alteration Section 3 and curving to the right along the arc of a curve having a radius of four hundred sixty-two and no hundredths feet (462.00') a length of about twenty-two feet to a point, said point being the end of said State Highway Alteration Section 3 on the September 10, 2003 Boston Post Road State Highway Alteration, Layout No. 7596, thence;

Southwesterly along said 2003 State Highway Alteration and curving to the right along the arc of a curve having a radius of about four hundred feet (400') a length of about twenty-three feet to a point, thence;

N 02°07'22" E a distance of about twenty feet (20') by land of the Town of Wayland to a point, thence;

S 87°52'38" E a distance of about forty-five feet (45') by land of the Town of Wayland to a point, thence;

S 02°07'22" W a distance of about twenty feet (20') by land of the Town of Wayland to a point, said point being the point of beginning.

Said parcel D-1 is a portion of the parcel of land described in the deed recorded with the Middlesex South Registry of Deeds in Book 5212, Page 22 and contains about 928 square feet, more or less, according to said plan.;

- (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to grant to the Commonwealth of Massachusetts roadway easements in, on, over, across and through said parcels of land; and
- (c) accept, as a gift, an easement from Wayland Meadows Limited Partnership for the installation, construction, repair, replacement, improvement and operation of traffic control facilities, devices and equipment in, on, over, under, across and through the following parcel of land:

Parcel TS-1

A certain parcel of land containing 357 square feet, more or less, situated on Old Sudbury Road (Route 27), Wayland, Massachusetts, shown on Exhibit Plan 3 drawn by Hancock Associates dated July 29, 2008, scale 1" = 40' prepared for Twenty Wayland, LLC, a copy of which plan is on file in the Office of the Town Clerk, and further described:

Beginning at the northeasterly corner of the premises on southerly sideline of the 1955 County Layout of Old Sudbury Road (Route 27) at Land of Twenty Wayland, LLC and Wayland Meadows Limited Partnership said point being about four hundred twenty-eight feet (428') northwest of a point that is S 43° 49' 01" W a distance of fifty feet from a concrete bound with a lead plug found on the northern sideline of said layout, thence;

Southwesterly and westerly by two courses, first curving to the right along the arc of a curve having a radius of about fifteen feet (15') a length of about twenty-four feet (24') and second a distance about thirteen feet (13') both courses being along said Land of Twenty Wayland, LLC to a point, thence;

Northerly a distance about forty feet to a point on the southerly sideline of said 1955 County Layout of Old Sudbury Road (Route 27), said point being about six hundred forty-three feet southwest of a point which is S 43°59'21" W a distance of fifty feet (50') from a concrete bound with an iron pin found on the northern sideline of said layout, thence;

Southeasterly a distance of about thirteen feet (13') along the southerly sideline of said 1955 County Layout of Old Sudbury Road (Route 27) to a point, said point being the point of beginning.

Said parcel TS1 is portion of the parcel of land described in the deed recorded with the Middlesex South Registry of Deeds in Book 32174, Page 145 and contains about 357 square feet, more or less, according to said plan.

MOTION:

Michael Tichnor moved and was duly seconded that the Town:

- (a) transfer the care, custody, management and control of the parcels of Town-owned land located on Boston Post Road designated as Parcels E-1, E-7 and D-1 and described in pages 6 through 8 of the Warrant for this special town meeting from the Board of Selectmen to the Board of Selectmen for the purpose of granting to the Commonwealth of Massachusetts roadway easements in, on, over, across and through said parcels of land;
- (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to grant to the Commonwealth of Massachusetts roadway easements in, on, over, across and through said parcels of land; and
- (c) accept, as a gift, an easement from Wayland Meadows Limited Partnership for the installation, construction, repair, replacement, improvement and operation of traffic control facilities, devices and equipment in, on, over, under, across and through the parcel of land designated as TS-1 and described in Pages 8 and 9 of the Warrant for this Special Town Meeting.

VOTED: 1ST VOICE VOTE: UNDECIDED
 2ND VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR:
 OPPOSED: 23
 IN FAVOR: 99 MOTION CARRIED BY MORE THAN 2/3 MAJORITY

ARTICLE 5: AMENDMENT OF ARTICLE 23 – MIXED-USE OVERLAY DISTRICT

Proposed by: Planning Board

To determine whether the town will vote to amend Chapter 198 (Zoning) of the Code of the Town of Wayland by amending §198-2308.2.1 and §198-2308.2.2 thereof by making the following deletions (indicated in ~~strike through lettering~~) and insertions (indicated in underlined lettering).

2308.2. The total amount of development allowed under Article 23, exclusive of any uses related to a wastewater treatment facility, is limited to 372,500 square feet of Gross Floor Area, of which 40,000 square feet of Gross Floor Area can be used only for municipal uses.

2308.2.1. The non-residential component of any Mixed-Use Project, exclusive of municipal uses and any uses related to a wastewater treatment facility, shall be limited to ~~465,000~~177,000 square feet of Gross Floor Area. Not more than 156,750 square feet of such Gross Floor Area shall be dedicated to retail uses. Not more than ~~40,000~~22,000 square feet of such Gross Floor Area shall be dedicated to office uses, **except**

that such 22,000 square foot limitation shall not apply to Gross Floor Area devoted to uses within the category of “banks and financial institutions” in Table A: Mixed Use Overlay District Table of Uses.

2308.2.2. The residential component of any Mixed-Use Project shall be limited to ~~167,500~~**155,500** square feet of Gross Floor Area. There shall be no more than 100 dwelling units, and there shall be no more than 200 bedrooms. Not more than 15 dwelling units within any Mixed-Use Project shall be three-bedroom units. No unit shall have more than three bedrooms.

MOTION:

William Steinberg moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland by amending Section 198-2308.2.1 and Section 198-2308.2.2 thereof by making the deletions therefrom and the insertions therein as set forth in Pages 10 and 11 of the Warrant for this Special Town Meeting.

Planning Board Report on Special Town Meeting Warrant Article 5: Proposed Amendments to Article 23 - Mixed Use Overlay District (MUOD)

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, on October 6, 2008, the Planning Board held a Public Hearing on proposed amendments to Article 23 – Mixed-Use Overlay District (MUOD) that would amend two subsections of §198-2308.2 as they relate to the allowed gross floor area for non-residential and residential uses:

1. An amendment to §198-2308.2.1 increases the gross floor area of non-residential uses, exclusive of municipal and wastewater facility uses, by 12,000 square feet from 165,000 square feet to 177, 000 square feet.
2. An amendment to §198-2308.2.2 reduces the gross floor area of the residential use by 12,000 square feet from 167,500 square feet to 155, 500 square feet.

The proposed amendments, to Article 23 - Mixed-Use Overlay District will allow for a transfer of gross floor area from the residential component to the non-residential component, without increasing the size of the Town Center Project. The total unit count allowed, including bedroom count, is not reduced by the proposed amendments.

Public Comments No members of the public were in attendance to provide comment on the proposed Article.

Planning Board Recommendation

Article 23, entitled Mixed-Use Overlay District, was adopted by Town Meeting on May 6, 2006. The MUOD established an overly district within which residential, office, retail, and municipal uses are permitted. The MUOD district covers the property known as the Former Raytheon Property. Since that time the Planning Board has been reviewing a development proposal for the MUOD (known as the ‘Town Center Proposal’) and the Town Center developers are in the process of obtaining the necessary permits and approvals.

During the site permitting process, the Town Center development team identified an opportunity to both increase activity within the commercial portion of the project and improve aesthetics by adding an incremental amount of office space in the second stories of the buildings within the commercial portion of the project. The transfer of 12,000 square feet of gross floor area from the residential to the nonresidential component will allow for additional second story businesses [e.g., office use]. The Board agrees that the project will benefit from the transfer. Furthermore, the increased commercial space may increase tax revenues for the Town, as the current housing market is likely to cause a delay in the construction of residential units.

Article 5 does not change the allowed maxima of 100 units and 200 bedrooms as originally defined in §198-2308.2. The decision regarding how many units to build under the defined maxima is at the discretion of the Developer and will likely be influenced by the market conditions present when the Developer begins the residential component of the project. The number of affordable units will continue to be 25% of the total number of residential units built. Thus, if the Developer builds fewer than 100 residential units, the number of affordable units will be reduced accordingly.

VOTED: UNANIMOUS

ARTICLE 7: INCREASE SURPLUS PROPERTY DISPOSAL APPROVAL THRESHOLDS

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Chapter 62 (Surplus Property Disposal) Code of the Town of Wayland by striking "\$1,500" from Sections 62-2 and 62-3 thereof and inserting the words "the amount of the estimated net value set forth in Massachusetts General Laws Chapter 30B, Section 15 (f)" in place of said amounts.

MOTION:

Steven Correia moved and was duly seconded that the Town amend Chapter 62 Code of the Town of Wayland by striking "\$1,500" from Sections 62-2 and 62-3 thereof and inserting in place of said amounts the words "the amount of the estimated net value set forth in Massachusetts General Laws Chapter 30B, Section 15 (f)".

VOTED: MOTION CARRIED

ARTICLE 8: INCREASE DEMAND CHARGE FOR DELINQUENT TAXES

Proposed by: Board of Selectmen

To determine whether the Town will vote to charge for each written demand issued by the Town Treasurer-Collector a fee of \$30.00 or such greater amount as authorized by state law to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective January 1, 2009.

MOTION:

Steven Correia moved and was duly seconded that the Town charge for each written demand issued by the Town Treasurer-Collector a fee of \$30.00 or such greater amount as authorized by state law to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective January 1, 2009.

<u>VOTED:</u>	1 ST VOICE VOTE:	UNDECIDED
	STANDING COUNT BY MODERATOR:	UNDECIDED
	STANDING COUNTED VOTE:	IN FAVOR: 73
		OPPOSED: 105
	MOTION NOT CARRIED	

TELLERS:

- | | |
|-------------------------|---------------------|
| Prescott W. Baston, Jr. | 11 Cochituate Rd |
| John Beard | 194 Glezen Lane |
| William A. Currier | 22 Algonquin Path |
| Tory Farrell | 59 Lincoln Rd |
| Edenia Giang | 9 East Rd |
| Robert Hatton | 11 Grace Rd |
| Edward Henry | 12 Winthrop Terrace |
| Virginia G. Steel | 22 Sylvan Way |

ARTICLE 9: DESIGNATE PERMITTED AUTHORITY FOR EXCAVATING TRENCHES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding thereto the following new article and section:

ARTICLE VII, Excavation of Trenches in Public Ways and on Private Land.

§158-16. Permit issuing authority. The Board of Road Commissioners and, effective July 1, 2009, the Board of Public Works shall have the authority to issue permits for the excavation of trenches on privately owned land and for the excavation of a public way of the town pursuant to the provisions of Chapter 82A of the General Laws.

MOTION:

Joe Nolan moved and was duly seconded that the Town amend the Code of the Town of Wayland by adding thereto the new article and section relative to the excavation of trenches in private ways and on public land as set forth in Pages 14 and 15 of the Warrant for this Special Town Meeting.

VOTED: MOTION CARRIED

<p>ARTICLE 10: AN ACT ESTABLISHING A POST EMPLOYMENT BENEFIT TRUST FUND IN THE TOWN OF WAYLAND</p>

Proposed by: Board of Selectmen

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 substantially the same as the special act set forth below.

AN ACT ESTABLISHING A POST EMPLOYMENT BENEFIT TRUST FUND IN THE TOWN OF WAYLAND

Section 1. There shall be in the Town of Wayland an account called "Other Post-Employment Benefits Trust Fund" or "OPEB Trust Fund" as defined in Governmental Accounting Standards Board, Statements 43 and 45, which shall be under the supervision and management of the Town Administrator and Finance Director. The Town Treasurer shall be the custodian of the OPEB Trust Fund.

Section 2. The OPEB Trust Fund shall be credited with all amounts appropriated or otherwise made available by the town, including any earnings or interest accruing from the investment of these funds, to offset the anticipated cost of health/life insurance contributions or other benefits for retired employees, their spouses and eligible dependents and the surviving spouses and eligible dependents of deceased retirees.

Section 3. Amounts in the OPEB Trust Fund shall be expended only for the payment of the costs payable by the town for OPEB.

Section 4. The Town Treasurer shall invest and reinvest the funds prudently. The Town Treasurer may employ any qualified bank, trust company, corporation, firm or person to advise it on the investment of the fund and pay such expense from the fund. The funds could be invested with the commonwealth as part of the Pension Reserves Investment Trust Fund, the Middlesex Retirement System or other stock/bond mutual fund available for other trust investments.

Section 5. The act shall take effect upon its passage.

MOTION:

Michael Tichnor moved and was duly seconded that the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act establishing a post employment benefit trust fund in the Town of Wayland substantially the same as the special act set forth in Page 15 and 16 of the Warrant for this Special Town Meeting.

VOTED: UNANIMOUS

ARTICLE 11: CURRENT YEAR TRANSFERS*Proposed by: Finance Committee**Estimated Cost: \$188,000*

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.

CURRENT YEAR TRANSFERS FY 2009		
	PURPOSE	AMOUNT
1	LANDFILL – SALARIES	\$ (86,000)
2	LANDFILL – SERVICES	\$ 274,000
TOTAL CURRENT YEAR TRANSFERS		\$ 188,000
FUNDING SOURCES:		
	UNRESERVED FUND BALANCE	\$ 188,000

MOTION:

Sam Peper moved and was duly seconded that \$188,000. be appropriated for landfill contract services to be expended by the Board of Health during Fiscal Year 2009 and that said appropriation be provided by transferring \$188,000. from the General Fund – Unreserved Fund Balance; and further transfer \$86,000 from landfill salaries to landfill contract services expense.

VOTED: LARGE MAJORITY**ARTICLE 12: WATER METER READING PROGRAM***Proposed by: Board of Water Commissioners**Estimated Cost: \$650,000*

To determine whether the town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners to purchase a Remote Radio Water Meter Reading System; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by borrowing, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, or otherwise.

MOTION:

Joel Goodmonson moved and was duly seconded that \$650,000. be appropriated to be expended by the Board of Water Commissioners to acquire a remote radio water meter reading system and to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$650,000. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8.

VOTED: MOTION FAILED

ARTICLE 13: FUNDING FOR REPAIR OF FORMER RAILROAD FREIGHT HOUSE
--

*Proposed by: Community Preservation Committee, Historical Commission
and Historic District Commission*

Estimated Cost: \$50,000

To determine whether the Town will vote to appropriate a sum of money to be expended by the Historical Commission for the rehabilitation and preservation of the Town-owned former railroad freight house located at 1 Concord Road; 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 funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

MOTION:

Jerry Heller moved and was duly seconded that \$50,000. be appropriated to be expended by the Historical Commission for the rehabilitation and preservation of the Town-owned former railroad freight house located at 1 Concord Road, Wayland, Massachusetts and that said appropriation be provided by transferring \$50,000. from the Community Preservation Fund – Historical Preservation Reserves.

VOTED: UNANIMOUS

ARTICLE 14: PUBLIC SHADE TREE FUNDS TRANSFER

Proposed by: Board of Selectmen

Estimated Cost: \$15,000

To determine whether the Town will vote to appropriate \$15,000.00 to be expended by the Park and Recreation Commission for the acquisition and planting of public shade trees; and to determine whether such appropriation shall be provided by transfer from the General Fund - unappropriated fund balance.

MOTION:

Steven Correia moved and was duly seconded that \$15,000. be appropriated to be expended by the Park and Recreation Commission for the acquisition and planting of public shade trees and that said appropriation be provided by transferring \$15,000. from the General Fund - Unreserved Fund Balance

VOTED: UNANIMOUS

ARTICLE 15: AMEND DOG CONTROL BYLAW
--

Proposed by: Conservation Commission

To determine whether the Town will vote to amend its Dog Control Bylaw, Chapter 91 of the Code of the Town of Wayland, by:

a.) adding to Paragraph D of Section 91-5 thereof the following new subparagraph:

“(7) Conservation land. A keeper may only have two dogs under effective voice control at any given time while on Town-owned lands under the care, management, and control of the Conservation Commission. If a keeper has three or more dogs at any time on such lands, then all dogs must be under leash control.” ; and

b.) re-numbering the existing subparagraph (7) thereof as subparagraph (8).

MOTION:

Roger Backman moved and was duly seconded that Town Meeting pass over this article.

VOTED: UNANIMOUS

ARTICLE 16: INCREASE ANNUAL DOG LICENSE FEES

Proposed by: Board of Selectmen and Town Clerk

To determine whether the Town will vote to amend its Dog Control Bylaw, Chapter 91 of the Code of the Town of Wayland, by making the following revisions to Article I, Section 91-2, Vaccination, licensing and fees), Paragraphs A. (10) and B. (10) thereof:

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

A. Three or fewer dogs.

.....

(10) License fees. The fees for licensing each dog are:

- (a) Annual license fee for each neutered or spayed dog over six months old: ~~\$10.~~ \$15.
- (b) Annual license fee for each unaltered dog over six months old: \$20.
- (c) License fee for any dog younger than six months: none.
- (d) Fee to replace lost dog tag: ~~\$2.~~ \$5.
- (e) Fee for transfer license: ~~\$2.~~ \$5.
- (f) Late fee: \$25.

After a public hearing, notice of which is posted for at least two weeks in a conspicuous place in Town Building and published at least once, not less than two weeks prior to the time specified for the hearing, in a newspaper of general circulation within the town, the Board of Selectmen may change the foregoing license fees pursuant to Massachusetts General Laws Chapter 40, Section 22F. Any such changes shall take effect upon the filing of notice thereof in the Office of the Town Clerk.

.....

B. Four or more dogs.

(10) Fees. The fees for licensing each kennel are:

- (a) Annual kennel license fee for four dogs: ~~\$50.~~ \$75.
- (b) Annual kennel license fee for 5-10 dogs: ~~\$75.~~ \$100.
- (c) Annual kennel license fee for 11 or more dogs: ~~\$100.~~ \$125.
- (d) Fee to replace lost dog tag: ~~\$2.~~ \$5.
- (e) Late fee: \$25.

After a public hearing, notice of which is posted for at least two weeks in a conspicuous place in Town Building and published at least once, not less than two weeks prior to the time specified for the hearing, in a newspaper of general circulation within the town, the Board of Selectmen may change the foregoing license fees pursuant to Massachusetts General Laws Chapter 40, Section 22F. Any such changes shall take effect upon the filing of notice thereof in the Office of the Town Clerk.

MOTION:

Doug Leard moved and was duly seconded that the Town amend its Dog Control Bylaw, Chapter 91 of the Code of the Town of Wayland, by making the revisions to Article I, Section 91-2, Vaccination, licensing and fees, Paragraphs A. (10) and B. (10) thereof as set forth in Page 21 of the Warrant for this Special Town Meeting.

AMENDMENT TO MAIN MOTION:

Bill Murphy moved and was duly seconded that the Town amend this article by replacing all of the words Board of Selectmen with the words Board of Health at every occurrence.

VOTED ON AMENDMENT TO MAIN MOTION:

MOTION CARRIED

VOTED ON MAIN MOTION AS AMENDED:

MOTION CARRIED

ARTICLE 17: AMEND NON-CRIMINAL BYLAW CHAPTER 1, ARTICLE 11

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 1, Article II, Section 1-2 (Noncriminal disposition of violations; enforcement) by adding the following new paragraph thereto:

“ J. Violation of Rules and Regulations of the Conservation Commission relative to the use of lands under the care, management, and control of the Conservation Commission.

(1) Penalty: \$100 per day.

Enforcing persons: Town police officers, other officers having police powers, and agents of the Conservation Commission.”

MOTION:

Joy Viola moved and was duly seconded that the Town amend the Code of the Town of Wayland, Chapter 1, Article II, Section 1-2 (Noncriminal disposition of violations; enforcement) by adding a new paragraph thereto as set forth in Page 22 of the Warrant for this Special Town Meeting.

VOTED: MAJORITY

ARTICLE 18: ESTABLISHMENT OF A TEMPORARY STUDY COMMITTEE TO REVIEW THE MASTER PLAN

Proposed by: Petitioners

To determine whether the Town will vote to establish an Advisory Study Committee under the direction of the Planning Board to 1) review the current 2004 Master Plan as a mid-course check and an opportunity to give the document and its vision renewed life and usefulness; and 2) to ensure its consistency with the values of the town with regard to (a) the need for balance between development and open space; (b) the preservation of the town’s semi-rural character; (c) the emerging emphasis on sustainable growth; and (d) support of the new Town Center’s success through careful analysis of impacts of future potential changes in town development.

Keeping in mind the matters listed in the previous paragraph, the committee would review the recommendations of the existing Master Plan to assess their implementation status and recommend actions.

- a. The Study Committee shall be comprised of 11 volunteer citizens of Wayland, 1 appointed by the Board of Selectmen, 4 appointed by the Planning Board, 1 appointed by the Conservation Commission, 1 appointed by the Finance Committee, 1 appointed by the Housing Authority, 1 appointed by the Park and Recreation Commission, 1 appointed by the Historic Commission, and 1 appointed by the Moderator.
- b. The Study Committee will meet for a period of 12 to 18 months, starting from the first organizational meeting, and may continue in an advisory capacity as directed by the Planning Board. The Study Committee shall prepare a report and present its findings to the Planning Board and Town Meeting.

MOTION:

Helen Riess moved and was duly seconded that the Town vote to adopt Article 18 for the 'Establishment of a Temporary Study Committee to Review the Master Plan, identical to the article as printed in the warrant with the exception of the last three words, "and Town Meeting," in the paragraph labeled lower case 'b.' which three words are to be omitted."

AMENDMENT TO MAIN MOTION:

Mike Lowery moved and was duly seconded to amend this article in paragraph ‘a.’ where it now states 4 appointed by the Planning Board to state instead 3 appointed by the Planning Board and 1 appointed by the Surface Water Quality Committee.

VOTED ON AMENDMENT TO MAIN MOTION: UNANIMOUS

VOTED ON MAIN MOTION AS AMENDED: MOTION CARRIED

ARTICLE 19: ACQUIRE 41 RIVER ROAD OPEN SPACE LAND

Proposed by: Board of Selectmen

Estimated Cost: Unknown

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;
- b.) appropriate a sum of money 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.

MOTION:

Bill Whitney moved and was duly seconded that this article be passed over.

VOTED: MOTION CARRIED UNANIMOUSLY

The Moderator recognized the Sound Crew for setting up the entire sound system in the hall:

SOUND CREW

- Albie Cincotti
- Jeff Wadsworth
- Matt DeCarlo
- Cameron Tenny

Meeting adjourned at 9:35 P.M. sine die.

ATTENDANCE 242

Respectfully Submitted,

Lois M. Toombs, CMC
Town Clerk

**TOWN OF WAYLAND
ANNUAL TOWN MEETING
APRIL 13, 2009**

DATE:

Monday, April 13, 2009
Wednesday, April 15, 2009
Thursday, April 16, 2009

ARTICLES DISPOSED OF:

1 - 8
9 - 24
25-33

RETURN OF SERVICE

MIDDLESEX, s.s.

March 24, 2009

To any of the Constables of the Town of Wayland, Greetings:

I, Louis V. Gaglini, duly qualified Constable of the Town of Wayland, do hereby affirm and certify that I have posted the specimen of the Official Ballot for the Annual Town Election to be held on Tuesday, April 7, 2009 together with the Warrant for the Annual Town Meeting to be held on Monday, April 13, 2009, and the Special Town Meeting to be held on Wednesday, April 15, 2009, by my posting copies thereof at the Wayland Town Building, Cochituate Post Office, Wayland Public Library and the Happy Hollow School, by posting seven (7) days at least before the date appointed for the posting of the Warrant for the Annual Town Election and the Annual Town Meeting and fourteen (14) days at least before the date appointed for the posting of the Warrant for the Special Town Meeting. Posting was done March 24, 2009.

VOTES ENACTED:

MONDAY, APRIL 13, 2009 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated March 23, 2009, signed by Michael L. Tichnor, Douglas J. Leard, William D. Whitney, Joseph F. Nolan, and Steven J. Correia, Selectmen, served and return of service given by Louis V. Gaglini, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House, and at 7:30 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ERRATA:

ARTICLE 6: FY 2010 OMNIBUS BUDGET

Page 21, MOTION UNDER ARTICLE 6:

Make the following changes under item 1:

- 1) "That the report of the Finance Committee respecting the Fiscal Year 2010 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2010 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of ~~\$62,098,411~~. **\$62,019,837**. which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, ~~\$57,455,087~~. **\$57,376,513**. shall be raised by taxation, \$340,000. shall be provided by transfer from Ambulance Receipts, \$653. shall be provided by transfer from Premium on Bonds Account, \$1,100,000 shall be provided by transfer from unreserved fund balance, \$2,702,671 shall be raised by water revenues, \$500,000 shall be transferred from water surplus."

Page 28, GRAND TOTAL BUDGET FIGURE

Remove:	GRAND TOTAL BUDGET	\$54,455,592	\$58,991,773	\$62,098,411
---------	---------------------------	---------------------	---------------------	---------------------

And insert:

GRAND TOTAL BUDGET	\$54,455,592	\$58,991,773	\$62,019,839
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NOTE: The modification to the Finance Committee's budget for Fiscal Year 2010 reflects a revised assessment to the Minuteman Regional Vocational Technical High School. Line item 45 is reduced by \$78,574 from \$500,000 to \$421,426 based on the most recent estimated assessment. A corresponding reduction to the amount raised by taxation results.

ARTICLE 10: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

Page 104, Appendix E, Middle of Page

Add the following position to the Wage and Classification Plan:

GROUP: NON UNION - PUBLIC SAFETY			
Effective: July 1, 2009 (2.5% Adjustment)			
	Annually	Per Day	Hourly
Paramedic			19.50

STATEMENT

Michael Tichnor noted that this was the first Town Meeting in the newly renovated field house. He stated that this was a 100% privately funded project and recognized the tremendous efforts of those who lead the project to raise \$600,000 and oversaw the project from beginning to end. Michael Tichnor mentioned specifically:

- Stan & Dottie Shelton
- Doug Sacra
- Dianne Bladon and the Wayland PTO
- Mike Simches
- Steve Lesser
- Kim Keefer
- Karen & Linus Vachon

as well as all who contributed towards the \$600,000.

Gratitude was expressed by a round of applause in recognition.

ARTICLE 1: RESOLUTION TO ENDORSE THE WORK OF THE WAYLAND CHARITABLE COMMITTEE

Proposed by: Board of Selectmen

WHEREAS, the Wayland Charitable Committee was established in 1997; and,

WHEREAS, the Wayland Charitable Committee provides short-term, emergency assistance for utilities, food, rent, clothing, medicine and medical services, and special transportation connected to those needs, to people who have lived in Wayland for at least one year; and,

WHEREAS, the work of the Wayland Charitable Committee was originally funded through a bequest from Suzanne A. Leavitt and is now supplemented by gifts from Wayland residents, community organizations and local businesses; and,

WHEREAS, the Wayland Charitable Committee provided \$35,418 in the past fiscal year in short-term financial help to Wayland residents.

NOW, THEREFORE, BE IT RESOLVED that this Town Meeting encourage Wayland residents and businesses to contribute generously to this fund, recognizing the growing needs of our fellow citizens during the current downward economic cycle.

MOTION:

Michael Tichnor moved and was duly seconded that the Towns adopt the following resolution:

WHEREAS, the Wayland Charitable Committee was established in 1997; and,

WHEREAS, the Wayland Charitable Committee provides short-term, emergency assistance for utilities, food, rent, clothing, medicine and medical services, and special transportation connected to those needs, to people who have lived in Wayland for at least one year; and,

WHEREAS, the work of the Wayland Charitable Committee was originally funded through a bequest from Suzanne A. Leavitt and is now supplemented by gifts from Wayland residents, community organizations and local businesses; and,

WHEREAS, the Wayland Charitable Committee provided \$35,418 in the past fiscal year in short-term financial help to Wayland residents.

NOW, THEREFORE, BE IT RESOLVED that this Town Meeting encourage Wayland residents and businesses to contribute generously to this fund, recognizing the growing needs of our fellow citizens during the current downward economic cycle.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 2: RECOGNIZE CITIZENS AND EMPLOYEES FOR EXTENSIVE SERVICE TO THE TOWN

Proposed by: Board of Selectmen

To determine whether the Town will vote to recognize certain citizens and employees for their extensive service to the Town of Wayland.

MOTION NO. 1:

Michael Tichnor moved and was duly seconded that the Town recognize and observe a moment of silence in remembrance of the following citizens who served the Town and have passed away since the last Annual Town Meeting:

- | | | |
|--------------------------------|-------------------|-----------|
| Francis J. "Pal" Hartin Sr. | August 2, 2008 | |
| • Wayland Fire Department | | 1937-1957 |
| • Wayland Fire Chief | | 1957-1974 |
| John Seiler | August 20, 2008 | |
| • Historic District Commission | | 1971 |
| • ZBA (Associate Member) | | |
| • CNA/Raytheon Committee | | 1995-1998 |
| • Historic District Commission | | 1997-2003 |
| • Town Center Committee | | 1998-2002 |
| Perry Hagenstein | December 27, 2008 | |
| • Library Trustee | | 1992-2008 |

- Paine Steering Committee 1994
- Library Feasibility Study Comm 2003-2005

Ivan Faigen February 18, 2009

- Radio Study Committee 1987-1989

The motion was duly seconded and Pal Hartin, John Seiler, Perry Hagenstein and Ivan Faigen were recognized unanimously and a moment of silence was observed in remembrance.

MOTION NO. 2:

Michael Tichnor moved and was duly seconded that the Town recognize the following employees who have retired this year or are planning to retire before the next Annual Town Meeting:

- Ward Keller 30 years
Wiring Inspector

Moderator declared that the motion passed unanimously.

MOTION NO. 3:

Richard Turner moved and was duly seconded that the Town recognize the following citizens for their extensive service to the Town of Wayland. George Harris, Linda Segal, Michael Short, Betty Salzberg, Tom Sciacca and Molly Upton.

POINT OF ORDER:

William Steinberg questioned whether the motion as presented by the Public Ceremonies Committee was within the scope of the article as printed in the Warrant. The Moderator ruled that the motion as presented is within the scope of the article.

AMENDMENT TO MOTION NO.3:

Sonja Strong moved and was duly seconded to amend the motion previously made by the Public Ceremonies Committee by referring this matter for further study to the Board of Selectmen who will report on their findings to the Town at an appropriate Town Meeting in the fall of 2009.

MOTION TO TERMINATE DEBATE:

Richard Turner moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE:

UNANIMOUSLY IN FAVOR

VOTED ON AMENDMENT TO MOTION NO. 3:

1ST VOICE VOTE:	UNDECIDED		
2ND VOICE VOTE:	UNDECIDED		
STANDING VOTE:	UNDECIDED		
STANDING COUNT BY MODERATOR:	IN FAVOR:	226	MOTION CARRIED
	OPPOSED:	137	

VOTED ON MOTION NO. 3 AS AMENDED:

MOTION CARRIED

TELLERS:

Mary Josephine Seibel	55 Country Corners Rd
David Lifland	22 Woodridge Rd
Rebecca Butler	100 West Plain St
Marcella Schubert	14 Westway Rd
Peter Lavenson	40 Mitchell St
Stephen Curtin	27 Snakebrook Rd

ARTICLE 3: 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.

MOTION NO. 1:

Joseph Nolan moved and was duly seconded that the Town vote to accept the 2008 Wayland Annual Report, and those reports included in Appendix B of the 2009 Annual Town Meeting Warrant.

MOTION:

Bill Murphy moved to amend the Nike Site Reuse Advisory Committee report by adding thereto the following statement: "The Nike 40b project goals have not been achieved".

The Moderator ruled that it was not within the scope of this article to amend any of the reports including the Town Report.

VOTED: MOTION CARRIED

ARTICLE 4: 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.

MOTION:

Michael Tichnor moved and was duly seconded that the Town Vote that the following persons be nominated for the following offices in accordance with Appendix C of the 2009 Annual Town Meeting Warrant:

As Trustees of the Allen Fund:

Sema Faigen
Benjamin W. Johnson III
Michael B. Patterson

As Fence Viewers:

The Selectmen

As Field Drivers:

The Constables

As Measurers of Wood and Bark:

Paul Doerr
Lewis S. Russell Jr.
Harry F. Sweitzer

As Surveyors of Lumber:

Marcia P. Crowley
Jean B. Pratt
Harry F. Sweitzer

and, there being no further nominations, the Town Clerk be instructed to cast one ballot for the same.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 5: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee

Estimated Cost: \$440,000

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.

CURRENT YEAR TRANSFERS FY 2009		
	PURPOSE	AMOUNT
1	SNOW REMOVAL	\$340,000
2	TOWN COUNSEL	\$100,000
TOTAL CURRENT YEAR TRANSFERS		\$440,000
FUNDING SOURCES:		
	UNRESERVED FUND BALANCE	\$440,000

MOTION:

Michael Tichnor moved and was duly seconded that the Town vote that the following sums be appropriated to be expended by the following boards and committees in Fiscal Year 2009 for the following purposes:

Purpose	Amount	Board or Committee
Snow Removal	\$340,000	Road Commissioners
Town Counsel	\$100,000	Selectmen;

and that said appropriations be provided by transferring \$440,000. from the General Fund – Unreserved Fund Balance.

VOTED: MOTION CARRIED

ARTICLE 6: FY2010 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.

MOTION UNDER ARTICLE 6:

- 1) “That the report of the Finance Committee respecting the Fiscal Year 2010 Budget be accepted; and that each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2010 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$62,098,411. which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, \$57,455,087. shall be raised by taxation, \$340,000 . shall be provided by transfer from Ambulance Receipts, \$653. shall be provided by transfer from Premium on Bonds Account, \$1,100,000 shall be provided by transfer from unreserved fund balance, \$2,702,671 shall be raised by water revenues, \$500,000 shall be transferred from water surplus.”

- 2) For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 6 at the Annual Town Meeting, as follows:

“That the Town Administrator be charged with responsibility for (1) the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, and the Cochituate Town Building, their equipment, and their grounds, as well as (2) the supervision, except for matters relating to policy, of all employees in those buildings, other than elected officials, non-salaried appointed officials, and employees of the School Department;”

“That the Director of Youth and Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department;”

“That property tax abatements granted to eligible senior citizens under Section 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account;”

“That the Town continue for Fiscal Year 2010 the revolving fund established by vote of the 2006 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Recreation Commission for recreation programs and activities, to be funded by user fees collected; and that the amount to be expended not to exceed the sum of \$825,000;” and

“That the Town continue for Fiscal Year 2010 the revolving fund established by vote of the 1994 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws for use by the Council on Aging for education, cultural and entertainment programs and purposes, to be funded by receipts from said programs; and that the amount to be expended not exceed the sum of \$50,000.”

MOTION NO. 1:

Sam Peper moved and was duly seconded that the Town vote the report of the Finance Committee respecting the Fiscal Year 2010 Budget be accepted; and that each and every numbered item set forth in the Finance Committee’s Budget for Fiscal Year 2010 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$62,098,411. which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, \$57,455,087. shall be raised by taxation, \$340,000 . shall be provided by transfer from Ambulance Receipts, \$653. shall be provided by transfer from Premium on Bonds Account, \$1,100,000 shall be provided by transfer from unreserved fund balance, \$2,702,671 shall be raised by water revenues, \$500,000 shall be transferred from water surplus; and for what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under this motion as printed on Pages 21 to 22 of the Warrant for the 2009 Annual Town Meeting.

AMENDMENT NO. 1 TO MOTION NO. 1:

Sam Peper moved and was duly seconded that the Town amend line item # 45 on Page 26 of the Warrant entitled Regional Vocational Schools from 500,000 to 421,426 or a reduction of 78,574.

VOTED ON AMENDMENT NO. 1 TO MOTION NO. 1: UNANIMOUSLY IN FAVOR

AMENDMENT NO. 2 TO MOTION NO. 1

Anette Lewis moved and was duly seconded to amend Line Item #2 of the budget proposed on Pg 23 of the Warrant by retracting \$25,000 reducing the amount from \$356,500 to \$331,500.

MOTION TO TERMINATE DEBATE:

Eric Knapp moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED BY 2/3 MAJORITY

VOTED ON AMENDMENT NO. 2 TO MOTION NO. 1: MOTION NOT CARRIED

PROCEDURAL MOTION:

Michael Tichnor moved and was duly seconded to extend Town Meeting tonight until later of 11:00 P.M. with the completion of Article 7.

VOTED: MOTION CARRIED

PROCEDURAL MOTION RESTATED:

Michael Tichnor moved that Town Meeting be extended this evening until the later of the completion of Article 7 or 11:00 o'clock.

VOTED: MOTION CARRIED

MOTION NO. 1 AS AMENDED:

Sam Peper moved and was duly seconded that the Town vote that the report of the Finance Committee respecting the Fiscal Year 2010 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2010 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$62,019,837. which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, \$57,376,513. shall be raised by taxation, \$340,000 . shall be provided by transfer from Ambulance Receipts, \$653. shall be provided by transfer from Premium on Bonds Account, \$1,100,000 shall be provided by transfer from unreserved fund balance, \$2,702,671 shall be raised by water revenues, \$500,000 shall be transferred from water surplus; and for what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under this motion as printed on Pages 21 to 22 of the Warrant for the 2009 Annual Town Meeting.

VOTED MOTION NO. 1 AS AMENDED:

UNANIMOUSLY IN FAVOR

FISCAL YEAR 2010 BUDGET		EXPENDED FY 2008	APPROPRIATED FY 2009	REQUESTED FY 2010
SELECTMEN				
	PURCHASE OF SERVICES	\$21,387	\$21,200	\$24,500
	SUPPLIES	\$6,879	\$12,800	\$12,800
1	TOTAL EXPENSES	\$28,266	\$34,000	\$37,300
	TOTAL SELECTMEN	\$28,266	\$34,000	\$37,300
TOWN OFFICE				
	SALARIES	\$324,625	\$314,800	\$356,500
2	TOTAL PERSONNEL SERVICES	\$324,625	\$314,800	\$356,500
	PURCHASE OF SERVICES	\$13,640	\$17,000	\$17,000
	SUPPLIES	\$53,646	\$58,800	\$58,800
3	TOTAL EXPENSES	\$67,286	\$75,800	\$75,800
	TOTAL TOWN OFFICE	\$391,911	\$390,600	\$432,300
PERSONNEL BOARD				
	SALARIES	\$1,386	\$6,750	\$6,750
4	TOTAL PERSONNEL SERVICES	\$1,386	\$6,750	\$6,750
	PURCHASE OF SERVICES	\$9,746	\$10,000	\$10,000
5	TOTAL EXPENSES	\$9,746	\$10,000	\$10,000
	TOTAL PERSONNEL BOARD	\$11,132	\$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	\$221,218	\$270,450	\$297,222
7	TOTAL PERSONNEL SERVICES	\$221,218	\$270,450	\$297,222
	PURCHASE OF SERVICES	\$24,934	\$30,000	\$31,400
	SUPPLIES	\$2,997	\$5,000	\$5,000
8	TOTAL EXPENSES	\$27,931	\$35,000	\$36,400
	TOTAL FINANCE	\$249,149	\$305,450	\$333,622
	ASSESSOR			
	SALARIES	\$184,133	\$184,831	\$203,904
9	TOTAL PERSONNEL SERVICES	\$184,133	\$184,831	\$203,904
	PURCHASE OF SERVICES	\$87,398	\$125,020	\$125,020
	SUPPLIES	\$1,310	\$1,500	\$1,500
10	TOTAL EXPENSES	\$88,708	\$126,520	\$126,520
	TOTAL ASSESSOR	\$272,841	\$311,351	\$330,424
	TREASURER			
	SALARIES	\$185,777	\$196,520	\$202,300
11	TOTAL PERSONNEL SERVICES	\$185,777	\$196,520	\$202,300
	PURCHASE OF SERVICES	\$31,329	\$36,730	\$37,230
	SUPPLIES	\$1,550	\$1,700	\$1,700
12	TOTAL EXPENSES	\$32,879	\$38,430	\$38,930
	TOTAL TREASURER	\$218,656	\$234,950	\$241,230
	TOWN COUNSEL			
	PURCHASE OF SERVICES	\$324,772	\$200,000	\$225,000
	SUPPLIES	\$2,536	\$2,500	\$3,000
13	TOTAL EXPENSES	\$327,308	\$202,500	\$228,000
	TOTAL TOWN COUNSEL	\$327,308	\$202,500	\$228,000
	INFORMATION TECHNOLOGY			
	SALARIES	\$75,095	\$74,366	\$80,746
14	TOTAL PERSONNEL SERVICES	\$75,095	\$74,366	\$80,746
	PURCHASE OF SERVICES	\$91,868	\$109,500	\$110,500
	SUPPLIES	\$29,459	\$32,500	\$32,500
15	TOTAL EXPENSES	\$121,327	\$142,000	\$143,000
	TOTAL INFORMATION TECHNOLOGY	\$196,422	\$216,366	\$223,746
	TOWN CLERK			
	SALARIES	\$109,615	\$109,059	\$114,744
16	TOTAL PERSONNEL SERVICES	\$109,615	\$109,059	\$114,744
	PURCHASE OF SERVICES	\$5,423	\$11,155	\$11,755
	SUPPLIES	\$1,607	\$1,600	\$1,600
17	TOTAL EXPENSES	\$7,030	\$12,755	\$13,355
	TOTAL TOWN CLERK	\$116,645	\$121,814	\$128,099
	ELECTIONS			
	SALARIES	\$21,732	\$27,100	\$11,700
	TOTAL PERSONNEL SERVICES	\$21,732	\$27,100	\$11,700
	PURCHASE OF SERVICES	\$0	\$800	\$1,000
	SUPPLIES	\$8,464	\$12,500	\$12,500
	TOTAL EXPENSES	\$8,464	\$13,300	\$13,500
18	TOTAL ELECTIONS	\$30,196	\$40,400	\$25,200
	REGISTRAR			
	SALARIES	\$275	\$275	\$275
19	TOTAL PERSONNEL SERVICES	\$275	\$275	\$275
	PURCHASE OF SERVICES	\$3,415	\$3,900	\$4,500
20	TOTAL EXPENSES	\$3,415	\$3,900	\$4,500
	TOTAL REGISTRAR	\$3,690	\$4,175	\$4,775

	CONSERVATION			
	SALARIES	\$103,421	\$109,580	\$121,608
21	TOTAL PERSONNEL SERVICES	\$103,421	\$109,580	\$121,608
	PURCHASE OF SERVICES	\$15,107	\$12,500	\$12,500
	SUPPLIES	\$9,230	\$9,600	\$9,600
22	TOTAL EXPENSES	\$24,337	\$22,100	\$22,100
	TOTAL CONSERVATION	\$127,758	\$131,680	\$143,708
	PLANNING			
	SALARIES	\$105,616	\$103,653	\$113,534
23	TOTAL PERSONNEL SERVICES	\$105,616	\$103,653	\$113,534
	PURCHASE OF SERVICES	\$2,139	\$4,000	\$4,000
	SUPPLIES	\$1,823	\$2,000	\$2,000
24	TOTAL EXPENSES	\$3,962	\$6,000	\$6,000
	TOTAL PLANNING	\$109,578	\$109,653	\$119,534
	SURVEYOR			
	SALARIES	\$133,359	\$133,791	\$145,806
25	TOTAL PERSONNEL SERVICES	\$133,359	\$133,791	\$145,806
	PURCHASE OF SERVICES	\$10,104	\$11,800	\$11,800
	SUPPLIES	\$4,113	\$5,150	\$5,150
26	TOTAL EXPENSES	\$14,217	\$16,950	\$16,950
	TOTAL SURVEYOR	\$147,576	\$150,741	\$162,756
	FACILITIES			
	SALARIES	\$159,552	\$197,325	\$270,504
27	TOTAL PERSONNEL SERVICES	\$159,552	\$197,325	\$270,504
	PURCHASE OF SERVICES	\$29,439	\$35,150	\$135,100
	UTILITIES	\$253,702	\$292,000	\$718,980
	SUPPLIES	\$9,543	\$16,000	\$24,200
28	TOTAL EXPENSES	\$292,684	\$343,150	\$878,280
	TOTAL FACILITIES	\$452,236	\$540,475	\$1,148,784
	HISTORICAL COMMISSION			
	PURCHASE OF SERVICES	\$149	\$200	\$200
29	TOTAL EXPENSES	\$149	\$200	\$200
	TOTAL HISTORICAL COMMISSION	\$149	\$200	\$200
	SURFACE WATER QUALITY COMMISSION			
	PURCHASE OF SERVICES	\$62,733	\$40,000	\$40,000
30	TOTAL EXPENSES	\$62,733	\$40,000	\$40,000
	TOTAL SURFACE WATER QUALITY COMM	\$62,733	\$40,000	\$40,000
	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	\$1,201	\$2,500	\$2,500
32	TOTAL EXPENSES	\$1,201	\$2,500	\$2,500
	TOTAL PUBLIC CEREMONIES	\$1,201	\$2,500	\$2,500
	POLICE			
	SALARIES	\$1,915,837	\$2,012,500	\$2,123,500
33	TOTAL PERSONNEL SERVICES	\$1,915,837	\$2,012,500	\$2,123,500
	PURCHASE OF SERVICES	\$109,398	\$112,850	\$116,300
	SUPPLIES	\$159,726	\$171,300	\$184,200
34	TOTAL EXPENSES	\$269,124	\$284,150	\$300,500
	TOTAL POLICE	\$2,184,961	\$2,296,650	\$2,424,000

	JOINT COMMUNICATIONS			
	SALARIES	\$442,271	\$436,300	\$476,100
35	TOTAL PERSONNEL SERVICES	\$442,271	\$436,300	\$476,100
	PURCHASE OF SERVICES	\$53,242	\$39,700	\$15,100
	UTILITIES	\$128,378	\$138,500	\$12,500
	SUPPLIES	\$6,278	\$9,800	\$8,300
36	TOTAL EXPENSES	\$187,898	\$188,000	\$35,900
	TOTAL JOINT COMMUNICATIONS	\$630,169	\$624,300	\$512,000
	EMERGENCY MANAGEMENT			
	PURCHASE OF SERVICES	\$8,229	\$14,800	\$14,800
	SUPPLIES	\$817	\$10,000	\$10,000
37	TOTAL EXPENSES	\$9,046	\$24,800	\$24,800
	TOTAL EMERGENCY MANAGEMENT	\$9,046	\$24,800	\$24,800
	DOG OFFICER			
	PURCHASE OF SERVICES	\$19,356	\$20,000	\$21,000
	SUPPLIES	\$2,011	\$3,000	\$3,000
38	TOTAL EXPENSES	\$21,367	\$23,000	\$24,000
	TOTAL DOG OFFICER	\$21,367	\$23,000	\$24,000
	FIRE			
	SALARIES	\$1,842,315	\$1,806,642	\$2,084,913
39	TOTAL PERSONNEL SERVICES	\$1,842,315	\$1,806,642	\$2,084,913
	PURCHASE OF SERVICES	\$28,371	\$28,700	\$65,700
	SUPPLIES	\$88,418	\$96,000	\$104,000
40	TOTAL EXPENSES	\$116,789	\$124,700	\$169,700
	TOTAL FIRE	\$1,959,104	\$1,931,342	\$2,254,613
	COCHITUATE BLDG-STATION 2			
	PURCHASE OF SERVICES	\$7,033	\$9,000	\$0
	UTILITIES	\$12,939	\$18,200	\$0
	SUPPLIES	\$868	\$2,000	\$0
41	TOTAL EXPENSES	\$20,840	\$29,200	\$0
	TOTAL COCHITUATE BLDG-STATION 2	\$20,840	\$29,200	\$0
	BUILDING & ZONING			
	SALARIES	\$262,945	\$273,961	\$297,246
42	TOTAL PERSONNEL SERVICES	\$262,945	\$273,961	\$297,246
	PURCHASE OF SERVICES	\$8,210	\$14,160	\$14,160
	SUPPLIES	\$6,076	\$7,550	\$8,000
43	TOTAL EXPENSES	\$14,286	\$21,710	\$22,160
	TOTAL BUILDING & ZONING	\$277,231	\$295,671	\$319,406
	TOTAL PUBLIC SAFETY	\$5,102,718	\$5,224,963	\$5,558,819
44	SCHOOLS	\$28,913,584	\$30,091,713	\$31,111,713
45	REGIONAL VOCATIONAL SCHOOLS	\$394,092	\$450,000	\$500,000
	DPW			
	SALARIES	\$2,132,594	\$2,369,543	\$2,451,815
	TOTAL PERSONNEL SERVICES	\$2,132,594	\$2,369,543	\$2,451,815
	PURCHASE OF SERVICES	\$997,468	\$1,025,931	\$1,297,400
	UTILITIES	\$307,663	\$370,100	\$335,000
	SUPPLIES	\$720,009	\$624,320	\$716,700
	DEBT	\$535,628	\$1,152,203	\$1,144,004
	TOTAL EXPENSES	\$2,560,767	\$3,172,554	\$3,493,104
46	TOTAL DPW	\$4,693,360	\$5,542,097	\$5,944,919

	BOARD OF HEALTH			
	SALARIES	\$464,578	\$478,090	\$523,368
47	TOTAL PERSONNEL SERVICES	\$464,578	\$478,090	\$523,368
	PURCHASE OF SERVICES	\$126,714	\$114,605	\$113,980
	SUPPLIES	\$6,943	\$13,750	\$14,250
48	TOTAL EXPENSES	\$133,658	\$128,355	\$128,230
	TOTAL BOARD OF HEALTH	\$598,236	\$606,445	\$651,598
	VETERANS SERVICES			
	SALARIES	\$3,556	\$3,600	\$3,850
49	TOTAL PERSONNEL SERVICES	\$3,556	\$3,600	\$3,850
	PURCHASE OF SERVICES	\$6,292	\$6,500	\$7,500
	SUPPLIES	\$5,915	\$6,000	\$6,000
50	TOTAL EXPENSES	\$12,207	\$12,500	\$13,500
	TOTAL VETERANS SERVICES	\$15,763	\$16,100	\$17,350
	COUNCIL ON AGING			
	SALARIES	\$131,893	\$148,014	\$158,738
51	TOTAL PERSONNEL SERVICES	\$131,893	\$148,014	\$158,738
	PURCHASE OF SERVICES	\$79,563	\$65,900	\$65,900
	SUPPLIES	\$6,334	\$7,300	\$7,300
52	TOTAL EXPENSES	\$85,897	\$73,200	\$73,200
	TOTAL COUNCIL ON AGING	\$217,790	\$221,214	\$231,938
	YOUTH SERVICES			
	SALARIES	\$134,192	\$150,044	\$140,542
53	TOTAL PERSONNEL SERVICES	\$134,192	\$150,044	\$140,542
	PURCHASE OF SERVICES	\$1,920	\$3,850	\$3,850
	SUPPLIES	\$2,878	\$975	\$975
54	TOTAL EXPENSES	\$4,798	\$4,825	\$4,825
	TOTAL YOUTH SERVICES	\$138,990	\$154,869	\$145,367
	LIBRARY			
	SALARIES	\$698,341	\$704,123	\$718,376
55	TOTAL PERSONNEL SERVICES	\$698,341	\$704,123	\$718,376
	PURCHASE OF SERVICES	\$45,626	\$51,200	\$44,430
	UTILITIES	\$35,782	\$45,490	\$0
	SUPPLIES	\$172,481	\$170,500	\$181,500
56	TOTAL EXPENSES	\$253,890	\$267,190	\$225,930
	TOTAL LIBRARY	\$952,231	\$971,313	\$944,306
	POOL			
	SALARIES	\$17,843	\$36,900	\$36,900
	TOTAL PERSONNEL SERVICES	\$17,843	\$36,900	\$36,900
	PURCHASE OF SERVICES	\$11,382	\$10,500	\$0
	UTILITIES	\$48,030	\$64,000	\$0
	SUPPLIES	\$9,330	\$22,500	\$19,000
57	TOTAL EXPENSES	\$68,742	\$97,000	\$19,000
	TOTAL POOL	\$86,585	\$133,900	\$55,900
	DEBT AND INTEREST			
	DEBT SERVICE	\$3,805,966	\$4,086,279	\$4,306,298
58	TOTAL EXPENSES	\$3,805,966	\$4,086,279	\$4,306,298
	TOTAL DEBT AND INTEREST	\$3,805,966	\$4,086,279	\$4,306,298
	UNCLASSIFIED			
	INSURANCE GENERAL	\$530,671	\$610,000	\$670,000
	INSURANCE 32B	\$5,608,059	\$6,575,000	\$7,145,000
	MEDICARE	\$449,970	\$540,000	\$580,000
	UNEMPLOYMENT	\$45,060	\$70,000	\$80,000

	NON CONTRIBUTORY RETIREMENT	\$16,401	\$17,000	\$18,000
	POLICE/FIRE DISABILITY	\$10,086	\$10,000	\$15,000
	RESERVE FOR SAL ADJUSTMENTS	\$0	\$415,000	\$75,000
	OCCUPATIONAL HEALTH NURSE	\$4,942	\$5,000	\$8,000
	EMPLOYEE ASSISTANCE PROGRAM	\$1,054	\$5,000	\$5,000
	TOWN MEETING	\$13,731	\$32,000	\$40,000
	STREET LIGHTING	\$108,859	\$155,000	\$160,000
	RESERVE FUND	\$0	\$205,000	\$215,000
59	TOTAL UNCLASSIFIED	\$6,788,833	\$8,639,000	\$9,011,000

GRAND TOTAL BUDGET	\$54,455,592	\$58,991,773	\$62,098,411
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NOTE: The Facilities budget (lines 27 and 28 in this chart) for FY10 reflects the transfer of utilities and certain purchased services and supplies related to building costs from Library, Pool, Joint Communications (Public Safety Building), Cochituate Building – Station #2, and former Highway, Parks, and Water Departments to Facilities (formerly Town Building). The FY08 expended and FY09 Appropriated columns do not reflect this transfer and therefore, are not readily comparable with FY10 Requested column.

The DPW budget (line 46) reflects the consolidation of the former Highway, Parks, Landfill, and Water department budgets into a single budget. Because of this consolidation, FY08 expended and FY09 appropriated amounts for the individual departments are shown as DPW. Because of the movement of certain accounts related to building and facility expenses have been transferred to the facilities budget and the new costs associated with opening the Baldwin Pond Water Treatment facility, the three columns are not readily comparable. Please see Appendix L for a chart depicting the proposed budgets for the individual departments and the consolidated DPW budget (with Water expenses separated from General Fund expenditures).

WATER DEPT	\$1,982,035	\$2,874,465	\$3,202,671
NET GENERAL FUND	\$52,473,557	\$56,117,308	\$58,895,740

CAPITAL BUDGET		RECOMMENDED	
<u>ASSESSOR</u>			
1	FULL LIST & MEASURE	E	200,000
<u>INFORMATION TECHNOLOGY</u>			
2	COMPUTER EQUIPMENT	C	30,000
<u>FACILITIES</u>			
3	BUILDING REPAIRS	E	495,000
<u>JCC</u>			
4	REPEATER EQUIPMENT	C	30,000
<u>FIRE DEPARTMENT</u>			
5	AMBULANCE & ALS EQUIPMENT	E	240,000
6	SOFTWARE-AMBULANCE	C	25,000
<u>DPW</u>			
7	1 TON DUMP TRUCK W/PLOW	B	65,000
	COMPACTOR (TRANSFER STATION)	C	35,000
	TRUCK WASHING EQUIPMENT	B	50,000
	SKID-LOADER	B	30,000
	PAINT MACHINE/BUNKER RAKE	B	25,000
	TRACTOR ATTACHMENTS	B	25,000
8	TOTAL EQUIPMENT		\$165,000
9	FIELD RENOVATIONS	E	\$25,000
<u>DPW-WATER</u>			
10	GENERATOR	WC	60,000
11	VEHICLES	WC	60,000
	HH WET WELL UPGRADES	WB	150,000
	DRAINAGE IMPROVEMENTS	WB	130,000
12	TOTAL SYSTEM UPGRADES		280,000
<u>RECREATION</u>			
13	BASKETBALL HOOPS/SUPPORTS	B	40,000
<u>SCHOOL DEPARTMENT</u>			
14	BUILDING REPAIRS	E	120,000
15	MAINTENANCE VEHICLE	C	30,000
16	TECHNOLOGY	B	550,000
GRAND TOTAL			2,415,000
<u>SUMMARY</u>			
B =	BORROW	785,000	
E =	DEBT EXEMPT ITEMS - BORROW	1,080,000	
C =	CASH CAPITAL	150,000	
WB =	WATER BORROWING	280,000	GENERAL FUND 2,015,000
WC =	WATER CASH CAPITAL	120,000	WATER 400,000
		2,415,000	2,415,000

MOTION #2:

Sam Peper moved and was duly seconded that the following amounts be appropriated for equipment and vehicle acquisitions and projects for the following departments, each of which shall be a separate appropriation:

	<u>Equipment/Vehicle/Project</u>	<u>Department</u>	<u>Amount</u>
1	Full List and Measure	Assessors	\$ 200,000.00
2	Computer Equipment (C)	Selectmen	\$ 30,000.00
3	Building Repairs	Selectmen	\$ 495,000.00
4	Repeater Equipment (C)	JCC	\$ 30,000.00
5	Ambulance and Other Equipment	Fire	\$ 240,000.00
6	Computer Software – Ambulance (C)	Fire	\$ 25,000.00
7	One Ton Dump Truck with Plow	Public Works	\$ 65,000.00
8	Equipment (non Water) (C 35K)	Public Works	\$ 165,000.00
9	Field Renovations (non Water)	Public Works	\$ 25,000.00
10	Generator - Water	Public Works	\$ 60,000.00
11	Vehicles - Water	Public Works	\$ 60,000.00
12	System Upgrades – Water	Public Works	\$ 280,000.00
13	Basketball Hoops and Supports	Recreation	\$ 40,000.00
14	Building Repairs	School	\$ 120,000.00
15	Vehicle Maintenance (C)	School	\$ 30,000.00
16	Technology	School	\$ 550,000.00
	TOTAL		\$ 2,415,000.00

and, to meet these appropriations, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,145,000. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$150,000. shall be provided by transfer from General Fund – Unreserved Balance and \$120,000 shall be provided by transfer from Water Surplus all as set forth in Page 29 of the Warrant for the 2009 Annual Town Meeting.

VOTED ON MOTION NO. 2:

UNANIMOUSLY IN FAVOR

<p>ARTICLE 7: FEASIBILITY/SCHEMATIC DESIGN SERVICES FOR WAYLAND HIGH SCHOOL</p>
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Proposed by: School Committee

Estimated Cost: \$726,000

To determine whether Town will vote to appropriate a sum of money to be expended under the direction of the High School Building Committee for the purpose of funding schematic architectural, program management, and other services associated with conducting a feasibility study to determine a solution to the deficiencies outlined in the Statement of Interest submitted to the Massachusetts School Building Authority (MSBA) for the Wayland High School for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority (MSBA); 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. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

MOTION:

Louis Jurist moved and was duly seconded that the Town vote to appropriate the sum of seven hundred twenty-six thousand dollars (\$726,000.00) for the purpose of funding schematic architectural, program management and other services associated with conducting a feasibility study to determine a solution to the deficiencies outlined in the Statement of Interest submitted to the Massachusetts School Building Authority (MSBA) for the Wayland High School, said sum to be expended under the direction of the High School Building Committee, and to meet said appropriation the Treasurer, with the approval of the Selectman, is authorized to borrow said sum under Massachusetts General Laws Chapter 44, or any other enabling authority; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and

any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 8: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee

Estimated Cost: \$766,308

To determine whether the Town will vote to appropriate a sum of money to be expended by the Septage Committee for the operation and capital improvement of the Wayland/Sudbury septage treatment facility; 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.

WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET FY 2010

	Expended FY2008	Appropriated FY2009	Requested FY2010
OPERATING BUDGET:			
SALARIES	\$49,202	\$50,430	\$50,704
TOTAL PERSONNEL SERVICES	\$49,202	\$50,430	\$50,704
PURCHASE OF SERVICES	\$563,994	\$593,936	\$507,266
UTILITIES	\$69,235	\$68,600	\$84,605
SUPPLIES	\$30,052	\$176,500	\$123,733
DEBT SERVICE	\$0	\$0	\$0
TOTAL EXPENSES	\$663,281	\$839,036	\$715,604
1 TOTAL SEPTAGE DEPARTMENT	\$712,483	\$889,466	\$766,308

MOTION:

Tom Abdella moved and was duly seconded that the Town vote to appropriate the sum of \$766,308. to be expended by the Septage Committee for the operation of the Wayland/Sudbury Septage Treatment Facility during Fiscal Year 2010 for the following purposes:

Operating Budget

Salaries	\$50,704.
Total Personnel Services	\$50,704.
Purchase of Services	\$507,226.
Utilities	\$84,605.
Supplies	\$123,733.
Debt Service	\$ 0.
Total Expenses	\$715,604.

Total Septage Facility Operating Budget **\$766,308.;**

and that said appropriation be provided by the use of \$766,308. from Septage Revenues provided that no funds so appropriated shall be expended if the town enters into an intermunicipal agreement with the Town of Sudbury on or before July 1, 2009 which includes a provision requiring the Town of Sudbury to expend up to \$766,308. of said revenues for the aforesaid purposes during fiscal year 2010.

VOTED : MOTION CARRIED

ARTICLE 9: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission

Estimated Cost: \$267,445

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 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.

WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET FY 2010

	Expended FY 2008	Appropriated FY 2009	Requested FY 2010
Purchase of Services	\$ 159,748	\$ 175,531	\$ 188,115
Capital	12,770	102,900	0
Debt Service	29,167	29,577	79,330
1 Total Expenses	\$ 201,685	\$ 308,008	\$ 267,445
Anticipated Revenue	\$ 226,856	\$ 231,025	\$ 267,445
Retained Earnings	0	76,983	0
Total Revenue	\$ 226,856	\$ 308,008	\$ 267,445
2 Capital – Plant Supplemental		Borrow	\$400,000

MOTION:

David Schofield moved and was duly seconded that the Town vote to appropriate the sum of \$267,445. to be expended by the Wastewater Management District Commission for its annual operating expenses during Fiscal Year 2010 and the sum of \$400,000. to be expended by said commission for its capital expenses for the following purposes:

Operating Budget:	
Purchase of Services	\$ 188,115.
Debt Service	79,330.
Total Operating Expenses	<u>\$267,445.</u>
Capital Budget:	
Wastewater Treatment Facility – Supplemental	\$400,000.;

and that said appropriation for the operating expenses of said commission be provided by the use of \$267,445 from Wastewater Management Revenues; and, to meet said appropriation for the supplemental expenditures relative to the replacement of the wastewater treatment facility, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$400,000. pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8.

MOTION TO SPLIT MAIN MOTION:

Linda Segal moved and was duly seconded that Town Meeting amend the motion by splitting it into two motions.

POINT OF ORDER:

Michael Tichnor pointed out that it was past 11:00 P.M. and that there was a motion passed to end Town Meeting by 11:00 P.M. or at the conclusion of Article 7.

The Moderator declared that Town Meeting would suspend further debate under this article until the conclusion of the Special Town Meeting.

Town Meeting will reconvene on Wednesday night at 7:30 P.M. for the Special Town Meeting.

The Annual Town Meeting adjourned at 11:10 P.M. and will reconvene on Wednesday, April 15, 2009 at the conclusion of the Special Town Meeting.

Attendance: 608

**VOTES ENACTED:
WEDNESDAY, APRIL 15, 2009 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE**

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated March 23, 2009, signed by Michael L. Tichnor, Douglas J. Leard, William D. Whitney, Joseph F. Nolan, and Steven J. Correia, Selectmen, served and return of service given by Louis V. Gaglini, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House, and at 8:48 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

Town Meeting returned to Article 9 which was previously under debate. A motion to amend the main motion by splitting it into two motions was before the Town Meeting before adjourning.

VOTED ON AMENDMENT TO SPLIT MAIN MOTION: MOTION CARRIED

MOTION NO. 1 OPERATING BUDGET:

Operating Budget:	
Purchase of Services	\$ 188,115.
Debt Service	79,330.
Total Operating Expenses	<u>\$267,445.</u>

VOTED ON MOTION NO.1 OPERATING BUDGET: UNANIMOUSLY IN FAVOR

MOTION TO PASS OVER CAPITAL BUDGET:

Prescott Baston, Jr. moved and was duly seconded that the Capital Budget portion of Article 9 of the 2009 Annual Town Meeting be passed over.

VOTED ON MOTION TO PASS OVER CAPITAL BUDGET: MOTION NOT CARRIED

MOTION NO. 2 CAPITAL BUDGET:

Capital Budget:	
Wastewater Treatment Facility – Supplemental	\$400,000.

VOTED ON MOTION NO. 2 CAPITAL BUDGET:

1ST VOICE VOTE:		SCATTERING OF NOES
2ND VOICE VOTE:		SCATTERING OF NOES
STANDING COUNT BY MODERATOR:		
OPPOSED	6	
IN FAVOR	142	MOTION CARRIED BY 2/3 MAJORITY

MOTION TO RECONSIDER ARTICLE 5

George Harris moved and was duly seconded to reconsider Article 5 – Current Year Transfers

The Moderator ruled that he would allow the motion for reconsideration at the end of Town Meeting.

ARTICLE 10: PERSONNEL BY-LAWS 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 D) previously adopted by the Town.

It has been the goal of the Town to effect health insurance changes in the current cycle of contract negotiations. In exchange for increases in contribution rates and the introduction of a new set of health insurance plans which became effective on July 1, 2008, benefits eligible employees in union affiliated positions, and benefits eligible employees in non-union positions, will receive an additional 0.5% in consideration for health insurance changes. The method of application of the 0.5% adjustment under the union contracts varies based upon the negotiation of each individual union contract. Corresponding wage schedules with health insurance adjustments are identified with an asterisk (*). This is the last wage period in which health insurance adjustments will occur.

NON-UNION WAGE SCALE, N SCHEDULE

Effective 7/1/09 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Grade	1	2	3	4	5
N-1	33,489	34,495	35,530	36,597	37,692
N-2	36,442	37,534	38,661	39,821	41,016
N-3 *	36,807	37,910	39,048	40,220	41,427
N-4 *	40,052	41,252	42,490	43,763	45,078
N-5 *	43,975	45,295	46,653	48,052	49,495
N-6 *	48,285	49,734	51,226	52,762	54,345
N-7 *	53,017	54,608	56,245	57,933	59,671
N-8 *	58,213	59,960	61,757	63,611	65,518
N-9 *	62,590	64,212	65,893	67,748	69,782
N-10 *	70,183	72,288	74,456	76,690	79,456
N-11 *	77,059	79,371	81,753	84,205	86,730
N-12 *	80,835	83,260	85,785	88,335	90,981
N-13 *	84,611	87,148	89,763	92,456	95,231
N-14 *	92,903	95,690	98,561	101,518	104,563
N-15 *					

Grade	6	7	8	9	10
N-1	38,823	39,989	41,188	42,423	43,697
N-2	42,245	43,512	44,818	46,163	47,548
N-3 *	42,669	43,949	45,267	46,625	48,024
N-4 *	46,430	47,386	49,257	50,734	52,257
N-5 *	50,979	52,231	54,084	55,706	57,378
N-6 *	55,411	57,655	59,385	61,166	63,001
N-7 *	61,461	63,305	65,203	67,161	69,174
N-8 *	67,485	69,508	71,595	73,741	75,954
N-9 *	71,875	74,030	76,251	78,515	80,837
N-10 *	80,962	83,801	86,998	88,506	91,570
N-11 *	89,332	92,012	94,774	97,615	100,546
N-12 *	93,710	96,521	100,003	102,398	105,628
N-13 *	98,088	101,030	105,232	107,181	110,709
N-14 *	107,701	110,931	113,779	117,686	121,219
N-15 *					135,000

N-1	Secretary, Fire – PT	N-9	Police Lieutenant
N-1	Sr Clerk, Health – PT	N-10	Library Director
N-1	Sr Clerk, Public Buildings – PT	N-11	Public Buildings Director
N-2	Administrative Asst – Y/S PT	N-12	DPW Director
N-3	Outreach Coordinator	N-13	Asst Town Administrator/Human Resources Director
N-3	Administrative Asst – Police	N-13	Finance Director/Town Accountant
N-3	Computer Technician	N-13	Fire Chief
N-3	Human Resources Assistant		
N-3	Recreation Program Asst – PT		
N-5	Exec Asst to Town Administrator	N-14	Police Chief
N-8	Recreation Director	N-15	Town Administrator

GROUP: NON-UNION – BUILDING INSPECTORS
 Effective: July 1, 2009 (2.5% Adjustment)

STEP	1	2	3	4	5
	21.07	22.13	23.23	24.39	25.63

Gas & Plumbing Inspector (PT) Wiring Inspector (PT)

GROUP: NON-UNION SUBSTITUTE NURSES
 Effective: July 1, 2009 (2.5% Adjustment)

Hourly
26.53

GROUP: NON UNION - PUBLIC SAFETY
 Effective: July 1, 2009 (2.5% Adjustment)

	Annually	Per Day	Hourly	NON-UNION - TOWN POOL Effective: July 1, 2007
Traffic Supervisors	7378			
Traffic Supervisor Substitute	--	42.28		
Special Police Matrons	--		18.80	Hourly
Call Firefighters	--		18.80	
Call Firefighter Coordinator	--		20.05	Pool Lifeguard 10.00
Police Custodian (PT)	--		15.00	
Police Intern	--		9.73	

GROUP: NON-UNION - ON-CALL DISPATCHERS
 Effective: July 1, 2009 (2.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On-call Dispatcher	17.74	18.56	19.38	20.20

GROUP: NON-UNION - HOURLY LIBRARY CLERKS
 Effective: July 1, 2009 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	14.22	14.54	14.87	15.18	15.47	15.79	16.09	16.38	16.70	17.02	17.30	17.62	17.95	18.25	18.55

GROUP: NON-UNION - HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS

Effective: July 1, 2009 (2.5% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10	11	12
	22.40	22.92	23.22	23.62	24.03	24.43	24.86	25.25	25.68	26.07	26.48	26.88

GROUP: NON-UNION - LIBRARY PAGES
 Effective: July 1, 2009 (2.5% Adjustment)

Step	Year 1	Year 2	Year 3
	8.43	8.95	9.44

GROUP: NON-UNION - VETERANS' AGENT
 Effective: July 1, 2009 (2.5% Adjustment)

Annual
Veterans' Agent 3,755

GROUP: NON-UNION SEASONAL – MISCELLANEOUS
 Effective: May 1, 2005 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Seasonal Laborer	12.01	12.61	13.21	--
Landfill Clerk	12.14			

GROUP: NON-UNION – SEASONAL – MISCELLANEOUS
Effective: May 1, 2006 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Beach Director	18.00	18.54	19.10	19.67
Beach Supervisor	12.75	13.13	13.53	13.93
Beach Head Lifeguard/ Water Safety Instructor	11.50	11.85	12.20	12.57
Senior Lifeguard	10.50	10.82	11.14	11.47
Substitute Lifeguard	10.00			
Jr Lifeguard/Swim Aide/Gateguard	9.00	9.27	9.55	9.83
Snack Bar Supervisor	10.50	10.82	11.14	11.47
Snack Bar I	9.50	9.79	10.08	10.38
Snack Bar II	8.50	8.76	9.02	9.29

GROUP: NON-UNION – SEASONAL – SUMMER DAY PROGRAMS
Effective: May 1, 2006 (No wage adjustment)

	Year 1	Year 2	Year 3	Year 4
Program Coordinator	18.00	18.54	19.10	19.67
Program Director	15.00	15.45	15.91	16.39
Assistant Director/Lead Teacher	13.00	13.39	13.79	14.21
Assistant Teacher	12.00	12.36	12.73	13.11
Sr Counselor	11.00	11.33	11.67	12.02
Counselor	9.50	9.79	10.08	10.38
Substitute Counselor	9.00			
Junior Counselor	8.00	8.24	8.49	8.74

GROUP: LIBRARY GROUP: LIBRARY

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
L-1 *	34,389	35,421	36,485	37,579	38,706	39,867	41,062	42,295	43,563	44,871
L-2 *	37,139	38,254	39,401	40,584	41,800	43,054	44,347	45,676	47,047	48,458
L-3 *	40,112	41,316	42,555	43,833	45,146	46,502	47,896	49,334	50,814	52,338
L-4 *	43,321	44,620	45,959	47,338	48,758	50,220	51,727	53,279	54,878	56,524
L-5 *	46,786	48,189	49,635	51,124	52,658	54,238	55,865	57,540	59,267	61,044
L-6 *	50,528	52,045	53,606	55,214	56,870	58,577	60,333	62,144	64,008	65,928
L-7 *	54,572	56,209	57,896	59,633	61,421	63,264	65,162	67,116	69,129	71,203
LC *	32,948	34,173	35,393	36,687	38,037	39,804				

- | | | |
|---------------------------------------|---|----------------------------|
| L-1 - Library Assistant - Circulation | L-4 - Bibliographic Services Librarian | L-4 - Reference Librarian |
| L-1 - Library Assistant – Children’s | L-4 - Library Administrative Assistant | L-5 - Children’s Librarian |
| L-2 - Library Associate - Periodicals | L-4 - Computer Specialist/Ref Librarian | L-7 - Assistant Director |
| L-3 - Assistant Children’s Librarian | L-4 - Head of Circulation | LC - Custodian |

GROUP: AFSCME

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
G-1 *	33,971	34,991	36,041	37,122	38,235	39,383	40,564	41,781	43,034	45,207
G-2 *	36,687	37,787	38,922	40,089	41,293	42,531	43,807	45,121	46,475	48,821
G-3 *	39,626	40,812	42,036	43,298	44,598	45,935	47,312	48,732	50,196	52,729
G-4 *	42,793	44,078	45,399	46,762	48,165	49,610	51,097	52,632	54,210	56,947
G-5 *	46,215	47,603	49,030	50,502	52,016	53,576	55,184	56,844	58,545	61,499
G-6 *	49,915	51,413	52,954	54,543	56,181	57,866	59,600	61,388	63,231	66,423
G-7 *	54,565	56,201	57,888	59,625	61,413	63,256	65,154	67,108	69,121	72,609
G-7A *	57,021	58,732	60,494	62,309	64,178	66,104	68,087	70,129	72,233	75,878
G-8 *	59,479	61,262	63,100	64,993	66,943	68,952	71,020	73,151	75,345	79,149
G-9 *	64,830	66,777	68,778	70,843	73,816	75,156	77,412	79,734	82,125	86,271
G-10 *	70,667	72,786	74,970	77,218	79,535	81,921	84,379	86,911	89,518	94,036
G-15 *	41,650	44,066	45,279	46,679	48,044	50,618	52,067	53,558	55,096	58,982

- G-1 – Pool Supervisor
- G-2 – Administrative Assessor
- G-3 – Assistant Youth Director
- G-4 – Sanitarian/Health Agent
- G-5 – Local Building Inspector
- G-6 – Accountant
- G-6 – Recreation Program Director
- G-6 - Solid Waste Facility Supt
- G-7 –Council on Aging Director
- G-7 - GIS Analyst
- G-7A – Public Health Nurse
- G-8 – IT Manager
- G-8 – Youth & Family Serv Director
- G-8 – Conservation Administrator
- G-8 – Town Planner
- G-8 – Town Surveyor
- G-9 – Assistant Assessor
- G-9 – Building Commissioner
- G-9 - Treasurer/Collector
- G-9 – Health Director
- G-15 – Community Health Nurse

GROUP: SEIU

Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Step	1	2	3	4	5	6	7	8	9	10
C-10 *	29,756	30,648	31,569	32,515	33,490	34,495	35,529	36,595	37,694	39,409
C-12 *	32,137	33,102	34,093	35,117	36,170	37,254	38,372	39,524	40,709	42,563
C-13 *	33,432	34,435	35,469	36,532	37,629	38,758	39,919	41,118	42,352	44,278
C-14 *	34,778	35,823	36,897	38,004	39,143	40,317	41,528	42,774	44,057	46,061
C-15 *	36,121	37,204	38,321	39,471	40,654	41,874	43,131	44,425	45,757	47,840
CD *	33,587	37,469	39,123	40,776	42,432	44,086	46,428			

- C-12 – Senior Clerk
- C-13 – Principal Clerk
- C-14 – Department Assistant
- C-15 – Town Clerk, Assistant
- C-15 – Finance Assistant, Treasurer/Collector
- C-15 – Finance Assistant, Accounting
- C-15 – Finance Assistant, Benefits
- C-15 – Finance Assistant, Payroll
- CD - JCC Dispatcher

GROUP: TEAMSTERS - WATER**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment)**

*

Title	Grade	Step 1	Step 2	Step 3	Step 4
Water Craftsman 1	WC1 *	40,269	41,979	43,440	45,809
Water Craftsman 2	WC2 *	46,664	48,195	50,196	52,797
Water Craftsman 2 /Equip. Operator	WC3 *	47,246	48,778	50,779	53,379
Working Foreman	WC4 *	51,285	53,727	56,008	59,038
General Foreman	WC5 *	53,743	56,314	58,883	62,206

GROUP: TEAMSTERS - HIGHWAY**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4
No Positions	H-5 *	19.22	19.79	20.46	21.06
Medium Equipment Operator	H-6 *	19.79	20.46	21.06	21.85
Heavy Equipment Operator	H-7 *	20.46	21.06	21.85	22.48
Special Equipment Oper / Grader Oper	H-8 *	21.06	21.85	22.48	23.29
No Positions	H-9 *	21.85	22.48	23.29	24.06
Working Foreman	H-10 *	22.48	23.29	24.06	24.84
Mechanic /Welder	H-10 *				
Master Mechanic/Fleet Maint.	H-11 *	23.28	24.06	24.85	25.71
Mech Oper; Asst Ch Oper	H-11 *				
General Foreman	H-12 *	24.95	25.78	26.58	28.13

GROUP: TEAMSTERS - PARK AND RECREATION**Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) ***

Title	Grade	Step 1	Step 2	Step 3	Step 4
Groundskeeper 1	P&R - 1 *	16.65	18.48	19.06	20.26
Groundskeeper 2	P&R - 2 *	17.16	19.06	19.75	20.92
Groundskeeper 3	P&R - 3 *	20.39	20.99	21.75	23.04
Working Foreman	P&R - 4 *	21.75	22.45	23.35	24.60
Master Mechanic	P&R - 6 *	23.35	23.98	24.80	26.31
General Foreman	P&R - 7 *	24.95	25.78	26.58	28.13

GROUP: FIRE
Effective July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Title	Grade	Step 1	Step 2	Step 3	Step 4
Deputy/EMT	F-6E *				74,647
Captain/EMT	F-5E *	61,087	63,126	65,253	67,462
Lieutenant/EMT	F-4E *	57,414	59,215	61,163	63,224
Elec./Mech./EMT	F-3E *	54,468	56,121	58,160	60,119
Prevention Inspector/EMT	F-2E *	52,829	54,545	57,322	58,174
Firefighter/EMT	F-1E *	49,488	51,128	52,828	54,585

GROUP: POLICE
Effective: July 1, 2009 (2.5% Adjustment + 0.5% Health Insurance Adjustment) *

Title	Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Patrolman	P-1 *	35,111	46,815	49,156	51,613	54,194	55,115
Sergeant	P-2 *	58,103	61,008	64,058	67,261	N/A	N/A

MOTION:

Nancy McCarthy moved and was duly seconded that the Town vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town, by establishing the non-union wage and salary rates and the effective date for said rates as set forth in Appendix E on pages 102 through 107 of the Warrant for the 2009 Annual Town Meeting.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 11: INCREASE DEMAND CHARGE FOR DELINQUENT TAXES
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to charge for each written demand issued by the Town Treasurer-Collector a fee of \$30.00 or such greater amount as authorized by state law to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2009.

MOTION:

Susan Pope moved and was duly seconded that the Town vote to charge for each written demand issued by the Town Treasurer-Collector a fee of \$30.00 or such greater amount as authorized by state law to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2009.

AMENDMENT:

Lewis Russell moved and was duly seconded that the motion be amended to apply to delinquencies in excess of \$100.00.

POINT OF ORDER:

Cherry Karlson questioned the legality of the motion.

The Moderator ruled it was within the scope of the article.

VOTED ON AMENDMENT:

1ST VOICE VOTE: UNDECIDED
 STANDING COUNT BY MODERATOR: MOTION CARRIED
VOTED ON MOTION AS AMENDED: MOTION CARRIED

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 2010.

MOTION:

Susan Pope moved and was duly seconded that the Town 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 2010.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 13: AMEND SECTION 19-8 OF THE CODE OF THE TOWN OF WAYLAND TO SET DEADLINE FOR FILING APPLICATIONS FOR LOCAL CIRCUIT BREAKER PROGRAM

Proposed by: Board of Assessors

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following new paragraph to Section 19-8 of the Code of the Town of Wayland:

Local Circuit Breaker Program. Applications for senior tax relief under the Town Circuit Breaker program must be filed with the office of the Board of Assessors no later than December 31 of the year in which the original tax filing was due.

MOTION:

Bruce Cummings moved that the Town vote to amend the Code of the Town of Wayland by adding the following new paragraph to Section 19-8 of the Code of the Town of Wayland:

- G. Local Circuit Breaker Program. Applications for senior tax relief under the Town Circuit Breaker program must be filed with the office of the Board of Assessors no later than December 31 of the year in which the original tax filing was due.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 14: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING

Proposed by: Community Preservation Committee

Estimated Cost: \$235,000

To determine whether the Town will vote to

- a.) set aside for later spending annual revenues in the Community Preservation Fund for open space, but not including land for recreational use, for historic resources, and for community housing; and determine the amounts of such revenues to be set aside for later spending for said purposes; and
- b.) appropriate \$25,000 for administrative expenses.

MOTION:

Charles Raskin moved that the Town vote to set aside for later spending annual revenues in the Community Preservation Fund in the amounts of \$70,000. for open space, but not including land for recreational use, \$70,000. for historic resources, and \$70,000. for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6; and that the Town appropriate \$25,000. for the administrative expenses of the Community Preservation Committee and that said appropriation be provided by transferring \$25,000. from the Community Preservation Fund.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 15: 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, 2009, which salary and compensation is printed below.

The proposed wage increase is the same percentage (+2.5 %, +0.5% health insurance adjustment) as proposed for non-union employees.

SALARY SCHEDULE – TOWN CLERK

	<u>FY 2009</u>	<u>FY 2010</u>
Town Clerk	\$ 64,179	\$ 66,112

MOTION:

Susan Pope moved and was duly seconded that the Town vote to fix the salary and compensation of the elected Town Clerk at \$66,112.00 effective July 1, 2009.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 16: 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.

MOTION:

Joseph Nolan moved and was duly seconded that this article be passed over.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 17: 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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MOTION:

Thomas Fay moved and was duly seconded that the Town vote to amend the Code of the Town of Wayland, Chapter 1, Article II, Section 1-2 (Noncriminal disposition of violations; enforcement) by changing the designation of Paragraph "J" to "K".

VOTED:

UNANIMOUSLY IN FAVOR

ARTICLE 21: AUTHORIZE TOWN CLERK TO EDIT BY-LAW PARAGRAPH NUMBERING

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding the following new section to Article I thereof and by renumbering §1-1 (General penalty) as §2-1 and §1-2 (Noncriminal disposition of violations; enforcement) as §2-2:

§1-1. Editing.

The Town Clerk, after consultation with Town Counsel, may make nonsubstantive editorial revisions to the Town Code to insure consistent and appropriate sequencing of numbering of sections, subsections, paragraphs and subparagraphs, provided that all such editorial revisions shall be referenced by a footnote which describes the revision and the reason therefore.

MOTION:

Steven Correia moved and was duly seconded that the Town vote to amend the Code of the Town of Wayland by adding the following new section to Article I thereof and by renumbering §1-1 (General penalty) as §2-1 and §1-2 (Noncriminal disposition of violations; enforcement) as §2-2:

§1-1. Editing.

The Town Clerk, after consultation with Town Counsel, may make nonsubstantive editorial revisions to the Town Code to insure consistent and appropriate sequencing of numbering of sections, subsections, paragraphs and subparagraphs, provided that all such editorial revisions shall be referenced by a footnote which describes the revision and the reason therefore.

VOTED:

UNANIMOUSLY IN FAVOR

ARTICLE 22: CHANGE DATE THAT ELECTED TOWN OFFICIALS TAKE OFFICE

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act establishing the date that Town officials elected at the annual town election take office as the date of adjournment of the annual town meeting immediately following said election.

MOTION:

Steven Correia moved and was duly seconded that the Town vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act establishing the date that Town officials elected at the annual town election take office as the date of adjournment of the annual town meeting immediately following said election.

VOTED:

MOTION CARRIED

ARTICLE 23: CHANGE THE RANGE OF DATES FOR THE ANNUAL TOWN MEETING

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first sentence of §36-1 thereof the words “in April” and inserting in place thereof the words “between April 1 and May 15 inclusive”.

MOTION:

Steven Correia moved and was duly seconded that the Town vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first sentence of §36-1 thereof the words “in April” and inserting in place thereof the words “between April 1 and May 15 inclusive.”

VOTED: MOTION CARRIED

ARTICLE 24: CHANGE DEADLINE FOR THE SUBMISSION OF ANNUAL TOWN MEETING WARRANT ARTICLES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first paragraph of §36-3 thereof the word “December” in all places that it appears and inserting in place thereof “January”.

MOTION:

Steven Correia moved and was duly seconded that the Town vote to amend the Code of the Town of Wayland, Chapter 36, by striking from the first paragraph of §36-3 thereof the word “December” in all places that it appears and inserting in place thereof “January”.

VOTED: MOTION CARRIED

MOTION TO ADJOURN:

Anette Lewis moved that the Meeting adjourn.

VOTED: MOTION CARRIED

The Meeting adjourned at 10:28 P.M. until Thursday, April 16, 2009 at 7:30 P.M.

Attendance: 218

**VOTES ENACTED:
THURSDAY, APRIL 16, 2009, AT THE WAYLAND HIGH SCHOOL FIELD HOUSE**

C. PETER R. GOSSELS, MODERATOR:

Pursuant to the Warrant dated March 23, 2009, signed by Michael L. Tichnor, Douglas J. Leard, William D. Whitney, Joseph F. Nolan, and Steven J. Correia, Selectmen, served and return of service given by Louis V. Gaglini, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House, and at 7:45 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

ARTICLE 25: MAKE CERTAIN TOWN OFFICIALS EX-OFFICIO TOWN MEETING MEMBERS
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland by adding thereto the following new section:

§36-18. Attendance and Participation of Non-resident Town Officials.

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools shall have the same rights as registered voters of the Town to attend and participate in all town meetings, except for the right to vote at such meetings. Said Town officials shall not be considered in determining the presence of a quorum at town meetings. In the event that any of said Town officials becomes a registered voter of the Town, s/he shall have all of the rights of registered voters of the Town at town meetings.

MOTION:

Steven Correia moved and was duly seconded that the Town amend Chapter 36 of the Code of the Town of Wayland by adding thereto the following new section:

§36-18. Attendance and Participation of Non-resident Town Officials.

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools shall have the same rights as registered voters of the Town to attend and participate in all town meetings, except for the right to vote at such meetings. Said Town officials shall not be considered in determining the presence of a quorum at town meetings. In the event that any of said Town officials becomes a registered voter of the Town, s/he shall have all of the rights of registered voters of the Town at town meetings.

AMENDMENT:

Anette Lewis moved and was duly seconded to amend the pending motion by crossing out the “s” from the word rights; insert “sit on the floor of Town Meetings.” Cross out “except for the right to vote at such meetings”. Insert “nor shall any of them be permitted to vote unless s/he is a registered voter of the Town.

POINT OF INFORMATION:

Cherry Karlson offered language to clarify the amendment on the floor.

MOTION TO AMEND THE MOTION TO AMEND THE MAIN MOTION:

Cherry Karlson moved to amend the amendment referring to the motion to amend by going back to the 4th line “sit on the floor of Town Meetings” and add language “and answer questions” then follow as proposed.

VOTED ON AMENDMENT TO MOTION TO AMEND:

UNANIMOUSLY IN FAVOR

MAIN MOTION AS AMENDED:

§36-18. Attendance and Participation of Non-resident Town Officials.

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Police Chief, Fire Chief, Finance Director, Director of Public Works and Superintendent of Schools shall have the same right as registered voters of the Town to attend and sit on the floor of town meetings and answer questions. Said Town officials shall not be considered in determining the presence of a quorum at town meetings nor shall any of them be permitted to vote unless s/he is a registered voter of the Town.

VOTED ON MAIN MOTION AS AMENDED:

UNANIMOUSLY IN FAVOR

ARTICLE 26: ESTABLISH WATER DEPARTMENT ENTERPRISE FUND

Proposed by: Petitioners

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 to establish an enterprise fund for the Water Department and its operation, maintenance and improvement of the water supply system of the Town, effective July 1, 2009.

MOTION:

Patricia Abramson moved and was duly seconded that the town accept the provisions of Massachusetts General Laws Chapter 44, Section 53F1/2 to establish an enterprise fund for the Water Department , Division, Agency or Unit however organized or named and its operation, maintenance and improvement of the water supply system of the Town, effective July 1, 2009.

MOTION:

Linda Segal moved and was duly seconded to terminate date.

VOTED ON MOTION TO TERMINATE DEBATE:

UNANIMOUSLY IN FAVOR

VOTED ON MAIN MOTION:

1ST VOICE VOTE:	UNDECIDED
2nd VOICE VOTE:	UNDECIDED
MORE THAN SEVEN PERSONS QUESTIONED THE VOTE	
STANDING COUNTED VOTE BY MODERATOR:	
IN FAVOR	50
OPPOSED	90
MOTION NOT CARRIED	

TELLERS:

Nancy Gossels	32 Hampshire Rd
John Schlafer	26 Hampshire Rd
Dennis Berry	15 George St
Dawn Davies	41 Woodridge Rd
Margery Baston	11 Cochituate Rd
Cecily Kiefer	41 Bent Avenue

ARTICLE 27: ACCEPT YORK ROAD AS A TOWN WAY

Proposed by: Board of Selectmen

Estimated Cost: \$16.00

To determine whether the Town will vote to:

- a.) accept as a Town way the portion of York Road as laid out by the Board of Road Commissioners;
- b.) 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 land in Wayland, Massachusetts comprising the portion of York Road lying between Oxbow Road and easterly end of the portion of York Road previously

accepted by the Town shown as “York Road” on a plan entitled “Definitive Subdivision Plan of James Estates on York Road n Wayland, MA” (Sheets 1 through 4), dated April 4, 1988, revised December 16, 1988, prepared by BSC Group-Norwell, Inc. and recorded with the Middlesex South Registry of Deeds in as Plan No. 130 of 1989, for roadway purposes;

- c.) appropriate \$16.00 to be expended by the Board of Selectmen for the acquisition of said land; and
- d.) 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.

MOTION:

Joseph Nolan moved and was duly seconded that the Town vote to:

- a.) accept as a Town way the portion of York Road as laid out by the Board of Road Commissioners;
- b.) 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 land in Wayland, Massachusetts comprising the portion of York Road lying between Oxbow Road and easterly end of the portion of York Road previously accepted by the Town shown as “York Road” on a plan entitled “Definitive Subdivision Plan of James Estates on York Road in Wayland, MA” (Sheets 1 through 4), dated April 4, 1988, revised December 16, 1988, prepared by BSC Group-Norwell, Inc. and recorded with the Middlesex South Registry of Deeds as Plan No. 130 of 1989, for roadway purposes;
- c.) appropriate \$16.00 to be expended by the Board of Selectmen for the acquisition of said land; and
- d.) provide for said appropriation by transferring \$16.00 from the General Fund – Unreserved Fund Balance.

MOTION TO PASS OVER:

Kimberly Cook moved and was duly seconded that the article be passed over.

MOTION TO TERMINATE DEBATE: A motion was made to terminate debate.

VOTED ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON MOTION TO PASS OVER: MOTION NOT CARRIED

ERRATA:

Lawrence J. Krakauer stated that in order to clean up this motion the word “in” in paragraph b.) line 7, after the words South Registry of Deeds, should be removed. The Moderator suggested it be removed.

MOTION TO TERMINATE DEBATE:

Lewis Russell moved and was duly seconded to move the question.

VOTED ON MOTION TO TERMINATE DEBATE: UNANIMOUSLY IN FAVOR

VOTED ON MAIN MOTION: UNANIMOUSLY IN FAVOR

ARTICLE 28: AMEND TOWN CODE SECTIION 198 – ESTABLISH COCHITUATE VILLAGE OVERLAY 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 Zoning By-law of the Town, by making the following three amendments:

- 1.) *Inserting in Section 198-302 thereof the following new subsection 198-302.1.7:*

302.1.7. A Cochituate Village Overlay District which includes all of the land located to the south of a line defined as follows: the southerly boundary of the Commonwealth of Massachusetts Pressure Aqueduct, as shown in the Atlas of the Town of Wayland, Massachusetts, 2008, on Plates 48 and 49, from its easternmost end traversing said boundary westerly to its intersection with the Aquifer Protection District boundary, thence the Aquifer Protection District boundary, as shown on the map referenced in ~ 198-302.1.4. herein, southerly and westerly to where it intersects with the center line of the right-of-way of Old Connecticut Path, thence southwesterly along said line to the Wayland town line. Said Plates 48 and 49 of the Atlas of the Town of Wayland, Massachusetts, 2008, are hereby made a part of the Zoning Map of the Town of Wayland and are available at the office of the Town Clerk for public inspection.

2.) Adding thereto the following new article:

ARTICLE 24

Cochituate Village Overlay District

§198-2401. Purpose.

2401.1: The Cochituate Village Overlay District (CVOD) provides for increased densities of development suitable for the traditional village environment. Development in the district shall promote the continuation of higher density residential, commercial, and business uses while providing a pedestrian orientated environment. This Article contains standards for permitted and special permit uses, densities of development, landscaping, fences/ hedges, parking, and performance standards. The CVOD is established for the accomplishment of the following purposes:

2401.1.1. To promote the economic health and stability of the Cochituate business area by encouraging attractive development and economic investment in the Cochituate Village.

2401.1.2. To provide additional planning guidance for projects located in the CVOD, including enhancing the coordination of the project with the historical, cultural, environmental and natural features of the development site.

2401.1.3. To encourage mixed-use development, including but not limited to offices, retail shops, and multi-family housing.

2401.1.4. To permit and encourage the development of parks and open spaces, including but not limited to plazas and pedestrian paths, which would be available for use by the general public.

2401.1.5. To provide information to the town and its citizens regarding the potential impacts of a proposed development.

2401.1.6. To enable the Special Permit granting Authority (SPGA) to require adherence to "Site Development and Use Plans" in the granting of a special permit.

2401.1.7. To encourage architectural compatibility with other buildings within the CVOD.

2401.1.8. To promote pedestrian safety such as utilizing where appropriate on-street parking in order to buffer pedestrians from moving traffic.

§198-2402. Applicability.

2402.1. The CVOD shall be construed as an overlay district. All requirements of the underlying zoning districts shall remain in full force and effect, except where the requirements of the CVOD are in conflict; in such cases, the requirements of the CVOD shall supersede the underlying zoning provisions.

§198-2403. Permitted Uses.

2403.1. The intent of the Cochituate Village Overlay district is to permit a variety of uses within the village area of Cochituate. Within the CVOD, permitted uses are determined by the underlying zoning; see Table of Permitted Principal Uses by Districts in accordance with §198-802.1.

2403.2. Dwelling units over office, restaurants, retail, and service uses shall be allowed with the issuance of a special permit in the areas of the CVOD where Business A and B Districts are the underlying zoning district.

§198-2404. Use Restrictions.

2404.1. The following uses shall require a special permit from the Planning Board pursuant to §198-203 herein and shall require site plan approval as set forth in Article 6 herein:

2404.1.2. The development of more than 5,000 square feet of gross floor area of nonresidential space, regardless of use.

2404.1.3. Alteration, expansion or change to the exterior of any existing nonresidential building, structure, or use that will result in the development of more than 5,000 gross square feet of new space, regardless of use.

§198-2405. Exemptions.

2405.1. The following uses are specifically exempt from this Article 24.

2405.1.1. Uses exempted by MGL c. 40A, § 3.

2405.1.2. The construction of a single family dwelling, or the enlargement, restoration or reconstruction of a single family dwelling in existence as of the effective date of this Article 24.

2405.1.3. Affordable dwelling units as set forth in MGL c. 40B.

2405.1.4. Development projects that voluntarily agree to a minimum fifty percent (50%) permanent reduction in density below the permitted under zoning and feasible given the environmental conditions of the tract.

§198-2406. Design Standards. The following standards are intended to provide guidance pertaining to dimensional requirements, parking, pedestrian accommodations, landscaping, architectural styles, and lighting.

2406.1. Dimensional Requirements for structures and accessory structures are contained in the Table of Dimensional Requirements in accordance with §198-702.1. The Planning Board as the Special Permit Granting Authority may waive front yard requirements for residential buildings provided structure conforms to the average setback of adjacent/ neighborhood setbacks and for property zoned Business, may with the issuance of a special permit allow front and side yard setbacks not less than 15 feet.

2406.2. Off-Street Parking.

2406.2.1. For any new building (whether developed on vacant land or upon demolition of an existing structure), off-street parking spaces shall be provided in accordance with the specifications in this section in any district within the village whenever any new use is established or existing use is enlarged. Parking should be located to the side or rear of the property. The Planning Board encourages the use of shared parking for adjacent compatible uses and will allow for a special permit to reduce parking requirements if such options are available or proposed for development. Public on and off-street parking in lieu of on-site parking may be utilized to fulfill parking requirements when provided for this purpose within a distance appropriate to the proposed use but not exceeding 300 feet, upon approval of the Planning Board in the CVOD. Except for these foregoing provisions, the off-street parking provisions of §198-506 shall apply.

2406.3. Landscaping.

2406.3.1. Landscaping required in the CVOD under these Regulations is to be installed and maintained in front, side and rear yards, and to take the form of shade trees, deciduous shrubs, evergreens and well kept grassed areas. Minimum requirements are as follows:

2406.3.1.1. Where any land use in non-residential districts abuts land in any residential district, a strip of land, at least ten feet in width shall be maintained with landscape in the front, side and rear yards unless waived by the Planning Board;

2406.3.1.2. Landscaping should take into consideration utility, sewer, and water lines;

2406.3.1.3. For non-residential properties, a strip of land at least ten feet in width shall be maintained as a landscape in the front, side and rear yards, unless waived by the Planning Board.

2406.4. Building Design.

2406.4.1. Buildings shall be of a design reflective of the existing architectural details within the CVOD in terms of scale, massing, roof shape, spacing and exterior materials. Alternative designs may be allowed provided the Special Permit Granting Authority finds the alternative design is consistent with this Article.

2406.4.2. Building facades shall have a vertical orientation, meaning either that the building shall actually have a greater height than width, or that the facades and rooflines of the building are designed to reduce the massing and bulk so that it appears as a group of smaller masses with distinct vertical orientation.

2406.4.3. Building facades shall be articulated, to achieve a human scale and interest. The use of different textures, shadow lines, detailing and contrasting shapes is required. Not more than 50 feet of a building front shall be in the same vertical plane.

2406.4.4. The building facades shall be faced with materials used in historic New England architecture. Alternative materials may be used on the building front facade(s) provided that the Special Permit granting Authority finds the materials to be consistent with this Article.

§198-2407. Special Permit Criteria.

2407.1. In addition to the standards and criteria set forth in §198-203 herein, the Planning Board shall consider, in assessing an application for a special permit in the CVOD, the impact of the proposed development on the following: 2407.1.1. Pedestrian and vehicular traffic

2407.1.2. The natural environment, including noise, smoke, glare, vibration, water or air pollution, sedimentation and any other noxious or objectionable effects.

2407.1.3. Municipal service, including water, sewer, drainage, schools, parks and transportation.

2407.1.4. Neighborhood character, including building design, architecture and visual aesthetics.

§198-2408. Special Permit Decisions.

2408.1. The Planning Board may grant a special permit upon a determination, after consideration of all of the factors set forth in §198-203 and §198-2407 herein, that the proposed development will not adversely impact the CVOD.

And

3.) Adding said Cochituate Village Overlay District to the Zoning Map referenced in Article 3 thereof.

PLANNING BOARD REPORT: Pursuant to Massachusetts General Laws Chapter 40A, Section 5, on February 3, 2009, the Planning Board held a Public Hearing on a proposed amendment to the Town's Zoning By-laws that would add a new Article 24 to Chapter 198 of the Code of the Town of Wayland. The proposed amendment would encourage denser residential, commercial and business development while maintaining a pedestrian friendly, traditional village environment.

The proposed amendment, referred to as the "Cochituate Village Overlay District" (CVOD), creates a framework for an overlay district to be placed on top of existing zoning districts and can override the underlying zoning, in so far as it relates to "uses" which are permitted within the underlying zoning district. Zoning for Flood Plain and Aquifer Protection Districts remain in force. (See Cochituate Village Overlay District map)

Planning Board Recommendation: On February 17, 2009, the Planning Board voted to recommend approval by a vote of 3 to 0.

MOTION:

Daniel Mesnick moved and was duly seconded that the Town amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-law of the Town, by making the amendments thereto set forth in Pages 52 through 56 of the 2009 Annual Town Meeting Warrant.

MOTION TO AMEND :

Douglas Leard moved and was duly seconded to amend the motion to exclude the following properties which fall within the proposed outline on the Cochituate Village Overlay District map as outlined on page 57 of the Warrant. Those properties are 44-46 Pemberton Rd, 48 Pemberton Rd, 52 Pemberton Rd, 56 Pemberton Rd, 86 West Plain St, 8 Melville Place and 17 South St.

POINT OF INFORMATION:

Robert Lentz questioned if properties can be excluded from an Overlay District and, if so, in the future can people who are now included in this Overlay District ask to be excluded.

The Moderator's opinion was that the Town Meeting can adopt the entire proposed district as shown in the Warrant or the Town Meeting can reduce the area of the Overlay District if it is legally described.

MOTION TO PASS OVER THE MOTION TO AMEND:

Kenneth Isaacson moved and was duly seconded to pass over the amendment to the motion.

POINT OF ORDER:

The Moderator ruled Mr. Leard's motion to amend out of order.

MOTION TO TERMINATE DEBATE ON THE MAIN MOTION:

Martha Gordon moved the main motion.

The Moderator deferred the motion to terminate debate in order to allow those who have not spoken on the main motion additional time to debate this motion.

MOTION TO PASS OVER THE MAIN MOTION:

Lawrence J. Krakaurer moved and was seconded to amend the main motion by passing over the article.

The Moderator ruled motion out of order as there is a motion to terminate debate.

VOTED ON MAIN MOTION:

MOTION NOT CARRIED

POINT OF ORDER:

Lawrence Krakaurer questioned if Town Meeting voted on motion to terminate debate under Article 28.

The Moderator ruled that Town Meeting did not and Town Meeting would now vote to terminate debate.

VOTED TO TERMINATE DEBATE:

MOTION PASSED BY 2/3 MAJORITY

VOTED ON THE MAIN MOTION:

MOTION NOT CARRIED BY 2/3 MAJORITY

ARTICLE 29: SELL TOWN-OWNED LAND ON DUDLEY ROAD*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 transfer the care, custody, management and control of the parcels of Town-owned land on Dudley Road in Wayland, Massachusetts shown as (i) Parcel A on a plan entitled "Plan of Land in Wayland, Mass. Showing Proposed Land Transfer for Water Line Purposes" dated December 14, 1967, prepared by the Wayland Engineering Department and recorded with the Middlesex South Registry of Deeds as Plan No. 151 of 1969; and (ii) Lot 258 on Land Court Plan No. 4027C filed in the Land Registration Office at said Registry of Deeds from the Board of Selectmen for general municipal purposes to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcels of land; and
- (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the following parcels of land, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

MOTION:

Joseph Nolan moved and was duly seconded that the Town vote to:

- (a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels of Town-owned land on Dudley Road in Wayland, Massachusetts shown as (i) Parcel A on a plan entitled "Plan of Land in Wayland, Mass. Showing Proposed Land Transfer for Water Line Purposes" dated December 14, 1967, prepared by the Wayland Engineering Department and recorded with the Middlesex South Registry of Deeds as Plan No. 151 of 1969; and (ii) Lot 258 on Land Court Plan No. 4027C filed in the Land Registration Office at said Registry of Deeds from the Board of Selectmen for general municipal purposes to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcels of land; and
- (b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the following parcels of land, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

VOTED:

UNANIMOUSLY IN FAVOR

ARTICLE 30: ACQUIRE 41 RIVER ROAD OPEN SPACE LAND*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, 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.

MOTION:

Joseph Nolan moved and was duly seconded that the town 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.

POINT OF ORDER:

Joseph Nolan questioned if Town Meeting would allow Town Counsel to be available for technical questions with regard to the legal ramifications that may arise.

The Moderator hearing no objections gave Town Counsel Mr. Lanza permission for this purpose.

POINT OF INFORMATION:

The Moderator stated that Mr. Dean Crescitelli the owner of this parcel of land requested an opportunity to be heard at Town Meeting. The Moderator hearing no objections gave Mr. Dean Crescitelli permission to speak with regard to this motion.

MOTION TO TERMINATE DEBATE:

Martha Gordon moved the question.

VOTED TO TERMINATE DEBATE:

MOTION CARRIED BY 2/3 MAJORITY

VOTED:

1ST VOICE VOTE:

UNDECIDED

STANDING COUNT BY MODERATOR: MOTION NOT CARRIED BY 2/3/ MAJORITY

PROCEDURAL MOTION:

Michael Tichnor moved and was duly seconded that the Town vote to extend the time until Town Meeting finished the Town’s business.

VOTED ON MOTION TO EXTEND TIME:

UNANIMOUSLY IN FAVOR

ARTICLE 31: RESOLUTION FOR FAIR AND EQUITABLE TRANSFER STATION STICKER FEES

Proposed by: Petitioners

To determine whether the Town will vote to endorse the following Resolution:

WHEREAS the Wayland Transfer Station accepts solid waste for off-site disposal from residential users, the Schools, Library, Housing Authority, and Town Facilities,

WHEREAS solid waste disposal is recognized as an important municipal service,

WHEREAS Wayland’s facility continues to be a popular and valued community resource,

WHEREAS Wayland’s commitment to recycling remains strong,

WHEREAS the Board of Health has voted to adopt “pay as you throw,” and

WHEREAS the Board of Health is committed to maintaining the transfer facility's services in a fiscally responsible manner, with all users paying their fair share,

Be it therefore resolved that Town Meeting supports a fair, equitable, affordable and sustainable sticker fee schedule that covers overall operating costs of the facility less the annual landfill capping cost allocation.

MOTION:

Linda Segal moved and was duly seconded that the town adopt the following resolution:

WHEREAS the Wayland Transfer Station accepts solid waste for off-site disposal from residential users, the Schools, Library, Housing Authority, and Town Facilities,

WHEREAS solid waste disposal is recognized as an important municipal service,

WHEREAS Wayland's facility continues to be a popular and valued community resource,

WHEREAS Wayland's commitment to recycling remains strong,

WHEREAS the Board of Health has voted to adopt "pay as you throw," and

WHEREAS the Board of Health is committed to maintaining the transfer facility's services in a fiscally responsible manner, with all users paying their fair share,

Be it therefore resolved that Town Meeting supports a fair, equitable, affordable and sustainable sticker fee schedule that covers overall operating costs of the facility less the annual landfill capping cost allocation.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 32: AMEND TOWN CODE TO INCREASE FINE FOR TOBACCO VIOLATIONS
--

Proposed by: Board of Health

To determine whether the Town will vote to amend Chapter 1, Article II, §1-2 E. (1) of the Code of the Town of Wayland as follows:

[Key to revisions: underlining = additions; ~~strike through~~ = deletions]

(d) Sales to minors in any 12-month period: Three hundred dollars for each offense.

~~[1] One hundred dollars for the first offense.~~

~~[2] Two hundred dollars for the second offense.~~

~~[3] Three hundred dollars for any third or subsequent offense.~~

MOTION:

Joseph Nolan moved and was duly seconded that the Town vote to amend Chapter 1, Article II, Section 1-2 E. (1) of the Code of the Town of Wayland by making the amendments thereto set forth in Page 64 of the Warrant for the 2009 Annual Town Meeting.

AMENDMENT:

Anna Ludwig moved and was duly seconded to amend subsection (d) by deleting the words "in any 12-month period".

VOTED ON AMENDMENT: MOTION CARRIED

VOTED ON MOTION AS AMENDED: UNANIMOUSLY IN FAVOR

ARTICLE 33: AMEND TOWN CODE TO ESTABLISH FINES FOR IMPROPER DUMPING OF SOLID WASTE AT THE TOWN LANDFILL/TRANSFER STATION

Proposed by: Board of Health

To determine whether the Town will vote to amend Chapter 1, Article II, §1-2 of the Code of the Town of Wayland by adding thereto the following new paragraph:

L. Rules and Regulations of the Board of Health or the Board of Public Works for the illegal or improper dumping of solid waste at the Town Landfill-Transfer Station.

(1) Penalty:

- (a) Fifty dollars for the first offense.
- (b) One hundred dollars for the second offense.
- (c) Two hundred dollars and revocation of Transfer Station privilege for any third or subsequent offense.

(2) Enforcing persons: Board of Health, its staff or other officials designated by the Board of Health as its agent(s) or the Board of Public Works, the Director of Public Works or his designee(s).

MOTION:

Susan Pope moved and was duly seconded that the Town vote to amend Chapter 1, Article II, §1-2 of the Code of the Town of Wayland by adding thereto the following new paragraph:

L. Rules and Regulations of the Board of Health or the Board of Public Works for the illegal or improper dumping of solid waste at the Town Landfill-Transfer Station.

(1) Penalty:

- (a) Fifty dollars for the first offense.
- (b) One hundred dollars for the second offense.
- (c) Two hundred dollars and revocation of Transfer Station privilege for any third or subsequent offense.

(2) Enforcing persons: Board of Health, its staff or other officials designated by the Board of Health as its agent(s) or the Board of Public Works, the Director of Public Works or his designee(s).

AMENDMENT:

Clifford Lewis moved to amend line item (1) Penalty: by adding the words after (1) Penalty: "Sufficient compensation to repair environmental damage":

The Moderator ruled the amendment out of order.

VOTED: MOTION CARRIED

MOTION TO RECONSIDER ARTICLE 5:

George Harris did not move reconsideration of Article 5

The Moderator recognized the sound crew and WAYCAM volunteers by a round of applause:

SOUND CREW

Albie Cincotti
Jeff Wadsworth

WAYCAM

Thomas Turner, Director
Eilif (Skip) Milkelsen, TV Production Student

Alexander Burgun-Tower
Matt DeCarlo
Haylee Rosenblatt
Debbie Ng
Costas Akrivoulis

Richard Turner, Director of Operations
Jim Mullane, Executive Director

Meeting adjourned at 10:38 P.M. sine die.

Attendance: 151

Respectfully Submitted,
Lois M. Toombs, CMC
Town Clerk



Mellen Law Office
Town Center

Wayland's town green features one of the few surviving examples of a typical two-room law office of the early 19th century

**TOWN OF WAYLAND
SPECIAL TOWN MEETING APRIL 15, 2009**

DATE:

Wednesday, April 15, 2009

ARTICLES DISPOSED OF:

1 - 6

RETURN OF SERVICE**MIDDLESEX, s.s.****March 24, 2009**

I, Louis V. Gaglini, duly qualified Constable of the Town of Wayland, do hereby affirm and certify that I have posted the specimen of the Official Ballot for the Annual Town Election to be held on Tuesday, April 7, 2009 together with the Warrant for the Annual Town Meeting to be held on Monday, April 13, 2009, and the Special Town Meeting to be held on Wednesday, April 15, 2009, by my posting copies thereof at the Wayland Town Building, Cochituate Post Office, Wayland Public Library and the Happy Hollow School, by posting seven (7) days at least before the date appointed for the posting of the Warrant for the Annual Town Election and the Annual Town Meeting and fourteen (14) days at least before the date appointed for the posting of the Warrant for the Special Town Meeting. Posting was done March 24, 2009.

VOTES ENACTED:**WEDNESDAY, APRIL 15, 2009 AT THE WAYLAND HIGH SCHOOL FIELD HOUSE****C. PETER R. GOSSELS, MODERATOR:**

Pursuant to the Warrant dated March 23, 2009, signed by Michael L. Tichnor, Douglas J. Leard, William D. Whitney, Joseph F. Nolan, and Steven J. Correia, Selectmen, served and return of service given by Louis V. Gaglini, Constable of the Town, the inhabitants of the Town of Wayland qualified to vote at Town Meeting met this day at Wayland High School Field House, and at 7:38 P.M. the Moderator called the Meeting to order, declared that a quorum was present, and the Meeting proceeded to transact the following business:

POINT OF INFORMATION

Michael Tichnor stated he would like to clarify and correct the record in regard to a response made at the Annual Town Meeting on Monday night to a question asked by Mr. George Harris regarding legal fees under Article 5 – Transfer of Funds. In regard to the Public Safety Building litigation there was in fact a claim made by the Architects Finegold Alexander for unpaid fees in the amount of \$100,000. This is a matter which is totally unrelated to the substance of the claims the town has made for defective design of the Public Safety Building. Although we had thought this was a separate legal matter, this was in fact technically filed as a counterclaim. It has been the Town's position that this claim for unpaid fees has no merit. Mr. Harris has requested certain documents which we have provided to him. As this is a matter in litigation, and in fact we are entering mediation on this matter, I have no further comment on this at this point in time.

**ARTICLE 1: APPROVAL OF A STABILIZATION FUND BY THE MINUTEMAN REGIONAL
VOCATION TECHNICAL SCHOOL DISTRICT**

Proposed by: Board of Selectmen

To determine whether the Town will vote to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, under Massachusetts General Laws Chapter 71 Section 16G ½.

MOTION:

Mary Ellen Castagno moved and was duly seconded that the Town approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, under Massachusetts General Laws Chapter 71, Section 16G ½.

Mary Ellen Castagno, 49 Dean Rd., requested that Edward Bouquillon, Superintendent of Minuteman Vocational Regional High School, a non-resident, address Town Meeting regarding Article 1. The Moderator hearing no objections gave Edward Bouquillon permission to speak on the floor.

<u>VOTED:</u>	1 ST VOICE VOTE	UNDECIDED
	2 ND VOICE VOTE	UNDECIDED
	STANDING COUNT BY MODERATOR:	MOTION NOT CARRIED

ARTICLE 2: AMEND TOWN CODE CHAPTER 198, SECTION 23 – MIXED USE OVERLAY DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend Article 23 of Chapter 198 (Zoning) of the Code of the Town of Wayland by making the following deletions therefrom (indicated in strikethrough lettering) and insertions therein (indicated in underlined lettering).

Table A: Mixed-Use Overlay District Table of Uses:

1. In the “Key to symbols,” make the following insertion:

“MSP = Allowed by mixed-use project master special permit. In the case of any use item and/or designation “MSP” for any use item, that is added by amendment to this Table A after the issuance of a mixed-use project master special permit, such use item shall conclusively be deemed allowed by such previously issued mixed-use project master special permit.

And

2. Under the heading “Retail Uses” and immediately following the line item for “Shop of artist or crafts person” and before the line item “Retail sales in a building with more than 60,000 square feet of gross floor area”, make the following insertion:

Pharmacy or drug store without drive-up windowMSP
Pharmacy or drug store with drive-up window - maximum one such pharmacy or drugstore MSP

MOTION:

Kevin Murphy moved and was duly seconded that the Town vote to amend Article 23 of Chapter 198 (Zoning) of the Code of the Town of Wayland by making the amendments thereto set forth in Page 67 of the Warrant for the April 15, 2009 Special Town Meeting.

PLANNING BOARD REPORT:

Pursuant to Massachusetts General Laws Chapter 40A, Section 5, the Planning Board held a Public hearing on proposed amendments to the Town’s Zoning By-Laws that would amend Article 23 – Mixed Use Overlay District of Chapter 198 of the Code of the Town of Wayland. The proposed amendment would expand the Pharmacy uses to include a drive-up window for a maximum of one pharmacy or drug store.

Currently, drive-up windows are allowed only for bank branches within the Mixed Use Overlay District (MUOD). The proposed amendment will permit the inclusion of one drive-up window as a permitted use for a single pharmacy or drug store. Any design incorporating a drive-up window for a pharmacy will still require site plan approval by the Planning Board.

The amendment consists of two changes which both apply to Table A, Mixed-Use Overlay District Table of Uses. The first change amends the table Key definition of MSP to add language that which makes clear that any change to the table that adds a new use requiring MSP (Master Special Permit) approval will be treated as if it were included in

the MUOD MSP which was issued January 17, 2008. In other words, a separate Master Special Permit will not be required for any use added to the table and designated as MSP.

The second change adds two line items to the Retail Uses section of the table. The first insertion allows a Pharmacy or drug store without a drive-up window and the second allows a Pharmacy or drug store with a drive-up window subject to a maximum of one such pharmacy or drug store. Two insertions are required to allow a single pharmacy with a drive-up window as well as pharmacies without drive-up windows.

The Planning Board voted to recommend approval by a vote of 3 to 0.

VOTED:

1ST VOICE VOTE: SCATTERING OF NOES

2ND VOICE VOTE: SCATTERING OF NOES

STANDING COUNT BY MODERATOR:

OPPOSED: 4

IN FAVOR: 113 MOTION CARRIED BY 2/3 MAJORITY

ARTICLE 3: ACQUIRE AND DISPOSE OF WASTEWATER TREATMENT PLANT SITE

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, gift, eminent domain or otherwise, the fee or any lesser interest in the parcel of land located off Boston Post Road, Wayland, Massachusetts, containing 28,625 square feet, more or less, and shown as "Future Municipal WWTP Parcel" on a plan entitled "Wayland Town Center 400 Boston Post Road Wayland, Massachusetts", dated June 2, 2008, prepared by R.J O'Connell & Associates, Inc., which parcel of land is a part of Lot A on Land Court Plan 17983A, for municipal wastewater purposes, a copy of which plan is on file in the Office of the Town Clerk;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said 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;
- d.) authorize the Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcel of Town-owned land off Boston Post Road in Wayland, Massachusetts, containing 19,071 square feet, more or less, and shown as Parcel A on a plan entitled "Plan of Easements in Wayland Massachusetts," dated April, 1999, prepared by Richard F. Kaminski and Associates, Inc., recorded with the Middlesex South Registry of Deeds as Plan No. 1206 of 1999 to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcel of land; and
- e.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the parcel of land described in Paragraph d.) above, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

MOTION:

Joseph Nolan moved and was duly seconded that the Town 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 off Boston Post Road, Wayland, Massachusetts, containing 28,625 square feet, more or less, and shown as "Future Municipal WWTP Parcel" on a plan entitled "Wayland Town Center 400 Boston Post Road Wayland, Massachusetts", dated June 2, 2008, prepared by R.J O'Connell & Associates, Inc., for municipal wastewater purposes, a copy of which plan is on file in the Office of the Town Clerk;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land;

- c.) provide for said appropriation by transferring \$1.00 from the General Fund- Unreserved Fund Balance.
- d.) authorize the Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcel of Town-owned land off Boston Post Road in Wayland, Massachusetts, containing 19,071 square feet, more or less, and shown as Lot A on Land Court Plan 17983A and described in an order of taking dated October 25, 1999 and recorded with the Middlesex South Registry of Deeds in Book 30797, Page 005 to the Board of Selectmen for the purpose of conveying, selling or otherwise disposing of said parcel of land; and
- e.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of the parcel of land described in Paragraph d.) above, subject to such conditions, restrictions and limitations as the Selectmen deem appropriate.

MOTION TO PASS OVER:

Prescott Baston, Jr. moved and was duly seconded that Article 3 of the 2009 Special Town Meeting be passed over.

PROCEDURAL STATEMENT AND ERRATA:

Cherry Karlson stated that under the Finance Committee comments on Page 70 in the Warrant there are two errors which should be corrected:

The first error is in the first paragraph under the Finance Committee comments where it says the development agreement was approved at Town Meeting. It was not approved at Town Meeting in the Warrant from that year. The development agreement was referenced as being key to understanding the zoning change and on page 124 of that Warrant there was a paragraph that addressed this land change. The comment was correct. We did not vote on the development agreement - it was important backup to understanding the article.

The second correction was in the second paragraph under Finance Committee comments where it said the exchange was approved by Town Meeting in April of 2006. The Annual Town Meeting convened in April and this article in 2006 was actually covered under Special Town Meeting which happened in May 2006.

MOTION:

William Whitney moved and was duly seconded to terminate debate.

VOTED ON MOTION TO TERMINATE DEBATE: MOTION CARRIED

VOTED ON MOTION TO PASS OVER: MOTION NOT CARRIED

VOTED ON MAIN MOTION: MOTION CARRIED

ARTICLE 4: ACCEPT LAW ALLOWING HISTORIC DISTRICT COMMISSION MEMBERS TO MISS ONE SESSION OF ADJUDICATORY HEARINGS

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D for all types of adjudicatory hearings held by the Historic District Commission.

MOTION:

Joseph Nolan moved and was duly seconded that the Town vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D for all types of adjudicatory hearings held by the Historic District Commission.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 5: AUTHORIZE TOWN TO INDEMNIFY MASSACHUSETTS SCHOOL BUILDING AUTHORITY
--

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the School Committee to enter into a feasibility study agreement with the Massachusetts School Building Authority (MSBA) relative to school building construction and renovation projects, which agreement may include a provision requiring the Town to indemnify the MSBA for losses associated with the Town's performance of its obligations and exercise of its rights under such agreement.

MOTION:

Michael Tichnor moved and was duly seconded that the Town vote to authorize the School Committee to enter into a feasibility study agreement with the Massachusetts School Building Authority (MSBA) relative to school building construction and renovation projects, which agreement may include a provision requiring the Town to indemnify the MSBA for losses associated with the Town's performance of its obligations and exercise of its rights under such agreement.

VOTED: UNANIMOUSLY IN FAVOR

ARTICLE 6: COCHITUATE ARCHITECTURAL PRESERVATION DISTRICT BY-LAW
--

Proposed by: Petitioners

To determine whether the Town will vote to establish the following Cochituate Architectural Preservation District By-law:

Cochituate Architectural Preservation District By-law

The Town of Wayland hereby establishes the Cochituate Architectural Preservation District, to be administered by the Cochituate Architectural Preservation District Commission.

I. PURPOSE

This by-law is enacted for the purpose of preserving and protecting groups of buildings and their settings that are architecturally and historically distinctive which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of Cochituate Village in Wayland, Massachusetts and to limit the detrimental effect of additions, demolitions and new construction on the character of the town. Through this by-law, additions, demolition and new construction may be reviewed for compatibility with the existing buildings, setting and neighborhood character. This by-law seeks to encourage the protection of the built environment through binding and non-binding regulatory review. This by-law promotes the public welfare by making the town a more attractive and desirable place in which to live and work.

II. DEFINITIONS

As used in this By-law the following terms shall have the following meaning:

ADDITION

A change to a building that includes modification of stories, height or floor area that is a change in square footage of at least thirty percent (30%).

ADVISORY REVIEW An Application review procedure that provides non-binding recommendations to the applicant.

ALTERATION, TO ALTER

A major change to a building or part thereof, or a site or part thereof, including: removal, new construction, reconstruction, demolition, addition, and other similar activities that make significant changes to a building or site.

APPLICATION

The complete project document(s) and supporting material(s) to be submitted by an applicant desiring to obtain a Certificate to Alter or a Certificate to Modify. A complete Application shall include all information reasonably deemed necessary by the Commission to enable it to make a determination. No substantive changes may be made to applicant's project document(s) and supporting material(s) once a Certificate to Alter has been issued. The Commission shall have the right to withdraw a Certificate to Alter in the event that substantive changes are made to the applicant's project document(s) and supporting material(s) subsequent to the Commission's review of the Application.

BUILDING

A combination of materials forming a shelter for persons, animals or property,

CERTIFICATE TO ALTER A document issued by the Cochituate Architectural Preservation District Commission that is necessary in order to obtain a building (or demolition) permit.

CERTIFICATE TO MODIFY A non-binding document issued by the Cochituate Architectural Preservation District Commission for Minor Modifications.

COMMISSION

The Cochituate Architectural Preservation District Commission.

COMPATIBLE

A project that meets the guidelines of the Cochituate Architectural Preservation District Commission.

DISTRICT

The Cochituate Architectural Preservation District as established in this by-law.

GUIDELINES The Cochituate Architectural Preservation District shall protect the overall character of the neighborhood by regulating the addition to, or demolition of, significant buildings and by making sure new construction respects the scale, massing, setback and materials of the historic structures and character of Cochituate Village.

MINOR MODIFICATION

A minor change to a building or part thereof, or a site or part thereof, that is eligible for advisory, non-binding review.

III. DISTRICT

The Cochituate Architectural Preservation District shall encompass the area shown on the map titled, "Cochituate Architectural Preservation District," which is appended to this by-law.

IV. ARCHITECTURAL PRESERVATION DISTRICT COMMISSION

The Cochituate Architectural Preservation District shall be overseen by a Commission consisting of five members, to be appointed by the Board of Selectmen, two members initially to be appointed for one year, two for two years, and one for three years, and each successive appointment to be made for three years.

The Board of Selectmen may appoint up to five alternate members to the Cochituate Architectural Preservation District. Said alternate members shall initially be appointed for terms of one, two and three years, and for three-year terms thereafter. In the case of absence, inability to act, or recusal from action due to a conflict of interest, his or her place shall be taken by an alternate member designated by the Chairperson, if available, otherwise by the

Vice-Chairperson if available, otherwise by a majority vote of the members and alternate members of the Commission present.

The Commission shall include, if possible, member(s) of the local historical commission; resident(s) of the district; an architect or building contractor; and persons with an interest in and knowledge of local history and/or architecture. Members and alternates of the Cochituate Architectural Preservation District shall demonstrate interest in and concern for improvement, conservation and enhancement of the district.

Each member and alternate member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

Meetings of the Commission shall be held at the call of the Chairperson, at the request of two members and in such other manner as the Commission shall determine in its Rules and Regulations. Three members of the Commission shall constitute a quorum.

V. ARCHITECTURAL PRESERVATION DISTRICT COMMISSION POWERS AND DUTIES

The Commission shall exercise its powers in administering and regulating the Alteration of buildings within the Cochituate Architectural Preservation District as set forth under the procedures and criteria established in this by-law.

The Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall, may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this by-law or set forth such forms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of Applications for certificates, hearing procedures, and other matters. The Commission shall file a copy of any such Rules and Regulations with the office of the Town Clerk.

The Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall shall establish design review guidelines or may from time to time amend the guidelines that set forth the Alterations suitable for the issuance of a Certificate to Alter. The Commission should consider compatibility of Alterations with the general design, arrangement, texture, materials and stylistic features of buildings in the surrounding area and the size, scale, massing, materials, and location of additions and new construction relative to the surrounding area. No such guidelines shall limit the right of an applicant for a Certificate to Alter to present any designs to the Commission for approval.

The Commission shall at the beginning of each year hold an organizational meeting and elect a Chairperson, a Vice Chairperson and Secretary, and file notice of such election with the office of the Town Clerk. The Commission shall keep a permanent record of its regulations, transactions, decisions and determinations, and of the vote of each member participating therein. The Commission shall undertake educational efforts to explain to the public and property owners the merits and functions of the Cochituate Architectural Preservation District.

VI. ALTERATION PROHIBITED WITHOUT A CERTIFICATE

Except as this By-law provides, no building or site within the Cochituate Architectural Preservation District shall be Altered unless the Commission shall first have issued a Certificate to Alter.

VII. ALTERATIONS EXCLUDED FROM COMMISSION REVIEW

It shall be the responsibility of the Commission, or its delegate to determine whether an Alteration is exempt from review. The Commission or its delegate shall have seven days to make this determination.

The following projects are excluded from Commission review.

- Projects not requiring a building (or demolition) permit.
- Structures when not defined as buildings or parts of buildings

- Temporary buildings subject to time limits and size limits by the Architectural Preservation District Commission.
- Interior Alterations
- Storm windows and doors, screen windows and doors.
- Removal, replacement or installation of gutters and downspouts.
- Removal, replacement or installation of window and door shutters.
- Accessory buildings of less than 150 square feet of floor area.
- Removal of substitute siding.
- Alterations not visible from a public way.
- Ordinary maintenance and repair of architectural features that match the existing conditions including materials, design and dimensions.
- Reconstruction, substantially similar in exterior design, of a building, damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

VIII. PROCEDURES FOR THE REVIEW OF MINOR MODIFICATIONS

The following Minor Modifications are eligible for advisory review by the Commission or its delegate thereof:

- Accessibility Improvements including ramps, rails, walkways and mechanical equipment associated with exterior architectural barriers subject to the extent possible under MGL 40A and other applicable state or federal laws.
- Substitute siding
- Removal of architectural trim
- Replacement of Windows and Doors

In reviewing the Application for a Minor Modification, the Commission or its delegate will consider the proposed Minor Modification in relation to design guidelines adopted by the Commission and will comment on whether the proposed Minor Modifications are compatible with the design guidelines. A Certificate to Modify will be issued and will include recommendations when appropriate of how such Minor Modifications may be compatible with the design guidelines.

Within thirty days after the filing of an Application for a Minor Modification, or within such further time as the applicant may allow in writing, the Commission or its delegate shall issue its Certificate to Modify, as determined at a public meeting. Decisions for Minor Modifications are non-binding and do not require a public hearing.

IX. PROCEDURES FOR THE REVIEW OF MAJOR ALTERATIONS

The following major Alterations require the submittal of an Application for a regulatory review by the Commission. The decision of the Commission shall be binding on the applicant.

- Demolition of a building or part of a building.
- New construction including buildings and additions that increase the square footage of the building by thirty (30) percent or more.

Within forty five days of the submittal of an Application for a major Alteration, the Commission shall hold a public hearing on the Application. At least seven days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall. Such notice shall identify the time, place and purpose of the public hearing. At least seven days before said public hearing, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the Commission to be materially affected thereby all as they appear on the most recent applicable tax list.

Following the public hearing, the Commission shall determine whether the proposed Alteration is compatible with the design guidelines and the purpose of this by-law. If the Commission determines that the Alteration is compatible,

the Commission shall issue a Certificate to Alter. The concurring vote of a majority of the membership shall be required to issue a Certificate to Alter.

If the Commission cannot determine that the Alteration is compatible, the Commission shall decline to issue the Certificate to Alter. The Commission shall provide the applicant with the reasoning for their disapproval including how the Alteration does not meet the design guidelines or the purpose of this by-law.

X. PROCEDURES FOR ISSUANCE AND FILING OF CERTIFICATES

Each Certificate issued by the Commission shall be dated and signed by its chairperson or such other person designated by the Commission to sign such Certificates on its behalf. The Commission shall send a copy of its Certificates and disapprovals to the applicant and shall file a copy of its Certificates and disapprovals with the office of the Town Clerk and the Building Commissioner. The date of issuance of a Certificate or disapproval shall be the date of the filing of a copy of such Certificate or disapproval with the office of the Town Clerk.

For Minor Modifications as described in Section VIII requiring a non-binding Certificate to Modify, if the Commission should fail to make a determination within thirty days after the filing of a complete Application for a Certificate to Modify and the holding of such public meetings as the Commission may deem necessary, or within such further time as the applicant may allow in writing, the Commission shall thereupon issue a Certificate to Modify due to failure to act.

For major Alterations as described in Section IX requiring a binding Certificate to Alter, if the Commission should fail to make a determination within sixty days after the filing of a complete Application for a Certificate to Alter and the holding of such public hearings as the Commission may deem necessary, or within such further time as the applicant may allow in writing, the Commission shall thereupon issue a Certificate to Alter due to failure to act.

XI. ENFORCEMENT AND PENALTIES

The Cochituate Architectural Preservation District Commission is specifically authorized to institute any and all actions, proceedings in law and in equity, as it deems necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof.

The Commission may designate the Building Commissioner to act on its behalf and to enforce this By-law under the direction of the Commission.

Any owner of a building subject to this by-law that alters a building without first obtaining a Certificate to Alter in accordance with the provisions of this by-law shall be subject to a daily fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until the Alteration is corrected, the addition is removed or a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission. If a violation of this by-law remains outstanding, no building permit on the premises shall be issued until the violation is corrected or unless otherwise agreed to by the Commission.

XII. APPEAL PROCEDURE

Any applicant or person aggrieved by a determination of the Cochituate Architectural Preservation District Commission may appeal as provided for in the Massachusetts General Laws.

XIII. VALIDITY AND SEPARABILITY

The provisions of this By-law shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this By-law shall continue to be in full force and effect.

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